CONGRESSIONAL RECORD:

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OF THE

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AND

APPENDIX,

FIFTY-EIGHTH CONGRESS, SECOND SESSION.

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from Indiana [Mr. HEMENWAY], a question or two before I proceed. To the appropriation bill, carrying as it does $138,150,100, it is now proposed to add $4,000,000, making in all $142,150,100.

Mr. HEMENWAY. If the gentleman has stated the amount in the original bill correctly, that is right.

Mr. MIERS of Indiana. Why were not these $4,000,000 placed in the original bill?

Mr. HEMENWAY. Because at the time the bill was passed the committee did not have the information upon which it bases this appropriation.

If the gentleman will read the hearings he will see that the Commissioner of Pensions sets out fully that two millions and a half of this deficiency results from the bills passed by Congress and by certain constructions put upon the law by the Assistant Secretary of the Interior, which increased the amount of money that was necessary for the present fiscal year.

Mr. MIERS of Indiana. In the report item 1 reads: "Pensions to those who heretofore have served in the Confederate army or had deserted from the Union Army, but afterwards served in the Union Army." That is one of them, is it not?

Mr. HEMENWAY. If the gentleman will permit, it was held that when a soldier was honorably discharged from his last service—I believe the gentleman's committee reported such a bill?

Mr. MIERS of Indiana. Yes; and we stand by it.

Mr. HEMENWAY. And it passed the House and passed Congress that when a soldier was honorably discharged from his last service and had served ninety days, that that wiped out his former record as far as a claim for a pension was concerned.

Mr. MIERS of Indiana. That was an additional item?

Mr. HEMENWAY. Yes.

Mr. MIERS of Indiana. And the next item is, "also the adding of certain organizations to the pension roll, as, for instance, those who served in a number of Indian wars and others."

Mr. HEMENWAY. That is another item.

Mr. MIERS of Indiana. And a third item is "the increasing of pensions for total deafness."

Mr. HEMENWAY. That is another.

Mr. MIERS of Indiana. Also the "restoration of widows, dependent mothers, or dependent sisters, who had married."

Mr. HEMENWAY. That is another.

Mr. MIERS of Indiana. And "the increase of pensions to those who lost limbs in the service of the United States." That is another.

Mr. HEMENWAY. All of these items combined make up the $2,500,000. Now, the million and a half of dollars is put on in the way of a deficiency because under a proper construction of the law the old soldiers can complete their claims so much more rapidly than they could if they had to prove what the Commissioner of Pensions now knows is true.

Mr. MIERS of Indiana. Now, if the gentleman will permit me to proceed for a moment, I would be obliged. Item 1, pensions to those who heretofore had served in the Confederate army or had deserted from the Union Army, but afterwards served in the Union Army, was enacted July 1, 1902, was it not? And if that was enacted more than a year and a half before the 1st day of March, 1904, to when the Commissioner now estimates, why was it not included?

Mr. HEMENWAY. The gentleman knows that the law was passed. Claims had to be filed and adjudicated, and no one could estimate in advance just how many claims would be filed or how many allowed.

Mr. MIERS of Indiana. But from June, 1902, to March, 1904, is nearly two years, is it not?

Mr. HEMENWAY. I will say to the gentleman that the Committee on Appropriations has always allowed the exact amount estimated for by the Commissioner of Pensions.

Mr. MIERS of Indiana. Then, after the gentleman's explanation, I desire to proceed for a moment. I take it for granted that the Commissioner of Pensions desires in good faith to execute this order.

I am not criticising, because the amount is too small; my motion is to increase the amount. I do not believe the order can be properly executed by an increase of $4,000,000. I would make the amount sufficient for a liberal execution of the order. I would also state definitely what Congress expected of the Commissioner of Pensions.

This order has defeated all legislation for this session of Congress, and I would make the rule of Congress so plain that no Commissioner of Pensions would dare continue the narrow and strict interpretation against the soldiers.

As we can't get any legislation, I want to make this order as much like a service pension as possible. I would make an honorable service and an honorable discharge entitle him to pension certificate. Then I would add to it 1 cent for every day between his muster and his discharge. I would deal fairly by the old soldier.

The present situation confirms me in the belief that I had when the appropriation bill was presented, that the calculation had been made by the Pension Bureau on so economical a scale that the expenditures could not possibly be met by $138,000,000. I would not stop at anything short of justice to the country's defenders.

Mr. HEMENWAY. Let me ask the gentleman this question: Does he oppose adding to the deficiency bill a sufficient amount of money to meet all the legislation which may be passed on the subject of pensions?

Mr. MIERS of Indiana. "The gentleman" does not.

Mr. HEMENWAY. And will the gentleman, when Congress meets next December, oppose an addition to the amount, if necessary?

Mr. MIERS of Indiana. "The gentleman" will not.

Mr. HEMENWAY. And does the gentleman believe there will ever be a day or a minute when any pension will remain unpaid because of lack of funds to pay it?

Mr. MIERS of Indiana. "The gentleman" believes that if the policy as now applied is to proceed, possibly that case may arise; but not if I can have my way.

Mr. HEMENWAY. In what particular has "the gentleman from Indiana" ever refused to join in appropriating one dollar estimated for pensions?

Mr. MIERS of Indiana. I am not reflecting on my colleague; it is the policy of those in power that I am talking about. "The gentleman from Indiana" has put to me the question whether I am willing to add to the appropriations in a certain contingency when I was trying to show that the present appropriation is too small.

My amendment provides an increase. Instead of $4,000,000, this appropriation shall be $5,000,000; and if you will honestly execute this order and the laws already on the statute books, you can not meet the necessities of the case with $10,000,000. Your $4,000,000 will be $6,000,000 short.

Mr. HEMENWAY. Then we will make it twenty millions.

Mr. MIERS of Indiana. If the Commissioner of Pensions had not issued this order, and had allowed Congress to enact a pension law, the amount would have been fifteen millions, instead of what may now be considered necessary, and we would have had a law that was definite and certain, and not subject to be changed at will by the Commissioner or anyone else.

Let me show the gentleman how this law is to be executed. Under the general act there are already on the rolls 87,984 men who are drawing pensions at the rate of $6. Now, it can not be said that the law does not——

[Here the hammer fell.]

Mr. HEMENWAY. I ask unanimous consent that the gentleman be allowed to proceed for five minutes more.

Mr. MIERS of Indiana. Make it ten minutes.

Mr. HEMENWAY. I hope the gentleman will be able to get through in five minutes.

The CHAIRMAN. The gentleman from Indiana [Mr. HEMENWAY] asks that his colleague be allowed five minutes additional. Is there objection? The Chair hears none.

Mr. MIERS of Indiana. To increase those $6 pensions would require $1,425,000. To increase the pensions of those drawing $8 would require $1,660,000. To increase the pensions of those drawing $10, $374,000 would be required. So that if this order is executed, it will take $3,470,000 for those persons drawing pensions under the June act. For those drawing pensions under the general law it would take $1,177,412.

Now, what are we going to do? You shut off all legislation. How are you going to execute this law? Are you going to execute it by requiring an examination, or are you going to execute it, as was said by the gentleman from Indiana, by saying that there shall be no examination? If you are going to execute it without any examination, as ought to be done—for every soldier's honorable discharge from service ought to be his pension certificate—then you can not execute this law short of $15,000,000 a year.

I desire to some way make it definite if there is to be an examination; so now, but don't later use that as an excuse to hold the old soldier off.

Now, will my colleague permit another question? The $1,500,000 is to cover what period of time?

Mr. HEMENWAY. To cover the time up to July 1.

Mr. MIERS of Indiana. Two months and a half.

Mr. HEMENWAY. The law went into effect——

Mr. MIERS of Indiana. On the 13th of April last.

Mr. HEMENWAY. Of course, time will be required for applications to be filed under the order, and the Commissioner of Pensions estimates that one million and a half of dollars will cover the expense up to that date; but if it does not there is money on

hand, as the Commissioner informs us, to cover the expense up to July 1.

He further states that if it is not possible for anyone to estimate accurately just what number of persons will be added to the roll by reason of the recent construction of the law, or by reason of aiding the soldiers in getting their evidence in promptly, then, when Congress meets next December, we can make such additional appropriation as may be necessary.

Mr. MIERS of Indiana. I am not talking about those not on the roll, but I am talking about those now on the roll. If there is to be an examination, then this order is a gold brick. If there is to be no examination and this order liberally construed, it will take near $4,000,000 to execute it as to them, to say nothing about the $10,000,000 and more money to execute the order for the men not now on the roll.

My amendment proposes an increase to $5,000,000. This is not enough, but would help some. If you expect the order to be liberally executed, we had better show some purpose of that kind by our actions.

If the gentleman puts it on that ground, that is a very different proposition; but when he puts it on the ground that it is required for the purpose of covering the laws passed in 1901 and 1902, and the law placing widows on the roll, then it brings me back to the other proposition. This calculation was made originally on so economical a scale that there must be an additional appropriation.

So far as I am concerned I am standing here now ready to say, "Let us make an appropriation large enough to meet the deficit. Let us not have it lie at the door of Congress that it was unwilling to furnish the money required." Then criticise the Commissioner of Pensions; his burden is already great enough.

Mr. HEMENWAY. I will just call the attention of the gentleman to the statement of the Commissioner of Pensions.

Mr. MIERS of Indiana. Yes.

Mr. HEMENWAY. He says:

I ought not to call that an estimate; in fact, it is a conjecture, and not an estimate.

And then the Commissioner states that there are ample funds on hand to take care of all claims that could be made until Congress convenes again; that after an experience of some months he can determine accurately——

Mr. MIERS of Indiana. If there is a sufficient amount on hand, why require any appropriation? Besides, he says it is only a conjecture. I respond "Let's make it definite and not conjecture."

Mr. HEMENWAY. This is to July 1, and the bill the gentleman is discussing is for the year beginning July 1, 1904, and running until June 30, 1905.

Mr. MIERS of Indiana. This $4,000,000 is to go until July 1, 1904.

Mr. HEMENWAY. Yes.

Mr. MIERS of Indiana. What provision is made for July, 1905?

Mr. HEMENWAY. I forget the amount of the bill as it passed the House.

Mr. MIERS of Indiana. Which bill?

Mr. HEMENWAY. The bill for the fiscal year ending June 30, 1905. That bill is still pending in the Senate, and we gave the amount estimated for.

Mr. MIERS of Indiana. You gave $138,150,000.

Mr. HEMENWAY. That was the amount estimated for by the Commissioner of Pensions.

Mr. MIERS of Indiana. Then if $138,150,000 was required, were these items that make this $4,000,000 taken into account?

Mr. HEMENWAY. This $4,000,000, added to the appropriation already available, the Commissioner informs us, will be ample to pay all pensions up to July 1, and of course after July 1, this Congress is now making provision for that.

Mr. MIERS of Indiana. Of course, that is a matter that can be thrashed out afterwards; but if it is sufficient it will be because the order is given a narrow interpretation. But I submit, if you are going to meet the requirements by reason of the items stated by the Commissioner of Pensions, you ought not to make it $4,000,000, you ought to make it $5,000,000, and even more.

Mr. HEMENWAY. The Commissioner seemed certain that $4,000,000 would be sufficient.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MIERS of Indiana. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that his time be extended five minutes. Is there objection?

Mr. GROSVENOR. Mr. Chairman, if gentlemen are to continue to get continual extensions we will be here all night.

The CHAIRMAN. Is there objection?

Mr. GROSVENOR. I object.

Mr. WILLIAMS of Mississippi. Has unanimous consent been granted to the gentleman from Indiana? If not, I ask it.

The CHAIRMAN. Objection is made.

Mr. HEMENWAY. I hope the gentleman from Ohio will allow the gentleman from Indiana to proceed for five minutes longer.

Mr. GROSVENOR. If some limit is to be fixed, I have no objection.

Mr. GAINES of Tennessee. If the other side is going to shut down on everybody else, why not find it out now?

Mr. GROSVENOR. I withdraw my objection; but I say to the gentleman from Indiana that he may not be able to keep his votes here all night.

Mr. HEMENWAY. They are not my votes, I will say to the gentleman from Ohio. Gentlemen here are Members of Congress, engaged in the performance of a public duty. They are at liberty to go whenever they feel disposed to do so.

Mr. MIERS of Indiana. Mr. Chairman, this order provides—

And if all other legal requirements are properly met——

Mr. HEMENWAY. I suggest to the gentleman that he obtain leave to print and cut his remarks as short as possible. I am being criticised by gentlemen around me for not expediting the bill.

Mr. WILLIAMS of Mississippi. I believe unanimous consent has been granted to the gentleman to proceed for five minutes.

The CHAIRMAN. The gentleman is recognized for five minutes and is entitled to the floor.

Mr. MIERS of Indiana. I believe the Pension Department ought to be placed on the same business plane that the Treasury Department, the Post-Office Department, or any other Department is. We have the letter of the Commissioner of Pensions of March 1, 1904, stating that he asks for two million and a half of dollars on account of pensions to those who were entitled to pensions for more than a year before his estimate was given. As a matter of fact, the law was passed in January, 1903.

He had all the facts before him on March 1, 1904—a year and three months afterwards. Why should he come in now for the purpose of bolstering up that state of things and ask for $4,000,000 for a law that had been in existence for three months? Then he stated these widows that were restored. Well, you all remember that that act was passed March 3, 1901. Now, if that act was passed March 3, 1901, why was not that included? Also those who have remarried.

Then he gives the increase of pension to limbless men. That passed in 1903, more than a year ago. Why was not that taken into account. It should have been and he should have asked for $150,000,000. Congress would have granted it——

Mr. GAINES of Tennessee. Will the gentleman allow me to ask him a question?

Mr. MIERS of Indiana. Certainly.

Mr. GAINES of Tennessee. I desire to ask about this proposition. What authority has the Commissioner of Pensions to say that 62 years of age is prima facie evidence of disability? In other words, what power has the Commissioner to declare what is evidence of disability? When he says 62 years of age is prima facie evidence of disability, since Congress has not so declared, is not his declaration that 62 years is such evidence legislation?

Mr. MIERS of Indiana. I think the Commissioner of Pensions has the right to apply the law at all times.

Mr. GAINES of Tennessee. We will all grant that.

Mr. MIERS of Indiana. Let me answer your question.

In applying the law, as the Pension Bureau has for near forty years been considering men's disabilities, and if they have found a universal law, or so nearly so as to amount to universality, that when a man is 62 years of age he is half disabled, and they have found that when he reached 65 he is two-thirds disabled, and they find that when he is 68 he is five-sixths disabled, and they find that when he is 70 he is totally disabled.

That becomes a universal fact. There is no use, there is no necessity, there is no law that ought to require an old soldier to make that proof. [Loud applause.] But, on the other hand, with Congress in session, with the law formulated by the committee, ready to report—not only the committee ready to report but the House ready to act—I think it was exceedingly bad taste and much out of judgment for him to do that thing. [Loud applause on the Democratic side.] It takes from Congress a privilege and makes only an estimate where Congress would have enacted a definite law.

Mr. GAINES of Tennessee. Well, now, will my friend allow me to ask him this question?

Mr. MIERS of Indiana. Certainly.

Mr. GAINES of Tennessee. Is it not legislation for the Commissioner to say that 62 years of age is evidence, and prima facie evidence, of disability?

Mr. MIERS of Indiana. I do not think so. He only applies a universal law, founded on long experience.

Mr. GAINES of Tennessee. Has the Commissioner any right to say what is prima facie evidence, and declare that this and that or any other thing is prima facie evidence, when Congress has not declared so by statute? Does not the Commissioner in doing this give the claimant a "right" he would not have without this declaration or order?

Mr. MIERS of Indiana. I think that Congress has the right, and it is the duty of Congress to do it; but, upon the other hand, if the Department finds universally that a man is in a certain condition at 62 years of age, and the Department has investigated his disabilities and finds them to be a certain thing, I do not see why we may not as well accept that as a universal thing. The objection, in my mind, to this order is that the Commissioner or his successor may apply another rule or set this aside. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MIERS of Indiana. I ask unanimous consent to extend my remarks in the RECORD.

Mr. HEMENWAY. Mr. Chairman, I ask unanimous consent that all debate on this item and amendments thereto be concluded in twenty minutes.

Mr. MOON of Tennessee. I object.

Mr. WILLIAMS of Mississippi. I hope the gentleman will not make the time as short as that. I want to occupy perhaps ten minutes of the time, and I know the gentleman from Tennessee [Mr. MOON] will want ten minutes, and the gentleman from Tennessee [Mr. SIMS] wants five minutes.

Mr. MOON of Tennessee. I think ten minutes will be little enough for me to say what I want to say.

Mr. HEMENWAY. The minority side has had the greater portion of the time, and I propose to close debate.

Mr. WILLIAMS of Mississippi. But, then, there is this amendment, and there has been no time taken except by the gentleman from Alabama.

Mr. HEMENWAY. I hope the gentleman will agree to closing the debate in that time.

Mr. MOON of Tennessee. I hope the gentleman will extend it for ten minutes, as I want to have ten minutes.

Mr. HEMENWAY. I ask unanimous consent that debate close in thirty minutes.

Mr. WILLIAMS of Illinois. I object.

The CHAIRMAN. Let the Chair state the request of the gentleman from Indiana. The gentleman from Indiana asks unanimous consent that all debate on the pending paragraph and amendments thereto may be closed in thirty minutes. Is there objection?

Mr. WILLIAMS of Illinois. I object.

Mr. HEMENWAY. Then I move that debate close in twenty minutes.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I think if the gentleman——

The CHAIRMAN. Let the Chair state the question first. The gentleman from Indiana moves that all debate on the pending paragraph and amendments thereto be closed in twenty minutes.

Mr. WILLIAMS of Mississippi. I was trying to get the attention of the Chair a moment ago. I think if the gentleman will ask that all debate be closed within a time which will give to this side twenty-five minutes, that there will be no objection, but that much time I know now to be desired on this side.

Mr. HEMENWAY. Mr. Chairman, I ask unanimous consent that all debate be closed in thirty minutes, and that twenty-five minutes of that time be given to the minority side.

Mr. ROBINSON of Indiana. Mr. Chairman, I want to suggest that I desire to be heard for ten minutes on this proposition.

Mr. HEMENWAY. The gentlemen will have to decide that on their own side.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that debate upon the paragraph and pending amendments be closed in thirty minutes, the minority to have twenty-five minutes of that time.

Mr. ROBINSON of Indiana. To that I object.

Mr. HEMENWAY. Then, Mr. Chairman, I move that all debate on the pending paragraph and amendments thereto be closed in twenty minutes.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I hope the gentleman will change his amendment.

Mr. HEMENWAY. Well, Mr. Chairman, at the request of many gentlemen on this side of the House I move that all debate on the paragraph and pending amendments thereto be closed in thirty minutes.

Mr. WILLIAMS of Mississippi. I trust the gentleman will arrange it so that we will have twenty-five minutes.

The CHAIRMAN. The committee will be in order, and the Chair will state again the motion of the gentleman from Indiana. The gentleman from Indiana moves that all debate on the section and all amendments pending thereto be closed in thirty minutes.

Mr. MOON of Tennessee. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his inquiry.

Mr. MOON of Tennessee. To one amendment, the one I offered myself, the gentleman from Indiana opposed a point of order. What became of the point of order? Is it not to be considered, or is the amendment to be acted upon without consideration, or does the gentleman withdraw the point of order?

The CHAIRMAN. Debate on the point of order, of course, will be in the discretion of the Chair. The question now is on agreeing to the motion of the gentleman from Indiana.

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. HAY and others. Division!

Accordingly the House divided; and there were—ayes 134, noes 16.

So the motion was agreed to.

The CHAIRMAN. The gentleman from Mississippi is recognized.

Mr. BADGER. Mr. Chairman, I offered an amendment a little while ago.

The CHAIRMAN. The gentleman from Mississippi is recognized.

Mr. BADGER. What time can I offer a further amendment to this? I understood they were to be offered.

The CHAIRMAN. It is not in order now; it may be later.

Mr. WILLIAMS of Mississippi. Mr. Chairman, the little speech made a moment ago by the gentleman from Indiana [Mr. HEMENWAY] was beautiful and enthusiastic. It had a great deal of rush and élan in it, but under the light of cold analysis it is sad to confess that it will be discovered to be a mere ebulition, an unsubstantial fabric of oratorical pyrotechnics.

The gentleman says we have been trying to find issues. Why, issues have been growing up about us by Republican action and nonaction so thick and fast that I feel as if I was in a wilderness. The gentleman from Michigan [Mr. GARDNER] asked the gentleman from Alabama [Mr. UNDERWOOD] what difference there was "in principle" between fixing the age of 75 years and the age of 65 years as an age at which there should be presumption of disability.

I answer him that there is none. I answer him, moreover, that there is none between fixing 65 and 55, and none between that and fixing 45; none between that and fixing 35, and none between that and fixing 25. Now, Mr. Chairman, this very general order confesses that to be true. It says:

> Whereas old age is an infirmity, the *average* nature and extent of which the experience of the Pension Bureau, etc.

Confessing that it is a question of "average" only, confesses that there are exceptions. Now, the law of 1890 provides for a case of facts. Here is a presumption that a fact exists without proof, and if it is to be presumed, merely because an Executive order is issued, to be a fact—if it shall be presumed at 65, it could be presumed at 35, and the presumption would be *in law* of the same force and effect, whether it were in fact the truth or not.

Mr. GARDNER of Michigan. Mr. Chairman, may I interrupt the gentleman?

Mr. WILLIAMS of Mississippi. Oh, I have not the time. They have cut off debate. I am very sorry, but I must go on. If I had the time, I would be very glad to yield to the gentleman.

Now, Mr. Chairman, I desire to call attention to this: If it is true in the year of our Lord's grace 1904 that reaching the age of 62 means a certain fact of disability, and that reaching the age of 65 means a certain fact of total disability under the law of 1890, then that was equally a fact in 1892; so that it was true in 1892 that men of 62 then and that men of 65 then were totally disabled under this ruling.

Now, I want to ask the gentleman, if that be true, what are you going to do to recompense those who reached these respective ages in 1892, 1894, and 1896, and who have died and gone beyond the shadowy line before this so-called fact had been found by construction of the law of 1890 to be a fact? And what are you going to do with those who reached it then and who are still living? I want to ask the gentleman if this is not simply another illustration of recent Executive usurpation? Some of the usurpations are so gross that they are absolutely ridiculous.

Here, not long ago, an underling of this Government decided "officially," as the admiral in Pinafore said, that frog legs imported into this country are dressed poultry, and not very long ago another underling decided that a little piano hammer, a triangular piece of wood with a little piece of felt upon it, put on at the end to keep from hurting the wires when you are tapping the piano to see if it is in tune, was "a manufacture of wool," because somebody in this country had started to make these little triangular hammers.

Now, Mr. Chairman, to get back to this special question, why not accept the amendment of the gentleman from Tennessee [Mr. MOON] and remove all doubt from this transaction? If you want this service pension, make it a law.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I ask unanimous consent that I may be permitted to proceed for another five minutes. That five minutes seemed a mighty short one. [Laughter.]

The CHAIRMAN. The gentleman from Mississippi asks unani-

mous consent that he may be permitted to proceed for five minutes. Is there objection?

Mr. HEMENWAY. That five minutes to be taken out of the thirty minutes.

Mr. WILLIAMS of Mississippi. Oh, of course.

The CHAIRMAN. The Chair hears no objection, and the gentleman is recognized for five minutes.

Mr. WILLIAMS of Mississippi. Now, Mr. Chairman, the gentleman from Indiana [Mr. HEMENWAY], when this amendment of the gentleman from Tennessee [Mr. MOON] was offered, said that he would make the point of order on the ground that it is "a change of existing law," and he now says that he will make that point of order at the proper time.

Remember that the amendment is in the exact words of the Executive order, so that if the amendment is a change of existing law the Executive order is a change of existing law, and the Commissioner of Pensions has committed an impeachable offense, for undoubtedly amongst the high crimes and misdemeanors that were charged against Charles I, and for which he lost his head, all of them were based upon this idea of executive usurpation of legislative functions.

Then the very next moment the gentleman from Indiana [Mr. HEMENWAY] said that he is opposed to the gentleman's amendment—and why? Because it is merely a redeclaration of existing law, and therefore "unnecessary" and a game that is played "for political effect." Let the gentleman reconcile himself to himself. It is no wonder that he accused the gentleman from Alabama with misrepresenting him, when that gentleman merely mentioned the fact that he had made the point of order that it was a change of existing law. This very order carries within itself the answer to what the gentleman has said.

It says that "whereas *by act of Congress*" certain things took place with regard to Mexican pensions, and "whereas thirty-nine years have now elapsed"—what has all that got to do with a construction of law upon a statute book—and "whereas old age is an infirmity, the average nature and extent of which" the experience of the Pension Bureau has established with reasonable certainty, as I read a moment ago—why all these whereases of legislation if this executive decree is not legislation? But this last clause, above all others, is the one to which I wish to direct attention:

"This order *shall take effect April 13*, 1904, and *shall not be deemed retroactive*."

How can a construction of the law of 1890, if it is a proper construction, if it is not an executive decree, if it is not an executive usurpation, if it is not executive-made law—how can it "take effect" for the first time on April 13, 1904, and "not be deemed retroactive?"

How can a proper construction of a law passed in 1890 have decreed about it by an executive officer of this Government that it shall not date back to the time of its passage?

Now, Mr. Chairman, I yield such time as I have remaining of the five minutes to the gentleman from Tennessee [Mr. MOON].

Mr. MOON of Tennessee. Mr. Chairman, I offered an amendment to this bill, as follows:

After the word "*Provided*," in line 6, page 44, insert:

"All persons who served ninety days or more in the military or naval service of the United States during the late war of the rebellion, and who have been honorably discharged therefrom, and who now are or shall hereafter reach the age of 62 years, shall receive a pension thereafter on account of such service at the rate of $6 per month after attaining the age of 62 years; at the rate of $8 per month after attaining the age of 65 years; at the rate of $10 per month after attaining the age of 68 years, and at the rate of $12 per month after attaining the age of 70 years: *Provided, however*, That the pensions hereby granted shall not be in addition to the pensions allowed by existing law."

It is in substance the Executive order mentioned. My friends Mr. WILLIAMS of Mississippi and Mr. UNDERWOOD have both discussed it, perhaps better than I could do. The gentleman from Indiana [Mr. HEMENWAY] made the gratuitous remark that this amendment was offered for party purposes. The gentleman from Indiana is mistaken. I do not desire to use any stronger language than that. He had no right to make such a remark. Nothing that has occurred in this debate justified it. There is nothing that ever occurred on my part or on the part of this side of the House that justified it. I desire to say to him now that if he be the gentleman I have assumed him to be he will withdraw that remark from this RECORD.

Mr. HEMENWAY. I had no desire to reflect on the intentions of the gentleman from Tennessee; my remark applied more to the course of the minority side generally than to any gentleman in particular.

Mr. MOON of Tennessee. This is not the first time, nor the second, nor the third, nor will it be the last time that I shall conceive it to be my duty to stand upon this floor to give such aid as I can in the protection of the interests of the American soldier. [Applause.]

I offer this amendment because I believed—ah, sir, I know, as every other sensible lawyer knows—that there is no law upon the statute books this minute authorizing this Executive order or the order of the Bureau of Pensions, which is substantially embodied in the amendment I have presented. Having offered this amendment, I ask this House to pass it that there may be no doubt on the question, because I believe the order a wise and sensible one if enacted into law in pursuance of the Constitution by this sovereign body, Congress—the one power that has the right to make laws for these United States. [Loud applause on the Democratic side.]

And in all seriousness, sir, looking alone to the interests of this Republic and those who defended it in the days of its greatest peril, I call your attention to the declaration which no lawyer on this floor dare controvert—that there is no law this day for this order. Listen:

SEC. 4698 (U. S. Stats.). Except in cases of permanent specific disability, no increase of pension shall be allowed to commence prior to the date of the examining surgeon's certificate establishing the same, made under the pending claim for increase; and in this as well as in all other cases the certificate of an examining surgeon or a board of examining surgeons shall be submitted for approval to the Commissioner of Pensions.

What is the meaning of that section? It means that the facts must be determined by a medical board before the pension is granted. It means that no rating can be made by the Department except upon an examination by the board.

Where is the statute that provides for senility at 62 years of age, or at 65, or at 70? How do you get around the mandates of the positive statute requiring that a rating as to disability be made on the certificate of surgeons? Why not say that at the age of 75 or 85 or 90 the pension shall be $20 or $30 or $40?

Sir, this is an arbitrary assumption on the part of the executive department. It is a usurpation of the power of this House. It is legislation. Why? Because the statute requires a fact to be established—a substantive fact—before a pension is granted. Although you may assume, yet you have no right to do so, that disability comes with senility at a specified age, yet the degree of disability and the rating to which the pensioner is entitled are substantive facts to be established by proof. How can that proof be obtained? Only under the rules of law and evidence. What right have we to assume a fact to exist that the law says shall be proven before judges who are to pass upon that fact?

Gentlemen talk of inferences of law. You may speak also of inferences from fact, but no tribunal has ever yet attempted to predicate a judgment upon an assumption of fact when the law required it to be established before that judgment could be entered.

You tell me, sir, that I have no interest in this question, with 8,000 Federal soldiers in my district who bore arms under conditions that testified to courage on their part greater perhaps than that shown anywhere else in this nation. [Loud applause.]

[Here the hammer fell.]

Mr. LIVINGSTON. I ask that the gentleman be granted five minutes additional.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Tennessee be permitted to continue five minutes. Is there objection?

Mr. HEMENWAY. I will not object if it comes out of the time on that side.

The CHAIRMAN. The Chair hears no objection.

Mr. MOON of Tennessee. Are they not interested, gentlemen? Pensions have been granted all over this Union to soldiers of the Federal Army. You have neglected the soldier of the Federal Army from the South, who turned his face upon his native land, upon his home and his fireside, to cross over the mountains and stand under the Stars and Stripes and battle for this great Union. [Applause on the Democratic side.] The sons of the Confederates to-day in Tennessee recognize the courage and the splendid manhood of that magnificent soldiery, and representing that people in this House and elsewhere they will demand that you shall make certain the rights of these people, and not leave them to the uncertainties of Executive orders. [Applause on the Democratic side.]

Do you want to do that which is right? Do you want to do justice to these people who have not yet in hundreds of instances received the pensions that are due them, because, forsooth, they happen to live south of Mason and Dixon's line and have not the influence in the Republican party to obtain the rights to which they are entitled under the laws and Constitution of their country? If you do, then enact into law this order that you call an "Executive order," an order in itself illegal and unjustifiable when emanating from the Executive, but an order that still would be wise and judicious emanating from the lawmaking power. [Applause on the Democratic side.]

Make certain these doubts: Let the gentleman from Indiana [Mr. HEMENWAY] withdraw his point of order and let this section pass. If this be subject to the point of order because it is new law, then I beg you not to make the point of order, in the interest

of the American soldier. If you say that it is the law now, I defy you or any other living man to lay your hand upon the statute or any honest and intelligent man to give a construction under the rules of law that will justify that interpretation.

If you say that the Commissioner has the right to make such regulation, again I ask you by what authority can the American Congress delegate to subordinates of this Government the power to legislate? [Applause on the Democratic side.] The people have a right to be protected; the soldier has a right to be protected. You occupy a very peculiar position. I will not say, because it is not for me to judge, that this order was made for political purposes and effect. I care not what it was made for. If you will make it effectual, if you will make it beneficial, if you will make it constitutional and lawful, enact it into law under this amendment. [Applause on the Democratic side.]

Mr. HINSHAW. Mr. Chairman, I desire to submit some remarks upon the bill now pending and the amendments offered thereto, and in order that we may have clearly before the House the exact question which has excited so much opposition from the Democratic side of this House to-day I will read that part of the general deficiency appropriation bill relating to pensions. It is as follows:

For army and navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, army nurses, and all other pensioners who are now borne on the rolls or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, $4,000,000: *Provided*, That the appropriation aforesaid for navy pensions shall be paid from the income of the navy pension fund, so far as the same shall be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately.

Two million five hundred thousand dollars of this appropriation has become necessary, as usually happens at the end of a Congress, owing to unexpected contingencies which have arisen since the passage of the general pension bill, which appropriated $138,000,000 for this purpose. The other $1,500,000, because of the recent order No. 78, issued March 15, 1904, by the Commissioner of Pensions, under which it is presumed that when a soldier arrives at the age of 62 years he is one-half disabled and without further proof entitled to $6 per month; at 65 years to $8 per month; at 68 years to $10 per month, and at 70 years to $12 per month, as for total disability. This very just and beneficial order increases the amount to be paid for pensions principally because it hastens the allowance of the claims. It is not necessary under this order for a soldier to prove his disabilities, but simply to prove his age, and thus this appropriation is necessary at this time, because it is thought that a great many soldiers who do not now receive the above-named sums can speedily obtain relief by simply proving age.

To be sure, the soldier can continue to prove his disabilities and obtain more of a pension than his age would entitle him to under this order, if he so desires. It is estimated that this order will save to the Government and the soldiers $500,000 per year in the way of examinations. It will save more than this sum to the soldiers themselves, who will not be obliged to spend time and money and much effort to go to take their examinations. It is a matter of vital importance to the soldiers, who are, many of them, very poor, to save every single expense in the way of railroad fare and hotel bills, as well as the fatigue and exertion incident to going sometimes long distances for examination. I am indeed sorry to see the solid Democratic opposition to this pension order and appropriation. It is simply a wise holding on the part of our Government and puts into force the long experience of the Pension Office, which shows conclusively that, on the average, soldiers who have arrived at the age of 62 years are one-half disabled, at 65 years are two-thirds disabled, and at the age of 70 years totally disabled.

If the soldier should, however, allege other disabilities and take an examination and that examination should show that he was not disabled in the proportion indicated by this order, the evidence of his real disabilities would be followed and he might not get the amount of pension which the order would have given him had he not taken the examination.

The gentleman from Alabama [Mr. UNDERWOOD] offers an amendment striking out $4,000,000 and inserting $2,500,000, and the gentleman from Georgia [Mr. LIVINGSTON] offers an amendment as follows:

Provided, That no part of this appropriation shall be paid to any claimant for pension under order No. 78, issued March 15, 1904, by E. F. Ware, Commissioner of Pensions, and approved by the Secretary of the Interior.

These proposed amendments simply show hostility to the increase of pensions. The gentlemen may argue that they are offering these amendments simply for the purpose of preventing violation of law, but behind it all the real purpose is to serve the interests of their constituents, who are opposed to the whole pension system, and to create in the minds of the southern people the impression that the Government of the United States is doing a very wrong thing in protecting and caring for the soldiers of the Union.

The fact is there should be passed a general pension bill giving to soldiers of the civil war who served ninety days $12 per month without regard to disabilities. Such a bill I introduced at this session of Congress. Three or four months of study of the conditions which exist in this Congress, sent from all parts of the United States, soon convinces a man from the great West, where so many thousands of soldiers live, that there is great hostility to a service-pension bill and that no such universal measure would be likely to pass both branches of Congress. And the spirit which has been shown on the floor of this House to-day further convinces me that, under one specious pretext or another, there is a determination here to suppress general pension legislation. I believe that in all the States of the West and Middle West and in most of the States of the East there is a widespread and general sentiment in favor of a further extension of pension legislation and a desire to give to the soldiers of the Republic a further compensation for the hardships and dangerous service which they endured in the great war which saved the nation.

These soldiers are old; most of them are very poor. Many of them suffered in prisons and on the long and weary marches. Diseases were contracted which it is now difficult or impossible to trace to the service, but which, nevertheless, had their origin in the exposure of camp and field, from the assaults of rain and snow, from privation and deprivation, from bullets and from bayonets, and all the countless trials and hazards that make the woeful tale of war. For the defense of the nation they offered all they had to give. Home and happiness and life itself were freely given that a nation might be saved and men made free. And now, when forty years have passed, and age, disease, and poverty are slaying more than did the bullets in the time of strife, we should not, must not, refuse what little comfort we can lend to their declining years.

I know from what I have seen and heard upon this floor to-day that the Republicans of this House will unanimously vote down the amendments proposed by the gentlemen from Alabama and Georgia, and I know that they will also pass this appropriation in spite of Democratic opposition, and yet further relieve the present necessities of this magnificent soldiery. They are the pride of history. If the world knows to-day that this nation is to be feared, honored, and respected, it is because a million soldiers under Sherman and Sheridan and Grant won a victory for the right over an equally valiant and mighty host on southern battlefields.

England has embalmed in song and story the heroic deeds of her soldiery at Waterloo, at the Vale of Inkermann, and the historic charge of the Light Brigade at Balaklava. France has recorded with enthusiastic admiration the inspiring history of her regiments at the battle of the Pyramids, at Ulm, at Austerlitz, on the steppes of Russia, and in the last desperate charge when the Old Guard died, but would not yield, surrounded by Wellington's Men of Iron, when Napoleon's star went down. Germany has handed down the history of Frederick the Great and his disciplined men, who built up the German Empire, broadened and expanded and made forever strong by the valiant hosts of Von Moltke and Bismarck. All men are touched to tears by the pathetic story of William the Silent, who desperately fought the hosts of Spain under the remorseless Duke of Alva and, in the final bitterness of despair, cut the dikes and let the North Sea in to sweep the Spanish from the land.

Some of these armies fought for vulgar glory, for plunder, and for spoils; some of them fought for native land and the God-given rights of the free. It was left for a later day and in a newer world for the mightiest host that ever assembled under the flag of war to fight for the liberty of an alien race and the emancipation of the slave. In the greatest battles known to history—at Shiloh; at Vicksburg; at Chickamauga; at Missionary Ridge; at Gettysburg, where remained at the end of the desperate contest 50,000 wounded and dead; in the gloomy Wilderness, where 20,000 Union men died amidst thickets and entangling vines; at Cold Harbor, where perished in twenty minutes more soldiers than all who fell in the Spanish-American war; at Petersburg and Richmond and countless other battlefields—the soldiers of the Republic, of whom we talk to-day, bared their breasts to a storm of shot and shell unequaled in all the annals of war, and it is for the cause of them I plead, who stand in the sunset of life's declining day, asking of the mightiest nation on the face of the earth justice—simple justice.

Mr. ROBINSON of Indiana. Mr. Chairman, the Republican party in Congress has forgotten the old soldiers of the war from 1861 to 1865. They have forsaken him in this Congress. They have neglected his appeals and spurned his petitions.

Early in this session Republican Members, fresh from their districts and soldier constituents, rushed to introduce more than a score of general pension bills. None have been considered. They are now rushing to adjourn Congress to get away from the consideration of them.

Is this the measure of your patriotism?

Across Pennsylvania avenue at the close of the war, as the soldiers were marching through, was a banner inscribed "The only debt the nation can never pay is the debt she owes her soldiers."

Let that be the sentiment now. Banish the false pretense and hypocrisy that rushed to introduce bills, never to be passed, and that rushes to adjourn Congress so you need not pass them.

The iron rule could not prevent you from introducing them, but you have a majority to get consideration for them. Instead of faltering to make steady to do your duty, you are running away.

Every year the soldiers' steps are growing more tottering. Every year Congress is growing colder.

Here you are with the power of the House, urged by the soldiers to pass a service-pension bill.

The Grand Army of the Republic at San Francisco, in August, 1903, passed this resolution unanimously:

That the committee on pensions to be appointed for the ensuing year be, and they hereby are, directed to present to Congress for passage a bill which, while not disturbing the beneficent provisions of existing laws, shall provide that every survivor of the war of 1861–1865 who served for a period of ninety days and who was honorably discharged and has passed the age of 62 years shall be pensioned at the rate of $12 a month, and that a pension of the same amount be paid to the worthy widow of such soldier when deceased was married to such soldier prior to the 27th day of June, 1890.

The committee met in Washington. They drafted a bill. It was early introduced in the Senate and House.

This is one of the bills:

A bill to pension all soldiers and sailors who served in the military or naval service of the United States at least ninety days in the war of the rebellion, and who were honorably discharged therefrom, at the rate of $12 per month, and also placing upon the pension roll of the United States the widows of such soldiers and sailors who were married prior to June 27, 1890.

Be it enacted, etc., That from and after the passage of this act, all honorably discharged soldiers and sailors who served at least ninety days in the military or naval service of the United States during the war of the rebellion shall be entitled to receive a pension of $12 per month, and that the army record of such soldiers or sailors shall be the only voucher necessary to entitle him to such pension. This act shall not be construed as an additional pension to any soldier or sailor now in receipt of a pension at the rate of $12 per month.

SEC. 2. That the widow of such soldier or sailor who was married prior to June 27, 1890, and who are without other means of support than their daily labor, and an actual net income not exceeding $250 per year, shall be entitled to receive a pension at $12 per month.

From that time they slept and are now sleeping. The committee saw the President. The history is written. Congress has orders from omnipotent power to adjourn, and to not stand on the order. "By their fruit ye shall know them."

The soldiers ask for this legislation by petitions by the thousands and by letters. They tell you of the injustice of this order 78, and what is your answer? You run the word along the line to adjourn to avoid action, to avoid petitions and entreaties. You give them a stone. Such is your generosity to them; such is the gratitude of a Republican Congress.

If it were fortifications in some distant land, how eloquent you would be on "ingratitude," on "lack of patriotism," for the soldier, but you slink away like cowards from doing your duty to the Union soldier, and why? Because, forsooth, the money power as it has been said, "you know is against pension legislation."

The fates will follow you. The gods will not smile upon you for thus writing your ingratitude to those who are growing old and tottering and who for that reason should be the objects of our special solicitude and care.

The soldiers' disappointments in late years have been multiplying.

They were disappointed years ago, when Jacob F. Raub, acting under orders of Commissioner of Pensions H. Clay Evans, who, also acting under orders, started to cut ratings and discard the home pension boards. They were disappointed by the retention of Pension Commissioner H. Clay Evans.

Their hopes were raised just before each election by politically designed circulated reports of his intended resignation. He was found in the confidence of the Administration and out of the confidence of the soldier firmer than ever just after each election. This political farce of attempted deception of the old soldier continued till the Administration promoted Pension Commissioner H. Clay Evans to a splendid foreign mission. The Commissioner getting his orders from higher authority, and the current at no time rising above its source, the policies of the former Commissioner, now continued, are not more satisfactory, and this Congress, subservient to the same line of policy, which forces it to "run away" from its duty, will not inspire for it a confidence in the men who bore the brunt of battle. They did not "run away" or move to adjourn till their duties and obligations were answered.

The disappointments of the soldiers resulting from your unfulfilled promises are many, but not so many that they have forgotten. Don't entertain in your ardent hope that the old soldier will forget. They may forget the studied snub of General Miles, the promotion of General Wood over soldiers more deserving and of longer and better service. These they may not remember; but do not felicitate yourself that they will forget a snub this Congress gives to every rank-and-file soldier by adjourning and running away from their service-pension bill.

The Union soldiers have grown old and weary, but they can still remember. Remember the days they suffered, "days of toil and nights of waking," the forced march, the hunger and thirst, the wounding and bleeding, the emaciation in hospital and prison. Yes, they can remember all these incidents of the ghoulish ravages of hellish war, with its tens of thousands of dead and wounded victims. They can remember this and more. They can remember your broken promises.

Have you Republicans who are running away from your duty, hastening to adjourn to avoid passing the service-pension bill, have you forgotten the labors, the losses, and the sacrifices—the disease, disability, and death they faced—of these untold thousands who fought and fell and died?

Have you forgotten from Bull Run to Appomattox? Have you forgotten Chickamauga, Shiloh, the Wilderness, Lookout Mountain, Missionary Ridge, the siege of Richmond, and scores of other great conflicts? Do you still remember the battle of Cold Harbor, where, in twenty minutes, 10,000 soldiers were swept from earth? If so, why do you run away now, why move an adjournment till you perform your duty in kind?

Do you say that you have been liberal in appropriations? This is the act of all the Members. All Members of Congress of all political parties have for years unanimously, without a dissent, voted these appropriations for pensions, and will continue to do so. This is and has been the generous act of the whole Congress.

We charge you Republicans in control of the House of Representatives and of the Congress with a running away from your duty to the soldier, a breaking of your pledges, an utter neglect of the defenders of the Union.

This is proven by the frantic effort you are making every day to adjourn Congress, to shirk your responsibility and get away from the petitions and entreaties of the Union soldiers. You resort to a deception to recoup your lost prestige. You did the same thing last Congress. My colleague last Congress favored actively a bill, and in season and out labored with the committee having it in charge and afterwards for consideration in the House, and finally, when there was but thirteen hours yet remaining of the life of that Congress, and with the necessity for the bill passing both Houses in that time, and rush of business, the gentleman from Ohio [Mr. GROSVENOR], who had assisted my Indiana colleague [Mr. ZENOR] with the measure, asked for and got consideration for it.

It was a soldier measure asked for by the national encampment, Grand Army of the Republic. It had lain unacted upon; spurned by a Republican Congress, refused consideration, and then when it was dead, when the life of that civil-service soldier relief bill had been crushed out of it by the crushing force of all of two years' session of Congress, when only thirteen hours remained of the session, it was gently taken up by the gentleman from Ohio and tenderly passed through the House in its closing hours, when every man knew it was a subterfuge and a trick of the part of the Republicans and that a Republican Senate would never consider it.

I do not complain of General GROSVENOR; he did the best he could. His party would not consider it in time to give it a chance of passage in that Congress, and potent as he was as a cog in the Republican machinery of the House, a member of the Rules Committee, with all his effort and power, he labored all that Congress to pass it; but the Republican party on this floor would not yield even to his entreaties till the last day of the Congress had come, and it was known that it would not pass the Senate. Here is that bill:

Be it enacted, etc., That section 1754 of the Revised Statutes of the United States be amended so as to read as follows:

"SEC. 1754. Persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness, and officers and enlisted men who served in the armies or navies of the United States between April 12, 1861, and August 25, 1865, being honorably discharged therefrom, shall be preferred for appointment to and retention in civil offices and employments: *Provided*, They are found to possess the business capacity necessary for the proper discharge of the duties of such offices or employments."

When the matter now before the House was under discussion the other day a Republican Member and a soldier interrupted with some show of feeling and inquired the attitude of a Member who was speaking on the subject of a service-pension bill.

Opposed by the Republicans on the floor and prevented by them from expressing his own vote on the subject of a service pension, he must, as we all must, restrain ourselves in the House. Under the iron rule of the Republican House we are powerless to vote on pension legislation except by its sweet will. When the friends of the soldiers here say, Will you give us a chance to vote on service-pension legislation? the answer comes back, Let us hurry and get away and avoid it.

Thus are the friends of the soldiers and thus are the soldiers bound hand and foot by a Republican Congress.

We have a good majority here to pass the Grand Army of the Republic bill. We only want it considered. Aye; no one questioned the gentleman from Missouri [Mr. BENTON] while he was on the floor as to his attitude on a service-pension law. His State furnished thousands of brave men to both sides in that great conflict of the civil war. Had anyone questioned him on the floor he would have said, Confederate soldier as he was, brave man as he is—and I say it for him now—he will vote for the service-pension bill, and yet you deny us consideration.

Mr. GARDNER of Michigan rose and was recognized.

Mr. WILLIAMS of Illinois. Will the gentleman allow me to ask the gentleman from Tennessee a question?

Mr. GARDNER of Michigan. I have only a very limited time and prefer not to yield. I wish to correct an impression or two. I should like to make clear the construction given by Commissioner Lochren of the very law you gentlemen are attacking. On May 7, 1895, Commissioner Lochren ruled—

That no medical examination be required in cases where the claimant—

Not pensioner, as the gentleman from Alabama [Mr. UNDERWOOD] sought to impress upon the House, but where the claimant—

is granted the maximum rating on the ground that he is 75 years of age or over.

Mr. UNDERWOOD. Will my colleague on the committee allow me to ask him a question?

Mr. GARDNER of Michigan. Not now; I regret I can not yield to the gentleman. That is simply the order; I have quoted it verbatim. Now, gentlemen, that is not a pensioner, but a claimant. Why this sudden spasm of virtue that denounces a violation of a law by one commissioner, when you have lived for years under a similar ruling without one protest. The gentleman from Mississippi, the leader of the minority, says that there is no difference in principle involved, does he not?

Mr. WILLIAMS of Mississippi. Yes. Do you want to know why I did not say anything about it? It was because I did not know anything about it.

Mr. GARDNER of Michigan. Not one Democrat has ever lifted his voice in protest against the construction put upon that act of 1890 by Commissioner Lochren, but now they seem filled with indignation because Commissioner Ware applies the same principle, only on a larger scale.

Mr. MOON of Tennessee. Will the gentleman allow me?

Mr. GARDNER of Michigan. Not now, I want to say to the gentleman; I have not time.

Mr. CLAYTON. You ask us questions and then refuse to let us answer you. Any school boy can answer them.

The CHAIRMAN. The gentleman declines to yield.

Mr. GARDNER of Michigan. I quote now from one of the gentlemen on that side, Mr. BENTON of Missouri, a member of the Committee on Appropriations, who, in the course of the debate upon the pending measure, said:

The Republicans pretend to be the friends of the old Federal soldiers; they pose as their special guardians.

I want to say to you, gentlemen, that the Republican party does pretend to be the friend of the Federal soldier. [Applause on the Republican side.] And it not only pretends but it has been and is at this time, and you now take advantage of a mere technicality to appear to be what forty years of history show you have not been. [Applause on the Republican side]. You can not point, gentlemen on that side, to one single law in the statute books of the United States that your party has initiated or enacted in favor of pensions to the Union soldiers from 1861 to this hour. [Renewed applause on the Republican side.]

Mr. MOON of Tennessee. Will the gentleman permit just one question?

Mr. GARDNER of Michigan. Not now. [Laughter on the Democratic side.] My time is too limited.

Mr. MOON of Tennessee. I could put the question and you could answer it in a moment.

Mr. GARDNER of Michigan. I am simply stating the facts.

Mr. CLAYTON. You do not want it answered?

Mr. GARDNER of Michigan. Not only that, but your uniform course when pension legislation has been before the House has been to object, and the record shows that you have voted against every bill here presented having for its object more liberal pensions for the men who fought to preserve the life of the nation. It was passed in spite of you. If there is any one thing more definitely determined than another, it is that the party that conducted that great war to a successful issue has stood by the men who answered the summons of Lincoln to defend the flag. [Applause on the Republican side.]

The widows and the orphans of those who fell in battle and who died of disease and in prison have been cared for, not by the Democratic party, but in spite of them and their opposition. [Applause on the Republican side.] As well might the leopard undertake to change his spots as for the Democratic party to change its record for the last forty-three years upon the subject of pensions to Union soldiers. You know what I am saying is true, every one of you know it. It is the recorded history of your party, and you can not deny it if you would.

Mr. WILLIAMS of Mississippi. Suppose that is all true, does that in any way prove the legality of this order?

Mr. GARDNER of Michigan. I am answering a gentleman who said that we Republicans "pretend to be the friends of the old soldier."

Mr. WILLIAMS of Mississippi. That has nothing to do with the legality of this order.

Mr. GARDNER of Michigan. I want to point out this, so as to show when you come to this question that so far as the question of pensions is concerned your friendship for the old Union soldier is a hollow pretense with the most of you, and you know it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HEMENWAY. I yield three minutes to the gentleman from Michigan.

Mr. ROBINSON of Indiana. I rise to a point of order.

Mr. MOON of Tennessee. I hope the gentleman from Michigan will yield to a question.

Mr. GARDNER of Michigan. Do not take all my time.

Mr. ROBINSON of Indiana. I rise to a question of order.

Mr. HEMENWAY. Then, Mr. Chairman, in view of the fact that twenty minutes of this time has been used by the other side, I ask unanimous consent that the gentleman from Michigan may be allowed three minutes additional time, to be taken out of the thirty minutes.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the gentleman from Michigan may be permitted to proceed for three minutes.

Mr. WILLIAMS of Mississippi. Before that request is put to the committee, I want to remind the gentleman from Indiana that before I voted with him on that motion to close debate, that it was agreed by him that twenty-five of the thirty minutes should come to those whom I mentioned by name, and among those I mentioned by name was the gentleman from Tennessee [Mr. SIMS], who wanted five minutes.

Mr. HEMENWAY. The gentleman is absolutely mistaken.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the gentleman from Michigan may be allowed to proceed for three minutes. Is there objection?

A MEMBER. I object.

Mr. HEMENWAY. When I asked to close debate in thirty minutes and you should have twenty-five, somebody on your side refused and objected and forced me to make the motion.

Mr. WILLIAMS of Mississippi. When the gentleman asked to close debate in twenty minutes and I told him that we wanted twenty-five minutes on this side, I understood that I was to be given that when it was agreed that there should be debate for thirty minutes.

Mr. HEMENWAY. The gentleman is mistaken.

Mr. PAYNE. I call for the regular order.

The CHAIRMAN. The committee will be in order, and gentlemen will resume their seats. Is there objection to the request that the gentleman from Michigan be permitted to proceed for three minutes?

Mr. WILLIAMS of Illinois. I object, unless I can have have three minutes myself.

Mr. WILLIAMS of Mississippi. I desire to make another request.

The CHAIRMAN. The gentleman from Indiana, the chairman of the committee, is recognized.

Mr. WILLIAMS of Mississippi. I ask unanimous consent——

Mr. HEMENWAY. We have been discussing this proposition. I have got about three minutes of time, and I will use it up if I can get a chance. The Democratic party and the Republican party and every Member of Congress since the Lochren order was made and since the order was made by Evans have been ratifying these orders every session of Congress by voting to pay the appropriations for pensions, and we have not heard any objection to these orders at all.

There is no man in this House who can say——

Mr. WILLIAMS of Illinois. Will the gentleman yield?

Mr. HEMENWAY. I do not yield, and the gentleman can not stop me—that, in voting for these bills, knowing that these bills are being passed to appropriate money for the payment of pensions, but knew that every time he voted for an appropriation bill carrying appropriations to pay pensions he ratified the order of Lochren which first fixed the age of 75 years for total disability, and 65 later should be one-half disability, when by construction of the evidence it was known that the soldier was entitled to this, yet these gentlemen on the other side of the House always raise their voices and try to disturb, and notwithstanding the fact we will pass this bill which makes the construc-

tion of the law fair, which allows the old soldier to have his pension without being compelled to prove facts that have been established by a long line of experience in the Pension Office.

All this talk of amendment you gentlemen seek to get in will not change our purpose in the slightest. We are going to vote this bill through; we are going to give this fair construction of the law here which the Commissioner had the right to make. It is no change of existing law; it is simply a rule of construction of evidence that they had a right to make after long experience.

Mr. MIERS of Indiana. Will the gentleman yield for a question?

Mr. HEMENWAY. I will yield to the gentleman from Indiana [Mr. MIERS].

Mr. MIERS of Indiana. You say there will not be any examination. I would like to ask you if it is your understanding of this order that the old soldier has to be examined—— [Cries of "Vote!" "Vote!"]

Mr. HEMENWAY. The Commissioner of Pensions said the passage of this appropriation bill, under a fair construction, will save $500,000 a year in the boards of examining surgeons.

Mr. MIERS of Indiana. Will the gentleman agree, as a proper construction, that there will be no examinations?

Mr. HEMENWAY. Oh, there will be a great reduction in examinations.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I wish to submit a question of unanimous consent.

Mr. HEMENWAY. Mr. Chairmau, I call for the regular order.

Mr. WILLIAMS of Mississippi. Mr. Chairman, a request for unanimous consent is in order.

The CHAIRMAN. The gentleman from Mississippi will state his request for unanimous consent.

Mr. WILLIAMS of Mississippi. I wish to submit a request that time be extended for ten minutes, five minutes of it to be given to the gentleman from Tennessee [Mr. SIMS] and five minutes to the gentleman from Michigan [Mr. GARDNER].

Mr. WANGER. Mr. Chairman, I object.

Mr. PAYNE. Mr. Chairman, I demand the regular order.

Mr. WILLIAMS of Mississippi. Well, we might just as well be courteous. Now, Mr. Chairman, in explanation of that I want to state——

The CHAIRMAN. The committee will be in order. There are three minutes left for debate, and the gentleman from Tennessee [Mr. SIMS] is recognized.

Mr. SIMS. Mr. Chairman, I do not think this House hears my voice often enough to be very tired of it. The gentleman from Indiana, the distinguished chairman of this committee, got up here and stated that my colleague [Mr. MOON] was playing politics. He retracted as to Mr. MOON, but he states that we were all playing politics.

Now, here is the distinguished chairman of the Committee on Invalid Pensions, the gentleman from New Hampshire [Mr. SULLOWAY], who is an able man and an able lawyer, who has been at the head of that committee, I believe, five years, and who, I submit, knows as much about the pension law and its interpretation as any man in the United States, and who knows as well what existing law is as the Commissioner of Pensions, if not a great deal better, and yet that distinguished gentleman introduced a bill in this House, which was referred to his own committee, to enact a law in terms exactly what this order is. Now, was he playing politics? [Applause on the Democratic side.]

Mr. SULLOWAY. Mr. Chairman, will the gentleman yield?

Mr. SIMS. Yes, I will yield to the gentleman from New Hampshire.

Mr. SULLOWAY. I want to say this, that in the first place there is not a statute under the stars that requires an examination of a pensioner for original pension under the act of June 27, 1890, and secondly I want to say that I have believed for years that that construction should be put on the law by the Commissioner or by the Secretary and this said to them, "If you don't put it there we will try and compel you to put it there." [Prolonged applause on the Republican side.]

Mr. SIMS. Mr. Chairman, if one Commissioner could make it—— [Loud applause on the Republican side.] Why, gentlemen, are you going to take the three minutes away from me? Mr. Chairman, I denounce it as a discourtesy after I have yielded to the gentleman out of my time, to have the Members on the other side of the House continue to applaud and thus rob me of what time I have. [Laughter on the Republican side.] I applaud the knowledge of the gentleman from New Hampshire [Mr. SULLOWAY] as well as you do, and I am basing my statement upon his knowledge of the law.

Now, if I have a title to a tract of land and have been deprived of it for five years and after bringing suit recover it, I am entitled to arrears of five years' rent, if I am entitled to the land; and I say that every soldier under this order who arrives at the age of 62 since the enactment of the law of 1890 is just as much entitled to a pension as one who hereafter arrives at the age of 62, and there is no way under heaven to deprive him of it, and this retroactive clause in this order is null and void and of no effect. [Loud applause on the Democratic side.]

If the law since 1890 has been what this Executive order now declares it is and has been, then by false construction by an executive officer these soldiers entitled to pension by it have been denied justice and what is their legal rights. Now will Congress ratify the wrong done them by an illegal and improper construction of a subordinate officer? I say in justice to the soldiers who have been thus denied what was lawfully due them that we must pay them all arrears. They are as much entitled to that as to anything that may be due them by the United States.

It has long since been held that a pension under the law is a vested right. Then how can this executive order by so declaring deprive a soldier of what is justly due him, but has been wrongfully withheld by misinterpretation? But the truth is this order is nothing more nor less than executive legislation, nothing less than usurpation. If this has been the law, why did you, Mr. SULLOWAY, introduce your bill? You say to make them put this construction on the law, as though two laws were more binding than one.

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Indiana [Mr. MIERS].

Mr. WILLIAMS of Illinois. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WILLIAMS of Illinois. If the amendment offered by the gentleman from Tennessee [Mr. MOON] should be enacted into law, could any subsequent Commissioner change it?

The CHAIRMAN. The Chair has no answer to that inquiry. The question is on agreeing to the amendment offered by the gentleman from Indiana to the amendment proposed by the gentleman from Alabama.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I ask for the reading of the amendments.

The CHAIRMAN. Without objection, the Clerk will report, first, the amendment of the gentleman from Alabama, and then the amendment of the gentleman from Indiana.

There was no objection; and the Clerk again reported the amendments.

The question was taken; and on a division (demanded by Mr. MIERS of Indiana) there were—ayes 36, noes 132.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Alabama.

Mr. WILLIAMS of Mississippi. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WILLIAMS of Mississippi. Does not the amendment offered by the gentleman from Tennessee [Mr. MOON], the intent of which is to perfect the paragraph, have precedence over an amendment to strike out a part of the paragraph?

The CHAIRMAN. It does not have priority over the amendment offered by the gentleman from Alabama, which is simply an amendment to strike out one figure and insert another. That is an amendment which is intended to perfect the paragraph. The question is on agreeing to the amendment offered by the gentleman from Alabama.

The question was taken; and on a division (demanded by Mr. UNDERWOOD) there were—ayes 17, noes 125.

So the amendment was rejected.

Mr. HEMENWAY. Now, Mr. Chairman, I suppose the question comes up on the amendment to which I make the point of order.

The CHAIRMAN. There is an amendment pending which was offered by the gentleman from Georgia [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Chairman, I offered that amendment as an amendment to the one offered by the gentleman from Alabama. I could not hear what disposition the Chair made of it.

The CHAIRMAN. The Chair did not so understand it. The amendment offered by the gentleman from Georgia is entirely independent of the amendment proposed by the gentleman from Alabama and has no connection with it.

Mr. LIVINGSTON. Has the Chair declared the amendment offered by the gentleman from Alabama as lost?

The CHAIRMAN. It has been rejected.

Mr. LIVINGSTON. Then I withdraw the other amendment.

The CHAIRMAN. Without objection, the amendment of the gentleman from Georgia is withdrawn. The amendment now offered by the gentleman from Tennessee [Mr. MOON] will be in order.

Mr. WILLIAMS of Mississippi. I ask that the amendment be reported.

The CHAIRMAN. The amendment of the gentleman from Tennessee will be read by the Clerk.

The Clerk read as follows:

After the word "provided," in line 6, page 44, insert:

"All persons who served ninety days or more in the military or naval service of the United States during the late war of the rebellion, and who have been honorably discharged therefrom, and who now are or shall hereafter reach the age of 62 years, shall receive a pension thereafter on account of such service at the rate of $6 per month after attaining the age of 62 years, at the rate of $8 per month after attaining the age of 65 years, at the rate of $10 per month after attaining the age of 68 years, and at the rate of $12 per month after attaining the age of 70 years: *Provided, however*, that the pensions hereby granted shall not be in addition to the pensions allowed by existing law."

Mr. HEMENWAY. Mr. Chairman, upon that amendment I make the point of order that it is not germane and that it changes existing law. On this point I wish to be heard.

In the first place, I simply call the attention of the Chair—I know the Chair must be familiar with it—to section 2 of the act of June 27, 1890. It will be argued by some gentlemen that this is enacting into law the order made by the Commissioner of Pensions.

In answer to that I want to put into my remarks, alongside of the amendment, that order of the Commissioner. I believe this is all I have to offer at this time, simply calling the attention of the Chair to the law, to the fact that the amendment is not germane, and to the order of the Commissioner.

Mr. WILLIAMS of Illinois. Will the gentleman allow me a question?

Mr. HEMENWAY. Yes, sir.

Mr. WILLIAMS of Illinois. If the present Commissioner has the power to make an order of this kind, can not any subsequent Commissioner change it?

Mr. HEMENWAY. For information upon those questions I refer the gentleman for information, first, to the order of Mr. Lochren, former Commissioner; next to the order of Mr. Evans, former Commissioner; next to the order of Mr. Ware, the present Commissioner, and, knowing that the gentleman is an accomplished lawyer, I leave him to put his own construction upon those orders and determine whether or not any succeeding Commissioner may change them.

Mr. WILLIAMS of Illinois. One more question, if the gentleman pleases. Would not the amendment of the gentleman from Tennessee [Mr. MOON] if adopted put it beyond the power of any Commissioner to adopt some unfavorable rule in the future?

Mr. HEMENWAY. The gentleman may himself construe the effect of the amendment of the gentleman from Tennessee.

Mr. MOON of Tennessee. Mr. Chairman, I want to address myself for just a moment to the first objection made by the gentleman from Indiana to this amendment. He says that the amendment is not germane. Well, that expression, "not germane," has grown to be a familiar expression in this House; and so many interpretations have been given to it that it is hard to tell exactly what a man means when he says that a proposition is "not germane."

But the amendment certainly relates to the same subject as the pending paragraph of the bill. It applies to the same appropriation. The pending paragraph is under the head of "Pensions." It makes provision for the distribution of the money appropriated by this House for the payment of pensions in accordance with the order made by the Department, which we say is void, but which we desire to perfect by making it lawful by legislating to the same effect in this House.

I concede, Mr. Chairman, that if the point of order were made that this is new law it would have to be sustained. There is no statute providing for an enactment of this kind. There is no law of this kind on the statute books now. That is unquestionably true; but if this amendment be ruled out on the ground that it is new law, then you must legitimately rule out the appropriation to meet the Executive order, because this amendment is a substantial copy of that Executive order. If this be new law which Congress can not enact on an appropriation bill, then how can the Commissioner of Pensions interpose a new law and enact it, and then demand an appropriation of $1,500,000 from this House to enforce it?

Mr. Chairman, I have nothing to conceal on this question. If this is new law, the point of order is well taken, and your President stands convicted of an act that ought to impeach him not only under the Constitution, but before all honorable men in this country for his usurpation of legislative power. [Applause on the Democratic side.]

It is new law; it does change existing law; it changes it in behalf of the soldiers of the United States. And I ask the gentleman from Indiana to withdraw his point of order, that we may legislate effectually in the interest of the Federal soldier.

Mr. HEMENWAY. I will ask the gentleman whether his amendment would add one dollar to the pensions that the soldiers are to receive under the order issued by Commissioner Ware?

Mr. MOON of Tennessee. It would add legality to that which is now illegal, and constitutionality to that which is unconstitutional.

Mr. HEMENWAY. But I say to the gentleman that the order is absolutely legal; it has been ratified over and over again in the passage of appropriation bills in this House; and the gentleman knows it.

Mr. MOON of Tennessee. I know it is not so. This amendment would make that certain which is now uncertain, to say the least of it.

Mr. HEMENWAY. I insist, if the gentleman will permit, that it is not uncertain.

Mr. MOON of Tennessee. Will the gentleman lay his finger upon the law that makes it certain, then?

Mr. HEMENWAY. If the gentleman will permit, Mr. Commissioner Lochren passed a similar order.

Mr. MOON of Tennessee. Suppose Mr. Lochren did usurp the power of Congress. What right has your Commissioner to do it?

Mr. HEMENWAY. Mr. Evans passed a similar order. We have by many acts of Congress, in passing pension appropriation bills, ratified both these orders.

Mr. MOON of Tennessee. The gentleman is mistaken. Mr. Chairman, departing for a moment from the main issue, if the gentleman says, and he now so says, that it does not change existing law, then we have a right to reenact it, to make it certain, if there be doubt about it. Why object, if it does not change existing law? Certainly it is not subject to the point of order, if it but reaffirms and makes certain a statute that you say already exists.

But, sir, it does not exist. He had no right to make an order that fixes 62 years, or 65 years, or 70 years as a point of senility that entitles a pensioner to a certain rate. If he had a right to do that, he had a right to fix a higher number of years or a higher amount, a lower number of years or a less amount, and it would be subject to the will of the Pension Commissioner. Do not attempt to override the Constitution of your country because your party has made a mistake. It would be more honorable for you as Representatives to say that a mistake was made, and that you will correct it by legislation, than to attempt to stand by a fraud, intended possibly for political purposes, thereby overriding the Constitution and your oaths of office as Members of this House. [Applause on the Democratic side.]

Several MEMBERS on the Republican side. Rule! Rule!

Mr. WILLIAMS of Mississippi rose.

The CHAIRMAN. The Chair is prepared to rule upon the point of order.

Mr. HEMENWAY. I just want to say, before the Chair rules, that this amendment might have the effect of cutting down pensions that are already allowed. I think there is no question about it.

Several MEMBERS. Rule! Rule!

The CHAIRMAN. The Chair is prepared to rule. There is no question that the amendment is subject to the point of order. The gentleman who proposes the amendment confesses that fact. It is clearly new legislation. It is not of the same character as the order recently promulgated by the Commissioner of Pensions and popularly known as order No. 78. That order undertakes to prescribe a rule of presumptions in the decision of pension cases. It provides that a certain age shall be regarded as prima facie evidence of a certain degree of disability; but that presumption is subject to rebuttal. The amendment proposed by the gentleman from Tennessee [Mr. MOON] fixes an absolute right to certain rates of pension at certain ages without regard to the extent of disability. So it is clearly new legislation, and the point of order is sustained.

Mr. WILLIAMS of Mississippi. If I may make a parliamentary inquiry, in what respect does the amendment offered by the gentleman from Tennessee [Mr. MOON] differ from the order of the Commissioner of Pensions?

The CHAIRMAN. The Chair has endeavored to state it. Order No. 78 simply makes a certain age prima facie evidence of a certain degree of disability. It does not fix it absolutely.

Mr. WILLIAMS of Mississippi. According to my recollection, this is an exact copy of that order.

Mr. HEMENWAY. Oh, no; not at all. Mr. Chairman, on page 57 there is one item which we passed.

Mr. MANN. Mr. Chairman, I offered an amendment, and I wish to withdraw that amendment and to yield to the gentleman from Pennsylvania [Mr. OLMSTED], chairman of Committee the on Elections No. 2, to offer an amendment.

Mr. OLMSTED. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. Without objection, the amendment proposed by the gentleman from Illinois will be withdrawn. The gentleman from Pennsylvania offers an amendment which the Clerk will report.

The Clerk read, as follows:

Amend by adding between lines 3 and 4, on page 57, the following new paragraph:

To William Lorimer, $2,000.

Also the following additional paragraph:

To James J. Butler, $2,000.

Mr. HEMENWAY. Mr. Chairman, reserving the point of or-

der, I want to ask the gentleman a question. The gentleman is chairman of the Committee on Elections that had these cases in charge, I believe?

Mr. OLMSTED. Yes.

Mr. HEMENWAY. And the claims have been properly filed and audited, and allowed by that committee?

Mr. OLMSTED. That is correct, Mr. Chairman. These bills for contested-election expenses came to the Elections Committee too late to be certified to the Committee on Appropriations before it had reported this general deficiency bill.

The CHAIRMAN. Does the gentleman from Indiana withdraw the point of order?

Mr. UNDERWOOD. I would like to ask the gentleman if these accounts have been authorized by the committee?

Mr. OLMSTED. The committee has authorized me to offer this amendment.

Mr. THOMAS of North Carolina. I would like to ask the gentleman, Was that case pending in this Congress?

Mr. OLMSTED. These are cases pending in this Congress. The other parties to these contests have their expenses already provided for in the bill. In the case of Durborrow against Lorimer, Mr. Durborrow's expense is already allowed in this bill; and in the case of Reynolds against Butler, Mr. Reynolds's expenses are also provided for.

Mr. THOMAS of North Carolina. I asked the question because I had a case for election expenses in a previous Congress, but these, as I understand, are cases pending in this Congress.

Mr. OLMSTED. These are pending in this Congress.

Mr. THOMAS of North Carolina. My amendment was ruled out because the case was pending in a previous Congress.

Mr. OLMSTED. These are pending in this Congress. They involve seats in the Fifty-eighth Congress.

Mr. HEMENWAY. I withdraw the point of order, Mr. Chairman, because they are not subject to it, the statute having been complied with by the committee.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. MANN. May I ask whether it is necessary to increase the total?

Mr. HEMENWAY. I am going to ask unanimous consent that the Clerk may be permitted to correct all totals where amendments have been made.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to correct the totals where amendments have been made. Is there objection? [After a pause.] The Chair hears none.

Mr. HEMENWAY. I move that the committee rise and report the bill and amendments favorably to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. CRUMPACKER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15054, and had directed him to report the same back with amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. HEMENWAY. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The SPEAKER. The gentleman from Indiana moves the previous question on the bill and amendments to final passage.

The question was taken; and the previous question was ordered.

The SPEAKER. Is a separate vote demanded on any of the amendments? If not, the question will be taken on the amendments in gross.

A separate vote was not demanded.

The question was taken; and the amendments were agreed to in gross.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time.

Mr. MOON of Tennessee. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. MOON of Tennessee. I rose to move, Mr. Speaker, that this bill be recommitted to the Committee on Appropriations with instructions to incorporate the order No. 78, made by Commissioner Ware, in the bill.

The SPEAKER. The gentleman is not recognized for that purpose by the Chair.

Mr. PAYNE. Mr. Speaker, I move to recommit the bill; and upon that I demand the previous question.

Mr. WILLIAMS of Mississippi. The gentleman is too late with his motion to recommit the bill when the other motion is pending.

The SPEAKER. The gentleman from Tennessee was not recognized for that purpose.

Mr. WILLIAMS of Mississippi. But the Speaker of this House can not refuse to recognize a motion to recommit.

The SPEAKER. The Speaker of this House did refuse to recognize the gentleman from Tennessee to make that motion.

Mr. WILLIAMS of Mississippi. Then I appeal from the decision of the Chair.

The SPEAKER. The question of recognition is not subject to appeal. If gentlemen will suspend for a moment, the Chair will make it perfectly plain. The gentleman from New York had requested of the Chair to recognize him to make a motion to recommit, and was on his feet for that purpose. The gentleman came to the Chair, as is usual in such cases, and asked for recognition, as other gentlemen have heretofore done on the minority side touching matters of this kind, and as the gentleman from Tennessee [Mr. MOON] himself came. The Chair informed the gentleman from New York that he would be recognized.

Therefore, with the gentleman from New York on his feet, addressing the Chair, and the gentleman from Tennessee also strenuously addressing the Chair, the Chair took occasion not to recognize the gentleman, but asked the gentleman for what purpose he rose. The gentleman proceeded to inform the Chair, and the Chair declined to recognize the gentleman for that purpose and recognized the gentleman from New York, who was upon his feet.

Mr. MOON of Tennessee. Now, pending the motion, I desire to make a parliamentary inquiry.

The SPEAKER. Certainly.

Mr. MOON of Tennessee. Mr. Speaker, I rose for the purpose of making a motion to recommit in good faith with instructions to incorporate the executive order made by Mr. Ware. The gentleman from New York may have been on the floor, but he had not been recognized in the open House by the Speaker.

Now, my inquiry is this: If the Speaker, having recognized a gentleman on one side of the House, whether that purpose had been disclosed to the Speaker or not for which he rose, after having recognized him and asked him for what purpose he rose, that gentleman having stated that it was for a legitimate parliamentary purpose, then is it right for the Speaker to turn from him and say he recognizes another gentleman who had not arisen until after he had stated his purpose?

The SPEAKER. The Chair, in reply to the parliamentary inquiry, states that, as is usual in such cases even before the committee rises, Members are in the habit of asking to be recognized for a motion to recommit. On this occasion the gentleman from Tennessee did not make such application——

Mr. MOON of Tennessee. Not in private.

Mr. WILLIAMS of Mississippi. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. One moment. One parliamentary inquiry at a time. The gentleman from New York did. Both gentlemen were on their feet. The Chair, not knowing for what purpose the gentleman from Tennessee rose, whether for a parliamentary inquiry or for what purpose, asked the gentleman for what purpose he rose——

Mr. MOON of Tennessee. I accept the apology of the Speaker.

The SPEAKER. One moment. He was informed the gentleman desired to move to recommit the bill, and the Chair very promptly said to the gentleman that he was not recognized for that purpose, and the Chair turned to the gentleman from New York. There is the plain simple statement of facts; and the Chair recognizes the gentleman from New York, who moves——

Mr. WILLIAMS of Mississippi. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS of Mississippi. I wish to ask the Speaker whether the gentleman from New York had arisen in his place and addressed the Chair?

The SPEAKER. Oh, yes.

Mr. WILLIAMS of Mississippi (continuing). Prior to the time when the gentleman from Tennessee was recognized; and I wish to add this question, whether or not the motion made by the gentleman from Tennessee was not within the rule and within his power to make, if recognized by the Chair; and I wish to ask the Chair whether a private agreement to recognize a gentleman takes precedence with recognition in the open House when he confesses the gentleman arose afterwards?

The SPEAKER. The Chair declines to be put even in the position by the innuendo which the gentleman from Mississippi makes that the Chair is seeking to discriminate between Members of the House. The Chair will proceed to answer the parliamentary inquiry.

Mr. MOON of Tennessee. Another parliamentary inquiry on another question.

The SPEAKER. That will have to wait a moment. The gentleman from New York was not recognized by agreement. He notified the occupant of the chair that he desired to be recognized, was on his feet addressing the Chair at the same time that the gentleman from Tennessee was on his feet. The gentleman from Tennessee addressing the Chair was asked by the Chair for what purpose he rose.

The Chair did not know, and he stated for the purpose of moving to recommit, and the Chair at once said that the gentleman was not recognized, as the Chair had the right and the power to do from a parliamentary standpoint and a fair standpoint. This whole matter is easy of solution. The gentleman from New York moved the previous question; that motion is amendable by any germane amendment, provided a majority of the House does not cut it off by ordering the previous question. The gentleman from New York is recognized.

Mr. MOON of Tennessee. Mr. Speaker, I move to amend the motion of the gentleman to recommit, to recommit with instructions.

Mr. PAYNE. Mr. Speaker, I moved the previous question when I rose.

The SPEAKER. The gentleman from New York moves to recommit the bill to the Committee on Appropriations and upon that motion demands the previous question.

Mr. DE ARMOND. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DE ARMOND. The impression prevails over here, Mr. Speaker, that the Speaker is in error in thinking that the gentleman from New York [Mr. PAYNE] addressed the Chair before the gentleman from Tennessee [Mr. MOON] did. What I desire now is to ask the gentleman from New York [Mr. PAYNE] if he did address the Chair before the gentleman from Tennessee addressed the Chair and offered the motion?

Mr. PAYNE. Why, certainly I did.

The SPEAKER. The Chair does not propose to try the question of fact. The Chair saw the gentleman and heard the gentleman; and even if the gentleman had not addressed the Chair, the Chair had the right to decline to recognize the gentleman from Tennessee and to recognize the gentleman from New York.

Mr. WILLIAMS of Mississippi. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS of Mississippi. Mr. Speaker, if the motion of the gentleman from New York prevails, does that cut off the right to move to recommit with instructions?

The SPEAKER. The Chair will state that the gentleman from New York has moved to recommit this bill to the Committee on Appropriations and upon that motion has demanded the previous question. If the previous question is ordered, no amendment to that motion will be in order. If the previous question is refused, then any germane amendment will be in order.

Mr. MOON of Tennessee. Mr. Speaker, upon ordering the previous question I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 117, nays 64, answering "present" 15, not voting 187, as follows:

YEAS—117.

Acheson,	Driscoll,	Ketcham,	Porter,
Adams, Wis.	Dwight,	Kinkaid,	Rodenberg,
Alexander,	Esch,	Knapp,	Scott,
Ames,	Evans,	Kyle,	Shiras,
Babcock,	Foss,	Lacey,	Slemp,
Bartholdt,	French,	Landis, Frederick	Smith, Samuel W.
Bingham,	Gaines, W. Va.	Lanning,	Smith, Pa.
Bishop,	Gardner, N. J.	Lawrence,	Southard.
Bowersock,	Gibson,	Lilley,	Southwick,
Bradley,	Gillet, N. Y.	Longworth,	Spalding,
Brandegee,	Gillett, Cal.	Loud,	Stafford,
Brick,	Goebel,	Lovering,	Steenerson,
Brooks,	Graff,	McCarthy,	Sterling,
Brown, Wis.	Hamilton,	McCleary, Minn.	Stevens, Minn.
Buckman,	Haskins,	McCreary, Pa.	Sulloway,
Burkett,	Haugen,	McMorran,	Tawney,
Butler, Pa.	Hemenway,	Mahon,	Thomas, Iowa
Calderhead,	Henry, Conn.	Mann,	Townsend,
Campbell,	Hepburn,	Marsh,	Van Voorhis,
Cooper, Pa.	Hermann,	Marshall,	Volstead,
Cooper, Wis.	Hill, Conn.	Martin,	Vreeland,
Cousins,	Hinshaw,	Miller,	Wanger,
Cromer,	Hogg,	Minor,	Weems,
Crumpacker,	Howell, N. J.	Mondell,	Williamson,
Currier,	Huff,	Murdock,	Wilson, Ill.
Cushman,	Hughes, W. Va.	Olmsted,	Young,
Dalzell,	Hull,	Overstreet,	The Speaker.
Daniels,	Humphrey, Wash.	Palmer,	
Davis, Minn.	Jones, Wash.	Parker,	
Draper,	Kennedy,	Payne,	

NAYS—64.

Adamson,	De Armond,	Legare,	Robinson, Ind.
Bankhead,	Finley,	Lever,	Russell,
Bartlett,	Flood,	Lewis,	Scarborough,
Beall, Tex.	Gaines, Tenn.	Lind,	Sheppard,
Benny,	Garner,	Little,	Sherley,
Bowie,	Gregg,	Livingston,	Sims,
Brantley,	Gudger,	Lloyd,	Spight,
Breazeale,	Hay,	Macon,	Stephens, Tex.
Burleson,	Henry, Tex.	Moon, Tenn.	Thomas, N. C.
Burnett,	Hopkins,	Padgett,	Underwood,
Byrd,	Houston,	Page,	Wade,
Caldwell,	Hughes, N. J.	Pierce,	Webb,
Cassingham,	James,	Rainey,	Wiley, Ala.
Clark,	Kehoe,	Randell, Tex.	Williams, Ill.
Clayton,	Kellher,	Ransdell, La.	Williams, Miss.
Crowley,	Lamar, Mo.	Robinson, Ark.	Wynn.

ANSWERING "PRESENT"—15.

Allen,	Gardner, Mich.	Miers, Ind.	Smith, Iowa.
Burke,	Grosvenor,	Patterson, Pa.	Stanley,
Candler,	Hedge,	Powers, Me.	Thayer.
Dovener,	Jenkins,	Sibley,	

NOT VOTING—187.

Adams, Pa.	Field,	Lamb,	Roberts,
Aiken,	Fitzgerald,	Landis, Chas. B.	Robertson, La.
Badger,	Fitzpatrick,	Lester,	Rucker,
Baker,	Flack,	Lindsay,	Ruppert,
Bassett,	Fordney,	Littauer,	Ryan,
Bates,	Foster, Ill.	Littlefield,	Scudder,
Bede,	Foster, Vt.	Livernash,	Shackleford,
Beidler,	Fowler,	Lorimer,	Sherman,
Bell, Cal.	Fuller,	Loudenslager,	Shober,
Benton,	Garber,	Lucking,	Shull,
Birdsall,	Gardner, Mass.	McAndrews,	Slayden,
Bonynge,	Gilbert,	McCall,	Small,
Boutell,	Gillespie,	McDermott,	Smith, Ill.
Bowers,	Gillett, Mass.	McLachlan,	Smith, Wm. Alden
Broussard,	Glass,	McLain,	Smith, Ky.
Brown, Pa.	Goldfogle,	McNary,	Smith, N. Y.
Brownlow,	Gooch,	Maddox,	Smith, Tex.
Brundidge,	Goulden,	Mahoney,	Snapp,
Burgess,	Granger,	Maynard,	Snook,
Burleigh,	Greene,	Metcalf,	Southall,
Burton,	Griffith,	Meyer, La.	Sparkman,
Butler, Mo.	Griggs,	Moon, Pa.	Sperry,
Capron,	Hamlin,	Morgan,	Stanley,
Cassel,	Hardwick,	Morrell,	Sullivan, Mass.
Castor,	Harrison,	Mudd,	Sullivan, N. Y.
Cochran, Mo.	Hearst,	Needham,	Sulzer,
Cockran, N. Y.	Hildebrant,	Nevin,	Swanson,
Connell,	Hill, Miss.	Norris,	Talbott,
Conner,	Hitchcock,	Otis,	Tate,
Cooper, Tex.	Hitt,	Otjen,	Taylor,
Cowherd,	Holliday,	Patterson, N. C.	Tirrell,
Curtis,	Howard,	Patterson, Tenn.	Trimble,
Darragh,	Howell, Utah,	Pearre,	Vandiver,
Davey,	Humphreys, Miss.	Perkins,	Van Duzer,
Davidson,	Hunt,	Pinckney,	Wachter,
Davis, Fla.	Hunter,	Pou,	Wadsworth,
Dayton,	Jackson, Md.	Powers, Mass.	Wallace,
Deemer,	Jackson, Ohio.	Prince,	Warner,
Denny,	Johnson,	Pujo,	Warnock,
Dickerman,	Jones, Va.	Reeder,	Watson,
Dinsmore,	Kitchin, Claude	Reid,	Weisse,
Dixon,	Kitchin, Wm. W.	Rhea,	Wiley, N. J.
Dougherty,	Kline,	Richardson, Ala.	Wilson, N. Y.
Douglas,	Kluttz,	Richardson, Tenn.	Woodyard,
Dresser,	Knopf,	Rider,	Wright,
Dunwell,	Lafean,	Rixey,	Zenor.
Emerich,	Lamar, Fla.	Robb,	

So the previous question was ordered.

Mr. DE ARMOND (during the roll call). I rise to a parliamentary inquiry. Under what rule is the roll being called a third time?

The SPEAKER. The Chair is informed by the Clerk that the second roll call is not complete.

Mr. DE ARMOND. I understand that. But my parliamentary inquiry is, Why we do not complete the second roll call instead of making a third?

The SPEAKER. The Chair has no doubt that the second roll call will be completed before a third roll call is attempted.

Mr. DE ARMOND. I must appeal to the Speaker to enforce his own rules and not countenance a violation of the rule which provides for calling a second, not a third time, the names of those who fail to answer on the first call.

The SPEAKER. It is impossible for the Chair to rule upon any point which the gentleman may make touching a third roll call until a third roll call is commenced.

Mr. DE ARMOND. Well, Mr. Speaker, I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. DE ARMOND. The Speaker and the House are being imposed upon by a third roll call before the second roll call has been completed. I ask the Speaker to maintain order, and require that the second roll call be completed before any third roll call is started.

The SPEAKER. By all manner of means everything should proceed in order.

Mr. DE ARMOND. That is what I am trying to have done.

The SPEAKER. The Chair has no knowledge in the premises, except that the Clerk has stated to the Chair that he is calling the roll and that the second roll call is not complete.

The Chair will be entirely frank with the gentleman. He will be very glad, indeed, to enforce the rules, and he hopes the gentleman from Missouri will help to enforce them. The Chair thinks that if we wait a little while longer two or three more gentlemen may appear. [Laughter.]

Several MEMBERS. Regular order!

Mr. DE ARMOND. Mr. Speaker, there has been a call by several gentlemen for the "regular order," which the Chair did not observe; but for some time we have been proceeding out of order. I call the attention of the Speaker to that fact, and hope that he will see that the House proceeds now in order.

Mr. Speaker, I ask why the roll call has been interrupted?

The SPEAKER. The Clerk will proceed with the roll call.

Mr. LIVINGSTON. I want to ask whether my name is recorded.

The SPEAKER. The Chair is informed that the gentleman is recorded in the negative.

Mr. LIVINGSTON. I only asked the question because some one informed me that I was not recorded.

The Clerk resumed the call of the roll.

Mr. DE ARMOND. Mr. Speaker, I make the point that the names now being called are called for the third time, which is contrary to the rules.

The SPEAKER. The Chair is not informed on that matter.

Mr. DE ARMOND. I ask the Chair to get information from the Clerk.

The SPEAKER. The Clerk informs the Chair that the second roll call is not complete. [Laughter.]

Mr. DE ARMOND. I hope the Chair will get information from the Clerk as to whether he is not calling these names for the third or fourth time.

The SPEAKER. The Clerk will continue the roll call.

Mr. DE ARMOND rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. DE ARMOND. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. DE ARMOND. It is really a parliamentary inquiry. My inquiry is whether the Speaker and the House can not as well wait without violating the rules as wait while violating them.

The SPEAKER. The Chair will hear the gentleman upon that inquiry. [Laughter.]

Mr. DE ARMOND. Mr. Speaker, I believe that this is an unusual distinction—to be called upon to answer a question which the Speaker admits he can not answer. The question I asked was whether the Speaker and the House could not as well proceed in order as out of order. The Speaker, from a delicate regard for the situation, has asked me to answer the question myself.

The SPEAKER. The Chair wants to hear the gentleman on the point of order.

Mr. DE ARMOND. I understand that the Speaker desires me to answer the question for him. I answer very candidly by saying that it appears the Speaker and the House can not proceed in order as well as out of order. If they can not proceed in order, then, as a matter of necessity, we must get along out of order.

The Clerk, resuming the roll call, called the name of "Mr. SULLIVAN."

Mr. DE ARMOND. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. DE ARMOND. The name of "Mr. SULLIVAN" has been called already as often as the rules provide for. I ask the Speaker to have the Clerk read the rule which the Speaker has evidently forgotten.

The SPEAKER. The Clerk says that he has not completed the call of the roll, and the Chair is informed that there are two "Mr. SULLIVANS" in the House. [Laughter.]

Mr. DE ARMOND. The names of both have already been called.

The SPEAKER. The Chair has no information on that point.

Mr. DE ARMOND. Mr. Speaker, I ask whether it would be in order now for the Speaker to have the rule read for the information of the House and the Speaker.

The SPEAKER. The Chair will take great pleasure in having the rule read. The gentleman from Missouri calls for the reading of the rule. The Clerk will read.

The Clerk read as follows:

RULE XV.

ON CALLS OF THE ROLL AND HOUSE.

1. Upon every roll call the names of the Members shall be called alphabetically by surname, except when two or more have the same surname, in which case the name of the State shall be added; and if there be two such Members from the same State, the whole name shall be called; and after the roll has been once called, the Clerk shall call in their alphabetical order the names of those not voting; and thereafter the Speaker shall not entertain a request to record a vote or announce a pair unless the Member's name has been noted under clause 3 of this rule.

Mr. SMITH of Iowa. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. SMITH of Iowa. I ask that the Clerk read the rule relative to interruptions of the roll call.

Mr. DE ARMOND. I ask that the Clerk read the rule with reference to interruptions of the third roll call. [Laughter.] I presume that is the one the gentleman from Iowa refers to.

The Clerk resumed and completed the calling of the roll.

The SPEAKER. The Clerk will announce the pairs.

The Clerk announced the following pairs:

For the session:

Mr. SHERMAN with Mr. RUPPERT.
Mr. BOUTELL with Mr. GRIGGS.
Mr. DAYTON with Mr. MEYER of Louisiana.
Mr. BURGESS with Mr. BEDE.
Mr. SIBLEY with Mr. DAVEY of Louisiana.
Mr. HUNTER with Mr. RHEA.
Mr. PATTERSON of Pennsylvania with Mr. DICKERMAN.
Mr. CHARLES B. LANDIS with Mr. TATE.
Mr. CASSEL with Mr. GOOCH.
Mr. SNAPP with Mr. FOSTER of Illinois.

Until further notice:

Mr. WARNER with Mr. MCANDREWS.
Mr. CONNELL with Mr. BUTLER of Missouri.
Mr. CONNER with Mr. COOPER of Texas.
Mr. DARRAGH with Mr. DAVIS of Florida.
Mr. BATES with Mr. CANDLER.
Mr. DOVENER with Mr. TRIMBLE (except river and harbor).
Mr. WATSON with Mr. ZENOR.
Mr. LOUDENSLAGER with Mr. RICHARDSON of Alabama.
Mr. HOLLIDAY with Mr. MIERS of Indiana.
Mr. LORIMER with Mr. MAHONEY.
Mr. ALLEN with Mr. SMALL.
Mr. KNOPF with Mr. WEISSE.
Mr. DAVIDSON with Mr. SPARKMAN.
Mr. BEIDLER with Mr. HOWARD.
Mr. SMITH of Iowa with Mr. HARDWICK.
Mr. METCALF with Mr. LIVERNASH.
Mr. FORDNEY with Mr. GRIFFITH.
Mr. WARNOCK with Mr. ROBB.
Mr. GARDNER of Michigan with Mr. TAYLOR.
Mr. WM. ALDEN SMITH with Mr. MCNARY.
Mr. JACKSON of Ohio with Mr. GARBER.
Mr. WACHTER with Mr. TALBOTT.
Mr. HEDGE with Mr. BRUNDIDGE.

Until April 25:

Mr. BURLEIGH with Mr. HUNT.

Until April 23:

Mr. TIRRELL with Mr. SULLIVAN of Massachusetts.

Until April 21:

Mr. ROBERTS of Massachusetts with Mr. THAYER (except pensions.)

Until April 20:

Mr. DRESSER with Mr. RYAN.
Mr. MUDD with Mr. DENNY.

Until April 19:

Mr. OTIS with Mr. PATTERSON of Tennessee.
Mr. GROSVENOR with Mr. COCKRAN of New York.
Mr. FULLER with Mr. HARRISON.

For this day:

Mr. REEDER with Mr. SLAYDEN.
Mr. PRINCE with Mr. SCUDDER.
Mr. POWERS of Massachusetts with Mr. RUCKER.
Mr. PEARRE with Mr. ROBERTSON of Louisiana.
Mr. NORRIS with Mr. RIXEY.
Mr. NEVIN with Mr. RYDER.
Mr. NEEDHAM with Mr. RICHARDSON of Tennessee.
Mr. WADSWORTH with Mr. LAMB.
Mr. MORRELL with Mr. REID.
Mr. MCLACHLAN with Mr. PUJO.
Mr. LITTLEFIELD with Mr. MADDOX.
Mr. MORGAN with Mr. MAYNARD.
Mr. LAFEAN with Mr. LAMAR of Florida.
Mr JACKSON of Maryland with Mr. HUMPHREYS of Mississippi.
Mr. HOWELL of Utah with Mr. HITCHCOCK.
Mr. HILDEBRANT with Mr. HAMLIN.
Mr. GREENE with Mr. CLAUDE KITCHIN.
Mr. GARDNER of Massachusetts with Mr. WILLIAM W. KITCHIN.
Mr. FOWLER with Mr. GRANGER.
Mr. FOSTER of Vermont with Mr. GOULDEN.
Mr. DUNWELL with Mr. GOLDFOGLE.
Mr. DOUGLAS with Mr. GLASS.
Mr. DIXON with Mr. FITZGERALD.
Mr. HITT with Mr. DINSMORE.
Mr. DEEMER with Mr. SHULL.
Mr. CURTIS with Mr. COWHERD.
Mr. CASTOR with Mr. DOUGHERTY.
Mr. CAPRON with Mr. COCHRAN of Missouri.
Mr. BROWN of Pennsylvania with Mr. BELL of California.
Mr. BONYNGE with Mr. BOWERS.
Mr. BIRDSALL with Mr. AIKEN.
Mr. BURTON with Mr. HEARST.
Mr. MOON of Pennsylvania with Mr. VANDIVER.
Mr. LITTAUER with Mr. LESTER.
Mr. WRIGHT with Mr. WILSON of New York.
Mr. WOODYARD with Mr. VAN DUZER.
Mr. WILEY of New Jersey with Mr. SMITH of Kentucky.
Mr. SPERRY with Mr. SULZER.
Mr. SMITH of New York with Mr. SNOOK.
Mr. SMITH of Illinois with Mr. STANLEY.
Mr. BARTHOLDT with Mr. SHACKLEFORD.

Mr. BROWNLOW with Mr. BENTON.
Mr. MCCALL with Mr. SWANSON.
Mr. POWERS of Maine with Mr. GILBERT.
Mr. BURKE with Mr. POU.
Mr. JENKINS with Mr. GILLESPIE.
Mr. GILLETT of Massachusetts with Mr. KLUTTZ.
Mr. ADAMS of Pennsylvania with Mr. BASSETT.
Mr. OTJEN with Mr. WALLACE.

Mr. SIBLEY. I desire to know if the gentleman from Louisiana [Mr. DAVEY] is recorded as having voted?

The SPEAKER. He is not.

Mr. SIBLEY. Then I desire to withdraw my vote and to answer "present."

Mr. VAN VOORHIS. I want to inquire if my colleague [Mr. CASSINGHAM] voted?

The SPEAKER. He voted in the negative.

Mr. VAN VOORHIS. I was announced as paired with the gentleman. I ask that the pair be withdrawn.

The SPEAKER. The pair will be withdrawn.

Mr. CANDLER. Mr. Speaker, I desire to inquire if the gentleman from Pennsylvania [Mr. BATES] is recorded?

The SPEAKER. The gentleman is not recorded.

Mr. CANDLER. I voted in the negative. I desire to withdraw my vote and to be recorded as "present."

The name of Mr. CANDLER was called, and he voted "present."

The result of the vote was then announced as above recorded.

The SPEAKER. A quorum is present; the yeas have it, and the previous question is ordered. The question is on the motion to recommit.

The question was taken, and the motion was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. HEMENWAY, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. HEMENWAY. I move that the House adjourn.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles: when the Speaker signed the same:

H. R. 6916. An act granting an increase of pension to Alexander Hardy;

H. J. Res. 85. Joint resolution to authorize the lowering of the height of the Government dams in the Illinois River at Kampsville and Lagrange;

H. R. 10956. An act to amend sections 2566 and 2567 of the Revised Statutes of the United States, 1878, so as to remove the port of entry for the district of Pearl River from Shieldsboro to Gulfport, and for other purposes;

H. R. 12687. An act to amend an act entitled "An act to provide for the opening of certain abandoned military reservations, and for other purposes," approved August 23, 1894;

H. R. 8213. An act granting an increase of pension to Thomas Murray; and

H. R. 7472. An act granting an increase of pension to Henry McQuerter.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 5418. An act to construct and place a light-ship near the eastern end of Hedge Fence Shoal, at the entrance to Vineyard Sound, Massachusetts—to the Committee on Interstate and Foreign Commerce.

CHANGE OF REFERENCE.

The SPEAKER. The Chair lays before the House the following change of reference:

By unanimous consent, reference of the bill (H. R. 14590) to authorize the courts of county commissioners of Houston and Dale counties, Ala., to construct a bridge across the Choctawhatchee River between Houston and Dale counties, Ala., was changed from the Committee on the Judiciary to the Committee on Interstate and Foreign Commerce.

Mr. WILLIAMS of Mississippi. Mr. Speaker, will there be any requests for unanimous consent?

The SPEAKER. The motion to adjourn is pending. The gentleman from Indiana moves that the House do now adjourn.

The motion was agreed to.

And accordingly (at 8 o'clock and 16 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, recommending legislation to enable the procurement of sites for public buildings at Easton, Pa., Ironton, Ohio, and Saratoga Springs, N. Y.—to the Committee on Public Buildings and Grounds, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named as follows:

Mr. NEEDHAM, from the Committee on the Public Lands, to which was referred the bill of the House H. R. 9310, reported in lieu thereof a bill (H. R. 15191) to exclude from the Yosemite National Park, California, certain lands therein described and to attach to and include the said lands in the Sierra Forest Reserve, accompanied by a report (No. 2576); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MONDELL, from the Committee on Irrigation of Arid Lands, to which was referred the House joint resolution (H. J. Res. 147) requesting the Secretary of the Interior to institute an investigation relative to the use of the waters of the Colorado River for irrigation, and report to Congress thereon, reported the same without amendment, accompanied by a report (No. 2578); which said joint resolution and report were referred to the House Calendar.

He also, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 3036) for the protection of the Bull Run Forest Reserve and the sources of the water supply of the city of Portland, State of Oregon, reported the same with amendment, accompanied by a report (No. 2579); which said bill and report were referred to the House Calendar.

Mr. BURTON, from the Committee on Rivers and Harbors, to which was referred the bill of the House (H. R. 15014) to enable the Secretary of War to contract for the erection of lock and dam in aid of navigation in the Tennessee River near Chattanooga, Tenn., reported the same without amendment, accompanied by a report (No. 2581); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CURTIS, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 11586) to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes, reported the same with amendment, accompanied by a report (No. 2582); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. VOLSTEAD, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 4401) to grant to the State of Minnesota certain lands for forestry purposes, reported the same with amendment, accompanied by a report (No. 2583); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MONDELL, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 14710) authorizing the use of earth, stone, and timber on the public lands and forest reserves of the United States in the construction of works under the national irrigation law, reported the same without amendment, accompanied by a report (No. 2584); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TAWNEY, from the Select Committee on Industrial Arts and Expositions, to which was referred the House concurrent resolution (H. C. Res. 58) accepting an invitation to attend the formal opening of the Louisiana Purchase Exposition, and authorizing the appointment of a committee of Congress to attend the same, reported the same without amendment, accompanied by a report (No. 2585); which said concurrent resolution and report were referred to the House Calendar.

Mr. BURNETT, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11444) to grant certain lands to the State of Ohio, reported the same without amendment, accompanied by a report (No. 2597); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HOPKINS, from the Committee on Invalid Pensions, to

which was referred the bill of the House (H. R. 14884) granting an increase of pension to William Huffman, reported the same with amendment, accompanied by a report (No. 2534); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3036) granting an increase of pension to William H. Romaine, reported the same with amendment, accompanied by a report (No. 2535); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5711) granting an increase of pension to Jacob Chronister, reported the same with amendment, accompanied by a report (No. 2536); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14630) granting a pension to Augustus Finley, now Augustus Davis, reported the same with amendment, accompanied by a report (No. 2537); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3921) granting an increase of pension M. C. Staves, reported the same with amendment, accompanied by a report (No. 2538); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4903) granting an increase of pension to Solomon F. Hallett, reported the same with amendment, accompanied by a report (No. 2539); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14802) granting an increase of pension to Thomas C. Wiley, reported the same with amendment, accompanied by a report (No. 2540); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6049) granting a pension to Peter B. Phillips, reported the same with amendment, accompanied by a report (No. 2541); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5012) granting an increase of pension to Jacob Reitzel, reported the same without amendment, accompanied by a report (No. 2542); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5329) granting an increase of pension to Thomas Ellmaker, reported the same with amendment, accompanied by a report (No. 2543); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4582) granting an increase of pension to John S. Miller, reported the same without amendment, accompanied by a report (No. 2544); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2675) granting a pension to Robert J. Tate, reported the same with amendment, accompanied by a report (No. 2545); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2124) granting an increase of pension to Henry J. Grannis, reported the same without amendment, accompanied by a report (No. 2546); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9338) granting an increase of pension to Solon D. Moore, reported the same with amendment, accompanied by a report (No. 2547); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2499) granting an increase of pension to Smith Bilderback, reported the same with amendment, accompanied by a report (No. 2548); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13404) granting an increase of pension to Emanuel Peck, reported the same with amendment, accompanied by a report (No. 2549); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14639) granting an increase of pension to J. J. Meade, reported the same with amendment, accompanied by a report (No. 2550); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9901) granting a pension to John M. Stoner, reported the same with amendment, accompanied by a report (No. 2551); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12268) granting a pension to Jane K. Carpenter, reported the same with amendment, accompanied by a report (No. 2552); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11397) granting a pension to William Leonard, reported the same with amendment, accompanied by a report (No. 2553); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10183) granting a pension to Charles M. Lee, reported the same with amendment, accompanied by a report (No. 2554); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11486) granting an increase of pension to Samuel B. Loewenstine, reported the same without amendment, accompanied by a report (No. 2555); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11335) granting an increase of pension to John Trader, reported the same with amendment, accompanied by a report (No. 2556); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8716) granting a pension to Peter Creager, reported the same with amendment, accompanied by a report (No. 2557); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13000) granting a pension to Robert Elliott, reported the same with amendment, accompanied by a report (No. 2558); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7237) granting a pension to Annie E. Hethrington, reported the same with amendment, accompanied by a report (No. 2559); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14464) granting a pension to Elizabeth B. Yount, reported the same with amendment, accompanied by a report (No. 2560); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14637) granting an increase of pension to William Kimbrough, reported the same without amendment, accompanied by a report (No. 2561); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14865) granting an increase of pension to Mercy J. Wilder, reported the same with amendment, accompanied by a report (No. 2562); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14859) granting an increase of pension to Mathias Ridenour, reported the same with amendment, accompanied by a report (No. 2563); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13347) granting an increase of pension to William C. Crumbaugh, reported the same with amendment, accompanied by a report (No. 2564); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14870) granting an increase of pension to William Hougendobler, reported the same with amendment, accompanied by a report (No. 2565); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14437) granting an increase of pension to Daniel White, reported the same with amendment, accompanied by a report (No. 2566); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14592) granting an increase of pension to Alfred B. Scovill, reported the same without amendment, accompanied by a report (No. 2567); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R.

14992) granting an increase of pension to Phoebe W. Daw, reported the same with amendment, accompanied by a report (No. 2568); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14541) granting an increase of pension to Azaria S. Elwood, reported the same with amendment, accompanied by a report (No. 2569); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13592) granting an increase of pension to Stephen M. Ferguson, reported the same with amendment, accompanied by a report (No. 2570); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14638) granting an increase of pension to Park Avery, reported the same without amendment, accompanied by a report (No. 2571); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14508) granting an increase of pension to John Brady, reported the same without amendment, accompanied by a report (No. 2572); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3008) granting an increase of pension to John R. McMannomy, reported the same without amendment, accompanied by a report (No. 2573); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1788) granting a pension to Sarah E. Nichols, reported the same without amendment, accompanied by a report (No. 2574); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4171) granting an increase of pension to Thaddeus K. Miller, reported the same without amendment, accompanied by a report (No. 2575); which said bill and report were referred to the Private Calendar.

Mr. FOSTER of Vermont, from the Committee on Claims, to which was referred the bill of the House (H. R. 13348) to release Henry Smith & Sons, of Baltimore, Md., from a portion of their liability as contractors for the new custom-house in the city of Baltimore, Md., reported the same with amendment, accompanied by a report (No. 2577); which said bill and report were referred to the Private Calendar.

Mr. PRINCE, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 12346) to correct the military record of William J. Barcroft, reported the same without amendment, accompanied by a report (No. 2586); which said bill and report were referred to the Private Calendar.

Mr. PATTERSON of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 2113) granting a pension to Sarah A. Sullivan, reported the same with amendment, accompanied by a report (No. 2587); which said bill and report were referred to the Private Calendar.

Mr. LONGWORTH, from the Committee on Pensions, to which was referred the bill of the House (H. R. 4771) granting a pension to Aaron Taylor, reported the same with amendment, accompanied by a report (No. 2588); which said bill and report were referred to the Private Calendar.

Mr. DRAPER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 13805) granting a pension to Emma W. Hays, reported the same without amendment, accompanied by a report (No. 2589); which said bill and report were referred to the Private Calendar.

Mr. LONGWORTH, from the Committee on Pensions, to which was referred the bill of the House (H. R. 14001) granting an increase of pension to Leslie C. Armour, reported the same with amendment, accompanied by a report (No. 2590); which said bill and report were referred to the Private Calendar.

Mr. CAMPBELL, from the Committee on Pensions, to which was referred the bill of the House (H. R. 14636) granting a pension to James R. Fletcher, reported the same with amendment, accompanied by a report (No. 2591); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 15126) granting a pension to Joseph A. Cox, reported the same with amendment, accompanied by a report (No. 2592); which said bill and report were referred to the Private Calendar.

By Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the Senate (S. 2396) granting a pension to Clarissa Ann Lapoint, reported the same without amendment, accompanied by a report (No. 2593); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4606) granting a pension to Edward G. Horne, reported the same without amendment, accompanied by a report (No. 2594); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5180) granting a pension to Thomas Smith, reported the same without amendment, accompanied by a report (No. 2595); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5244) granting an increase of pension to John K. Whited, reported the same without amendment, accompanied by a report (No. 2596); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 13051) to remove the charge of desertion from the military record of William Galvin—Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 5309) granting an increase of pension to John McConnell—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. NEEDHAM, from the Committee on the Public Lands: A bill (H. R. 15191) to exclude from the Yosemite National Park, California, certain lands therein described and to attach to and include the said lands in the Sierra Forest Reserve—to the Union Calendar.

By Mr. KALANIANAOLE: A bill (H. R. 15192) for the relief of the occupants of certain Government lands on the slopes of Punch Bowl, in the city of Honolulu, in the Territory of Hawaii—to the Committee on the Territories.

By Mr. BURNETT: A bill (H. R. 15193) to provide a site for a public building in Gadsden, Ala.—to the Committee on Public Buildings and Grounds.

By Mr. DANIELS (by request): A bill (H. R. 15194) authorizing the purchase of sites for buildings for the accommodation of the Interior, Treasury, and War Departments of the United States, the District of Columbia, and for other public purposes, in connection with removing the Botanic Garden fence and improving the grounds, under the supervision of the Secretary of the Treasury—to the Committee on Public Buildings and Grounds.

By Mr. HAMLIN: A bill (H. R. 15195) authorizing the construction of a wagon, toll, and electric railway bridge over the Missouri River at Lexington, Mo.—to the Committee on Interstate and Foreign Commerce.

By Mr. PAYNE: A bill (H. R. 15196) to amend an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903—to the Committee on Immigration and Naturalization.

By Mr. FOWLER: A joint resolution (H. J. Res. 148) to cause an examination or survey of part of the westerly side of Arthur Kill or Staten Island Sound—to the Committee on Rivers and Harbors.

By Mr. SMITH of Illinois: A resolution (H. Res. 332) concerning the payment of certain employees of the House—to the Committee on Accounts.

By Mr. TAWNEY: A resolution (H. Res. 333) requesting the Secretary of Commerce and Labor to investigate the cause for the refusal of wholesale dealers in chewing and smoking tobacco to continue the sale thereof—to the Committee on the Judiciary.

By Mr. HITT: A resolution (H. Res. 334) providing for consideration of the bill H. R. 15167—to the Committee on Rules.

By Mr. GAINES of West Virginia: A resolution (H. Res. 335) directing legislation and report by the Interstate Commerce Commission as to community of interest among certain railroads—to the Committee on Interstate and Foreign Commerce.

By Mr. GROSVENOR: A memorial of the general assembly of Ohio, relative to advancement of Gen. T. M. Anderson—to the Committee on Military Affairs.

By Mr. CASSINGHAM: A memorial relative to the advancement of T. M. Anderson to the grade of major-general—to the Committee on Military Affairs.

By the SPEAKER: A memorial of the legislature of Ohio, praying for the advancement of Brig. Gen. T. M. Anderson to the

grade of major-general on the retired list of the Army—to the Committee on Military Affairs.

Also, a memorial of the legislature of Iowa, applying for the calling of a constitutional convention for the adoption of an amendment to the Constitution of the United States providing for the election of Senators by the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1, Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BELL of California: A bill (H. R. 15197) granting an increase of pension to Calvin C. Griffith—to the Committee on Pensions.

By Mr. BINGHAM: A bill (H. R. 15198) granting an increase of pension to Sallie Noble—to the Committee on Invalid Pensions.

By Mr. BONYNGE: A bill (H. R. 15199) granting a pension to Mary J. Lansing—to the Committee on Pensions.

Also, a bill (H. R. 15200) granting an increase of pension to Henry Walter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15201) granting an increase of pension to Cassius M. Carroll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15202) for the relief of C. W. Sturtevant, Rolla Brown, Alice Brown, M. L. Kelly, Robert G. Duffy, Fread Gehring, T. H. Ross, and L. C. Partee—to the Committee on Claims.

By Mr. BOWERS: A bill (H. R. 15203) for the relief of James M. Donnelly and Emily Donnelly, his wife—to the Committee on War Claims.

By Mr. BRADLEY: A bill (H. R. 15204) granting an increase of pension to Mary Taggart—to the Committee on Invalid Pensions.

By Mr. BUCKMAN: A bill (H. R. 15205) for the relief of David Murdock—to the Committee on Claims.

By Mr. DIXON: A bill (H. R. 15206) granting a pension to James McMahon—to the Committee on Invalid Pensions.

By Mr. DRAPER: A bill (H. R. 15207) granting an increase of pension to Amos Jones—to the Committee on Invalid Pensions.

By Mr. GAINES of Tennessee: A bill (H. R. 15208) granting an increase of pension to James T. Gabbert—to the Committee on Invalid Pensions.

By Mr. GAINES of West Virginia: A bill (H. R. 15209) granting a pension to David M. Burgess—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: A bill (H. R. 15210) granting an increase of pension to Isaac N. Hawkins—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 15211) granting an increase of pension to Albert C. Himes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15212) granting an increase of pension to J. J. Perry—to the Committee on Invalid Pensions.

By Mr. MAHON: A bill (H. R. 15213) to correct the military record of Micaiah R. Evans—to the Committee on Military Affairs.

By Mr. MAYNARD: A bill (H. R. 15214) for the relief of Jane Elizabeth Owen, legal representative of John Young, sr., late of Ellzabeth City County, Va.—to the Committee on War Claims.

By Mr. McCALL: A bill (H. R. 15215) for the relief of the heirs of Joseph E. Wakefield—to the Committee on Claims.

By Mr. MURDOCK: A bill (H. R. 15216) for the relief of J. W. Patterson—to the Committee on Claims.

By Mr. RAINEY: A bill (H. R. 15217) granting a pension to William H. Pritchard—to the Committee on Invalid Pensions.

By Mr. REID: A bill (H. R. 15218) granting a pension to Ena L. Martin—to the Committee on Invalid Pensions.

By Mr. RIXEY: A bill (H. R. 15219) for the relief of Thomas J. Fannon, Alexandria, Va.—to the Committee on War Claims.

By Mr. WEBB: A bill (H. R. 15220) for the relief of W. J. Roberts—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 15221) for the relief of the heirs of William H. Blades—to the Committee on War Claims.

By Mr. BROOKS: A bill (H. R. 15222) granting a pension to William Fernsworth—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of Miss N. Elizabeth Cordner, of 319 East Sixty-fifth place, Chicago, favoring national legislation to prevent sale of cigarettes to minors—to the Committee on the Judiciary.

By Mr. ADAMS of Pennsylvania: Resolution of Division No. 16, Ancient Order of Hibernians, in favor of appropriation for statue of Commodore Barry—to the Committee on the Library.

By Mr. ADAMS of Wisconsin: Petition of George B. T. White, in behalf of church membership and other bodies of Slim Prairie, Wis., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ALLEN: Petition of James L. Lovett and 26 other voters of Portland and Limerick, Me., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BARTHOLDT: Petition of L. & A. Scharff, of St. Louis, Mo., in favor of a reduction of the tax on whisky—to the Committee on Ways and Means.

Also, resolution of General Lyon Post, No. 2, Grand Army of the Republic, Department of Missouri, Adolph Kleintopf, adjutant, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of H. M. Whelpley, secretary of the United States Pharmacopœial Convention, secretary of the Council of the American Pharmaceutical Association, secretary of the Missouri Pharmaceutical Association, in favor of bill H. R. 12646—to the Committee on Naval Affairs.

By Mr. BINGHAM: Resolution of the Ancient Order of Hibernians, Division No. 16, Philadelphia, urging an appropriation for erection of a statue of Commodore John Barry in Washington—to the Committee on the Library.

By Mr. BIRDSALL: Communication from Gen. M. H. Byers, adjutant-general State of Iowa, in favor of certain bills of interest to the National Guard—to the Committee on Militia.

Also, papers to accompany bill H. R. 13928, granting an increase of pension to J. Henry Williams—to the Committee on Invalid Pensions.

By Mr. BRADLEY: Petition of the Pabrikoid Company, of Newburg, N. Y., protesting against bill H. R. 11964, relative to the transportation of explosives—to the Committee on Interstate and Foreign Commerce.

By Mr. BROWNLOW: Petition of the Brown Manufacturing Company, urging the passage of bill H. R. 9303—to the Committee on Ways and Means.

By Mr. BURTON: Resolution adopted by the standing committees of the National Business League April 1, 1904, protesting against the enactment of the so-called short-form Lodge and Adams bills—to the Committee on Foreign Affairs.

Also, resolution passed January 11, 1904, by the International Brotherhood of Steam Shovel and Dredge Engineers and Cranemen of America, protesting against the practice of the Government of the United States building dredges to be operated in connection with river and harbor improvements—to the Committee on Rivers and Harbors.

By Mr. CAMPBELL: Petition of L. F. Lozier and other voters, of Edna (Kans.) rural free-delivery route No. 2, in favor of reforms in the post-office—to the Committee on the Post-Office and Post-Roads.

By Mr. CASSINGHAM: Affidavit of C. S. Greenlee, J. W. Williams, and J. S. Billingsley, to accompany bill H. R. 15018, granting an increase of pension to John V. Green—to the Committee on Invalid Pensions.

By Mr. COUSINS: Petition of James McKain, a soldier of Iowa, now of Philadelphia, for increase of pension on account of blindness—to the Committee on Invalid Pensions.

Also, petition of D. Sanford, of Scotch Grove, Iowa, in favor of a parcels post and postal currency—to the Committee on the Post-Office and Post-Roads.

Also, petition of Rev. Mark Masters and 40 other voters, of Montour, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Rev. S. Conybeare and others, of Tipton, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of S. Conybeare, pastor of the Presbyterian Church; A. D. Parsons, pastor of the Methodist Episcopal Church; William H. Hess, pastor of the Lutheran Church, and J. N. Naley, pastor of the Reformed Church, of Tipton, Iowa, representing 500 citizens, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. COWHERD: Resolution of the Travelers' Goods and Leather Novelty Workers' International Union, in favor of woman suffrage—to the Committee on Elections No. 1.

By Mr. DALZELL: Protest of sundry citizens of McKeesport, Pa., against the passage of bill H. R. 7054—to the Committee on the Judiciary.

By Mr. DOVENER: Additional evidence and affidavits in support of bill H. R. 14596, to pension John L. Smith, of Company

C, Sixth Regiment West Virginia Cavalry—to the Committee on Invalid Pensions.

Also, affidavit in support of bill H. R. 15072, to pension Henry C. Shepherd—to the Committee on Invalid Pensions.

Also, evidence of Lizzie, or Lydia Ann, Scott and Nero Dougherty, in support of bill H. R. No. 14956, claim of Robert Scott, Company D, One hundred and twenty-sixth Ohio Volunteer Infantry—to the Committee on Invalid Pensions.

By Mr. DRAPER: Petition of the Troy Chemical Company, in favor of the Boutell bill—to the Committee on Ways and Means.

By Mr. ESCH: Petition of the Board of Trade of La Crosse, Wis., for reform in the consular service—to the Committee on Foreign Affairs.

Also, petition of executive committee of the Manufacturers and Jobbers' Union of La Crosse, Wis., in favor of reform in the consular service—to the Committee on Foreign Affairs.

By Mr. FOSTER of Vermont: Petition of the pastors and 56 other voters of Morristown, Vt., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GAINES of Tennessee: Petition of S. M. McCarter and 15 other citizens of thirteen civil districts of Davidson County, Tenn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Rev. W. T. Haggard and 15 other voters, of West Nashville, Tenn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of W. J. Stewart and 19 other voters, of Nashville, Tenn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of R. M. Halland and 12 other voters, of Nashville, Tenn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of H. F. Burns and 8 other voters, of Nashville, Tenn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GAINES of West Virginia: Petition of Reverend Nickline and 21 other voters, of Falling Spring, W. Va., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GRANGER: Petition of D. F. Grady and others, representing the Ancient Order of Hibernians of Providence County, R. I., for the passage of a bill for the erection of a monument to the memory of Commodore Barry—to the Committee on the Library.

By Mr. GROSVENOR: Papers to accompany bill granting pension to Isaac Hawkins—to the Committee on Invalid Pensions.

Also, petition of C. W. Brady and other voters, of Syracuse, Ohio, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of citizens of Ohio, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of citizens of New Straitsville, Ohio, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Rev. D. J. Smith and other voters, of New Straitsville, Ohio, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the Lancaster (Ohio) Medical Company, favoring the passage of bill H. R. 9303—to the Committee on Ways and Means.

Also, petition of citizens of New Lemington, Ohio, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HEMENWAY: Petition of the Delta Diphtheria Company, of Evansville, Ind., urging the passage of bill H. R. 9303—to the Committee on Ways and Means.

By Mr. HENRY of Texas: Petition of Rev. R. F. Dunn and 42 other voters of Bosqueville, Tex., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HOWELL of Utah: Petition recommending favorable action on the bill creating the Colorado Cliff Dwellings National Park—to the Committee on Public Buildings and Grounds.

By Mr. LINDSAY: Petition of the Kings County (N. Y.) Pharmaceutical Society, favoring the passage of bill H. R. 12646—to the Committee on Ways and Means.

By Mr. LOUDENSLAGER: Petition of the Frances Willard Union, Mrs. Joseph Cramer, president, of Camden, N. J., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MAHON: Papers to accompany the bill for the relief of Micajah R. Evans—to the Committee on Military Affairs.

By Mr. MURDOCK: Petition for a service-pension bill, by the veterans of the civil war of Valley Center, Kans.—to the Committee on Invalid Pensions.

By Mr. PORTER: Papers to accompany bill H. R. 14780, for the relief of Robert C. Machesney—to the Committee on Invalid Pensions.

Also, petition of Lewis M. Haupt, of Philadelphia, in favor of the Dalzell bill to charter the Lake Erie and Ohio River ship canal—to the Committee on Railways and Canals.

By Mr. PUJO: Affidavits to accompany House bill granting an increase of pension to Rebecca V. Mackenzie—to the Committee on Invalid Pensions.

Also, resolution adopted at the Southern Good-Roads Convention in session assembled at New Orleans April 6, 1904, in favor of national good-roads legislation—to the Committee on Agriculture.

By Mr. RAINEY: Protest of Haines, Ruppert & Co. and other retail merchants of Rockport, Ill., against an experimental parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. ROBINSON of Indiana: Petition of A. R. Otis, of Kendallville, Ind., in favor of bill H. R. 9303, for reduction of the internal-revenue tax on distilled spirits—to the Committee on Ways and Means.

Also, petition of M. L. Hussey & Sons, of Cromwell, Ind., in favor of bill H. R. 9303 for a reduction of the internal-revenue tax on distilled spirits—to the Committee on Ways and Means.

By Mr. SMITH of New York: Petition of Cooper & Hardenbaugh, in favor of bill H. R. 9303—to the Committee on Ways and Means.

Also, petition of Rev. R. M. Roberts and 23 other voters of Ulster, N. Y., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church of Ellenville, N. Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SMITH of Pennsylvania: Petition of R. A. Sutor and 37 other voters, of Marion Center, Pa., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WM. ALDEN SMITH: Petition of Peck Brothers and others, of Grand Rapids, Mich., favoring the passage of Mann bill to amend the patent laws—to the Committee on Patents.

By Mr. SOUTHWICK: Petition of W. S. Schoonmaker and other citizens of Berne, N. Y., in favor of a fractional postal currency and consolidating third and fourth class mail into a parcels post—to the Committee on the Post-Office and Post-Roads.

Also, petition of H. W. Elmendorf and other voters, of Acquetuck, N. Y., in favor of consolidating third and fourth class mails into a parcels post and postal currency—to the Committee on the Post-Office and Post-Roads.

By Mr. STEVENS of Minnesota: Petition of Ancient Order of Hibernians of St. Paul, Minn., for the erection of a statue to John Barry, father of the American Navy—to the Committee on the Library.

Also, petition of Manila Bay Section, No. 27, St. Paul, Minn., in favor of the passage of bills S. 2990 and H. R. 2991—to the Committee on Naval Affairs.

By Mr. WILEY of New Jersey: Communication from Corning Division, No. 244, Brotherhood of Locomotive Engineers, of Corning, N. Y., in favor of the bill to give a military status to those who served as locomotive engineers during the civil war—to the Committee on Military Affairs.

By Mr. WILLIAMS of Illinois: Additional evidence in the claim of W. H. Blades, affidavit of W. A. Howell—to the Committee on War Claims.

SENATE.

TUESDAY, *April 19, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on the request of Mr. CULLOM, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. If there be no objection, the Journal will stand approved. The Journal is approved.

DEFICIENCIES IN APPROPRIATIONS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting an additional list of estimates of deficiencies in appropriations covering amounts found due thereunder by the accounting officers of the Treasury, for which no appropriations are available for the payment thereof, aggregating $2,363.59; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

LIST OF CLAIMS ALLOWED.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 16th instant, a list of claims allowed by the accounting officers of the Treasury under appropriations the balances of which have been exhausted or carried to

the surplus fund under the provisions of section 5 of the act of June 20, 1874, amounting to $6,040.50; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

SPANISH WAR CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Attorney-General recommending an appropriation of $25,000 to pay judgments to be rendered by the Court of Claims in favor of officers and enlisted men of the Volunteer Army during the war with Spain; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

NEW YORK INDIAN CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Auditor for State and other Departments relating to the settlement and distribution of the amount of the judgment rendered by the Court of Claims on November 22, 1898, in favor of the New York Indians, etc.; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

LIST OF JUDGMENTS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 16th instant, a list of judgments rendered by the Court of Claims not heretofore reported to Congress, amounting to $14,389.71; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

INDIAN DEPREDATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney-General, transmitting, in response to a resolution of the 16th instant, a list of judgments rendered by the Court of Claims in favor of the Indian depredation cases not heretofore reported at the present session; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 8690) to amend the law relating to taxation in the District of Columbia;

A bill (H. R. 11213) to extend the privilege of immediate transportation of dutiable merchandise to various subports in the customs collection district of Puget Sound, and for other purposes;

A bill (H. R. 14826) to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska; and

A bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 4576) transferring the custody of certain obsolete ordnance to the city of Boston;

A bill (H. R. 12446) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes;

A bill (H. R. 12684) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1905, and for other purposes;

A bill (H. R. 13992) permitting the Missouri, Kansas and Oklahoma Railroad Company to sell its railroads and properties to the Missouri, Kansas and Texas Railway Company; and

A joint resolution (S. R. 54) to permit Maj. Thomas W. Symons, Corps of Engineers, to assist the State of New York by acting as a member of an advisory board of consulting engineers in connection with the improvement and enlargement of the navigable canals of the State of New York.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of the legislature of the State of Ohio, praying for the enactment of legislation to place Brig. Gen. T. M. Anderson on the retired list of the Army with the rank of major-general; which was referred to the Committee on Military Affairs.

Mr. MORGAN. I present a memorial signed by Rev. Thomas S. Barbour, of Boston, as chairman of a conference of missionary societies recently held in Washington, D. C., relative to the Independent Kongo Free State. The members of the conference were Henry C. Mabie, D. D., home secretary American Baptist Missionary Union; Thomas S. Barbour, D. D., foreign secretary American Baptist Missionary Union; W. H. Leslie, M. D., missionary, American Baptist Missionary Union, at Banza Manteke, Africa; S. H. Chester, D. D., secretary Southern Presbyterian Board; Rev. W. M. Morrison, missionary, Southern Presbyterian Board, at Luebo, Africa; D. W. Snyder, M. D., missionary, Southern Presbyterian Board, formerly at Luebo, Africa; Rev. Archibald McLean, president Foreign Christian Missionary Society, and E. A. Layton, M. D., missionary, Foreign Christian Missionary Society, at Balengia.

The memorial, with the accompanying document, is a paper that has been prepared with very great care by men of great ability. I desire to present it now, and ask that it may lie on the table until the order for resolutions is called, when I shall offer a resolution predicated upon the memorial.

The PRESIDENT pro tempore. The memorial will lie on the table, together with the accompanying papers.

Mr. MORGAN. Subject to call.

Mr. FAIRBANKS presented a memorial of the Fry Coal and Mining Company, of Terre Haute, Ind., and a petition of the Ayrshire Coal Company, of Oakland, Ind., remonstrating against the enactment of legislation to prevent the indiscriminate shipping of so-called "high explosives;" which were referred to the Committee on Interstate Commerce.

Mr. CULLOM presented a petition of the Tri-City Trades and Labor Council, of Granite City, Ill., praying for the passage of the so-called "eight-hour bill" and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

Mr. STEWART presented a petition of the Commercial Club of Weldon, Ind. T., praying for the passage of the so-called "Quay statehood bill;" which was referred to the Committee on Territories.

Mr. GAMBLE presented a petition of the Woman's Christian Temperance Union of Sioux Falls, S. Dak., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors, and also for the passage of the so-called "pure-food bill;" which was ordered to lie on the table.

He also presented a petition of the Fourth District Medical Society of South Dakota, praying for the passage of the so-called "pure-food bill;" which was ordered to lie on the table.

Mr. FOSTER of Washington presented a petition of the Chamber of Commerce of Tacoma, Wash., and a petition of sundry citizens of Tacoma, Wash., praying for the enactment of legislation regulating the erection of buildings on the Mall, in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. GALLINGER presented the petition of D. M. Currier, of Newport, N. H., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Woman's National and International Rescue League, of Washington, D. C., praying for the enactment of legislation providing that ice cream manufacturers and venders be included in the Sunday-closing law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented memorials of the Western Pennsylvania Conference of Seventh Day Adventists, of Coudersport, Pa.; of Arthur E. Sanderson, of North Windham, Conn.; and of the Secular League of Washington, D. C., remonstrating against the enactment of legislation providing for the closing on Sunday of business places in the District of Columbia; which were referred to the Committee on the District of Columbia.

Mr. MARTIN. I present a petition of the Central Labor Union of the District of Columbia, praying for the passage of the bill authorizing the extension, construction, and operation of the Great Falls and Old Dominion Railroad into the District of Columbia. The petition is brief, and I ask that it may be read and lie on the table.

There being no objection, the petition was read, and ordered to lie on the table, as follows:

WASHINGTON, D. C., *April 11, 1904.*

To the Senate of the United States:

The Central Labor Union of the District of Columbia, representing 20,000 wage-workers, residents of the city of Washington, petition your honorable body to enact Senate bill 2833, "to authorize the extension, construction, and operation of the Great Falls and Old Dominion Railroad into the District of Columbia."

We respectfully submit that the construction of this road along the route proposed will afford street-railway facilities which are necessary for the development of our city, and for the comfort and convenience of our residents.

We believe that this improvement, which is generally desired by our people, can only be obtained by the enactment of Senate bill 2833 and the extension of the Great Falls and Old Dominion Railway along the route designated in said bill.

We further believe that the two existing railway companies are opposed to the proposed improvement, and that the proposition of the Capital Traction Company to construct a line as provided in amendment to bill 2833, recently introduced in the Senate, is not made in good faith, but is a scheme devised to defeat any measure which would give to the people additional railway facilities in the northeast and release our residents from the merciless grip of a street-railway monopoly.

We earnestly protest against any further gifts of franchises to existing monopolies without securing taxation, cheaper fares, or some other compensation to the people.

We pray that this opportunity to secure healthy railway competition be not withheld, and we therefore respectfully ask on behalf of the 20,000 constituents of the Central Labor Union, who with their families constitute 60,000 street-railway patrons, that the honorable Senate of the United States will enact Senate bill 2833 during the present session of Congress.

Mr. MARTIN. I also present a petition of the Council of Allied Building Trades of the District of Columbia, praying for the enactment of legislation granting to the Great Falls and Old Dominion Railroad Company the right to extend its road in the District of Columbia. I shall not ask to have this petition read, but move that it lie on the table.

The motion was agreed to.

Mr. WARREN presented sundry papers to accompany the bill (S. 922) granting an increase of pension to William S. Devlan; which were referred to the Committee on Pensions.

Mr. PENROSE presented a petition of the Cumberland County Medical Society, of Pennsylvania, praying for the enactment of legislation reorganizing the Army Medical Corps and providing for the construction of an adequate general hospital for the Army in the District of Columbia; which was referred to the Committee on Military Affairs.

Mr. FRYE presented a petition of the Catholic Total Abstinence Society of the Archdiocese of Philadelphia, Pa., praying that an appropriation of $50,000 be made for the erection of a statue in the city of Washington, D. C., of Commodore John Barry; which was ordered to lie on the table.

ROADS AND ROAD BUILDING.

Mr. LATIMER. I present a table, being a statement of the apportionment of $24,000,000 for good roads under the bill introduced by me on that subject. I move that the statement lie on the table and that it be printed as a document.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. CLARK of Wyoming, from the Committee on Railroads, to whom was referred the bill (S. 5563) extending the provisions of the act approved March 3, 1875, entitled "An act granting to railroads the right of way through the public lands of the United States," asked to be discharged from its further consideration, and that it be referred to the Committee on Public Lands; which was agreed to.

Mr. McCUMBER, from the Committee on Pensions, to whom was referred the bill (H. R. 1339) granting an increase of pension to Joseph P. Scott, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the amendment submitted by himself on the 15th instant, proposing to appropriate $4,000,000 for paying any deficiency which may arise during the fiscal year ending June 30, 1904, by reason of recent pension legislation, intended to be proposed to the pension appropriation bill, reported it without amendment, submitted a report thereon, and moved that it lie on the table and be printed; which was agreed to.

He also (for Mr. BALL), from the same committee, to whom was referred the bill (S. 5416) granting an increase of pension to James A. Hopson, reported it with amendments, and submitted a report thereon.

He also (for Mr. BALL), from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 3805) granting an increase of pension to Mary A. Disbrow;

A bill (H. R. 5033) granting an increase of pension to Rowland J. Roberts;

A bill (H. R. 12966) granting an increase of pension to Charles H. Lakey;

A bill (H. R. 11843) granting an increase of pension to William Hall;

A bill (H. R. 13543) granting an increase of pension to Henry Clay Hall;

A bill (H. R. 13743) granting an increase of pension to David C. Welch;

A bill (H. R. 13071) granting an increase of pension to John S. Whitmore;

A bill (H. R. 14145) granting an increase of pension to Abel D. Brooks;

A bill (H. R. 13687) granting an increase of pension to Henry A. Davies;

A bill (H. R. 12400) granting a pension to Ellen Cain;

A bill (H. R. 6343) granting a pension to Harry Hirschensohn;

A bill (H. R. 9393) granting an increase of pension to Thomas P. Ryan;

A bill (H. R. 9788) granting an increase of pension to George W. Blanchard;

A bill (H. R. 10286) granting a pension to Ellen M. Malloy;

A bill (H. R. 10288) granting a pension to Anna E. Harman;

A bill (H. R. 11293) granting an increase of pension to Frank Fuchs;

A bill (H. R. 14658) granting an increase of pension to Juliana H. Barry;

A bill (H. R. 12164) granting an increase of pension to Joseph Davis;

A bill (H. R. 14017) granting an increase of pension to Louis Voll;

A bill (H. R. 12727) granting an increase of pension to Theodore Coonley;

A bill (H. R. 13115) granting a pension to Sarah Jane Van Alstine; and

A bill (H. R. 12194) granting an increase of pension to Nathaniel Warren.

Mr. McCUMBER (for Mr. BALL), from the Committee on Pensions, to whom was referred the bill (H. R. 8993) granting an increase of pension to Melvina Bottles, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also (for Mr. PATTERSON), from the same committee, to whom was referred the bill (S. 1994) granting an increase of pension to Isabella Chivington, reported it with amendments, and submitted a report thereon.

He also (for Mr. PATTERSON), from the same committee, to whom was referred the bill (S. 1576) granting an increase of pension to Emily M. J. Cooley, reported it with an amendment, and submitted a report thereon.

He also (for Mr. PATTERSON), from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 14270) granting an increase of pension to Loucinda M. Thompson;

A bill (H. R. 13363) granting an increase of pension to Benjamin L. Commons;

A bill (H. R. 13371) granting an increase of pension to James T. Thompson;

A bill (H. R. 13869) granting a pension to Sarah M. Greer;

A bill (H. R. 13494) granting a pension to Cader B. Brent;

A bill (H. R. 13518) granting an increase of pension to Chester R. Heath;

A bill (H. R. 13527) granting an increase of pension to William Odenheimer;

A bill (H. R. 10270) granting a pension to Mary F. Kenaday;

A bill (H. R. 10544) granting an increase of pension to Henry H. Rhoads;

A bill (H. R. 13364) granting an increase of pension to John Cook;

A bill (H. R. 8822) granting a pension to Bird L. Francis;

A bill (H. R. 8921) granting an increase of pension to John McCollister;

A bill (H. R. 9963) granting a pension to Grace Miller;

A bill (H. R. 10062) granting an increase of pension to Oscar Murray;

A bill (H. R. 10182) granting an increase of pension to Isaac Innis; and

A bill (H. R. 11063) granting an increase of pension to Robert L. McMurtry.

Mr. GAMBLE, from the Committee on the District of Columbia, to whom was referred the bill (S. 4156) for the establishment of public convenience stations and bath houses, reported it with amendments, and submitted a report thereon.

Mr. WARREN, from the Committee on Claims, to whom was referred the amendment submitted by Mr. PETTUS on the 1st instant, authorizing the payment to Rittenhouse Moore out of the unexpended balance of the appropriation made in the act of March 3, 1899, for improving the Potomac River the sum of $3,653.05 for overwidth dredging in the Potomac River below Washington, intended to be propcsed to the general deficiency appropriation bill, reported it without amendment, submitted a report thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. SPOONER, from the Committee on Finance, to whom was referred the bill (S. 4651) for the relief of James T. Barry and Richard Cushion, executors of the last will and testament of Martin Dowling, deceased, reported it with amendments.

JULIUS A. KAISER.

Mr. PENROSE. I am directed by the Committee on Naval Affairs, to whom was referred the bill (H. R. 10891) for the relief of Julius A. Kaiser, to report it favorably without amendment, and I submit a report thereon. I ask for the present consideration of the bill.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration It proposes to pay to Julius A. Kaiser $3,758.45, being the amount disallowed by the accounting officers for difference between active-duty pay of a second assistant engineer and retired pay of a first assistant engineer from October 13, 1868, to July 8, 1873, while on the active list of officers of the Navy.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN BREMOND.

Mr. BAILEY. I am directed by the Committee on Finance to report back favorably without amendment the bill (H. R. 12655) for the relief of John Bremond. I ask unanimous consent for the present consideration of the bill.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to pay to the order of John Bremond, of Austin, Tex., $15, in redemption of certain interest coupons detached from United States 3 per cent coupon bonds, the original coupons having been lost or destroyed.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HOUSE BILLS REFERRED.

The bill (H. R. 8687) authorizing the sale of the Chesapeake and Ohio Canal bonds belonging to the District of Columbia was read twice by its title, and referred to the Committee on the District of Columbia.

The bill (H. R. 11213) to extend the privilege of immediate transportation of dutiable merchandise to various subports in the customs collection district of Puget Sound, and for other purposes, was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 14826) to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska was read twice by its title, and referred to the Committee on Public Lands.

The bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

ELECTRICAL WIRING IN THE DISTRICT OF COLUMBIA.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3) to regulate electrical wiring in the District of Columbia, which was to strike out all after the enacting clause and insert a substitute.

Mr. GALLINGER. Mr. President, if it is not necessary to have the amendment read in full, I will move that the Senate agree to the amendment made by the House of Representatives. I have examined it very carefully.

Mr. ALDRICH. I think it is going a little too far to adopt an amendment which has never been read in the Senate.

Mr. GALLINGER. I quite agree with the Senator from Rhode Island, Mr. President, and will ask that the amendment be read.

Mr. ALDRICH. Let the amendment be read.

The PRESIDENT pro tempore. It will be read.

The Secretary proceeded to read the amendment.

Mr. PLATT of Connecticut. I think there ought to be some order in the Senate, so that we can understand the measure that we are acting on. We can not hear a word of it, and we are asked to adopt it now. Never having heard it, I think there ought to be sufficient order in the Senate so that we can hear and understand it.

The PRESIDENT pro tempore. The Senate will be in order.

The Secretary resumed and concluded the reading of the amendment of the House of Representatives, which was to strike out all after the enacting clause and to insert:

That the Commissioners of the District of Columbia shall have power to make from time to time such rules and regulations respecting the production, use, and control of electricity for light, heat, and power purposes in the District of Columbia, not inconsistent with existing laws, as in their judgment will afford safety and convenience to the public; and the Commissioners of said District are further authorized and empowered to prescribe such fees for the examination of the electrical wiring, machinery, and appliances in buildings as they may deem proper, to be paid to the collector of taxes of the District of Columbia, and any such rules and regulations shall after promulgation have the effect and force of law: *Provided*, That nothing in this act contained shall apply to the power plants or buildings of incorporated companies engaged in the production and distribution of electric current for public service or use.

SEC. 2. That the electrical engineer who shall be chief inspector of electrical work and his assistants are hereby empowered and required, under the direction of the Commissioners, to inspect any building in course of erection and during reasonable hours to enter into and examine any building where electrical current is produced or utilized for lighting, heating, or for power, for the purpose of ascertaining violations of any of the provisions of this act; and upon finding any devices aforesaid defective or dangerous shall cause to be delivered a written notice of any violation of any provisions of this act, or of any regulation of said Commissioners duly adopted, to the constructing contractor, owner, or agent of any building directing him or them to remove or amend the same within a period to be fixed in said notice; and in case of neglect or refusal on the part of the party so notified to remove or amend the same within the time and in the manner prescribed by the chief inspector of electrical work, and approved by the Commissioners of the District of Columbia, the party so offending shall pay a fine of not more than $25 for each and every day's failure or neglect to remove or amend the same after being so notified, and in default of payment of such fine such person shall be confined in the workhouse of the District of Columbia for a period not exceeding one month; and all prosecutions under this act shall be in the police court of said District, in the name of the District of Columbia.

SEC. 3. That in the place of the present electrical engineer now carried on the per diem roll there be, and is hereby, established, under the direction of the Commissioners of the District of Columbia, the office of electrical engineer, and the Commissioners of said District are hereby authorized and directed to appoint an electrical engineer, at a salary of $2,500 per annum, and said electrical engineer shall be an expert electrician, possessing a thorough knowledge of the most modern methods for the production, use, and control of electricity and electrical appliances, construction, wiring, and insulation, as well as such executive ability and adaptability to office work as is requisite for the efficient management of the said office. And the Commissioners are authorized and directed to appoint two electrical inspectors to assist in the work required by the authority of this act, at a salary of $1,200 per annum each, who shall perform such clerical duties as may be required by the Commissioners.

SEC. 4. That it shall be unlawful for any person, company, or corporation generating current for electric light, heat, or power in the District of Columbia to connect its system and furnish current for electrical purposes to any building or premises, the wiring of which shall not have been inspected and approved by the chief inspector of electrical work.

Any person, company, or corporation violating the provisions of this section shall, upon written notice from the chief inspector of electrical work to do so, immediately remove said connection and cut off the current, and shall not again supply said current until authorized by the said inspector. For failure to comply with said notice the offending person, company, or corporation shall be fined not less than $5 nor more than $100 for each and every day's failure or neglect to remove said connection and to cut off the current.

The chief inspector of electrical work is hereby authorized and empowered, with the approval of the Commissioners, to cause said connection to be removed and the current cut off upon such failure of the offending person, company, or corporation, and to refuse to permit said connection to be replaced and the current to be used until the wiring shall be put in proper and safe condition.

SEC. 5. That this act shall take effect ninety days from and after the approval thereof.

Mr. HALE. Mr. President, the provisions of this amendment, or bill, are very elaborate and there was so much confusion in the Chamber that I was unable to hear just what is contained in the proposition.

I wish the Senator from New Hampshire, the chairman of the Committee on the District of Columbia, would state to the Senate, as he can, no doubt, very readily, just what the fundamental provisions of this bill are, whether they have been considered fully by the committee and by the Senate, and whether this large control that is given to the Commissioners on the subject of electric wires and their application in this District extends by any chance to wires that belong to or are connected with railways.

I could not tell from the reading of the first part, there was so much noise, to what this jurisdiction is confined; and I shall be entirely content if the Senator will give us the explanation, because I know he looks into these matters with great thoroughness.

Mr. GALLINGER. Mr. President, a little time ago the Senate passed a bill on this subject, and the amendment just read is a substitute made by the House of Representatives for that bill.

The bill had very careful consideration by the Committee on the District of Columbia. We gave a hearing to all parties in interest, the Commissioners of the District, the representatives of the several railroads, the street railroads particularly, and the contractors; and after considerable discussion and interchange of views the bill that was reported to the Senate and passed was agreed upon.

The bill does not interfere with the operation of the plants of the railroads. Those are left in the care of the men who are engaged in that business, and who have experts perhaps superior to those employed by the District of Columbia to look after their affairs.

It does take charge of the small electric plants that are scattered over the city—that is, it gives jurisdiction over them to the Commissioners—some of which are very poorly constructed and which ought to be supervised in some way. It gives jurisdiction to the Commissioners to see that electric wiring in private residences of the District is properly put in and to correct imperfect wiring when it has been reported to them and when it has been determined that it is imperfect.

Mr. President, that is the substance of the bill and all that is in it, as I understand it, and I have taken a great deal of interest in it. I think it is an extremely important subject. There is no question but that a very large proportion of the fires that occur at the present time are due to imperfect electric wiring, and heretofore there has been practically no supervision of that matter lodged in the hands of anyone in this District.

I think that is all I can say about it. I feel sure that the bill ought to pass.

Mr. HALE. My concern in the matter does not come from any solicitude about the plants of the company owning the electric wires, but as to whether there has been or possibly can be under this bill any change in or encroachment upon the policy that has been followed in the city of Washington that all electric wires operating street railways shall be underground.

Mr. GALLINGER. No; it does not deal with that question at all. I will assure the Senator that there is not the least danger of the Committee on the District of Colum ia ever permitting a backward step to be taken in that matter. On the contrary, we have recently introduced and reported a bill permitting (it may seem strange that it was necessary) the Western Union Telegraph Company to put its wires underground. The Committee on the District of Columbia has called upon all these corporations to get rid, as speedily as possible, of the last pole and the last overhead wire in this Distr ct.

Mr. HALE. I am very glad that is being done by the committee. I want to see the day when every overhead wire of any kind in the city of Washington, given to any purpose whatever, disappears, so that we may not have them anywhere over our heads.

Mr. GALLINGER. I think I can safely assure the Senator that that day is near at hand.

Mr. BURROWS. I should like to ask the Senator, as I see that this is a substitute for the Senate bill, wherein the substitute differs from the Senate bill?

Mr. GALLINGER. I will say to the Senator that a good deal of verbiage in the Senate bill has been eliminated. I think the House did a good piece of work in writing the substitute. It likewise reduced, and I am sure the Senator from Michigan will be glad to know that fact, the machinery and the cle ical force that was required under the Senate bill. That is about the only change made.

The PRESIDENT pro tempore. The Senator from New Hampshire moves that the Senate agree to the amendment of the House of Representatives.

The motion was agreed to.

BILLS INTRODUCED.

Mr. FAIRBANKS introduced a bill (S. 5583) to amend an act entitled "An act granting a charter to the General Federation of Women's Clubs," approved March 3, 1901; which was read the first time by its title, and ordered to lie on the table.

Mr. PENROSE introduced a bill (S. 5584) to amend an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903; which was read twice by its title, and referred to the Committee on Immigration.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5585) granting an increase of pension to Benjamin Lee (with an accompanying paper);

A bill (S. 5586) granting an increase of pension to George Fusselman (with an accompanying paper); and

A bill (S. 5587) granting an increase of pension to Alfred McPherran.

Mr. PENROSE introduced a bill (S. 5588) to grant jurisdiction and authority to the Court of Claims in the case of Milton S. Johnson; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT of New York introduced a bill (S. 5589) granting an increase of pension to Mary E. Burrell; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MARTIN introduced a bill (S. 5590) providing for the promotion of Boatswain Patrick Deery, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 5591) providing for the erection of a public building in the city of Bigstone Gap, Va.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. TELLER introduced a bill (S. 5592) granting an honorable discharge to Joshua T. Reynolds; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 5593) granting an honorable discharge to John Holderby; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. LODGE introduced a bill (S. 5594) for the relief of Robert G. Carter, United States Army (retired); which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PLATT of New York introduced a bill (S. 5595) for the relief of the estate of Roger A. Francis; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 5596) granting an increase of pension to Frederick W. Font; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Frederick W. Font, first lieutenant, Fifteenth Battery Indiana Volunteer Artillery, together with the affidavits of William Somerville, E. P. Stanton, Dr. H. L. Standinger, William Klanke, and James F. Brady. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. MONEY submitted an amendment authorizing the Secretary of Commerce and Labor to use the unexpended balance of the appropriation of $4,000 made by the sundry civil appropriation bill approved August 18, 1894, for the purpose of investigating and reporting upon the importation, use, transportation, and manufacture of high and low explosives, with a view to securing by legislation greater security for life and property, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CULBERSON submitted an amendment proposing to appropriate $50,874.53 to reimburse the State of Texas for expenses incurred in maintaining a civil government, etc., in what was then known as Greer County, Tex., now known as Greer County, Okla., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appriations, and ordered to be printed.

Mr. McCUMBER submitted an amendment proposing to appropriate $750 to pay Ormsby McHarg for indexing and for extra services as clerk to the Committee on Pensions, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to appropriate $750 to pay Dennis M. Kerr for services as assistant clerk to the Committee on Pensions, by detail, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Pensions, and ordered to be printed.

Mr. HEYBURN submitted an amendment providing for the payment of certain deputy surveyors for surveys executed by them in the State of Idaho, in excess of the liability named in their respective contracts, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to appropriate $3,000 for the necessary survey, borings, etc., for the construction of a conduit to carry the water of Rock Creek from Lyons's mill to a point about 100 feet south of the south building line of O street, in the District of Columbia, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

SENECA INDIAN LANDS IN NEW YORK.

Mr. STEWART submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Indian Affairs, or any subcommittee thereof appointed by its chairman, is hereby authorized to investigate the claim of the Ogden Land Company to the lands of the Seneca Nation of Indians in the State of New York, and the proposed allotment of said lands in severalty to said Indians. Also to investigate and report upon such other matters affecting the Indians or the Indian Service as the committee shall consider expedient. Said committee shall have power to send for persons and papers, examine witnesses under oath, employ a stenographer and interpreter, and sit during the session or the recess of the Senate at such times and places as the committee may determine; and the actual and necessary expenses of said investigations to be paid out of the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

OLYMPIA HARBOR (WASHINGTON) IMPROVEMENT.

Mr. FOSTER of Washington submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed, at the earliest date practicable, to cause a survey to be made of the Olympia Harbor, State of Washington, and to submit an estimate for the improvement of said harbor to meet the demands of commerce.

INDEPENDENT STATE OF THE KONGO.

Mr. MORGAN. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

Whereas a memorial to Congress, signed by Rev. Thomas S. Barbour, of Boston, as chairman of a conference of missionary societies recently held in Washington, D. C., is presented in the Senate, in which conference the following-named societies were represented by their delegates, viz: Henry C. Mabie, D. D., home secretary American Baptist Missionary Union; Thomas S. Barbour, D. D., foreign secretary American Baptist Missionary Union; W. H. Leslie, M. D., missionary, American Baptist Missionary Union, at Banza Manteke, Africa; S. H. Chester, D. D., secretary Southern Presby-

terian Board; Rev. W. M. Morrison, missionary, Southern Presbyterian Board, at Luebo, Africa; D. W. Snyder, M. D., missionary, Southern Presbyterian Board, formerly at Luebo, Africa; Rev. Archibald McLean, president Foreign Christian Missionary Society; E. A. Layton, M. D., missionary, Foreign Christian Missionary Society, at Balengia; and

1. Whereas said memorialists are recognized as citizens who are worthy of public respect and confidence and as the representatives of associations organized for the purpose of Christian civilization, and as making, in good faith and upon credible testimony, true and authentic statements as to the present condition of the natives of the Independent State of the Kongo and of our citizens there and as to the causes of their sufferings and discontent; and

2. Whereas the matters stated in the memorial relating to the government of said state are such as to properly engage the attention of the Government of the United States, on the grounds and for the reasons therein set forth; and

3. Whereas it being proper that Congress, being thus memorialized and informed, should inform the President of their opinion as to the verity of the matters stated in the memorial, after due examination, so that the Government will be prepared, if it is necessary to bring the same earnestly to the attention of the signatory powers of the general act of Brussels of July 2, 1890, and the general act of the conference of Berlin in 1885; and also to the attention of the sovereign of the Independent State of the Kongo, in connection with our treaty with that ruler, proclaimed April 2, 1892: Therefore, it is

Resolved by the Senate, That said memorial, with all the accompanying documents, be referred to the Committee on Foreign Relations.

2. *Resolved*, That said committee is authorized to report by concurrent resolution, for the action of the Senate and House of Representatives, such measure and in such form as is considered appropriate to express the opinion of Congress upon the situation stated in said memorial, and as to the action, if any, that should be taken for the relief of our citizens in the Independent State of the Kongo, and of the natives of that State.

3. *Resolved*, That the memorial and the documents submitted therewith be printed, and that the same, except document numbered 10, be printed in the CONGRESSIONAL RECORD.

By unanimous consent, the Senate proceeded to the consideration of the resolution.

Mr. MORGAN. Mr. President, I think I ought to make a word of explanation about this matter before I ask the Senate to act upon it. The Senate knows that the Government of Great Britain and the sovereign of the Independent State of the Kongo are in controversy, based upon the report of the British consul to the Independent State of the Kongo as to the condition of the natives in that State and as to the rights of Great Britain and other signatory powers to have an examination of these reports under the provisions of the Berlin act and also the subsequent Brussels act covering this subject.

The memorial which I have had the honor to present to the Senate has been considered by a body of very able Americans who are connected with missionary enterprises in the Free State of Kongo. It is an admirably prepared paper, very conservative, and at the same time very distinct and very firm, accompanying which is a statement, which for the first time appears, of these missionaries, in regard to their observation of the state of facts in that country.

In presenting this memorial and asking the action of the Senate on it, I would not on my part assume to state what the condition of affairs is in that country, although I have the most implicit confidence in every word that has been stated in these documents. I therefore propose to refer the whole subject to the Committee on Foreign Relations in the form that it is presented here for their consideration and examination, so that they may present the facts to the Congress of the United States as they believe them to exist, at least that portion of the facts that is included in the documents that accompany this memorial, and to advise the President, so that in acting in this matter he shall be assured of the verity of these statements so far as we can assure him.

An examination of the papers, Mr. President, is due to the very able and distinguished body of men who have brought the matter forward. It has occurred to me that that is the proper way to do it, and to make no recommendation at all of what the Committee on Foreign Relations shall do, but ask them to make an inquiry, to examine the papers, and pronounce their opinion upon their verity and authenticity.

The sovereign of the Independent State of the Kongo is in controversy with the Government of Great Britain upon the verity of the report of their consul, who is also the representative of the United States, by request, in the Free State of the Kongo. On my part, I have not the slightest doubt that his representations are entirely just and correct. Still that is a matter with which we have no concern, at least for the present, and we may never have any concern about it.

I wish to say also to the Senate that the American negro is not mentioned or alluded to in these papers at all; his status, political or otherwise, is not referred to in the slightest way. The question concerns entirely the condition of the natives of the Independent State of the Kongo, and deserves to be very carefully examined into.

The matter will probably not be considered by the Committee on Foreign Relations, and I do not think it ought to be, until the vacation of the Congress, so that the committee will have ample time to study up the situation. There is a good deal of history connected with it with which the members of that committee are perhaps not very familiar. I trust that the resolution which I base upon this memorial will be adopted and the subject go to the Committee on Foreign Relations. I submitted the matter to some members of that committee, and they seem to be entirely satisfied that that is the right course to pursue.

Mr. HALE. Mr. President——

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. HALE. I rose to ask the Senator who has introduced the resolution if he knows the extent of the documents and papers that he has asked to have printed in the RECORD? Let me say here——

Mr. MORGAN. If the Senator will allow me, I ought to have made a statement in regard to that.

Mr. HALE. Before the Senator goes on, let me state that I ask this question because my attention has been called to the RECORD of this morning. A Senator—as he had a right to do—asked the Senate that certain documents might be printed in the RECORD relating to a subject-matter then before the Senate. I see, on examination, that some fifteen or sixteen or more pages of fine print embracing that matter are in the RECORD this morning.

Now, I do not find fault with the Senator who asked yesterday that this should be done, nor with the Senator from Alabama, who asks the same kind of thing to-day; but the object of the RECORD, Mr. President, is not that it should be filled up with matters of that kind. It ought to be a record of the actual proceedings of Congress—the speeches that are made or the remarks upon every subject whatever; but if we are to put into it every document which illustrates the subject-matter which has been before a committee or which has been before a Department, the CONGRESSIONAL RECORD, which is already so voluminous and contains so many big volumes that it is difficult to handle it or to follow it, will become so bulky and unwieldy that nobody will pay any attention to it. Therefore I have asked the Senator from Alabama to state to the Senate the extent of the documents and papers which he asks may be entered upon the pages of the RECORD.

Mr. MORGAN. Mr. President, there are ten documents accompanying the memorial. The tenth document is the correspondence and report of His Majesty's consul at Boma respecting the administration of the Kongo Free State. I ask that that may be printed as a part of the memorial as a document, but not to go into the RECORD, for the reason that it is accessible through other sources to the American people, who feel a very profound interest in this question. The remaining nine documents are brief typewritten papers, which perhaps would not occupy more than three or four pages of the RECORD.

Mr. HALE. To that, of course, I should not object. I wish other Senators would take an interest in this matter, and help see to it that the CONGRESSIONAL RECORD is not so stuffed with matter, which may in itself be good, but which ought not to go into the RECORD, which is published as the record of our proceedings. I do not object to the request of the Senator from Alabama.

Mr. MORGAN. I will be very careful not to load the RECORD with any matter that is not absolutely part of the memorial and which is otherwise accessible.

The PRESIDENT pro tempore. Will the Senate agree to the resolution of the Senator from Alabama [Mr. MORGAN]?

The resolution was agreed to.

The papers referred to in the resolution are as follows:

MEMORIAL CONCERNING CONDITIONS IN THE INDEPENDENT STATE OF THE KONGO.

To the Congress of the United States of America:

As authorized representatives of American organizations conducting missionary and philanthropic work in the Independent State of the Kongo in Africa, we would respectfully invite the attention of your honorable bodies to certain conditions at present existing in that State which affect vitally the well-being of the people, and concern also the rights and interests of persons from other countries desiring to reside in the State and conduct business or philanthropic enterprises. In the gravity of the case as related both to the present and future well-being of so vast a multitude of people and to our own interests and our honorable obligation as a nation, in the fact that statements are widely circulated not only making denial of the existence of these conditions, but tending to confuse the issue presented, and in the seriousness of the action we ask from you is our excuse for dwelling at length upon the considerations which we submit for your judgment.

THE INDEPENDENT STATE OF THE KONGO A CREATION OF WESTERN POWERS.

You will recall that the Government known as the "Independent State of the Kongo" was unique in its origin. It came into being by act of an assembly representing all the nations of the western world. In the original movement looking toward the creation of this Government, Leopold, the King of Belgium, bore a leading part, and invited the assemblage of the conference at Berlin, in 1885. A company of geographers, travelers, and philanthropists, representing a number of European countries, had been called together by him in September, 1876. By this conference an organization, known as the "International African Association," was constituted. A few years later a society was organized for a purpose described by one of its members as that of "studying what might be made of the Kongo River and its basin." This society, including at first representatives of several European countries of prominence in the commercial and monetary world, soon came almost exclusively under Belgian control. Having the same officers with the original International Association, it soon practically superseded that organization, and, though in no true sense international, it renamed itself "The International Association of the Kongo."

THE UNITED STATES FOREMOST IN FAVORABLE ACTION.

After some years spent in visits of exploration to the Kongo State, the association reported that it had entered into treaty relations with more than 400 chiefs of the Kongo territory and sought recognition as a quasi political power. Other plans found favor with certain European powers. A treaty was tentatively concluded between England and Portugal, involving large recognition of the rights of the latter country in western Africa. Representatives of the international association appealed strongly to our own Government in the interest of opposition to this treaty and to any other form of agreement unsatisfactory to the association. As a result of this appeal, after favorable recommendation by President Arthur, the United States Government, on April 22, 1884, granted recognition to the association in the following terms:

"In harmony with the traditional policy of the United States, which enjoins a proper regard for the commercial interests of their citizens, while at the same time avoiding interference with controversies between other powers, as well as alliances with other nations, the Government of the United States announces its sympathy with and approval of the humane and benevolent purposes of the International Association of the Kongo, administering, as it does, the interests of the free states there established, and will order the officers of the United States, both on land and sea, to recognize the flag of the international association as the flag of a friendly government."

This action, taken at this critical juncture, proved determinative of the issue presented in the claims preferred by the international association. The Government of Germany soon assumed a favorable attitude. The Anglo-Portuguese treaty was withdrawn. Conventions were made with the association by Great Britain and other powers. Meanwhile a conference, in which fourteen states were represented, including the American Government, was convened at Berlin, as a result of which, in January, 1885, definite sanction was given to the establishment of a free state in the basin of the Kongo, and principles regulative of its powers were adopted. Six months later, on the 1st of August, 1885, the association adopted formally the new title of The Independent State of the Kongo. Thus a new state, of which Leopold II was recognized as sovereign and sole administrator, was constituted. Such is the remarkable story of the way by which an individual attained to power, unlimited by internal, legislative, or judicial restraint, over a territory four times as great as that of France or the German Empire.

TERRITORY, CLIMATE, AND PEOPLE.

The Independent State of the Kongo includes a territory upward of a million square miles in extent. Having a frontage of about 400 miles upon the Atlantic coast, it broadens vastly in the interior, comprising nearly all the basin of the Kongo River. This great river, second only to the Amazon in the volume of its waters, with innumerable tributary streams, both enriches the land and affords access to all sections of the great area.

The climate in the coast district is unfavorable for protracted residence, but the elevated plateaus of the interior districts offer an attractive temperature and conditions in general favorable to health. Grazing for cattle is found on the grassy plains, and the timber lands, when cleared, prove at once reasonably fertile, producing the vegetables common in our markets, while the forests abound in tropical fruits. The most valuable product of the forest is supplied by the india-rubber vine, the Independent State of the Kongo leading all other sections of the earth in its supply of this commercial product. It is evident that the resources of the country rightly conserved and developed would secure for it wealth indefinitely great and a corresponding position in the world's commerce.

The native peoples, of many tribes and languages, are variously estimated as numbering between twenty and thirty millions. The earliest white visitors to the country give pleasant testimony to the traits of native character. As a rule, they were welcomed and found the people ready to receive instruction. In certain sections considerable progress had been made in the development of the arts. Dr. Hinde, for example, who accompanied the expedition of Baron Dhanis for the overthrow of the Arab slave power, speaks of his surprise in finding "masons, brickmakers, agriculturists, and ironworkers." (The Fall of the Congo Arabs, p. 194, cited in Civilization in Congoland, by H. R. Fox Bourne, p. 159.) Independence, alertness of mind, curiosity, and readiness to adopt new customs are noted by travelers as characteristics of the people. In no country has missionary work found a people more hospitable or more responsive.

There was therefore apparently all ground for the hope that the work upon which this newly created government was entering by sanction of the nations, while encountering many difficulties, would result in a constantly broadening development by which increasing blessings should come to the people, and the land should offer an attractive home to neighboring peoples and to any persons in our own country of African descent who might desire to find a home in their ancestral land.

THE PROFESSION OF DISINTERESTED PHILANTHROPY.

This hope was encouraged by the profession made by those seeking recognition for the State. The enterprise of King Leopold found favor because it was supposed to represent two noble ideals—a generous philanthropy and impartial freedom of commerce for all the world. The announcement made by promoters of the enterprise was definite and reiterated. The proposed State was not to exist for exploitation of the resources of the country with a view to gain to accrue to those establishing it; it was to exist for the benefit of the native people. Indeed, at one stage, the secretary of the association had written declaring that the movement had in contemplation "the establishment of a republican confederation of free negroes, the King simply reserving the right to name the president of the confederation." This thought was discredited by other promoters of the enterprise as offering too high an ideal for early realization; but the affirmation of the philanthropic character of the enterprise was incessant. Mr. Stanley, when speaking in advocacy of the movement before the London Chamber of Commerce, said:

"The founders of the International Association have been called dreamers. Some can not appreciate rightly, because there are no dividends attaching to it, this restless, ardent sentiment, which seeks to extend civilizing influences among the dark races, and to brighten up with the glow of civilization the dark places of sad-browed Africa."

Our own Government in taking the leadership in granting recognition to the State emphasized the high ideals which it was thought to represent. In his message to Congress in December, 1883, President Arthur dwelt upon the exalted character of these ideals. He said: "The objects of this society are philanthropic. It does not aim at permanent political control, but seeks the neutrality of the valley." Our Government's recognition of the State was in express terms an announcement of "its sympathy with and approval of the humane and benevolent purposes" of the association.

Equally explicit was the understanding determining the action of the conference at Berlin, in which our Government participated, but whose action it did not formally ratify because of the ideal controlling relations with foreign states. The preamble of the "General act of the Berlin conference" declares that the conference is "concerned as to the means of furthering the moral and material well-being of the native populations."

Prince Bismarck, in an introductory address to the conference, declared that in convening it the Imperial Government of Germany was guided "by the conviction that all the governments invited agreed in wishing to bring the natives of Africa within the pale of civilization * * * by giving its inhabitants the means of instructing themselves, by encouraging missions and enterprises calculated to spread useful knowledge, and by preparing the way for the overthrow of slavery." At the close of the sessions of the conference Prince Bismarck paid honor to "His Majesty King of the Belgians," as "the founder of a work * * * which should confer precious service on the cause of humanity," and added, "I pray for the prosperous development of the State and for the fulfillment of the noble aspirations of its illustrious founder."

These expectations were based on the purpose avowed by the King of Belgium himself. "Our only programme, I am anxious to repeat," he said in a published letter, "is the work of moral and material regeneration." President Cleveland was true to the impression widely made when in announcing the organization of the Independent State of the Kongo he wrote in his first annual message in December, 1885: "It is fortunate that a benighted region, owing all it has of quickening civilization to the beneficence and philanthropic spirit of this monarch, should have the advantage and security of his benevolent supervision."

FREEDOM OF TRADE GUARANTEED.

And not only is it true that the aim professedly controlling the founding of the Independent State of the Kongo was philanthropic, the understanding was definite that nothing of the nature of an individual monopoly was contemplated. The State was to be open to unrestricted commerce. This understanding appears in letters written by the promoters of the enterprise before its recognition by our Government, in the language of our state papers, in the pledges recorded in the act of the conference at Berlin, and in the explicit declaration made by the King when the name, the "Independent State of Kongo," was adopted. It was declared, indeed, that neither directly nor indirectly would the Government of the State trade or traffic.

President Arthur, in his message of December, 1884, says: "The importance of the rich prospective trade of the Kongo Valley has led to the general conviction that it should be opened to all nations on equal terms." Opposition to the tentative treaty by which England proposed recognition of the rights of Portugal in the Kongo Valley was based explicitly upon the fear that under Portuguese administration the commercial rights of other nations would not be safeguarded.

The general act adopted by the Berlin conference is explicit in its provision for assuring respect for the full and equal commercial rights of all nations. Its first article provides, under the heading "Declaration relative to freedom of trade in the basin of the Kongo, its mouths, and circumjacent regions," that "the trade of all nations shall enjoy complete freedom."

In closing the conference, Prince Bismarck said: "The resolutions we are on the point of sanctioning secure to the commerce of all nations free access to the center of the African continent. The guaranties which will be provided for freedom of trade in the Kongo basin are of a nature to offer to the industries of all nations the conditions most favorable to the development of their security."

Such was the understanding and the purpose of those through whose action the Independent State was constituted. It was not because national governments desired to give to one man commercial privileges of vast value that they consigned the government of this newly opened territory to his care. It was because they would retain these commercial privileges as a due possession for all peoples that this new State was given its being.

THE CATALOGUE OF WRONGS.

The fact to which our information concerning conditions in the Independent State of the Kongo makes it our painful duty to ask your attention is that the anticipated realization of these humane, liberal, and just ideals has not been reached by the Government of the Kongo State, but has been and is now directly thwarted by the methods of administration which the Government has adopted. Fidelity to the facts known to us compels the statement that the country to-day, throughout great sections, is suffering from a grievous oppression characterized by well-nigh incredible abuses of the people.

The story of personal sufferings is a heartrending one. Among the wrongs alleged in the documents accompanying our memorial are forced labor; the forced contribution of food stuffs and other supplies for the State stations and the stations of monopolist companies licensed by the State, and for the 30,000 men of the regular and irregular militia; forced military service under conditions unjust alike to the soldiers and the people; direct imposts dependent upon the arbitrary will of subordinate officials or commanders of detachments of the militia, and the exaction throughout the rubber-producing districts of a heavy toll of this product—all this without respect to the consent or desire and with slight regard to the ability of the people. The requirements become more and more burdensome as the population diminishes and the supplies obtainable in the territories adjoining native villages are exhausted. In many instances the people are required to make contributions to the State of articles which they do not possess and which they must purchase at a cost greatly in excess of the price allowed them for supplying it. Remuneration for the contributions made is slight. The right to remuneration, indeed, has been denied. An exponent of the policy of the King's Government declared in the Belgian Parliament that whatever remuneration is given is a gratuity.

It is—so the testimony presented by us indicates—in connection with the enforcement of these demands made by the State upon the people that the cruelties by which the land is scourged have developed. The native is driven to his task by a remorseless physical compulsion. For evasion of the task, or for failure to perform it to the full on account of whatever inability, punishments of a most shocking character are appointed. They include the seizure of women, who, chained neck to neck, are forced away from their homes and held as so-called "hostages;" the burning of villages; the indiscriminate slaughter of the people pursued and hunted in the forests to which they flee; the mutilation of the living and the dead.

Horror is added to horror in the dreadful catalogue of reported wrongs. It would be difficult to name a form of atrocity belonging to any history of shameless conquest or of primitive savagery which fails to find a place in this record. The impressing of recruits for the army and for the forces of laborers is accomplished by use of the methods made familiar by the slave raids, which it was thought to be the high mission of the Government of this State to abolish. Slavery practically is restored throughout the State by the exaction of long terms of service for those professedly freed from bondage, and in certain sections the slave market is wide open under Government protection. Grewsome stories are told of the customs of leaders of scattered bands of the militia of bringing in the hands of the dead as proof that the retribution required from them has been inflicted, and of orgies of cannibalism systematically permitted to prey upon the bodies of their victims as reward for their work of slaughter.

The testimony to these enormities is of such a character that, morally incredible as the stories seem, we are unable to doubt that they reproduce all-too faithfully conditions prevailing through wide sections of the Independent Kongo State. This testimony, now for many years, has come to the outer world from residents of the State in a steady, unintermittent stream. The list of witnesses includes missionaries, travelers, explorers, consular residents,

and agents of the State who have wearied of the work in which confessedly they had participated.

THE RELUCTANT TESTIMONY OF MISSIONARIES.

It should be borne in mind that the missionary is a reluctant witness against the government under which he lives. It is his desire, and it is for his personal interest, to cultivate the favor of the government, and the missionary devoted to his work will bear much rather than risk a total loss of power to be of service to the people. The testimony of missionaries connected with our American societies, as offered by us, includes that of Rev. G. B. Murphy (Document I), whose statement was published in the London Times, November 18, 1895; that of Rev. J. V. Sjoblom (Document II), presented to the British Government in the year 1898, of whose testimony, as given at a meeting of the Aborigines Protection Society, Sir Charles Dilke, who was present at the meeting, has recently said:

"I undertake to say that there was not a single person present who was not constrained to believe every syllable he uttered. His statement has never been shaken in any way."

Another witness adds:

"Apparently almost a dying man, he spoke with broken voice, but intense earnestness, in simple language that left none of his hearers in doubt as to the absolute truthfulness with which he recounted his experience of five years' residence in the Equateur district."

Rev. Joseph Clark (Document III), Rev. A. Billington (Document IV), and Rev. C. L. Whitman (Document V), who are now at stations on the upper Kongo River, and Edwin A. Layton, M. D. (Document VI), and Rev. W. M. Morrison (Document VII), who are now in this country, are able, if this is desired, to supplement their testimony by personal words.

We would call particular attention to the testimony of Mr. Sjoblom, and to that of Mr. Morrison. The first, relating to a time seven years ago, is graphic and detailed, and the latter makes the reader almost a spectator of the scenes of horror as they are revealed in certain sections of the Kongo State at this very hour. Note his description of his colleague's visit to the stockade, where a marauding band of cannibal savages in the service of the State had murdered helpless prisoners, and where eighty-one severed hands were slowly drying over a fire.

To this missionary testimony we would add also that of two missionaries of the English Baptist mission. Rev. John H. Weeks (Document VIII) and Rev. A. E. Scrivener (Document IX). Both are living in the far interior of the State. The former tells the story of impressions made upon him on a recent return to Africa after a time of furlough, and the latter gives a detailed record of a journey made by him in the summer of 1903 through the domaine privé of the King.

WITNESSES OF MANY CALLINGS.

This testimony of missionaries finds impressive reenforcement in the testimony of more transient dwellers in the land. That of Mr. Ewart S. Grogan, who, in the volume From the Cape to Cairo, tells the story of a journey made by him in the year 1899 (see p. 227); that of Mr. Pickersgill, consul of the British Government, given in an official report in 1898 (see citations from this report in Civilization in Kongo Land, by Mr. H. R. Fox-Bourne, pp. 177–180); that of Colonel Williams (see Affairs of West Africa, by E. D. Morel, p. 320), an officer in King Leopold's army, who, in the year 1891, denounced to the King the outrages occurring under his administration; that of Major Parminter, a pioneer of the earlier days, who, in 1892, sought the assistance of the Aborigines Protection Society in exposing the conduct of the Kongo Government, but who afterwards was pacified by the King (see pp. 132–134, Civilization in Congoland); that of M. Moray (see p. 252 of Civilization in Congoland), a former agent of one of the great monopolist companies now licensed by the King; that of Senator M. Edouard Pickard, a member of the Belgian Senate, who wrote of impressions made during a visit to the Kongo in 1896 (see En Congolie, pp. 95–97, as cited in Civilization in Congoland, pp. 244, 245, 248, 249).

In these testimonies the same features grow cruelly familiar—the lash, the raids of soldiers, the terror of the villagers, the weighing of baskets of rubber brought in by trembling natives, the scourging with the chicotte, of hippopotamus hide, the burning of villages, indiscriminate masscre, the severed hands, the excesses of cannibalism.

A COMPANION OF MR. STANLEY.

Perhaps no one of these testimonies made in published volumes is more significant than that of Mr. E. J. Glave, for a time a subordinate of Mr. Stanley in the Kongo International Association, the author of the volume Six Years in the Congo, published in 1892, for which Mr. Stanley wrote an introduction in which he gave strong commendation of the character of the author. Mr. Glave revisited the Kongo after an absence of six years, and his record of the scenes witnessed by him as he made his way over the route followed previously with Mr. Stanley is given in articles contributed to the Century Magazine. (See articles "New conditions in Central Africa," vols. 53, 54.) At first he is perplexed and incredulous.

December 6 he writes: "I do not think the Belgians are going the right way to work." December 7: "It is said, but I must have it corroborated, that the white officer * * * has commissioned several chiefs to make raids and bring him the slaves. They are supposed to be taken out of slavery and freed, but I fail to see how this can be argued out. * * * Peaceful families have been broken up. If these conditions are to exist, I fail to see how the anti-slavery movement is to benefit the native." (See Century Magazine, vol. 53, p. 907.)

As he advances, the entries in his journal reveal the growth of his deep indignation and abhorrence. December 11 he writes: "The whole country is being beset by the dreadful and thoroughly unjustifiable conduct of the soldiers." (Vol. 53, p. 913.)

December 17 he writes again: "I do not think the natives are making much out of this partition of Africa. This antislavery movement has its dark side also. In stations in charge of white men—Government soldiers—one sees strings of poor, emaciated, old women, some of them mere skeletons, tramping about in gangs with a rope about the neck—naked, except for a miserable patch of cloth. They are prisoners of war. They form a miserable spectacle. (Vol. 53, p. 912.)

January 3: "This station is surrounded by villages paying tribute. It has 5,000 auxiliaries who are sent all over the country to beat the natives into submission." (Vol. 53, p. 915.)

February 28. "We left Equateur after taking on a cargo of 100 small slaves, principally boys 7 or 8 years old, with a few girls among the batch, all stolen from the natives. They talk of philanthropy and civilization. Where it is I do not know." (Vol. 54, p. 708.)

March 12. "Everywhere I hear the same news of the doings of the Kongo Free State—rubber and murder—slavery in its worst form." (Vol. 54, p. 709.)

April 5. "I saw the dead body of a carrier lying on the trail. He was nothing but skin and bone. These posts ought to give some care to porters. The heartless disregard for life is abominable. No wonder the State is hated." (Vol. 54, p. 713.)

Arriving at Matadi, where his death occurred a few days later, Mr. Glave wrote, April 5: "If the Arabs had been the masters, this would be styled 'iniquitous trafficking in human flesh and blood,' but, being under the administration of the Kongo Free State, it is merely a part of their philanthropic system of liberating the natives." (Vol. 54, p. 796.)

REPORT OF BRITISH CONSUL—ACTION BY BRITISH PARLIAMENT.

A notable confirmation and reenforcement of all this testimony is found in an official report made in February of the present year by Mr. Roger Casement, His Britannic Majesty's consul in the Independent State of the Kongo, by whom official service has been rendered to our own Government in the absence of consular representation in this State. We submit herewith his painstaking and comprehensive testimony, given after a journey through interior districts, the straightforward, regretful fidelity of which we think can not fail to be apparent to every fair-minded reader. (Document X.) A single citation from the elaborate document will illustrate its character. Mr. Casement paid a visit to a large company of refugees who had sought an asylum beyond the borders of the Kongo State. He says:

"I saw and questioned several groups of these people, whom I found to be industrious blacksmiths and brassworkers. The statements made to me by them were of such a nature that I could not believe them to be true. * * * On reaching Bolobo in September I obtained information amply confirming the statements." (For extended account of interview with these natives and the stories of massacre and mutilation given by them, see report of Mr. Casement, p. 60–64.)

In this connection we would call your attention to the fact that, even before the testimony of Mr. Casement had been received, the British Parliament, after an exhaustive investigation of the testimony submitted to it, by unanimous vote took action looking to intervention by the signatory parties of the Berlin agreement. It has addressed these powers upon the subject and has placed in their hands the report of Mr. Casement. The British premier publicly declared that the proofs of the existence of grave abuses were overwhelming.

ARRAIGNMENT IN GERMANY AND IN THE BELGIAN PARLIAMENT.

It is noteworthy also that the German Colonial Society, a body with a membership of 32,000, has issued a public appeal in a similar vein, expressing its conviction of the conclusiveness of testimony as to conditions in this State. Even in the Belgian House of Representatives a resolution was strongly supported demanding inquiry into administration of the government of the Kongo State on the ground that the charges against it were established beyond disproof or contradiction.

The documents and citations presented we offer in part as direct testimony and in part as collateral reports in support of the position we would urge, namely, that there is ample ground for inquiry into conditions in the Kongo State by those to whom right of inquiry belongs. The testimony varies in the gravity of conditions indicated, reports becoming more dark as districts more remote from the coast are touched. Of the situation in regions far removed from missionary stations and the path of travelers, where the native soldiers are quite without restraint in following out their impulses, a suggestion is given in the record of the journey of Mr. Scrivener through a section of the Domaine Prive and in a chapter of the report of Mr. Casement.

PROOF MADE SUPERFLUOUS BY OPEN ADOPTION OF AN INDEFENSIBLE SYSTEM.

But we have now to remind you that, decisive as is the evidence of wrong suffered by the natives under the rule of the Independent State of the Kongo, the presentation of specific proofs of wrong is made almost superfluous. For the government of the Independent State of the Kongo undeniably has followed a course which involves, apparently, a central breach of faith with the powers creating it and with the native people whom it was appointed to serve, and this course is such that by it the wrongs to which the testimony cited bears witness are invited and made inevitable. The root of administrative evils in the government of the Independent State of the Kongo is in its monopolization of the territory and the resources of the State.

The astonishing claim leading to this action is now traceable in a document issued July 1, 1885, which at the time was supposed to be dictated by concern for the rights of the natives. It declared that "no one may dispossess any native of lands occupied by him," adding that "all vacant land is considered as belonging to the State." Later, through successive public edicts, it became clear that the term "vacant" was to be interpreted as meaning all territory in the State with the exception of the sites of the native villages, and the gardens of such villages. Thus was consummated, without offer of compensation to the natives, this appropriation by the government of all the vast Kongo territory save the little areas occupied by villages and gardens.

Certain monopolist companies have been created in which the King has controlling financial interest, either through ownership of a majority of the stock, or through demands upon the revenues; but more than 800,000 acres are set apart as belonging to the "domaine prive" of the King. Forest and plain, hill and valley, the river and its affluents, are his private possession.

And the claim applies not simply to the territory, but all products of this immense region, native or developed by cultivation, are claimed as the King's personal property, even the produce of the gardens. The natives may not trade in these products; they may only bring them to the King's agents for such compensation as the agents choose to allow.

AN ARMY OF SAVAGES.

The relation of these extraordinary claims to the evils from which the land is suffering is easily traced. The products of the country must be collected by the natives, and, all true motive for industry having been destroyed, no resort remains but that of compulsion. A body of armed men is required for enforcement of the King's will. This body must be secured through raids upon the native tribes, and the more savage tribes are chosen by preference. The captives are taken far from their homes, and after a time of restraint are commissioned for the appointed service. This "force publique" in 1896 was a force of 8,500 men; six years later it had more than doubled in numbers. In addition to this native force, the monopolist companies are allowed to raise auxiliary forces, and savage tribes are made the allies of the State for prosecution of the same ends. This force as a whole is now believed to comprise a body of 30,000 men.

The character of the work of these men is indicated in the words of M. Edouard Pickard, a member of the Belgian Senate: "Their ferocity equals that of a pack of hounds hunting their quarry." (En Congolie, p. 201. See citation in Civilization in Congoland, p. 249.) Unrestrained by natural sentiments of compassion, held severely responsible for securing at any cost the appointed tributes from the people, officered by men incited to their task by promise of "bounties proportionate to the results obtained," these barbaric hordes are let loose upon the people. Their representative in the villages is "the sentry," whose work is to secure the appointed levy of rubber or other products, and who is practically without restraint upon his savage propensities. He is described by one visitor to the country as a "dare-devil aboriginal armed with a rifle, his power limited only by such repression as the government chooses to use." It was of these men Mr. Glave wrote, "The black soldiers are bent on fighting and raiding; they want no peaceful settlement. They have good rifles and ammunition, realize their superiority over the natives with their bows and arrows, and they want to shoot and kill and rob, * * * whether the victim be man, woman, or child, and no matter how defenseless." It is apparent that of such a system wrongs and atrocities are the certain product. (Century Magazine, vol. 53, p. 908.)

It should be borne in mind that the subordinate agents of Government, if continuing in its service, are made practically helpless. Receiving instruction to furnish a given number of soldiers and a certain amount of rubber, with the understanding that they must employ whatever means are necessary, they know of no methods adequate for the end except those involving appeal to fear. Mr. Glave says that most white officers are averse to the india-rubber régime of the State, but the laws command it. It would be unjust not to recognize that the conditions prevailing have aroused distress in men connected with the Government, yet it is to be feared that it is only a few of these who have the interests of the people at heart, and these are powerless to stem the tide of oppression. The punishment of subordinates, whether soldiers or white officers, even if honestly attempted, would not reach the evil. The fault is not theirs primarily. It belongs to the system and to the authority responsible for the establishment and enforcement of that system. Proofs of individual guilt become of secondary consequence as compared with the question as to the essential character and the certain results of the system which the Government of the State has ordained.

From the considerations thus presented it is apparent that the course pursued by the sovereign of the Independent State of the Kongo has laid his Government open to question in respect to violation of the trusts committed to it. Apparently that Government has not been true to the faith solemnly plighted in behalf of the native peoples. Before the world and before God the sovereign pledged himself in the Berlin conference to safeguard the interests of the natives and to insure to them the benefits of peace and of civilization. The few specimens obtainable of the treaties made by Mr. Stanley with native chiefs in the name of the International Association, before the Berlin conference had been convened, show that that association pledged itself to protect the people from oppression, but in place of protection and fostering care for their welfare under the Government in which the rights and powers of that association were merged, they have suffered from every form of ill usage which a savage inhumanity could devise, and the ruler who promised them protection has imposed upon them the one wholesale wrong, the parent of all lesser acts of injustice, the cruelty of dispossessing them of their ancient rights in their native land. In these lands they held dominion under tribal government, hunting in the forests and gathering the products of forest and field. Now the people practically are slaves upon their native soil. They may not for their own benefit collect its produce; they may not barter it for merchandise; they may only bring it to the agents of the Kongo for such return as it is the pleasure of the agents to make. This is slavery in fact. It is the imposition of bondage under the name of government.

THE TWOFOLD BETRAYAL OF TRUST—THE DEFRAUDING OF THE NATIONS.

And the crime against the natives is a crime against the nations. The people may not trade, and have nothing with which to trade. So the trader from another land may not buy. The Berlin agreement, in its opening article, affirmed that the trade of all nations should enjoy complete freedom. So solicitous was the conference at Berlin for the safeguarding of this right that in the protocol of the general act of Berlin it was provided that no modifications of the agreement should be introduced tending to hamper the liberty of trade. No other thought could have been in the minds of the members of this conference than that of freedom in the only kind of trade possible in Africa—the collecting and sale by the natives of their products in exchange for such European merchandise as they should desire to secure. Today, with the exception of the narrow district of the lower Kongo where free trade hampered by taxation still exists in diminishing volume, the entire territories of the Kongo State have been converted into a vast monopoly.

Above Stanley Pool trade does not exist. For fifteen years the great territory of the "Domaine Privé" of the King has been closed to all commercial enterprises. The territory along the Kassai River, for a time left to freedom of trade, has now been forced into a monopoly, with the State as its chief stockholder. The commercial companies representing the King were reconstructed a few years since, being brought under the law of the Kongo State, by which they are not required to make public their transactions. The earlier traders have been dispossessed and driven from the country. The purchase of products from a native by a foreign trader is now a crime, exposing the trader to severe legal penalties and severer arbitrary punishments. The story of the execution of Mr. Charles Henry Stokes (see Civilization in Congoland, pp. 200-202, 266-270), a trader in ivory, who was hanged by a representative of the Government in 1895, and that of the arrest and subsequent death of Herr Rabinek, who originally possessed a license for trade, but was refused recognition after reorganization of the Katanga Company, are suggestive of the fortune appointed for those who presume upon the binding force of the pledges given originally by the Government of the Kongo State.

Such is the system and policy openly adopted and defended by the Government of the Independent State of the Kongo, apparently the direct negation of the two principles made prominent in its original professions and determinative of the action at Berlin.

But a presentment against the Government of the Independent State of the Kongo might not inappropriately be based also on another ground, that of the result following from this rule. The development confidently looked for has not resulted from the experiment entered upon with the solemn sanction of western powers.

ACCUSING FIGURES.

One need but consult official reports to discover conclusive evidence of this. Among public expenses, we find an item of 7,700,000 francs for the public force, the soldiery, by whom the exactions of government are enforced, while for public works the expenditure is 1,000,000 francs.

Not less suggestive are figures relating to the commerce of the country. For the year 1901 exportation was $10,035,200; of this amount, exports of rubber and ivory represented $9,585,800. Thus the exportation of other products, representative of such industries as develop the capabilities of the people and the resources of the country, were but $449,400. It should be added that about 97 per cent of the small general trade thus reported is almost exclusively the exportation of palm products from the Lower Kongo by the Dutch house. Of the export of rubber about 50 per cent is from the private domain of the King, the remainder from territories worked by the monopolist companies.

Equally instructive is the comparative table of exports and imports. During a period of four years we find a total exportation of $35,800,000, the imports during the same period being $17,346,000, the importation thus representing less than one-half the exportation, a situation said to be without parallel in European colonies. When to this it is added that 70 per cent of this importation represents supplies for government, stores for the railway, arms and ammunition for the military force, it will be seen how small is the inflow to the State as a whole from the products of the world's industry and invention, and how insignificant is the tidal rill from the great ocean of the world's material wealth which trickles beyond the relatively favored district by the Atlantic coast. When it is recalled that Mr. Stanley predicted for Great Britain alone an annual trade with the Kongo of £20,000,000, the failure of the rule of its Government to realize the possibilities supposed to be opened before it becomes apparent.

THE ABSENCE OF THE SCHOOL AND THE HOSPITAL.

And we seek in vain in the Kongo State for those forms of service which it is the high privilege of civilized governments to render to their peoples. Where is the school system which it should have founded? Where is the hospital system with which it should have ministered to the physical need of the people? Apparently the one movement bearing a resemblance to philanthropic effort is the plan by which orphans, with the State's approval, may be taken under the care of religious or philanthropic associations; but these orphans are the hapless little ones left parentless and homeless by the military raids, and visitors to the country reproduce no more dreadful scenes than these connected with the transportation of these children from their village homes to those to whose care they are committed. Certain material enterprises, as the railway, bear witness to great energy and perseverance, though themselves identified with terrible cost to the lives of the natives; but these enterprises are connected directly with the one aim which unhappily seems to have absorbed the energies of the Government, that of enriching itself by a swift exploitation of the natural products of the State.

A BROKEN-SPIRITED PEOPLE.

This presentment against the Government of the State on the score of the results following upon its work is not simply of a negative character. The misrule of government affects directly the life of the people in that it takes away all incentive to labor by depriving them of the rewards of toil. In the interior districts the people have no heart for the planting of gardens or for the building of homes. They dwell in continual alarm, fearing the coming of the soldiery. Homes are ill kept; houses falling into decay are not repaired.

The picture revealed in the concurrent representation of impartial witnesses is a melancholy one. Mr. Stanley, arriving at the mouth of the Kongo, on the 14th of August, 1879, as the representative of the International African Association, set before himself a proud programme: "To ascend the river, with the noble mission of sowing along its banks civilized settlements; to peacefully conquer [the country] and subdue it; to remold it in harmony with modern ideas into national states, within whose limits the European merchants shall go hand in hand with the dark African trader, and justice and law and order shall prevail, and murder and lawlessness and the cruel barter of slaves shall forever cease." (See The Kongo, vol. 1, p. 59.)

As illustrating the unhappy contrast with this forecast presented in the conditions realized to-day, we may quote the testimony of the consul, Mr. Roger Casement, regarding one representative station in the State: "I must confess with pain and astonishment * * * that I felt I was visiting a penal settlement." (From letter of Mr. Casement to the vice-governor-consul of the Kongo State, September 4, 1903.)

THE EXHAUSTED AND DEPOPULATED LAND.

Terrorism holds sway. The methods of the slave régime are reinforced by the inexorable authority of the Government itself. Cannibalism is carried to regions where before it was unknown. The lands are depleted. The profuse bleeding of the rubber vines has brought about their destruction in wide areas. The State is reaching on for new territories over which its devastating work may spread. The deportation of young men, the massacres, and the flight of the people are draining the population of the country. In no one feature are the testimonies submitted by us in more painful agreement than in their description of the depopulation of the country. Every returning missionary, every traveler revisiting the land, bears testimony to this.

Mr. Scrivener, in his record of the journey recently made through a section of the Domaine Privé, says that one may walk for five days without seeing a single village where once village life abounded. "The most striking characteristic of the land," so another witness writes, "is the absence of human life. It is not, after you have passed the arid mountains of Palabala, poor or unfertile; but it is empty." (M. Mille Au Congo Belge, p. 49.)

M. Edouard Pickard, of the Belgian Senate, after his journey in 1896, speaks of "the desolation resulting from the engineering exploits," of the "mutilated forests where until lately villages had nestled," of "great heaps of cinders amid deserted palm groves and trampled down banana fields." He adds: "The terror caused by the memory of inhuman floggings and of massacres haunt their brains, and they go as fugitives to the hospitable bush or across the frontiers." (En Congolie, p. 95, cited p. 244 Civilization in Congoland.)

Mr. Grogan, in his work From the Cape to Cairo, says: "A country formerly well populated and apparently responsive to just treatment is now practically a howling wilderness. The scattered inhabitants live almost without cultivation in the marshes, thickets, and reeds, madly fleeing even from their own shadows; * * * the very white men who should be keeping peace where chaos now reigns supreme spend thousands in making of peace a chaos of their own." (From the Cape to Cairo, p. 227.)

But the natives may not all abandon the country. There are other perils in the outlook. It is apparent that the policy of the Government is not winning the friendship of the people. Mr. Robert Codrington, commissioner for Great Britain in the neighboring territory of northern Zambesia, who wrote after a tour in the Kongo district, says: "The natives are continually in rebellion, and the country is unsafe except in the immediate vicinity of the military commissaries and within the spheres of the missionaries." (Geographical Journal, May, 1902, p. 601.) Mutinies in the army are frequent. The Kongo State may yet work its own doom. The forces of savagry may turn upon it. The question raised by one writer is a startling one: "When the present rule is ended, what will remain for Europe and America to deal with? * * * A vast region with undying hatred of the whites—a great army of cannibal levies, trained in the usage of modern weapons and taught the worst vices of depraved men in civilized lands."

CHOSEN METHODS INEXCUSABLE.

It is clear that there can be no defense for this desolating and hazardous work. The dreadful story reveals no palliating feature. Had the cooperation of the people been sought in just enterprises, reasonably conducted, they would have been found willing allies. These peoples of Central Africa are not unamenable to gentle influences. Mr. Glave writes of his observations in one section invaded by the raid of rubber: "Everywhere the natives are friendly and polite. They are not lazy good-for-nothing people. Their fine powers are obtained by hard work, sobriety, frugal living." And again, in almost the last words written before his death, he says: "The methods employed by the Government are not necessary. Years ago, when I was on duty at the equator without soldiers, I never had any difficulty in getting what men I needed, nor did any other station in the old, humane days." He adds: "It is only the State officials who make war. Seldom do the traders (of the older class) have any trouble, and the missionaries never." (See Century Magazine, vol. 54, p. 714.)

THE GROUND OF MISSIONARY ACTION.

Our interest as missionary organizations in the record we have been presenting is due not alone to desire for advancement for the special work in which we are engaged, though this work, in its beginnings antecedent to the founding of the Kongo State, was formally recognized in the action of the Berlin conference, and in the proclamations of the King, as essential to realization of the philanthropic aims for which professedly the State was established. Our missionaries have sought, to quote the language of the Berlin agreement, "the moral and material well-being of the native population." What the State has failed to do they have endeavored to do. They have reduced languages to writing. They have taught the people. They are establishing schools. They are developing useful arts; and they are seeking to

supplant the gross superstitions and inhumanities of the people by Christian beliefs and practices. This work, which the State had engaged to encourage and support, is sadly impeded by the conditions now developed.

Our complaint is not a personal one. Our missionaries personally have not been ill used. Yet we have definite complaint as respects the security of missionary work, which, as furnishing a definite instance of the failure of the State to regard its treaty obligations, we have submitted to the State Department of our Government. Lands, withheld in general from private purchasers, are denied to our representatives. Within the past four years it has been found quite impossible to purchase land or to secure leases of land for more than a very limited period of time. Thus the guaranty of permanence essential for the development of our work is destroyed. Our Government's treaty with the Kongo State definitely secured to missionary organizations the right to build, and thus implicitly the right to buy land upon which to build. While sales of land are refused, the law forbids that a missionary shall remain for more than fifteen days in any place in which he does not hold a title to land. Thus the stay of missionaries in the country practically is threatened. Our missionaries, moreover, at certain stations, becoming increasingly numerous, are forbidden to buy supplies from the people, even the sale of food products by the natives being prohibited; they must bring these to the State agents. The missionary would gladly buy of the natives at a fair price, but this privilege is denied him. Our missionaries, thus forced to depend on the station posts for all food supplies, are made involuntary abettors of the wrong practiced upon the people.

In other ways also the work our representatives would gladly accomplish for the uplifting of the people is thwarted. The people, terrorized, flee from the approach of the unknown foreigner. The missionary in his touring finds villages vacated and leveled to the ground. The periodical flights of the people in certain districts render continuity of work impossible, and the total extermination of the people, accomplished now in several sections, obviously is fatal to the purpose represented by the missionary's presence in the land. The humane aims of missionary effort, philanthropic and Christian, are hindered and defeated through the opposing blighting influence by which the land is desolated.

But a larger reason influences our representatives and ourselves in this appeal, that of regard for a people suffering from dreadful inhumanities. Those whose residence in the country gives them knowledge of these wrongs can not remain silent without guilt. Repeated representations made to the Kongo Government by our missionaries having proved ineffectual; they and we are compelled by motives of common humanity and by regard for justice to bring our appeal to a higher resort.

THE MISSIONARY A REFUGE FOR A HUNTED PEOPLE.

The missionary can not escape direct relation to this issue. The appeal of the people is constantly pressed upon him. Men, women, and children flee to the missions seeking protection. A white officer, unacquainted with the missionary whom he was addressing, after a cruel raid jokingly remarked that he had killed many people and secured a fine lot of curios. He said that while his soldiers were firing upon the villages the people ran wildly about crying, "Sheppite! Sheppite!" It was their name for Rev. W. H. Sheppard, the associate of Mr. Morrison, whom they were beseeching to come to their aid. The motive actuating our missionaries and ourselves, as we bring to you our request, is embodied in a sentence of a letter addressed by Rev. J. H. Weeks, of the English Baptist Missionary Society, to officials in the Kongo Government: "I deeply regret having to write this letter to you, but I can not sit quietly and see these unfortunate folk crushed out of existence by oppression and cruelty without making a protest in the name of religion and of humanity."

FUTILITY OF APPEAL TO THE STATE GOVERNMENT.

We think it will be clear to you that the case which we thus bring to your attention is one demanding the intervention of those responsible for the founding of the Independent State of the Kongo. May we urge that you will not fail to note that appeal to the Government of that State would not meet fittingly the requirements of the case? In responsibility for the conditions now prevailing in this stricken land obviously the Government is involved, and it is scarcely appropriate to ask an alleged offender to make inquiry as to his own wrongdoing. The testimony to the existence of wrongs is testimony also to indisposition in the Government to remedy these wrongs.

The possibilities belonging to appeal to the Kongo Government have already been exhausted. Delay in bringing the story of these enormities formally to the attention of western governments is attributable to unwillingness to believe that the facts could be known to the administration, and the hope that when known they would secure redress. But all reports, personal and official, private and public, if receiving any attention, have won at most only the renewal of professions of innocence and of disinterested and humane intentions. Investigations have not been so conducted as to satisfy the complainants. It is alleged that witnesses have been terrorized; indeed, the native dare not testify in a court whose highest authority is the government under which he suffers; he has no resort but a patient bearing of wrongs that he may avoid wrongs yet more dreadful. The victims of a shocking outrage, when told by an amazed visitor that they should complain to the State, replied: "We should not be believed; they would put us in chains at once;" and, when told they should carry the bodies of their murdered dead in canoes to the official, they replied: "We never could get past the sentries."

It is clear that, inasmuch as it is part of the testimony of the witnesses in the case that complaints have been made often to Government only to be disregarded; that the so-called investigations have been an evasion; that, indeed, the system to which the Government is definitely and persistently committed is the fons et origo of the evils, these testimonials will have received the attention due them only when provision is made for investigation by a power external to the State. All replies proffered by the Government of the Independent State of the Kongo to the accusations made against it essentially are this: "The accusations are false." The question of the truth or falsity of the charges is the question at issue, and inquiry impartially conducted from without offers the one rational method for reaching a just answer to this question.

INTERPOSITION A RIGHT OF THE POWERS.

The right of the nations to interpose for the suppression of these evils seems clear. It has indeed been claimed by the Government of the Kongo State, as, for example, in reply to the note of the British Government, that while the State was created by international action, having been created, it is a sovereign power, responsible only to itself for the administration of its internal affairs. If this claim were sound, it would be true that the action of the powers at Berlin, which gave the King a sovereignty unlimited by internal restraint, created the one wholly autocratic and irresponsible government in all the civilized world. The validity of this claim of one man to a gift of so fabulous value, involving so sweeping sacrifice of the primitive rights of more than a score of millions of people and the allied rights of all mankind, can not be thought admissible. The question of gravest international concern is this: Is it true that a sovereign and absolute power was created at Berlin which is responsible only to itself, and that the pledges solemnly made to other powers, including our own Government, are binding only in so far as in its sovereign discretion it may choose so to consider them?

The Independent State of the Kongo acquired its international status by a formal acceptance of the provisions of the act of Berlin. This act is its charter, unique, and in its spirit as benignant as any known to the history of Christian civilization.

As President Cleveland in his message of December, 1885, recognized, "the Berlin convention laid down certain obligations purporting to be binding on the signatories." In the binding nature of these obligations the right and duty of subsequent supervision is involved. It is a fact of the highest importance that this right and duty were recognized distinctly in the report of a committee of the conference, in which it is said:

"With regard to these native populations the conference must assume the position of an official guardian. The necessity of insuring the preservation of the natives, the duty of helping them to obtain a higher and better political and social status, the obligation to instruct them and initiate them into the advantages of civilization are unanimously recognized." But, in addition to these declarations of the purpose of the conference, it is also true that the Berlin agreement makes definite reservation of the right of revision of that agreement as belonging to the powers represented in the conference. Article 36 of the general act of Berlin provides:

"The signatory powers of the present general act reserve to themselves the right to introduce into it subsequently and by common accord such modifications and improvements as experience may show to be expedient."

It is furthermore true that the appeal made by the Government of the Independent State of the Kongo to the conference at Brussels in the year 1890 for authorization for the imposing of import duties involved definite concessions on the part of that State of right of supervision and revision as belonging to the parties creating it. If the State might without impropriety violate in respect of other features the compact made in the Berlin act, it might without impropriety disregard its prohibition of import duties.

THE RIGHT A RESPONSIBILITY.

Concession of right implicitly involves an admission of obligation. The great treaty powers have continuing rights as supervisors and directors in the enterprise conducted by the King. The King is their trustee to execute the powers conferred by the treaty and is answerable to them for the use of the powers intrusted to him. Is it too much to say that the great powers of the West are under obligation to communicate with the ruler of the Independent State of the Kongo concerning the statements relating to his rule, apparently so thoroughly supported, and to take such measures as will guarantee to these unhappy people the rights established for them in the treaty of Berlin?

RELATION OF OUR OWN GOVERNMENT TO THIS RESPONSIBILITY AND RIGHT.

This right and responsibility, belonging to other nations, we trust will be recognized as belonging to our own American Government. We are not signatories of the act of the Berlin conference. Does this fact deny to us the right of action at the present juncture? We think this position must be regarded as indefensible.

It may, we think, justly be held that the sacred primal right of membership in the family of states in itself would justify inquiry and protest under the laws of nations.

The foremost part borne by us in the recognition and practical creation of the Kongo State can not be regarded as without bearing upon the question of our relation to the present situation.

Our presence in the conference at Berlin and our implicit indorsement of its action, which fell short of a technical ratification only because of considerations of a technical nature, further accentuates our interest in a just discharge of its pledged obligations by the Government of the Kongo State.

The right involved in full participation in the conference at Brussels belongs to our Government. The charges made against the Independent State of the Kongo involve disloyalty to the understanding and the definite declarations of that conference as they involve disloyalty to the conference at Berlin.

Furthermore, obviously the right of a party to a treaty is ours. Our treaty of 1891 secures to us definitely the right of freedom of trade, the right of all citizens to reside and build in the state. And this treaty furthermore formally secures to us all rights of the signatories of the Berlin agreement and the rights conceded to the most favored nation. It is these rights which by common report are violated by the deeds and claims of the Government of the Independent State of the Kongo.

We would ask your attention to certain specific provisions of the Brussels agreement and of our existing treaty with the Kongo State. We are convinced that, if indorsing the position that this right belongs to our Government, you will hold that in our case also the right involves an obligation grave as the seriousness of the wrongs to which it relates.

[From the general act adopted at Brussels.]

PREAMBLE.

Being equally actuated by the firm intention of putting an end to the crimes and devastation engendered by the traffic in African slaves, of efficiently protecting the aboriginal population of Africa, and of securing for that vast continent the benefits of peace and civilization:

ART. II, SECTION 1. These stations shall have the following subsidiary duties:

1. To support and, if necessary, to serve as a refuge for the native population, * * * to initiate them in agricultural labor and in the industrial arts, so as to increase their welfare, to raise them to civilization and bring about the extinction of barbarous customs. * * *

2. To give aid and protection to commercial enterprises, * * * and to prepare the way for the foundation of permanent centers of cultivation and of commercial settlements.

3. To protect, without distinction of creed, the missions which are already or that may hereafter be established.

ART. V. The contracting powers pledge themselves * * * to enact * * * a law rendering applicable on the one hand the provisions of their penal laws concerning grave offenses against the person to those organizing and abetting slave hunting, to those guilty of mutilating male adults and children, and to all persons taking part in the capture of slaves by violence. * * *

From our treaty of 1891 we make these quotations:

"ARTICLE I. There shall be full, entire, and reciprocal liberty of commerce, establishment, and navigation between the citizens and inhabitants of the two high contracting parties.

"The citizens and inhabitants of the United States of America in the Independent State of the Kongo and those of the Independent State of the Kongo in the United States of America shall have reciprocally the right, on conforming to the laws of the country, to enter, travel, and reside in all parts of their respective territories, to carry on business there. * * *

"They can freely exercise their industry or their business, as well wholesale as retail, in the whole extent of the territories. * * *

"In like manner they will enjoy reciprocally the treatment of the most-favored nation in all that relates to rights, privileges, exemptions, and immunities whatsoever concerning their persons or their property and in the matter of commerce, industry, and navigation. * * *

"ART. IV. The citizens and inhabitants of the two countries shall enjoy in

the territory of the other a full and entire liberty of conscience. They shall be protected in the free exercise of their worship. They shall have the right to erect religious edifices and to organize and maintain missions."

We would ask also that, in view of the provision of our treaty which concedes to us all rights accorded to the most-favored nation, the language of the Anglo-Kongo convention of 1884 be taken into consideration:

"They shall have the right of buying, of selling, of letting, and of hiring lands and buildings, mines, and forests situated within the said territories, and of founding houses of commerce." (Art. II, Anglo-Kongo convention.)

We would respectfully call your attention to the fact that besides those forms of procedure by which international inquiry and interposition may be promoted, a definite line of action is opened for our Government by Article XIII of our treaty with the Independent State of the Kongo. This provision reads: "In case a difference should arise between the two high contracting parties as to the validity, interpretation, obligation, or enforcement of any of the provisions contained in the present treaty, and it could not be arranged amicably by diplomatic correspondence between the two Governments, these last agree to submit it to the judgment of an arbitration tribunal, the decision of which they bind themselves to respect and execute loyally." By this provision, if in no better way, the question as to the consistency with treaty obligations of the fundamental system established in the Independent State of the Kongo may reach a definite, judicial decision.

THE GRAVITY OF THE OBLIGATION.

The obligation resting upon us as a government seems to us a grave and solemn one. The position of our Government is such that it can act without suspicion of unworthy motive and with influence indefinitely great. And independently of the demand for protection for a helpless people, a question is at stake which is of commanding moral and political interest. May a state appropriate for its own aggrandizement the land, the products, all the emoluments of a vast national territory? It is the issue of the closed door—closed against the people of the house and against the people of all lands. If the coming together of the powers were not demanded by need for inquiry into reported abuses, it would seem amply justified by the necessity for international judgment upon the astounding claim represented by the Government of the Independent State of the Kongo.

And the issue relates not simply to the Belgian-Kongo rule; it relates to the Belgian-Kongo theory. The evil practice of the Kongo State is infectious. Proofs of this are not wanting in other African territory. Shall this practice be further developed and the world's fields be appropriated for selfish aggrandizement? The menace is a serious one to the commercial interests of our Government and of all governments. The need is urgent that calm consideration and resolute action shall put upon this theory the stamp of international disapprobation and abhorrence. We believe that this is not a time when America can afford to keep silent. We are convinced that our Government would scarcely be willing that such an issue should be determined without its participation in deliberation and action.

It has been held, and with reason, that the Independent State of the Kongo should prove a second China as a market for the absorption of manufactured goods. Already rich areas are almost hopelessly impaired, and the depopulation of the land and the incitement of a brooding hatred in the hearts of the people threaten irrecoverable loss of the wealth rightfully belonging to the world.

It is on these high grounds we would bring to you our appeal—on the ground of concern for high political principles; on the ground of the rights of our citizens who would be branded as common thieves if they were to attempt in the Kongo State exercise of their just rights in respect of trade; on the ground of righteous protest against the violation of pledges solemnly given; above all, on the ground of that humane interest in the well-being of mankind which influenced our Government in its recognition of the Independent State of the Kongo and which increasingly is characteristic of its action in the parliament of the nations.

OUR REQUEST.

We therefore pray your honorable bodies that you will take such action as seems to you most fitting for the promotion of a strict and impartial inquiry into present conditions in the Independent State of the Kongo—through a tribunal external to the State—and that you will follow this action with such other action as may be found necessary and appropriate for the correction of the evils from which that State is suffering. We are convinced that by every worthy consideration related to the case this course is commended. Reports of alleged wrongs certainly are sufficient in volume and definiteness to justify inquiry. The Government of the State itself should desire such investigation for the vindication of its good name if it be unjustly aspersed. The action asked by us, moreovor, we are persuaded is favored by that instinctive love of just government and that compassion for helpless sufferers to which as a nation we are committed by the traditions of our past and by the generous sentiment and impulse of our people.

Respectfully submitted in behalf of the Conference of Missionary Societies.

THOMAS S. BARBOUR, *Chairman.*

——— ———, *Secretary.*

APRIL 16, 1904.

Members of the conference: Henry C. Mabie, D. D., home secretary, American Baptist Missionary Union; Thomas S. Barbour, D. D., foreign secretary, American Baptist Missionary Union; W. H. Leslie, M. D., missionary, American Baptist Missionary Union, at Banza Manteke, Africa; S. H. Chester, D. D., secretary, Southern Presbyterian Board; Rev. W. M. Morrison, missionary, Southern Presbyterian Board, at Luebo, Africa; D. W. Snyder, M. D., missionary, Southern Presbyterian Board, formerly at Luebo, Africa; Rev. Archibald McLean, president, Foreign Christian Missionary Society; E. A. Layton, M. D., missionary, Foreign Christian Missionary Society, at Balengi.

DOCUMENT I.—*Statement of Rev. J. B. Murphy.*

[From London Times, November 18, 1895.]

The attitude of the natives of the Kongo Free State is everywhere unfriendly, and if the people do not universally rebel against authority it is because they are reduced to a state of despair. If possible they leave the territory. Two of the most flourishing towns in Mr. H. M. Stanley's time, situated at Stanley Pool, viz, Kintama and Kinshasa, are now no more, and the people have gone over to the French Kongo. Besides the natives of the towns I have named, many people have left the main river and gone into the interior in order to escape the arbitrary demands of the State. Difficulties had arisen, too, between the State and the porters, and as the requisite number of carriers were not forthcoming detachments of soldiers were sent with orders to capture all the women they could find.

I have been in the interior and have seen the ravages made by the State in pursuit of this iniquitous trade. In one place I stood by the side of the river and heard a little boy describe how he had seen the Belgians shoot people for not fetching rubber, and at the same time he pointed to the flagstaff to which the poor victims had been tied, and which still bore the bullet and blood marks. One day a State corporal, who was in charge of the post of Solifa, was going round the town collecting rubber. Meeting a poor woman whose husband was away fishing, he asked, "Where is your husband?" She answered by pointing to the river. He then asked, "Where is his rubber?" She answered, "It is ready for you." Whereupon he said, "You lie," and, lifting up his gun, shot her dead. Shortly afterwards the husband returned and was told of the murder of his wife. He then went straight to the corporal, taking with him his rubber, and asked why he had shot his wife. The wretched man then raised his gun and killed the corporal. The soldiers ran away to the headquarters of the State and made representations of the case, with the result that the commissary sent a large force to support the authority of the soldiers; the town was looted, burnt, and many people were killed and wounded.

Upon another occasion in the same month some soldiers ran away from a State steamer, and, it was said, went to the town of Bombumba. The officer sent a message telling the chief of the town to give them up. He answered that he could not, as the fugitives had not been in his town. The officer sent the messenger a second time with the order, "Come to me at once or war in the morning." The next morning the old chief went to meet the Belgians and was attacked without provocation. He himself was wounded, his wife was killed before his eyes, and her head cut off in order that they might possess the brass necklet that she wore. Twenty-four of the chief's people were also killed and all for the paltry reason given above.

Again, the people of Lake Mantumba ran away on account of the cruelty of the State, and the latter sent some soldiers in charge of a colored corporal to treat with them and induce them to return. On the way the troops met a canoe containing seven of the fugitives. Under some paltry pretext they made the people land, shot them, cut off their hands, and took them to the commissary. The Mantumba people complained to the missionary at Irebu, and he went down to see if the story was true. He ascertained the case to be just as they had narrated, and found that one of the seven was a little girl, who was not quite dead. The child recovered, and she lives to-day, the stump of the handless arm witnessing against this horrible practice. These are only a few things of many that have taken place in one district.

DOCUMENT II.—*Testimony of Rev. E. V. Sjoblom.*

[This testimony was given by him in 1897.]

The natives in inland towns are, as a matter of custom, asked whether they are willing to gather india rubber. The question put to them is not, "Will you live at peace together? Will you acknowledge the Kongo government?" It is, "Will you work india rubber?" Well, many of the people are killed, and they try suddenly to disband, and refuse to bring the india rubber. Then war is declared. The soldiers are sent in different directions. The people in the towns are attacked, and when they are running away into the forest and try to hide themselves and save their lives, they are found out by the soldiers. Then their gardens of rice are destroyed and their supplies taken. Their plantains are cut down while they are young and not in fruit, and often their huts are burned, and, of course, everything of value is taken.

Within my own knowledge 45 villages were altogether burned down. I say altogether, because there were many others partly burned down. I passed through 28 abandoned villages. The natives had left their places to go farther inland, In order to separate themselves from the white men they go part of the way down the river, or else they cross the river into French territory. Sometimes the natives are obliged to pay a large indemnity. The chiefs often have to pay with brass wire and slaves, and if the slaves do not make up the amount their wives are sold to pay. I was told that by a Belgian officer. Native sentinels—who, of course, are the sentries referred to by Consul Pickersgill—are placed in the villages. The sentinels see that the other natives work. They are forced to build large houses for these sentinels, and have to leave their places and try to find other places farther away. The sentinels themselves have told me this. I have been in the towns and seen it myself. In the morning the sentinels will go to and fro in the towns to see that no man stays behind. Only a few slaves are allowed to stay at home besides the women and children. Often they say that they have been told by a commissary that if they saw a man staying behind in the village they must shoot him.

I will give you an instance of a man I saw shot right before my eyes. In one of my inland journeys, when I had gone a little farther, perhaps, than the commissary expected me to go, I saw something that perhaps he would not have liked me to see. It was at a town called Ibera, one of the cannibal towns to which no white man had ever been before. I reached it at sunset after the natives had returned from the various places in which they had been looking for india rubber. They gathered together in a great crowd, being curious to see a white man. Besides, they had heard I had some good news to tell them which came through the gospel.

When that large crowd gathered, and I was just ready to preach, the sentinels rushed in among them to seize an old man. They dragged him aside a little from the crowd, and the sentinel in charge came to me and said, "I want to shoot this man because he has been in the river fishing to-day; he has not been on the river for india rubber." I told him, "I have not authority to stop you, because I have nothing to do with these palavers, but the people are here to hear what I have to say to them, and I don't want you to do it before my eyes." He said, "All right, I will keep him in bounds then until to-morrow morning when you have gone; then I will kill him." But a few minutes afterwards the sentinel came in a rage to the man and shot him, right before my eyes. Then he charged his rifle again and pointed it at the others, who all rushed away like chaff before the wind. He told a little boy, 8 or 9 years of age, to go and cut off the right hand of the man who had been shot. The man was not quite dead, and when he felt the knife he tried to drag his hand away. The boy, after some labor, cut the hand off and laid it by a fallen tree. A little later this hand was put on a fire to smoke before being sent to the commissary.

All except the old chiefs, etc., are forced to go away and work rubber. It is very difficult for the natives to get it. It has been difficult from the very beginning. They have to wade in marshes. I have seen them often when they passed. They have knives in their hands and they cut until the sap drops, drop by drop, and they stand in the water. It is difficult for them to work close to their own towns, but as they have to bring a large amount they have to cut the trees constantly until they dry up. Then they go to another place, and by-and-by they will have to go still farther inland, where the State is not yet fighting the natives, and they have to stay away many days at a time.

The sentinel told me that the natives there are not able to carry any food with them, and it often happens that they stay away for days at a time and that they die in the marshes of fainting and starvation. The sentinels are from the wildest tribes. They were wild already, but when they get to this work they are many times worse. They are really small kings in the towns, and they often kill the people for the sake of india rubber. They often rob and steal and plunder, and take whatever they can get hold of. At the beginning, when I saw that, I told the commissary about it, but he turned in anger on me and, in the presence of the soldiers, said that he would expel me from the town if I meddled with matters of that kind any more.

If the rubber does not reach the full amount required the sentinels attack the natives. They kill some and bring the hands to the commissary. Others are brought to the commissary as prisoners. Hundreds are constantly taken down in large steamers. Lying in the steamers there are the dead bodies of prisoners who are being taken down to the coast. At the beginning they came with their smoked hands. The sentinels, or else the boys in attendance on them, put these hands on a little kiln, and after they had been smoked they by-and-by put them on the top of the rubber baskets. I have on many occasions seen this done.

At one time I went to an inland lake several miles wide; the natives told me

I was the first white man who had ever seen it. Under the shadows of palms and plantain I saw the villages. I saw somebody coming alone and looking at what was going on. As he met me he said, "What am I to do? The rubber does not reach a large amount; some of the people have run away, and those who are left refuse to bring the full amount." And then he told me the amount these people had to bring. The commissaries lower down the river do not know how many people there are in a village. They put on a small village as large an amount as on a big village. In this case it was impossible for the people to collect the required amount.

From this village I went on to another, where I met a man who pointed to a basket and said to me, "Look; I have only two hands." He meant there were not enough to make up for the rubber he had not brought. He had several prisoners tied to the trees. They were waiting to be taken away. When I came back some of the villages were in an uproar. The people were leaving their homes and rushing to the forest. When I reached the river I turned round and saw that the people had large hammocks, in which they were gathering the rubber to be taken to the commissary. I also saw smoked hands, and the prisoners waiting to be taken down to the commissary.

That is only one of the places in which these practices occur. There is a small island in a stream at Lake Mantumba. The people had not been able to bring the full amount of rubber. The officers with some soldiers went along there. Several of the natives were killed. I saw the dead bodies floating on the lake with the right hands off, and the officer told me when I came back why they had been killed. It was for the rubber. In fact, the officers have always freely told me about the many who were killed and always in connection with india rubber. In one village which I passed through I saw two or three men on the wayside quite recently killed—about an hour before. The sentinel, who had to oversee the gathering of the rubber, told me they had killed the men because they had not brought the rubber. When I crossed the stream I saw some dead bodies hanging down from branches in the water. As I turned my face away at the horrible sight one of the native corporals, who was following us down, said, "Oh, that is nothing; a few days ago I returned from a fight, and I brought the white man 160 hands, and they are thrown in the river."

At Lake Mantumba, later on in 1895, the natives, after they had begun to get india rubber close to the lake, found hostile tribes with poisoned arrows. The natives could not get far enough for their india rubber. Two or three days after a fight a dead mother was found with two of her children. The mother was shot and the right hand was taken off. On one side was the elder child, also shot, and the right hand also taken off. On the other side was the younger child, with the right hand cut off, but the child, still living, was resting against the dead mother's breast. This dark picture was seen by four other missionaries. I myself saw the child. The natives had begun to cut off the left hand, but, seeing their mistake, they left it and cut off the right hand instead.

If such punishment is in any case right, why not try to find out those who are really guilty, and who failed to gather the full amount of rubber? But to attack not only one village, but a whole set of villages, because one or two have failed to give their amount—that is one of the things we object to. The soldiers are sent out to attack a whole village instead of finding and punishing the guilty, if any are guilty. At the end of 1895 the commissary—all the people were gathering the rubber—said he had often told the sentinels not to kill the people. But on the 14th December a sentinel passed our mission station and a woman accompanied him, carrying a basket of hands. Mr. and Mrs. Banks, besides myself, went down the road, and they told the sentinel to put the hands on the road that they might count them. We counted 18 right hands smoked, and from the size of the hands we could judge that they belonged to men, women, and children.

We could not understand why these hands had been collected, as the commissary had given orders that no more natives were to be killed for their hands. On my last journey I discovered the secret. One Monday night a sentinal who had just returned from the commissary said to me, "What are the sentinels to do? When all the people are gathered together the commissary openly tells us not to kill any more people, but when the people have gone he tells us privately that if they do not bring plenty of india rubber we must kill some, but not bring the hands to him." Some sentinels, he told me, had been put in chains because they killed some natives who happened to be near a mission station, but it was only because he thought it might become known that the commissary, to justify himself, had put the men in chains.

I said to the sentinel, "You should obey the first command—never to kill any more." "The people," he answered, "unless they are frightened, do not bring in the rubber, and then the commissary flogs us with the hippopotamus hide, or else he puts us in chains, or sends us to Boma." The sentinel added that the commissary induced him to hide cruelty while letting it go on, and to do this in such a way that he might be justified in case it should become known and an investigation should be made. In such a case the commissary could say, "Why, I told him openly not to kill any more," and he might put the blame on the soldier to justify himself, though the blame and the punishment in all its force ought to have been put on himself after he had done such a terrible act in order to disguise or mislead justice. If the sentinels were puzzled about this message, what would the natives be?

One important fact happened on the Saturday before the sentinel told me about it. The chief informed the sentinel that he would report to the commissary that the sentinel had killed his father. But the sentinel said, "What could you do to me? I would simply tell the commissary that you had not brought rubber, and then he would put you in chains instead of me." "Oh," said the chief, "you have killed my father for nothing, but I will not go with you to the commissary," and then he went away from the village, from the place where the rubber was placed. But the sentinel caught the chief. He called some sentinels from other villages, and they forced him along and threw him down, some holding down the head, some the arms, and some other parts of the body, and they flogged him until the blood streamed down his back. Then they told the chief to stop in the camp. They pushed him, and a soldier took his gun and leveled it close to the chief's heart. The chief stood shivering with fear, and the sentinel said, "I can kill you if I like."

I have seen extracts from letters in which the writers have freely told about hundreds being killed, about hundreds of hands being brought by the sentinels, about hundreds of slaves being taken, and one of the State officials said to a resident agent, "I have 200 slaves here; do you want some?" Another agent told me that he had himself seen a State officer at one of the outposts pay a certain number of brass rods to the soldiers for a number of hands they had brought. One of the soldiers told me the same. That was about the time I saw the native killed before my own eyes. The soldier said, "Don't take this to heart so much. They kill us if we do not bring rubber. The commissary has promised us if we bring plenty of hands he will shorten our service. I have brought in plenty of hands already, and I expect my time of service will soon be finished."

[Documents III, IV, and V, being true copies of letters from Rev. Joseph Clark, of Ikoko, Africa; Rev. A. Billington, of Bwemba, Africa, and Rev. C. L. Whitman, of Ikoko, Africa, respectively, now in the files of the American Baptist Missionary Union, and written in response to a series of questions addressed to the missionaries by the foreign secretary, Rev. Thomas S. Barbour, D. D.]

DOCUMENT III.—*Testimony of Rev. Joseph Clark.*

"1. Forced military service in the State army."

Yes. On two occasions I have seen men compelled to leave this village for military service under the State. I have never known anyone volunteer for such service on the Upper Kongo. I do not insist that none do so, but I have not met any person who had done so.

"2. Compulsory service for which little or no compensation is given."

I know that women have been compelled to go regularly from this and other villages to the local State post to labor two days weekly. Though living in contact with the people, I never heard of one of them having received any pay for this weekly service. It was called a "labor tax." I frequently heard the people complaining among themselves that they did not receive even enough food. They generally blamed the soldiers for this, saying that they took and sold the food which they should have given to the women at work in the gardens.

I know that for any offense, however slight, natives have been without the form of a trial, put in "chain" and compelled to labor in carrying bricks and clay for the construction of State houses. I have seen men and women chained together by the neck, being driven by an armed soldier. A stick or the butt end of a rifle was being used to persuade them to go fast. They were supposed to be "criminals." For such work there is no pay no matter how long or how hard it may be. The soldiers and ordinary workmen are, I believe, properly paid.

"3. Exorbitant tribute required of the natives."

I know that in the past demands made by the white officers for rubber were the cause of very great trouble and hardship to the natives. When you remember that of old the white man in charge of a post received extra pay for rubber collected and for coffee planted, etc., you can understand why these local officials pressed the natives beyond reason.

"4. Grievous illtreatment of the natives by State officials for nonpayment of tribute."

Sometimes soldiers have been quartered on villages and made responsible for the collection of the "tax," and in those cases great wrong was done the people. I saw a chief report to an officer that the soldiers quartered in his village had stolen everthing that was worth stealing from him, and that they had forced his wives to live with them. This man was kicked off the veranda. A soldier was sent to a village partly to see that the people provided the fish demanded from them and partly for hunting. He treated the natives badly and at last shot one of the head men of the village. The body was placed in a canoe and taken to a state post and complaint made against him. As the people were on the way home with the body he met them and fired at them for having done this and fatally injured another man. I reported this and the man was arrested, but I never heard of either a trial or punishment for his offenses, and some time later he was at liberty. These are not recent events.

During this month we have had the following experiences: An officer has been in this district with about three dozen State soldiers. I have seen these soldiers striking inoffensive people within a few yards of the officer. Possibly he did not see what was going on, but he ought to have seen what his men were doing. I have seen a young boy, a scholar from the village, taken by one of the soldiers. He was in a canoe, and his friends fled on the approach of the soldier, but he, being a schoolboy, did not flee. He was taken prisoner on the plea, given me by the soldier, that he was from the district then at war with the State. So of course all the goods in the canoe were to be the prize of the soldier and his paddlers. He was at once set at liberty when I threatened to write to our local officer at Bikoro.

A woman of Ikoko was taken prisoner by the white man. She was kept one night and all the next day. There was no charge against her. A note was sent to the officer about her and he replied: "Je relâche avec plaisir la nommé, Longonda qui avait été prise comme ôtage." From whom the pledge was taken, or for whom she was held as a hostage does not appear, but she was set at liberty. I spoke on behalf of an old chief, who is a hard worker and who has been very ill. He was charged by the officer with having allowed the people, presumably enemies of the State, to flee with his canoes. I said that when the Ikoko people stampeded I had to place watchers at my beach to keep my canoes from being taken as a means of escape. He, too, was freed. Other five Ikoko people were tied up, but only one boy was taken away, and one man, who should have been resident in another place. These have both been released, as also other two, who were prisoners evidently without any definite charge against them.

I hear, but can not be certain of the truth, that in the campaign now closed 16 natives have been killed. Three only of that number were in or of the district that was to be punished for rebellion. Eight are of one village, 2 of another, and 3 are each from a separate place; but these 13 are not people of the district supposed to be at war with the State. Yet, when I said to the State officer that the Ikoko people were off to hide in the bush, he said, "They need have no fear. We are not at war with them." In spite of that statement by him, two or three of the headmen were arrested, and some others, of whom I saw three brought to him. They were released, but I saw the marks of the treatment they had received from the soldiers, and what they then experienced will insure their being "absent" the next time a strange officer comes here with men.

"5. State levies on villages for laborers and soldiers."

I have known of demands being made on villages for both workmen and soldiers. When you remember that in Belgium military service is compulsory this is not surprising.

"8. Domaine prive and monopolies."

It is unquestionably true that enormous tracts of country are set apart for "private domain" and for companies in which it is published that the King holds shares or from which he receives part of the profits. As to the King's sharing in the profits of these companies I can not write with certainty, but all know about the division of the country.

9. It is my opinion that unless great changes are made in the management of the State the Protestant missions have poor prospects for extension of their work; also that owing to the lack of trust in the government the native is hard to reach. His mind is not at rest. He has no desire for the improvement of his surroundings. He will not make a good house or make large gardens because that will give the State a greater hold on him. His wife refuses to become a mother because she will not be able to run away in case of an attack. Twice this week the people of Ikoko have been rushing off to the "bush" to hide on the approach of a large canoe with soldiers. With the natives around us in this unsettled state it is no wonder that our work is difficult. We can not put native teachers out any distance from our station into the interior because of the unrest and uncertainty.

Attested as a true copy of an autograph statement of Rev. Joseph Clark, of Ikoko, Africa, now on file in the rooms of the American Baptist Missionary Union.

THOMAS G. BARBOUR, *Corresponding Secretary.*

Sworn to before me this 14th day of April, 1904.

[SEAL.] JOHN F. BARNES, *Notary Public.*

DOCUMENT IV.—*Testimony of Rev. A. Billington.*

"1. Forced military service in the State army."

I have not known of any being forced into military service from this district, but I have heard of it in other districts, and believe it to be true. What is known as the Vankerkhaven expedition took some forty men from this district; each village was forced to supply a certain number, very few of whom have ever returned. These men were used for fighting and carrying. The object of this expedition seems to have been to exhibit the power of the State, which was done by the use of cartridges and fire. Most of the villages of this and other districts were de-

stroyed. One asked the chief of the expedition: "How will you furnish your men with food?" "With cartridges," was the reply. Even if he intended it for a joke, it unfortunately contained much truth.

"2. Compulsory service for which little or no compensation is given."

"3. Exorbitant tribute required of the natives."

Men are forced from this district to cut wood at the "wood posts." They are first applied for, and if they do not present themselves, a soldier or soldiers are sent, who tie up the women, or the chiefs, until the workmen are forthcoming. The first of our Christians from the village of Bwemba has recently been to prison because he had no man to give, and after some ten days carrying water, etc., his friends hired a man for 750 brass rods, value £1-10-0. Woodcutters are fed and paid a fair wage, but sometimes much is kept back in fines, but they probably make up all deficiencies by plundering passing canoes and talking palavers. If a man falls sick another is demanded to fill his place at once.

All natives in villages around about us are compelled to work on the telegraph path, but this only means one or two days in a month. A small pay is promised and is sometimes paid, but not always. A white man who superintends this part of the line told us last week that he had received nothing since May, in last year, to pay those who clean the path. Many walk 20 miles from their villages and do their part without the slightest pay, as it is all swallowed up by the Kapitas near at hand. Speaking generally, Kapitas are bad men and the poor natives suffer much at their hands. The women are compelled to make "bingwele," mandioca puddings, which are paid for at about one-third of the marketable value. This food has to be carried in canoes from 2 miles to 10 miles (day's work for two or three persons; for the further villages every six days, for which nothing is paid). . Chiefs are called, at the will of the official in charge, 30 miles to his station with no remuneration. Villagers, both men and women, who live near to State stations are called at any time to hoe the ground, etc., without any pay being given except now and again a spoonful of salt.

"4. Grievous illtreatment of the natives by State officials and soldiers for nonpayment of tribute."

We have known natives to be cruelly beaten at the wood posts near us for not bringing the proper size of pudding, or not having boiled it enough, and then to be kept to work a day or two as well; all this, of course, by a native Kapita, and we have seen the marks of much worse cruelty higher up river.

"6. Refusal to Protestant missions of land grants for new missions stations."

We applied for land east of Kifwa some months ago, but the governor-general could hold out no hope. We also applied for the new site for Kifwa, but no grant has yet been made. Mr. Grenfell of the Baptist Missionary Society applied for land beyond the Aruwimi River, but it has been refused. The Congo Bolo Mission tried again and again to get land up the Junpa River some three years ago, but never could get it.

"7. The system of short-term leases, with possible refusal to renew."

We have heard of leases being offered to traders for a term of years, and I think such a course would be very undesirable for a mission, especially if there is no change in the general management and spirit of the State.

"8. Domaine privé and monopolies."

Monopolies are no secret in the Congo State, and the various companies publish from time to time their names and dividends.

"9. The prospect for Protestant missions under the Protestant régime."

The present régime is a great wrong to the natives; neither liberty nor poverty nor life are secure, and thus it is a great hindrance to our work, and should the present movement in England and America fail in bringing about a change for the better we shall expect greater hindrances and difficulties.

Attested as a true copy of a statement of Rev. A. Billington, of Bwemba, Africa, now in the files of the American Baptist Missionary Union.

THOMAS G. BARBOUR,
Corresponding Secretary.

Sworn to before me this 14th day of April, 1904.
[SEAL.]

JOHN F. BARNES,
Notary Public.

DOCUMENT V.—*Testimony of Rev. C. L. Whitman.*

"1. Forced military service in the State army."

It is commonly reported that the "force publique," the Kongo State army is made up largely of prisoners, taken either by the State or by tribes allied with the State. Other men are put in chains when their villages fail to bring in the required tribute, and are forced into the army. On this pretext some men have been taken from Ikoko.

"2. Compulsory service for which little or no compensation is given."

There is no doubt about this. Our nearest State post and plantation, Bikoro, has several hundred workmen, most of whom were brought from far away districts, having been taken from their homes as prisoners on various pretexts. Most of them are probably well fed, but I saw a score or more working in chains, and was informed that their diet was only the native bread, "quanga," and water. These were men from the near-by villages, imprisoned because their people had not brought the required tribute. Their pay consists of rations and a small allowance for cloth, or of cloth. At one time the Ikoko women were required to work at Bikoro two days a week, and for this they received absolutely nothing, if reports are to be believed.

"3. Exorbitant tribute required of the natives."

Yes. The rubber tax is the most severe, as often the natives have to go long distances for the rubber, and on the journey their lives are in constant danger, because of the climate and the attacks of hostile tribes. This was once the case with the villages about the lake (Ntumba), and even now the State demand for food supplies is so great as to drain the entire lake district, often leaving the natives without sufficient food for themselves and discouraging all attempts to plant extensive gardens, to keep goats or more than a few fowls, or to engage in other forms of productive industry. For the last two months six to ten Ikoko men have been in chains at Bikoro because the high water has made it difficult for the Ikoko people to bring in the full amount of fish tax.

"4. Grievous illtreatment of the natives by State officials for nonpayment of tribute."

Yes. Some six years ago, during the rubber-tax wars, many villages were burned. Many of the people fled to the French side of the Kongo; others were either killed or died from exposure. Many hands were cut off; for a long time one of the handless victims made his headquarters here at Ikoko. Just recently some of our brethren of the English Baptist Missionary Society saw some native troops, commanded by two white officers, attacking an inoffensive up-river village. The black soldiers were cutting up the bodies of the slain and were carrying away the pieces, and this in full view of the white officers. In this case a near-by village, not the one attacked, had failed to pay the State tribute.

Only last week a State officer with 35 soldiers passed through Ikoko on his way to punish a tribe some 10 miles back for nonpayment of the food tax. On his arrival he found that most of the people had run away, but he killed three, and burned a few houses. On his way back, on the groundless suspicion that they had given the alarm to their neighbors, he attacked another village (one which had always met the State's demands), killed 10 people, and carried off all movable property in sight. The chief of another loyal village was taken and cruelly maltreated, and the soldiers were ordered even to kill him. This because his people, in sheer fright, had gotten out of the way of the soldiers. At Ikoko the villagers ran away on his approach, and but for Mr. Clark they would have been pursued and attacked on the pretext that they were fugitives from the village he had been sent to punish.

"5. State levies on villages for laborers and soldiers."

That is the common report, but I do not know the methods taken to secure them other than above indicated.

"6. Refusal to Protestant missions of land grants for new mission stations."

I have heard of several applications for land grants for new mission stations that have been refused. The refusals were to Protestant societies only. There are indications that the Catholics are getting all they ask for along this line.

"7. The system of short-term leases with possible refusal to renew."

I understand that Mr. Grenfell, of the Baptist Missionary Society, was offered a site for a new station, the lease to be for the rest of his life. This is the only definite case I know of. The probabilities against renewal are now so strong that, in my opinion, it would be extremely unwise for any Protestant mission society to accept any offer for a short-term lease.

"8. Domaine prive and monopolies."

Yes, undoubtedly. Repeated reports come to us of the doings of the companies operating in the various districts. They carry things with a high hand, so that often the[a] agents incur charges of cruelty surpassing that of the State officers. The Lac Ntumba district is included in that part of the "domaine prive" not granted to any company. In former years this district was exploited for rubber, with the result that through war, exposure, and flight, two-thirds to three-fourths of the population has disappeard. The rubber tax is no longer imposed upon the survivors, but instead they are required to bring to the State posts large quantities of food supplies for which they receive little or no pay. If a village is able to gather or make other things, as for instance, gum copal, or baskets, these also are demanded on the same terms. Naturally, the ambition of the people is paralyzed, as they would receive no reward for their labor.

It may rightly be said there is no trade above Stanley Pool. Theoretically it is not prohibited, but practically all products of the soil, and the animals of the forests and the fish of the waters as well, are held to belong to the King or to the companies he has chartered. The natives are forbidden to sell any of these things, therefore they have nothing to buy with; and if they should happen to sell any prohibited article, the men who have the temerity to buy it are considered as thieves and treated accordingly. This procedure has crushed out all legitimate trade about Stanley Pool; the only business done is the exportation of the products of the soil gathered by the State or by its subsidiary companies, and the distribution of a few pieces of cloth or valueless trinkets among the natives as a sort of mock payment for their services in collecting rubber, food, etc. Even at Stanley Pool the State has begun to pay its workmen in cloth instead of money, and it will be only a matter of time when the English, German, and Portuguese merchants there will be obliged to close their doors, for the simple reason that the native population will have nothing to buy goods with.

"9. The prospect for Protestant missions under the present régime."

The prospect is not roseate at present; our chief hope is that the Kongo State will become a Belgian colony, and that a regularly organized system of courts and laws, administered by civilians, will take the place of the present despotic military régime, of which King Leopold is the head.

Attested as a true copy of a statement of Rev. C. L. Whitman, of Ikoko, Africa, now on file in the rooms of the American Baptist Missionary Union.

THOMAS S. BARBOUR,
Corresponding Secretary.

Sworn to before me this 14th day of April, 1904.
[SEAL.]

JOHN F. BARNES,
Notary Public.

DOCUMENT VI.—*Testimony of Edwin A. Layton, M. D.*

Early in the year 1897 the Foreign Christian Missionary Society sent two representatives to found a mission in the Kongo Independent State. After seeing and selecting sites, applications were made in usual form for the necessary leave to locate, erect buildings, and organize a mission. Every effort met with exasperating delay or definite refusal without apparent good reason, so that the better part of two years passed with no prospect of success. At that time a station of the American Baptist Missionary Union at Bolengi, Upper Kongo, was transferred to this society and subsequently no further applications were made for mission sites pending the fruitless negotiations of the Baptist Missionary Society and the Kongo Bololo Mission and others, all of which could bring much stronger pressure to bear upon the State authorities. While, therefore, the Foreign Christian Missionary Society was attracted to this part of Africa by the inviting terms of the treaty of Berlin, specifying, as it does, that "the right to build edifices for religious purposes and to organize religious missions of every creed shall be subject to no restriction or impediment whatsoever," this society has been unable to gain a foothold at all in the Kongo Independent State in full six years' time.

The writer, Edwin A. Layton, M. D., and wife, resided during the later months of 1901, during 1902, and 1903 at Bolengi, near Coquilhatville, the capital of Equator district, upper Kongo country. My work as a medical missionary has taken me to all the villages round about and perhaps 100 miles into the interior; to the northern shores of Lake Mantumba; as far up the Kongo River as Monsembe; the entire length of the Lolanga River, and up the Lopori to Bongandanga. Having been on the ground and myself seen victims of atrocious acts, cruelties, and oppression resulting from forced labor and an unjust taxation, undoubted signs of devastation and depopulation, and having either witnessed or met numerous native witnesses to various administrative abuses, I can testify to the correctness of statements made by Consul Casement in his report, by Mr. E. V. Sjöblom, Mr. and Mrs. Banks,[a] and by several English missionaries. At the present time, however, I wish to speak more specifically of conditions in and about Bolengi.

The poor people of this section are broken spirited and poverty striken by an arbitrary and oppressive system of taxation. While admitting the good professions of the Government, no philanthropic person can be in Kongo without seeing and speaking of the really ruinous results of the present régime. Many years ago the people were taxed cassava bread (kwanga), fish, fresh meat, and fowls. This provision tax was probably fixed according to the population and the "payment" fixed at the then current prices, namely, one brass rod (equivalent to one cent) for each ration of bread, fish, etc. To my knoweldge this has never been adjusted to the changed and ever-changing conditions caused by death or removal from any cause—there has been an obvious decrease in population—by the scarcity of native food stuffs or the marked advance in value. Thus, in course of time, the "taxes" have come to be very unequally apportioned and increasingly burdensome.

A close acquaintance with the conditions shows the cogency of the natives' contention that they are no less than slaves to the State. And as slaves, I have observed, they must sometimes "make bricks without straw," as when one must furnish fish weekly the year around, and he can catch fish only at certain seasons. Then one is forced to buy in other parts, paying, in this day, ten to forty times what will be received in return at the State post. To meet these obligations, A——, of W——, one of the remaining few of a once large family, had to pawn, i. e., sell into slavery a younger member of his family. He often had to buy fish at the market value of 30 or 40 brass rods a ration, which he must deliver to the State for the nominal sum of 1 rod a ration. He was never given any voice in the matter. The time required for the preparation of the provision tax extends, on the average, over several days of each week. A band of people from the village of B——, mostly boys and girls, carrying baskets of food weighing 40 or 50 pounds, having passed over indescribably bad roads, rested at our mission the night of the fourth day of their journey to Coquilhatville—and all this in the mere act of delivering the food tax when once prepared. I saw a canoe

[a] Civilization in Congoland.

full of fish—300 rations, they told me—leaving a village of a half dozen huts near the mouth of the Mobangi River, for Coquilhatville, which was three days' hard paddling upstream.

B—— was at one time a populous village on the banks of the Kongo. Many had died, and a few fled from fear, so that the number of inhabitants was so reduced that I could find but two responsible men with their families. These still bore the original assessment of 50 rations of kwanga and 20 of fish. So far as I could see they spent all their time working out their taxes and they never ceased to appeal for relief, but with no avail. L——, the headman, showed me the wheals from the cruel chicotte when a shortage occurred and told of threats of the chain. At one time this village was ordered to clear the roadway a certain distance for the telegraph line, which, under the circumstances, was clearly an impossible task for them. They demurred. When nothing was done L—— was sent for, but was afraid to go. A soldier was then sent to compel him to appear with a pacifying present of 10,000 brass rods or be thrown immediately into chains. The matter was now in the hands of the civil officer. I tried to intercede for L——. The judge stated he could not receive the statement of a white man, as he would feel bound to act accordingly, and so could not give an impartial verdict.(?) The fine stood and L—— succeeded in paying it by pawning one of his women and by help of friends. I believe, however, the work was never done.

Besides the provision tax the villages are required to furnish firewood for brick-kilns or steamers, roof mats for the State buildings, to work on the telegraph line, men for the public force, and laborers for the State plantations. The village of Bolengi worked several weeks clearing the way for the telegraph line, building and repairing bridges, and when the chief, I ——, reported the work as completed he received 300 brass rods as a personal present. Bolengi and other villages had to furnish firewood, which, owing to the ravages of the "white ant," was difficult to obtain. The wood was due at the State post every Sunday and required every available canoe for its transport. A considerable number of the children necessarily engaged in this work, and, moreover, were often held by the State as "hostages," because of delinquencies or deficits.

These matters seriously interfered with attendance at school and at Sunday services. It was almost impossible to have school at Wangatta when at least half the children were wading and searching the swamps daily for "ndele" leaves with which to make roof mats for the State. Their provision tax was payable Sunday. Religious meetings were almost out of the question in the presence of several armed sentries before whom the hundreds of rations of food and brass rods, in payment of heavy fines, were being stacked up.

Itinerating in the interior, I found the people invariably in a state of intimidation. Entering a village unarmed and cautiously, all who could would flee to the forest. As soon, however, as they were assured that the visitor was not a State officer, they were ready to return and laugh at their sudden fear and fight. Bad roads were made worse for purposes of defense. Meeting with intertribal warfare, I found that the only people killed NOT death by means of modern firearms.

Villages along the rivers, the paths of commerce, are rapidly being depopulated. Of course, the death rate is high; but all who can, get away as far as possible into the interior. Under my own observation two villages became wholly extinct. Where a few years ago Inganda presented solid rows of houses extending for miles, there are now but a few scattered and miserable huts. They are so used to being robbed that they reason it is better to have nothing, so as to have nothing to lose. Hence the native arts, as the hewing of canoes, are being lost. A most galling thing about the provision tax is that it is needed for and extorted by a savage soldiery who are privileged to pillage and plunder, to murder and to mutilate. The character of these "soldiers" is made clear not alone by observation, but by the honest confessions of several which I have heard. The people of M—— have not forgotten the wanton attack made upon them, and there are witnesses who saw the human hands being carried by the Mission.

EDWIN A. LAYTON, M. D.

DOCUMENT VII.—*A statement by the Rev. W. M. Morrison, submitted to His Majesty's Government.*

ABUSES IN THE KONGO FREE STATE.

The following correspondence is in continuation of a long series of appeals made in the course of the past seven years by the Aborigines Protection Society to His Majesty's Government for its intervention on behalf of the ill-used natives of the Kongo State. It is here printed as an introduction to the statement by the Rev. W. M. Morrison, which was invited by the secretary of state for foreign affairs, and to the report of a public meeting that was convened by the committee of the Aborigines Protection Society after Lord Lansdowne had declined to receive a deputation on the subject:

"BROADWAY CHAMBERS, *Westminster, April 6, 1903.*

"MY LORD MARQUIS: I have the honor, by direction of the committee of the Aborigines Protection Society, to ask that a deputation from this society may be allowed to set before your lordship the grounds upon which it appeals to His Majesty's Government to take such action as may be practicable with a view to checking abuses that have grown up in the territory of the Kongo Free State.

"The committee expects that a missionary now returning from the Kongo will be in England about the end of the present month, and it is anxious that he should have an opportunity of detailing to your lordship some of his experiences as to the illtreatment of natives in the district in which he has been a resident for many years.

"It ventures to hope that your lordship will consent to receive this testimony in support of representations which have already been submitted on the subject, and that you will be so good as to appoint an early day in May at which the proposed deputation may wait upon you.

"I have the honor to be, my Lord Marquis, your lordship's most obedient servant,

"H. R. FOX BOURNE.

"The most honorable the MARQUIS OF LANSDOWNE, K. G., etc."

"FOREIGN OFFICE, *April 21, 1903.*

"SIR: The Marquis of Lansdowne has received your letter of the 6th instant, asking that a deputation from the Aborigines Protection Society may be allowed to set before his lordship the grounds upon which the society appeals to His Majesty's Government to take such action as may be practicable to check the abuses which are reported to have grown up in the Kongo Independent State. You further mention that a missionary is expected to arrive in England from the Congo about the end of the present month, and that the committee of the society is anxious that he should have an opportunity of detailing to his lordship some of his experiences as to the illtreatment of the natives in the district in which he has been resident.

"I am directed by Lord Lansdowne to state that, in his opinion, the first step should be to communicate in writing to this department the information collected by the missionary referred to, and I am to add that, as these matters are not under the responsibility of His Majesty's Government, an official proceeding so formal as a deputation would be inappropriate.

"I am, sir, your most obedient, humble servant,

"F. H. VILLIERS.

"The SECRETARY OF THE ABORIGINES PROTECTION SOCIETY."

"BROADWAY CHAMBERS, *Westminster, May 5, 1903.*

"MY LORD MARQUIS: I have the honor, by direction of the committee of the Aborigines Protection Society, to acknowledge the receipt of your lordship's letter of April 21, replying to the committee's request that a deputation might be allowed to set before your lordship its views concerning affairs in the Kongo State.

"I am to tender herewith the statement, drawn up by the Rev. W. M. Morrison, which your lordship has consented to receive as a first step toward any inquiries that His Majesty's Government may be willing to institute on the subject.

"With reference to the concluding portion of your lordship's letter, I am respectfully to submit that, in the committee's opinion, Great Britain, as one of the signatories both of the Berlin general act of 1885 and of the Brussels general act of 1892, is in common with the other signatory powers, clearly responsible as regards the upholding of the provisions of those acts. It is further submitted that the flagrant violations thereof by the administrators of the Kongo State, especially in respect of the opening of the basin of the Kongo to free and civilizing commerce and the protection and improvement of its native populations, which are more particularly stipulated for in the first, fifth, and sixth articles of the Berlin act and the second article of the Brussels act, call for such intervention by His Majesty's Government, and by the other Governments whose honor and interests are involved, as may lead to restraint of the appalling abuses now existing, and may insure observance of the humane and equitable requirements of the acts in question.

"I have the honor to be, my Lord Marquis, your lordship's most obedient servant,

"H. R. FOX BOURNE.

"The most honorable the MARQUIS OF LANSDOWNE, K. G., etc."

STATEMENT BY THE REV. W. M. MORRISON.

I am a missionary of the American Presbyterian Kongo Mission, and have been located for the greater part of the past six years and a half at Luebo, a large native settlement at the head of navigation of the Lulua River, which is one of the longest tributaries of the Kasai, which is in turn the longest southern tributary of the Kongo River, being about 1,200 miles almost due east from Banana on the west coast.

Before my arrival on the Kongo I had often read and heard of the humane and liberal government which had been so auspiciously begun by King Leopold II, and I felt that it would be a great privilege to labor under a Government alleged to be so just in its treatment of all—natives, missionaries, and traders alike. I had, however, been in the country only a few days when I began, with deep sadness, to realize that things were not as they had been represented. While going along the old caravan route between Tumba and Stanley Pool I almost hourly met caravans of boys and men carrying heavy loads of rubber and ivory down to Tumba, to be there shipped on to Matadi by rail. Upon inquiry I found that the greater part of these men had been forced into the service of the State. From that time on to the present my intercourse with and knowledge of the State have only tended to increase the suspicion then formed that the published protestations of philanthropy are not really sincere.

[It will be my object in this statement to present not general accusations but a few of the many specific charges of injustice which have come under my own personal notice. So confident am I that my assertions can be verified that I am willing, if this is desired, without previous consultation with them, to give the names of numerous witnesses who will, I feel certain, bear testimony to the statements I make.] The names of these witnesses I leave with Mr. H. R. Fox Bourne, the secretary of the Aborigines Protection Society. I must say that, owing to the absolute impossibility of justice being done in the Kongo State courts (if, indeed they have any real courts at all), I should not consider satisfactory an investigation conducted by the Kongo government alone.

If, however, an impartial court, composed of other than Congo officials or those for any reasons peculiarly sympathetic to the Government, is appointed for the investigation, and the fear of State intimidation is thus removed, I am confident that every charge will be established. When it is remembered that all evidence in such cases is taken in secret by a State officer, that no one else is permitted to be present or even to bring out from witnesses evidence not asked for by him, and that the evidence thus secretly taken is left unsealed in the hands of the State official, it can be easily seen that there is every possibility—in my mind a strong probability—of the suppression of material evidence.

Some of the incidents which I am to relate have been reported to the State; some of them have not been. My policy, and that of our mission, has been to keep as quiet as possible about these things, and to give offense to the State as seldom as possible. I say offense, because, instead of appreciating our reports to them about matters which they profess to be so anxious to remedy, the authorities appear to resent it and to assume toward us an attitude of unfriendliness.

My observations have, for the most part, been confined to a limited area about Luebo and its vicinity. This region has, until the past year, been kept open to free trade, five trading houses having been located at Luebo. Consequently, I am inclined to think that this has been a section much more favored than other regions where the State has compelled the natives to make rubber. You can readily infer, if such things as I relate were done in a favored section, what must have been done in regions exploited entirely by the State. In fact, native reports often come to us of the hardships to which they are subjected in the Lusambo district, some days' journey to the east; and I have often seen State steamers come down loaded with rubber from Lusambo.

The cases of cruelty to which I shall now call attention have either come under my own direct observation or have occurred so near to me, and within the knowledge of of my colleagues, in whose truthfulness I have absolute confidence, that I have no hesitation in vouching for them.

I. In the year 1898 an officer named Fromont came to Luebo, followed as usual by a squad of native soldiers, together with carriers and camp followers. Just as he entered the town, natives came running to me saying that the soldiers were pillaging their villages. I had often heard that on the march they were permitted to do this; so I went at once to the scene of the disturbance, found the villagers fleeing to the forests and the soldiers in full possession of a village which they were busy looting, having already severely wounded an innocent woman. I went at once to the officer, who was at the house of a trader only a few yards distant, and demanded protection for the people from the outrage of his soldiers.

He professed not to know that they were doing anything of the sort, the presumption clearly being that it was the usual custom for them to do such things when on the road, and that they had not been warned to make an exception at Luebo. And I may here state that at Luebo, even when an officer is present, we have often had the greatest difficulty in keeping the soldiers from looting and otherwise abusing the native population. The latter know from bitter experience that it is useless to resist the soldiers. They also know that, with perhaps a few exceptions, they would only be even worse treated if they appealed to the State officer for protection.

When this man Fromont had been at Luebo for some days, natives came to me with the report, which was also verified by the statement of a trader whose name I am in a position to furnish, that Fromont intended to compel the entire Baluba population of Luebo, consisting of several thousands, to remove to Luluaburg, the State post five days distant. Upon hearing this I went to the State officer about it. He confessed that the report was true, but gave as excuse for his intention that the people of Luebo did not work, and that he wanted to take them to Luluaburg, where they would have to work.

I protested to him that the natives of Luebo worked for the mission and the several trading companies, and that many of them had even gone far away down the Kasai River, where they had willingly accepted contract to labor for the traders. I also told him that the people of Luebo doubtless worked more than the many thousands of Zappo-Zapps already at Luluaburg and under the control of the State. I told him still further that to tear the people away from the homes which they had built and the large plantations which they had just laboriously made was not only most cruel and inhumane, but was a distinct violation of rights which were guaranteed to the natives under treaties. I also told him that if he persisted against my protest in thus disturbing the natives of Luebo, I should not only report the matter to Boma, but should feel it my duty to pubish the fact to the world.

When he saw that I was in earnest he was most surprised. Evidently he was not accustomed to such interference with his plans. When he saw what I would do, he compromised the matter, taking away only a few Zappo-Zapps who belonged to Luluaburg. He also took the names of the chiefs, so that he could demand tribute of food for himself, soldiers, and carriers when he or other State officials might come again. Thus it was that this officer was deterred from perpetrating an outrage which would have resulted in much cruelty, hardship, and, doubtless, bloodshed.

While Fromont was at Luebo several of the soldiers invaded without notice, the private sleeping apartments of two of our lady missionaries, on the pretence that they were searching for a woman who had fled to the house of the missionaries for protection.

During this same visit a village of Batetela people was burned, by whose orders I could never exactly find out. The natives reported that it was done by order of Fromons.

II. In the months of August and September of the year 1899 occurred, about three days from Luebo, one of the most shameful affairs that has come within my knowledge. By way of explanation it is necessary to say that at the State post of Luluaburg, which is about five days' march from Luebo, is located a large village of people called Zappo-Zapps.

They are cannibals, and were brought from far to the east and settled there by a State officer named Paul Le Marinel about the year 1890. Ever since their coming to Luluaburg they have been a terror to the whole surrounding district. In fact, having guns and being known to be cannibals and very brave warriors, they have all these years been the great slave dealers and slave raiders of the district. Perhaps half of the 7,000 or 8,000 people at Luebo who have been or are now slaves have been caught by the Zappo-Zapps in their numerous raids. Quite a large number have been caught by State soldiers, while a goodly number have been seized by the famous State "friendly" at Lusambo, named Penia Mutambo.

Some few have been caught in petty fights between villagers. The State must of necessity know of the many thousands of slaves who have passed, and are now passing, through the hands of these Zappo-Zapps. The only possible explanation is that the State and the Zappo-Zapps—many of whom, by the way, are my personal friends—are in alliance in the matter. Up to the time I left Luebo, slaves caught in the regions to the east of Luluaburg and Lusambo are almost daily exposed for sale, and always by the Zappo-Zapps. Either the latter themselves have done the raiding, or it has been done by some of the "sepoys" about Lusambo, who have then sold the slaves to the Zappo-Zapps.

This digression from the incident which I am proceeding to narrate was necessary in order to more fully explain who the Zappo-Zapps are and what is their relation to the State. The circumstances, briefly stated, are these:

During the last days of July, 1899 (or about that time), news reached us at Luebo that a large band of Zappo-Zapps, under a famous warrior chief named Mlumba Nkusa, was proceeding into the Bena Pianga country, not far from one of our mission stations, in order to collect tribute and get stores for the State. Upon hearing this news I wrote at once to our missionary at Ibanj, the Rev. W. H. Sheppard, F. R. G. S., warning him to be on the lookout for trouble. He had not long to wait, for soon the news began to come in from the region, only one day from the station, that the Zappo-Zapps had established themselves in a strong stockade near a village named Chinyama, from which they were almost daily sallying forth to catch slaves, demand tribute from villagers, and kill all who dared oppose them.

This condition of affairs went on uninterrupted by the officer at Luluaburg, though only four—or at the most five—days distant. The greatest terror prevailed throughout the whole region, extending even as far as Luebo and beyond. Many thousands of people had deserted their villages and fled to the forests for safety.

At last word came to Mr. Sheppard that the Zappo-Zapps had treacherously invited a large number of the prominent chiefs of the region to come inside the stockade, and that there they had been shot down without quarter.

The Mission then asked Mr. Sheppard, who was also a friend of many of the Zappo-Zapps, to go and carefully investigate the whole affair, taking with him some reliable native men who could, if necessary, corroborate the statements he made.

Mr. Sheppard saw along the way several burnt villages, also some wounded persons. He reached the well-arranged stockade, and was received in a friendly way by Mlumba Nkusa and his 500 or more followers. Inside the stockade Mr. Sheppard saw and counted eighty-one human hands, slowly drying over a fire. Outside the stockade he counted more than two score bodies piled in a heap. Some of these bodies had the flesh carved from the legs. Upon asking what this meant he was informed by Mlumba Nkusa that his people had eaten the flesh. Mr. Sheppard also saw several Albini rifles and a pistol, with cartridges—all of which natives are forbidden to have. Mlumba Nkusa said plainly that he had been sent by the State officer at Luluaburg and that he had already dispatched to him 16 slaves.

Upon receiving Mr. Sheppard's account of the affair, I, as legal representative of the mission, made a report of the affair to the officer at Luluaburg, charging him with the responsibility, and demanding the immediate recall of the Zappo-Zapps. I received from him in reply the usual bluffing note, denying having anything to do with the affair.

In a few days a judge came and summoned me to Ibanj to establish the charges I had made. With the judge were the commissaire of the district and a young military officer in charge of the soldiers and numerous carriers.

On my way to Ibanj I found all the villages on the road deserted and the people hiding in the forest, being even more frightened now that white State men had come into the community. One village, named Kabow, through which the State men had passed, was not only deserted, but was almost torn to pieces. I may here state that I saw three such villages through which the State men had passed a few days later, and they too had been looted and every possible form of damage and desecration done. I asked a soldier why they treated the villages in this way. He replied that the State men told them to do it in order to make the natives more afraid of the State.

Upon my arrival at Ibanj the so-called investigation was begun; but it was from the first painfully evident that the judge, who was writing down the evidence to send to Boma, was doing all in his power to free his fellow-officer, even attempting to influence witnesses by making an argument in favor of the officer charged. I was permitted to hear some of the evidence in this case, but I was afterwards told by another judge that the Government had reprimanded his colleague for permitting me to hear the evidence.

The investigation over, these officers came to Luebo. After remaining for some days at the latter place, completely demolishing the village in which they stayed, two of them proposed to go to the village of Chinyama, where the outrages had been committed. They started, but upon attempting to sleep at a large native village only two hours from Luebo, they were shot upon by arrows by some of the villagers who were lurking near and evidently did not wish to see their town destroyed.

For some mysterious reason these officers retreated to Luebo, and they were crossing the river to go on to Luluaburg by the southern route when a native woman belonging to Luebo came in severely cut in a number of places. She said she had been attacked on the way by some of the villagers of the town which had shot at the State officials. I knew instantly that it meant war upon us at Luebo, for the people of that village have always been rather difficult to get along with, and they considered the State men to be our friends because they were white.

I immediately dispatched a messenger after the State men, telling them that, as they had come into the community and made this trouble, they must now stay and protect us.

They came back and ordered more soldiers from Luluaburg, the accused officer coming with them. His name was Dufour. This latter went on a punitive expedition, but to a village far distant, which, he alleged, had given him some insult on the road. He only passed through the village which had fired on the officers. A mutiny arising among his soldiers, he returned to Luebo, and in a few days went on to Luluaburg. It was, however, many months before the country quieted down again.

But what became of those who committed the outrages at Chinyama? M. Dufour was completely exonerated, and all the blame was put on Mlumba Nkusa, who, they said, had gone raiding on his own account.

What punishment, then, was given Mlumba Nkusa? They say he was kept in confinement at Luluaburg for a few weeks. I know that not many weeks after the occurrence he was at Luebo. It was there commonly reported by natives from Luluaburg that the reason why he was not taken away and severely punished was because the Zappo-Zapps, knowing that Mlumba Nkusa had been treacherously dealt with, were on the eve of revolting, and this would have been a most serious affair, seeing that their number, it is estimated is about 25,000 or 30,000, and that they have many guns and know from long experience how to use them.

III. In the spring of 1899 a State officer visited the village of a great chief named Lukenga, about five days from Luebo. Mr. Sheppard and myself, being friendly with many of the villagers, were called to come to them at once. As we had long waited to pay a visit to this village we went immediately.

Upon arrival there we found the whole community in the greatest excitement. We were told that the State men had fired upon them; so they went out with their bows and arrows to defend their village. They reported 14 men killed. Without leaving them any word as to the reason for his visit, the officer departed almost immediately; at any rate, he was not there when Mr. Sheppard and I reached the place. This officer was from a State post (Isaka) on the Sankuru River.

IV. About a year later another officer (or perhaps the same one) again paid a visit to this village, killed its chief, and, from native reports, which we have every reason to believe to be true, also killed a great number of men, women, and children, carrying away a large quantity of booty. It was utterly impossible for any of the missionaries to go to see the full extent of the outrages; we only know that the village, a large and prosperous one, was entirely broken up, and it is only within the past few months that the people have begun to return to the old site. This same officer, some weeks after the event, was on his way down river to go home. Not knowing that we were friends of the village thus outraged, he proceeded to tell us how the people, as they were being fired upon, ran about crying "Shepite! Shepite!" They were calling for their old friend, Mr. Sheppard, to come to their assistance. He also said that he had obtained a splendid lot of ivory and many curios.

V. Now, however, the attitude of the State toward the village and its new chief there has turned to the other extreme. The chief has been made a friend of the State; several soldiers are placed at his command, and he is empowered to impress his whole tribe, composed of several scores of villages, for tribute for the State post at Isaka. Naturally this young chief soon became arrogant, and was not slow in making abuse of his powers. Only a few days before I left Luebo it was necessary for our mission steamer to go on a three weeks' trip to Isaka to rescue from the hands of this chief a native who had long been attached to our mission at Ibanj, and who had been treacherously invited by the chief to pay him a visit, and had, upon reaching the village of the chief, been most cruelly outraged and abused. The chief had been permitted to return to his village, so I presume, so far as the State is concerned, the matter is ended. But this is only a concrete instance of the barbarities resulting from the "chefferies" system.

VI. During the months of June, July, and August of last year we had at Luebo—and in fact throughout the region between Luluaburg and Luebo—another reign of terror. A new officer, named Deschamps, had just come into power at Luluaburg.

During my absence he came to Luebo and there, without warning to the chiefs or villagers, sent out his soldiers to catch men by force wherever they could be found. The people fled at once to the forests for safety; some of the women and children, as is their custom in such times of fear, found refuge about the Mission premises. He went away with a number of men thus caught. Upon my return to Luebo, only a few days after the departure of the officer, and finding the whole community naturally in a state of unrest, I made complaint to the authorities about the matter. Scarcely had my letter been dispatched when another officer, named Ducès, sent by Deschamps, came to "recruit" soldiers, as he said.

I went to him, and in person demanded protection for the natives, and urged that none be taken by force. This M. Ducès promised, and I in turn told the natives what he had said. Within a few days, however, he received imperative orders from his chief, Deschamps. Consequently he began catching the people by force. They fled to the forests for safety; but day after day, for perhaps a week or ten days, the soldiers scoured the woods in search of men. They succeeded in catching about eighteen or twenty, and these I saw taken away under guard, tied about the necks with ropes.

When I began to make trouble about the matter some of the men were returned, but some were never given up. Only the day before I left Luebo the old chief of the village came to me and begged me to try to find and send back his boys whom the State had taken away.

This whole affair I reported to the native protection commission appointed by the King some years ago, of which the Rev. George Grenfell is the secretary, asking it to see that the natives were protected in their rights. The only answer I received was that the State had established forced labor by law, and that doubtless the officers were acting entirely within their powers, the commission thus sheltering itself and the officers guilty of these outrages under a form of legality.

VII. I have been for six years at Luebo, and during the greater part of that time have acted as an intermediary for the natives in their troubles with the State. I was most deeply saddened, as the time for my departure drew near, to see the anxiety which many of them felt. They often came asking me "Who will now protect us from the State?"

VIII. Upon boarding the train at Leopoldville, on 25th March last, I found three truck loads of slaves being sent down to Matadi under guard of soldiers. There were, in addition, a dozen or more with chains around their necks, evidently prisoners.

At the several stops I had some conversation with the captives, and found that they were Baluba and Batetela people from the vicinity of Lusambo, only a few days east of Luebo.

Upon being asked what they were doing so far from home, one of them replied that the state officer at Lusambo had sent their chief word to bring tribute. Upon going with a number of the villagers to the post, they told me they were seized, put on the river steamer, and brought down to Leopoldville, where they had slept one night; they had then been put on board the railway and were going they knew not where. They seemed, naturally, in great anxiety, and asked me repeatedly if there was any food or water in the country to which they were going.

Upon reaching Matadi on 27th March I was met at the station by Doctor Sims, who is a member of the Commission appointed to make report of atrocities done to natives. As the slaves were getting off the train Doctor Sims remarked to me, "Do you see the slaves of the State?" Where they were taken I do not know. I may here point out that it is the custom, when men are made into soldiers, to take them to a distant district from that in which they were born. For example, in passing through Boma I saw Baluba soldiers who had been brought from the Kasai district. I had free conversation with them.

I could give further instances of outrages done in the name of civilization and philanthropy, but it would make this statement too long. I shall only close by referring to another matter of vital importance, which shows in another aspect the State's set policy to infringe upon the rights not only of the natives, but also of foreigners who have gone to the Kongo for commercial or religious purposes. I refer to the fact that concessions or grants of land, however small, can now no longer be obtained from the State by other than favored individuals or corporations. The State is dividing up the country among great concessionnaires, with exclusive rights of trade by the companies to which the concessions are given. There is now very little free land not given out to such companies to exploit. It is also to be noted that in most, if not, all of these companies the State controls half the stock. You can thus see that legitimate trade, except in the small regions from Banana to Stanley Pool, is practically shut out.

I know of one man, an Englishman named Pierce, who was representing a Belgian company, who lived for over a year on my station at Luebo, trying to get only a few square yards of ground on which to build a house and engage in legitimate trade. This was absolutely refused, and he had at last to go away without securing his concession.

Not only are concessions refused to traders; they are also refused to missionaries. It will thus be seen that the State has reached almost the farthest point to which it can go in closing up the country, short of absolutely expelling us from the concessions which we already hold.

W. M. MORRISON.

LONDON, *4th May, 1903.*

MEETING ON THE KONGO QUESTION.

At the meeting which was held at the Royal United Service Institution, Whitehall, on Tuesday, May 5, 1903, the chair was occupied by the Rev. John Clifford, D. D., LL. D., and among those present were the Right Hon. Sir Charles W. Dilke, Bart., M. P., Sir Wilfrid Lawson, Bart., M. P., Sir W. Brampton Gurdon, M. P., Messrs. Thomas Bayley, M. P., Herbert Samuel, M. P., H. J. Wilson, M. P., Robert Whyte, and E. D. Morel, Sir John Smalman Smith, Col. J. G. B. Stopford, Count de Cardi, Prof. N. C. Frederiksen, of Copenhagen; Messrs. E. Banks, A. E. Ruskin, and William Wilkes, of the Kongo, and Messrs. E .Wright Brooks, F. W. Fox, Travers Buxton, and Fox Bourne.

Mr. Alfred Emmott, M. P., had written: "I am very sorry I can not be at the meeting on the 5th instant on account of a previous engagement. If I had been present I should have gladly availed myself of the opportunity you offered me of saying a few words on the commercial aspect of the Kongo question. The main point to bear in mind in regard to possibilities of trade expansion in tropical countries is the necessity of developing their exports by regenerative methods. The chief export now is rubber, and its sources are being rapidly depleted, whilst the peculiar methods of collection adopted are depopulating large areas.

The rubber is sold in Europe. Its proceeds pay the taxes and make the profits of the concessionnaire companies, but the balance of all the exports is only sufficient to pay for £1,000,000 worth of imports, and of these a considerable portion consists of guns and ammunition. Sir Henry Stanley many years ago promised us £20,000,000 of trade per annum. Our exports are £125,000 at present. Apart from the glaring inhumanities which have been perpetrated in the name of civilization, apart from the clever creation of monopolies, where a policy of no monopolies was promised, there remains the crass stupidity of a system which dries up the sources of production. It is not too late to stop this now, if only Europe would awake. The only plan is for those who care about it to keep it prominently before the public of this country.

The Reverend Doctor Clifford, chairman, in opening the proceedings, said: "I am privileged to occupy this chair by the circumstance that I am one of those who have recently had occasion to direct public attention to the condition of things in the Kongo Free State. Only a little while ago I had no very definite and clear acquaintance with the affairs of that important part of Africa. Listening to speeches which were made by Mr. Robert Whyte and Mr. Silas Hocking at the congress of free churches two months ago I discovered that there were facts with which I ought to be acquainted, and therefore I devoted myself to the investigation of all the literature I could get together, so that I might know what had been taking place. Of course, I had heard rumors of oppressions, exploitations of land, cruelties, and atrocities, but I regarded such occurrences as incidental to the savage conditions of life obtaining in that district, and what might be expected, as things are amongst us, when a civilized people invades the realms of savagery.

"But looking into this literature, I speedily discovered that European civilization entering this district has been the creator of a system which has become almost, I may say, of necessity the source and spring of the cruelties and oppressions that have occurred there during the last fifteen or sixteen years. I found that there was a system to which our own Government, along with certain other governments of Europe, had committed themselves by express treaty; a system which had issued in the appropriation of some 800,000 square miles of territory hitherto occupied by the natives, and that that had been done without any reference to the customs which had probably become as law among the peoples dwelling there, without the slightest offer of compensation to the peoples exploited, and without any regard whatsoever to their choice or to their preference. I further found that not only had the lands themselves been appropriated, but also the produce of those lands—the ivory and the rubber—and that the system was of such a character as to open the way for the creation of trading companies which have been empowered to levy taxes upon the people, and are undefined as to the amount that may be taken in rubber or in ivory.

"I found, again, that those trading companies are numerous, that they exist by the authority of the State, that the State takes something like 50 or more per cent of the profits of each trading company, and, finally, that the State employs an army of natives to the extent of some 15,000 men or more, who are forced into the service of the State and used for the purpose of carrying out its projects. So it seems to me that the system is as certain to produce the evils of which we complain as are the clouds to give us rain, and that therefore the evil we have to deal with is not an atrocity here or a cruelty there, but the system itself out of which all these oppressions proceed.

"In looking for evidence, I have not restricted my attention to that which has been produced, some will say, in the interests of the natives.

"I have been anxious to get at all the facts of the situation, and therefore I have turned my attention to the evidence of the Belgian Government, which has been circulated in this country—as far as I can gather, circulated abundantly. So anxious are people to put me right, that I have no fewer than three copies already. I have read one of those copies. Well, I find that the case presented in the book of Mr. Fox Bourne or in that of Mr. Morel can be substantiated in its essential points from this very book, which is presented as a book defending the action of the Kongo Free State. I gather from this evidence that those atrocities are still going on. Father Cambier may be called as a witness to the fact that heads are cut off, hands are cut off, and so on.

"Moreover, I find it is possible from the self-same book to show that the system which is at work, so long as it is permitted to exist, can only be expected to produce results of this kind, and therefore I hold that it is our duty to bring about, at the earliest possible moment, a termination of this system.

"To appeal to the King of the Belgians seems to me—I do not know how it may appear to those more intimately acquainted with the operations of the King of the Belgians than I am—a hopeless task. And I feel that the only course possible for us to undertake with any expectation of doing any real service is that of urging our own Government and, through our Government, the other European powers that are contributory to this present cruelty, to take action in reference to the Berlin general act. It is, therefore, a matter of rejoicing to me, and to you also, I am sure, that Mr. Herbert Samuel has secured a night for the introduction of this matter in the House of Commons, and we may expect an illuminating debate.

"What is necessary is that the country should understand the situation. At present a good many of the people of this country—most of the people I think I may say—are in the condition in which I was two months ago. Rumors they have heard, but definite and certain knowledge they do not possess, and we ought to use every opportunity in our power to make our fellow-citizens acquainted with the actual and horrible state of affairs. I hope that out of the action to-night some such results may come. We have the opportunity of listening to one from the field, the Rev. W. M. Morrison, who has been there more than six years. He will speak to us as one who knows the facts at first hand and whose evidence we are most desirous of hearing I have the greatest pleasure in introducing to you Mr. Morrison, from the Kasai district, who will speak to us of his work in that neighborhood, and of what he knows of these Kongo atrocities."

The Rev. W. M. Morrison then addressed the meeting as follows: "Doctor Clifford, in the general statement he has made, has presented to you so correctly the true situation of affairs in the Kongo Free State that little more remains for me than to give you some concrete examples which have come under my own personal observation. You all know that about the beginning of the eighties there was a great desire on the part of the European powers to acquire possession of land throughout Africa. As a result of this, and as a result of the discoveries of Sir H. M. Stanley and others, the Berlin conference was called for this purpose. It arranged for the partition of a great part of Central Africa, and the organization of what is known as the Kongo Independent State. This had been started, as you know, by the King of the Belgians prior to the Berlin conference, but it was not fully recognized as an independent power until the year 1885.

"The Government of the United States of America, of which I am a citizen, took the lead in this recognition, and hence I feel that my country is particularly responsible for the situation of affairs in the Kongo Free State to-day. It is my purpose, when I return to America, to explain the position as speedily and effectively as I can to the authorities at Washington, in the hope that my fellow-citizens will unite with you in England to bring to an end the atrocities that have been and are being committed in the name of civilization and humanity.

"You are aware, Doctor Clifford, that we preachers do not exactly feel comfortable unless we have a text, and therefore I propose to-night to take as my text an article from the general act of the Berlin Conference, in which the different powers—England, America, France, Germany, and, in fact, all the powers of the civilized world—joined in a solemn compact, and in the organization of the Kongo Free State guaranteed to the natives and foreigners alike certain rights and privileges. The sixth article of this Berlin act was as follows: 'All the powers exercising sovereign rights or influence in the State territories pledge themselves to watch over the preservation of the native populations and the improvement of their moral and material conditions of existence, and to work together for the suppression of slavery, and especially of the slave trade; to protect and encourage, without distinction of creed or nation, all religious, scientific, or charitable institutions established and organized for these objects, or intended to educate the natives, and bring home to them the advantages of civilization. Christian missionaries, men of science, and explorers are likewise to be the objects of special protection. Liberty of conscience and religious toleration are expressly guaranteed to the natives as well as to foreigners. The free and public exercise of the observances of every creed, the right to build edifices for religious purposes, and to organize religious missions of every creed shall be subject to no restriction or impediment whatsoever.' If ever anything was written plainly and simply, that is. Well, I am going to prove to you to-night that those guarantees have been broken in every essential point.

"But first, in view of the remarks just made by Doctor Clifford, let me point out that the divergencies and contradictions in statements published as to the condition of affairs in the Kongo are due to the fact that these statements come from very different sorts of informants. Some are travelers who, in passing through the country along its great highways, see nothing of what is going on in the interior. Others are State officials, commercial men, and Protestant as well as Catholic missionaries, who, from the circumstances in which they are placed, have inducements to do what they can in suppressing the truth. One of the functions of the Catholic missionaries is to take charge of the children handed over to them by the State after they have been obtained in ways that I can not explain to-night.

"It is enough to say that to one mission, near to my own station, as many as 1,700 children who had fallen into the hands of the State, as the result of raidings of the State soldiery from time to time, are stated to have been intrusted. With regard to the Protestant missionaries, I may say generally that their policy seems to have been to see just as little as they could, and to speak just as little as they could about what they could not help seeing. I am sorry that it should be so, and I must confess before you here to-night that during the last six years I have sometimes myself felt almost afraid to speak.

"But I have spoken out on several occasions. You may remember, perhaps, that about two or two and a half years ago reports of some horrible atrocities that occurred near Luebo, in the Kasai district, appeared in the English papers. On that occasion I felt it would be a wrong to humanity, a sin resting upon my conscience, if I did not speak out and let the world know the true condition of affairs. On the other hand, there are some who have, perhaps, gone to the other extreme and have kept their eyes closed and their mouths shut. Their excuse is that they have been afraid to speak, so sovereign is the power which controls the Kongo, and from which there is no appeal. The word of the King who sits in Brussels is absolute in the Kongo State. We missionaries know that if he speaks the word we shall all have to leave to-morrow. Those 15,000 soldiers of whom Doctor Clifford has spoken will be sent to expel us. Hence we are afraid to speak.

"And here let me say that it has given me great pleasure in the past two or three days to read the resolutions which were adopted by the Baptist Union. After that I begin to see the light. The Baptist Missionary Society, being one of the strongest and most influential of all the missionary societies at work in the Kongo State, holds, perhaps the key to the situation, and if the heads of that society can be prevailed upon to act, and the men on the spot to speak out, I

believe there will be such a revelation as will stagger the whole world. I say this because I believe to-day that there is not, perhaps, in all the world a Government that is so wicked and so iniquitous in all its relations, both to the natives and to foreigners, as the Government of the Kongo Free State. I am not even prepared to make an exception of Turkey.

"Contradictions of testimony are partly due, perhaps, to different conceptions as to what constitutes an infringement of the rights of natives. Probably what I may consider an infringement upon the rights of natives another man may not consider an infringement at all. I derive my view, however, from the guarantees according to law. By law the natives are guaranteed inalienable rights of residence and home, also an inalienable right to the produce of their labor, willingly given. These are what I consider to be the fundamental rights of the natives. On the other hand, there are persons willing to admit that the State has a right to enact laws compelling the natives to serve at its stations and in its military department, to labor in plantations and on board steamers, and on any other work it appoints.

"I have a letter in my hands sent to me by the Natives Protection Commission, which was appointed by the King about seven years ago, when these atrocities first came to be known. I have a letter from two members of that commission to whom, nine months ago, I complained of atrocities and outrages committed in my own station. They simply reply, in effect, 'Well, you can not do anything, because the State has forced-labor laws.' Can not do anything! They admit the right claimed by the State to outrage the natives, and I can not make any appeal against the outrage because it is sanctioned by law. Therefore, I have come to you in the name of the millions of black men in Central Africa, and I ask you if the Kongo Free State has the right to commit outrage. ("No!")

"Now, what is the attitude of the State toward us when we make representations of this state of affairs? You know there are constantly coming from Brussels protestations of righteousness and justice, and of a willingness to hear any complaints we have to make. But what is their value? I have never made a single complaint to the State of outrages against natives without receiving back a curt and almost insulting letter. If an investigation is promised, let me give you an illustration of the way in which it is conducted. Only last summer I reported an affair that happened at Luebo. Three months afterwards the judge, as they call him, came to investigate. He spent half a day examining me. The next day, accompanied by another missionary, I went to the court to hear the evidence and to bring out such evidence as might be necessary, because I have the honor of being the legal representative of our mission in the Congo Free State.

"I felt, as representing the mission, that I had a right to hear the evidence given, and the right to elicit such evidence as I felt sure the officer of the State would not bring out of his own accord. When I asked that I might have the privilege of hearing the evidence of my colleague, Mr. Hawkins, the State officer refused. He said, 'No; you can not hear the evidence of Mr. Hawkins.' I answered, 'Why not? I am representing our mission in this affair.' I said, 'Evidence taken in secret will not be worth the paper on which it is written.' He replied that, as a matter of courtesy, he would permit me to hear the evidence of Mr. Hawkins, but that he would not allow me to hear the evidence of the natives. I said, 'If you won't permit me to hear the evidence of the natives, intimidated as they are by your soldiers, I will go out into the civilized world and will tell the facts.' Well, here are some of the facts."

Mr. Morrison then related in detail most of the occurrences set forth in the statement submitted to Lord Lansdowne by the Aborigines Protection Society, and remarked that, while for obvious reasons he withheld the names of his witnesses from the Kongo government, if an impartial international committee were appointed to investigate the situation, the names of his witnesses would be forthcoming.

Mr. Morrison, in concluding, said that the Times had aptly described the present government of the Kongo Free State as an "anomaly," while the Spectator styled it an "anachronism." He added: "I protest against those hypocritical protestations of righteousness and justice that come from the ruler in Brussels. We want to see some administration of justice. We are tired of words, mere words; we are tired of the denial of such horrible facts as I have related to you to-night. The King of the Belgians is afraid of an impartial international inquiry, and, pending it, he wants to get all he can out of the country so cruelly misgoverned. In the name of humanity, in the name of the defenseless natives in the Kongo Free State, in the name of the men following honest commercial industry in that state, I plead to the English nation to come to our rescue."

The Right Hon. Sir Charles W. Dilke, Bart., M. P., then moved the following resolution: "That this meeting, having heard the statement of the Rev. W. M. Morrison, earnestly appeals to His Majesty's Government, as one of the signatories to the Berlin and Brussels acts of 1885 and 1892, to use its influence with the other signatory powers toward securing the humane and equitable treatment of natives in the Congo Basin which was guaranteed by those acts." He said:

"Mr. Morrison began by describing the foundation of the Congo State. Many of us pursue this subject with as much vigor as we can command, because we feel a certain responsibility for that foundation. I do not share that responsibility, but it is felt by most of those with whom I associate in this society.

"Personally I was concerned in the proposal to keep Portugal—which had the best rights, if any rights exist—on that coast by means of a treaty which would have given us, I think, security for trade and for commercial enterprise. But the chambers of commerce and Parliament and our antislavery friends were all for the King of the Belgians at that time. Hence we were prevented making a treaty which, in the case of such a weak power as Portugal, would have given us securities for trade and for the carrying out of the stipulations agreed to. Moreover, we should have been in a position to protect the natives in a country which our people had discovered, and which the prime minister, Mr. Disraeli, refused to take over when the native chiefs guaranteed it to us. This country that they handed over to us was, with the concurrence of the Antislavery Society and the Aborigines Protection Society, handed over to the King of the Belgians. It was handed over in the full belief of those whom I have named that they were doing, under the circumstances of the case, what was best for the advantages of trade and civilization, and especially for the protection of the native races.

"Now that Kongo Free State was founded in the name of Almighty God. All Europe sat round a table and recognized it as a kind of antislavery society. The European powers brought it into existence as a sovereign State in the name of Almighty God on behalf of the natives of the country. In the most express terms that condition is repeated over and over again throughout the Berlin act.

"I suppose that no defender of the Kongo State will dare to say that the stipulations of the Berlin act are observed in the Kongo State. I have never seen any attempt among its defenders to make out that the treaty provisions are observed. The whole district lies within what is known as the Free Trade Zone, and there is the most absolute and express prohibition of the creation of monopoly or of favor throughout the whole of that vast region. No one pretends that those stipulations are observed, or that they are not violated in a manner absolutely grotesque. Nearly the whole of that vast territory has been handed over to concessionnaire companies, and even the remainder—not so handed over—has, by decree upon decree, been made the absolute possession of the State, has been taken from private persons and handed to the State, with powers given under these decrees, making the State the absolute master not only of the persons but also of the property of the natives within those districts.

"No one, I say, pretends that the stipulations of the Berlin conference are not absolutely violated; but when we point out what these decrees must mean, as regards the condition of the natives, what the system must mean, the answer is: 'Oh, yes; but we take great pains to punish all offenses which grow from this system which you describe. Every injury is inquired into.' I brought this matter before the House of Commons in April, 1897, mainly on the nature of the system which Doctor Clifford described from the chair. We had not then such evidence as we have to-day as to the atrocities which must result from such a system. We had, however, the extraordinary evidence of Doctor Hinde, now serving under the foreign office in British territory, set forth in a book which has never been questioned by representatives of the Kongo Free State.

"No doubt has been cast upon the testimony of Doctor Hinde in 1897. That testimony showed that in all cases of conquest of fresh parts of territory the work was done by the use of cannibal tribes from other regions. Even the best of the officers in the employ of the Kongo State have admitted that when they have been marching about the Kongo district with cannibal forces, those forces were rationed on the bodies of the people whom they killed in war. That fact has never been denied. When it was brought before the House of Commons in April, 1897, no answer was made. There were one or two members of that House in close relations with the Kongo State, and yet no answer was made.

"I think we may take it as established that by its extraordinary decrees, by a mere stroke of the pen, natives have been deprived of their entire property, and that the State has habitually employed cannibal troops and forces with the horrible consequences described. Wherever these troops have been stationed they have, of course, raided the country round in the manner you have heard described by Mr. Morrison.

"We are now in possession of such evidence as from the nature of things we had every reason to expect concerning the working of what is called the 'sentry system.' The Kongo State has lived, and still lives very largely, upon rubber. It is the great rubber-exporting district of the world—the rubber that is increasingly used in all the appliances of civilization. That rubber is mainly obtained in small quantities from the natives for a wholly insufficient payment, in some cases for no payment at all. And it is obtained by planting upon the people native sentries of the wildest kind, picked from distant parts of the country, men quite different from those among whom they are stationed. These men terrorize the locality. They are commanded by so-called 'officers'—not men whom we think of as officers, but men who have served in the Belgian army, old soldiers of that army, who have been sent out. Being enterprising men and brave men, accustomed to carry their lives in their hands, they are promoted to be lieutenants, but they are the very last kind of persons likely to deal tenderly with the natives in newly occupied countries.

"Those are the officers, and the men are savages brought from other districts and armed with rifles and ammunition. Having overcome the people of the neighborhood, the sentry demands rubber, and if the natives do not bring it in quickly enough he sends for other parties of men and raids the district. Habitually the tale of the sentry is testified to by the sending in of hands to prove how many have been killed.

"It is only by force of overwhelming evidence that I have been driven to the conclusion that this is really done. Immediately after the debate in the House of Commons in April, 1897, there came from the Kongo State a Swedish missionary, Mr. Sjöblom. We heard him in a room not very far from here, and I undertake to say there was not a single person present who was not constrained to believe every syllable he uttered.

"His statement has never been shaken in any way. The Kongo Free State, which never hesitates to attack as far as it can those who expose its misdeeds, has never ventured to say that Mr. Sjöblom was a liar. He saw with his own eyes the hands that had been cut off, and testified to what he saw, and to the circumstances he knew, with such straightforwardness that no one who heard him could disbelieve his testimony.

"It is only public forgetfulness and carelessness that prevents these facts being universally recognized. I am quite sure there is no weak point in them—nothing which exposes itself to attack.

"The Kongo State has gone to great expense in sending to each of us four or five copies of a very ill-compiled work in its defense, consisting chiefly of quotations from persons whose names are supposed to carry weight. Some of these names do carry weight, but passages quoted are torn from their context; other passages are fraudulently used. The quotations will not bear the faintest examination. On every page in this book one sees contradiction and evident bad faith. As to several of the Englishmen whose names are used, I may state that I have seen them since the book was issued, and I have asked them, 'Is this your opinion of the Kongo Free State?' The reply I have received has been, 'No, it is not; and my name has been used for a purpose contrary to my views.' Of others, whom I have not seen and whom I know, I undertake to say, on my own responsibility, that they can not be claimed as defenders of the Kongo State.

"Now, what are we to do, and how far are we responsible? There are some people who think that the record of the past, our own record, is a very bad record, as bad as that of other people. I have given a great deal of attention to this subject. I have read the books of Mr. Fox Bourne and of Mr. Morel, and I have heard Mr. Sjöblom, and to-night Mr. Morrison, and I venture to say that all of us who have given much attention to this subject agree with what has been said to-night—that of all the Governments in the world that of the Kongo State is by far the worst. Nothing can be compared with it, and whatever passes and exists in our own dominion and protectorates or in the territory of others—of the Portuguese, for instance, which is beyond the reach of civilization—whatever bad examples we or others may have set, and whatever bad laws in relation to natives may exist, I am convinced they can not for one moment be placed on the same level with either the decrees or the practices of the Kongo Free State.

"So far as other powers are open to evil influences in dealing with native races, it is the example of the Kongo Free State that has largely affected them. Instance the French, who have ever had a high standard in their treatment of natives; but in the French territory which adjoins the Kongo Free State, where, as Mr. Morel has shown, the stipulations are not being observed—in this French territory concessionnaire companies, composed of similar men to those constituting the Kongo companies, and partly of the same men, are exploiting the natives, and have failed to maintain the usually high standard of French policy in dealing with native races.

"Well, how far are we responsible? Some people know these things, and unwillingly say: 'Are we responsible? We can not go crusading alone in defense of native races.' We are very directly responsible. The antislavery people of this country are not, I am afraid, quite what their grandfathers were in the days of Wilberforce. The great Nonconformists in the days of our grandfathers were better and stronger men in dealing with questions of this sort than their descendants.

"It is the duty of all to speak out; but as regards our Government—as regards the United Kingdom—we are very deeply responsible. After we failed in making the treaty with Portugal, of which I spoke, this country took a leading part in founding the Kongo State, under circumstances which I have referred to, and since that time we have granted leases to the Kongo State, one of which leases is still in existence. The Kongo State at this very moment administers a large tract of territory, which it holds from us by lease, in what is known as the Lado enclave. Our responsibility, therefore, is great, as also is that of all the European powers, and it is greater in our case than in that of any other power. Surely with our antislavery traditions in this country, and surely as leaders of European trade—we are the greatest traders in Africa—surely as one of the greatest African powers, we ought to be, at all events, the first to act, and to act promptly in this matter. If others are not ready to act, we should show that we are ready.

"Yesterday I ventured to put a question to the Government. Having regard to the forthcoming motion of Mr. Samuel, I asked the under-secretary for foreign affairs whether, before the approaching debate on the Kongo State, it would be possible to lay before the House the recent reports of his Majesty's representatives in Africa as to the condition of the Kongo State, and especially of the territories within that State which are subject to monopoly concessions, and whether his Majesty's representatives had been instructed to make independent inquiries as to the observance or violation of the stipulations of the Berlin Conference for the protection of the natives. The answer of Viscount Cranborne was: 'There is only one British consul for the Kongo Free State. For various reasons he has been unable to travel to such an extent as to enable him to form anything like a full opinion on the condition of the State.

"'As I stated on March 11, it would be premature to consider the propriety of laying papers before Parliament. There have been no definite instructions on the points mentioned in the last part of the question, but they have in fact been the subject of repeated attention by the consul, and especially where native British subjects have been concerned.' I take this to mean that there are such reports, and that they are highly unfavorable to the Kongo Free State.

"I think it is the duty of our Government, whatever may be their desire to avoid international complications, to give us the fullest information on this subject.

"I am not concerned to deny that our trade interest is great, but apart from that interest our responsibility is great, and is great before the world. Now, Mr. Morrison praised the action of the Baptist Missionary Society. He praised, too, the action of our chairman in moving a resolution which differs in its form, in some degree, from what has fallen from our chairman to-night.

"I can not help thinking that that was a compromise resolution, and that the good parts represent our chairman's view, while the doubtful parts represent somebody else's. But the resolution, which is very strong, rightly treats the charges as proved. They are proved, sufficiently for our case, apart from any new evidence of Mr. Morrison. The uncontradicted part of the case is sufficient to justify us in treating the charges as proved. While the resolution to which I refer, passed at the Baptist Union assembly, calls upon Europe, and especially our own Government, to interpose, it also speaks of the duty of the Belgian Government to insist on an immediate inquiry into the charges preferred.

"I quite agree with Mr. Morrison that it is utterly useless to go to the government of the Kongo State and ask for an inquiry. Mr. Morrison mentioned just now that he saw three truck loads of slaves—what we should call slaves, for they were taken by force 900 miles from their homes—they were seized and taken a great distance in this enormous territory, and put to forced labor. I call that slavery; it is more than domestic slavery—it is the old slave trade. He told us that when he saw this example of the slave trade with his own eyes, and called the attention of the existing commission of inquiry (upon which there are two English Baptist missionaries) to it, no good resulted. That commission of inquiry was founded by the Kongo State simply as a means of shelving inconvenient questions, avoiding the investigations they professed to make.

"Just as in the case of Armenia there was an agreement that the powers should not call upon the Turkish Government—a better government than the Kongo Government—to make inquiry into the alleged atrocities, so it is felt to be useless in this case to call upon the Kongo Government to make any inquiry as to its own misdeeds. The only remedy for the evils we have heard described is the extirpation by the European powers of the rule which has made the Kongo State what it is. That is, I am convinced, the only true remedy for evils which have been proved beyond all doubt. At all events, if we can not obtain that, let us be first to show that we feel the responsibility that is upon us to act as the conveners of Europe in calling the powers together to consider the situation which we know.

"Recognizing the rights of individual men, as Englishmen do, surely our duty on this occasion is to speak out that which is within us, and take upon ourselves a responsibility in this matter which we can not ignore."

Mr. E. D. Morel, in seconding the resolution, said that after Sir Charles Dilke's admirable speech, which covered the whole ground, there was little left to add. He desired, however, to thank the Reverend Mr. Morrison for his courage in coming forward and telling them all he knew, and for his bravery in opposing the representatives of the Kongo Free State in Africa, possibly at some risk to himself.

He thought his conduct compared very favorably with that of some other people, whose extraordinary explanations and counter-explanations had been plentiful during the last few weeks. He did not wish to offend the susceptibilities of anyone present, but he could not understand how a missionary society with men in the Kongo—earnest men, one of whom he knew, and from whom he had often heard, and from whom the society had often heard—he could not understand, knowing what their agents knew, how that society could act as it had done. He passed, however, from that to another side of the question.

There were, in his opinion, two ways in which tropical Africa could be made use of by Europeans—a right way and a wrong way. Tropical Africa was not a place for the white man, except as overlord. He could do nothing unless by cooperation with the native. The policy that had built up the large legitimate trade now carried on with the west coast of Africa had been conducted on these lines: On the one hand they had had the European merchant, and on the other the native. The merchant wanted to get something the native had, and the native wanted something the merchant possessed. Both were recognized mutually as owning that which the other wished to get. That was legitimate trading, and the right way to develop equatorial Africa. The other conception was a very different one. The attitude was adopted that the native did not own the products of his forests, which by decrees became vested in the European. That was the policy of the Kongo Free State, and that was the system which lay at the root of all these abominations, which would continue so long as the system of appropriating the native's land and his property continued.

A negro was a man—more highly developed in some places than in others, but he was, before all, a man—and he must be treated as a man and not as a brute. If they treated him as a brute, by depriving him of his land and his property, they would have what they had got in the Kongo. The whole question of the development of Equatorial Africa lay in a nutshell. Was the native to be recognized as the owner of the land and of the products of the land or was he to be deprived of both by specious decrees and driven to collect produce at the bayonet's point for what his European taskmasters chose to part with in exchange?

Mr. Morel went on to explain how abuses had been developed in the Kasai country and legitimate trading hindered, as had been done in other parts of the Kongo State, until the whole of that vast territory had become a huge monopoly run by forced labor, and of which the medium of oppression was a native army of from 15,000 to 20,000 men, armed with weapons of precision. Sir Charles Dilke had said that we had a great moral responsibility in this matter. Yes, we had a great moral responsibility in this matter, and we had also a great practical question to consider.

Tropical Africa was probably the China of the future for the absorption of British manufactured goods, and, as business men, we could not afford to allow a huge country like that to be closed to our trade. Why should it be? What right had the King of the Belgians, or anyone else, to take a million square miles in Africa and close it to the trade of all nations? As Englishmen we had a right to protest against that, and to insist upon our Government remembering that commerce is the backbone of the prosperity of our country, and that we could not allow the markets of the future to be closed to us. He thought this was a matter in which Mr. Morrison, and other missionaries, and all merchants, and everybody interested in African questions, should join hands.

He did not think there had ever before been a case in which humanitarian and commercial considerations so coincided. Commercial interests were not always regarded as synonymous with humanitarian interests, but it was so in west Africa at any rate, where the merchant had a direct interest in the proper treatment of the native. In western Africa a common sense, humane policy meant a large trade, and so the closer the cooperation on a basis of mutual confidence between white and black, the better for both.

Mr. Thomas Bayley, M. P., in supporting the resolution, remarked that one of the things said by Mr. Morrison was that he began to see daylight on this question now that the Baptist Missionary Society was moving in the right direction. That society might have made mistakes in the past. People often erred through ignorance, but when they became enlightened they gave up their bad courses and pursued the true and proper path. He thought that the stand which Doctor Clifford had now taken on this question gave far more hope of satisfactory action on the part of the Baptist Missionary Society than they had previously had, although they must ever remember that this society had sacrificed many valuable lives in the Kongo Free State, and had done excellent work there through agents who devoted themselves to the cause of the oppressed natives.

If the society appeared to have gone to sleep for a while, there was hope that it would now arouse itself and take its old stand for Christianity, for freedom, for free trade, and the blessings of civilization. At bottom this question was very much one of free trade. An essential condition of the natives' deliverance from their present lot was that the freedom of trade in this Kongo region, provided for in treaty stipulations, should be really secured. We only demanded our rights, and those rights could not be denied to a great nation like ours if they were sought in a proper, dignified, and determined manner. What were we doing on the eastern side of Africa? We were spending ten millions of British money in Uganda. Of that money he did not think we should ever get a penny back.

Why were we spending this money? Avowedly for the suppression of the slave trade and for the trade benefit that, it was hoped, our merchants would get in that immense territory. Well, we need not, for commercial advantages, spend a million sterling or £100,000, or any sum at all, if only our Government would be firm enough in the Kongo Basin to say: "We will have our rights of free trade which Europe has guaranteed to us, and if you do not give them to us, we will put the present Kongo Government on one side, and intrust the future control of the country to others who will bow to the dictates of humanity and justice." That was the proper position for us to take up as a nation.

We should claim what was ours by treaty and by right, and, failing a proper response, we should insist on other directors being appointed to administer the concern. All the great States are in the position of directors to-day. The King of the Belgians was only appointed managing director, but the board of directors, the true managers, are England, France, Germany, and the United States. Those who had made the Kongo Free State could unmake it, and if the managing director was not doing his duty or was getting too much personally out of the concern, then his superiors must dismiss him and appoint somebody else. In his (Mr. Bayley's) opinion they could not afford their present managing director any longer, and he should like to see a new one appointed, a managing director who would deal with the country in a Christianizing way and with a due regard to the interest of the native, which was the greatest interest, and to the interests of civilization and the traders of this and other countries.

QUESTIONS AND ANSWERS.

The resolution was then put, and carried with one dissentient, the dissentient being Mr. C. H. de R. Hensler, who rose in the body of the hall and said: "I should like to ask why, if these atrocities really existed, the Baptist Missionary Society did not arouse the civilized world to a knowledge of the facts before?"

The CHAIRMAN. Perhaps I had better answer that. Perhaps I know as much about that as Mr. Morrison, who has been in Africa. The answer of the Baptist Missionary Society's agents is that none of these atrocities occurred in the districts in which they are laboring. They have been dependent for their information upon hearsay, and that hearsay has not been sufficient to justify them in making representations to headquarters. That statement has been made again and again by missionaries at our Baptist meetings. The only reason why the information presented to us to-night has not reached us before from the Kasai and other districts is, so far as I know, because an attempt was first made to deal with the King of the Belgians. I have seen a letter sent containing a good deal of the information conveyed to us by Mr. Morrison to-night, and when that information was forwarded to the King the answer received was that it should be dealt with by his judicial council.

I presume that the waiting for the King of the Belgians to carry out that promise led to the nonreporting in our papers of the atrocities with which the King was made acquainted.

Mr. ROBERT WHYTE. As the person who wrote to the King of the Belgians, I may say that I think the facts were published at that time both in the English and in the American papers. The reply received from the King was that the matter was then under the notice of his judicial commission, and that it would in due course be dealt with. And I asked His Majesty to let me know the result of the action of the commission or of their report.

Sir C. DILKE, M. P. I believe that Mr. Sjöblom, the Swedish missionary, laid down his life in this cause. I have no doubt he sacrificed his life for his truthfulness on this subject. He wore himself out. He put his case before the governor-general and was threatened, in consequence, by many officers of the Kongo Free State. He was threatened as to what would occur to him if he made those representations. He was specifically threatened with penal servitude for encouraging the natives not to obey the State and for inciting to rebellion—that was for a mere statement of facts which were not denied.

The Rev. W. M. MORRISON. There is another reason why information is withheld. From bitter experience the natives know it is better to remain silent about outrages on the part of State officers. They know they will fare worse by making revelations; so they calmly submit or flee. They dread the savage, cannibalistical soldiery, almost completely equipped with firearms. Their only refuge now is simply to run away to the forest.

Mr. HENSLER. Why has not Mr. Morrison brought the atrocities he mentioned under the notice of the Congo authorities on the spot?

The Rev. W. M. MORRISON. In my address I have mentioned that two or three of these charges were already brought to the notice of the government. I have done everything I could to bring the affair to the attention of the authorities, and I think I indicated plainly in my speech what has been the result of the investigations.

Mr. HENSLER. Is not Mr. Morrison a prejudiced party?

The Rev. W. M. MORRISON. I don't know why I should be. When I went to the Congo Free State in 1896 I went not knowing any of these things. I went with the highest expectations of splendid government because I had then only heard professions of philanthropy, justice, etc., that had emanated from Brussels. I went with the best possible intentions toward the government, and I have written that even to-day I am loyal to the government of the Congo Free State, if only they will give us justice.

Sir C. DILKE. The gentleman who is anxious for information will learn from Mr. Fox Bourne's book the date on which—the 24th of October, 1899—Mr. Morrison made charges, and the reply received was that the judicial commission had been informed of the charges, and Mr. Morrison reported the later cases to the representatives of his own country.

ANOTHER QUESTIONER. Would it not be fair to arm the natives with weapons with which to defend themselves?

The Rev. W. M. MORRISON. Well, you see, according to the act of Brussels, that is prohibited. Besides that, it would be very unjust, because if you arm the natives they would begin fighting with each other presently. I am still of opinion that, as far as possible, arms ought to be kept out.

The QUESTIONER. Would it not be possible to organize an army under white men to keep the cannibal and State soldiers in check and to guard the interests of the people? Would it not be possible to arm the natives so that they could defend themselves against aggression and cruelty?

Mr. HERBERT SAMUEL, M. P. I should like to ask Mr. Morrison one or two questions with regard to the specific cases he gave us. Did the officer who shot down the people, to whom Mr. Morrison referred, offer any explanation of his conduct?

The Rev. W. M. MORRISON. None.

Mr. SAMUEL. On what pretense were the men being taken down in the train? Were they recruits for the army, or simply intended for forced labor?

The Rev. W. M. MORRISON. I am unable to answer that question, as I saw no State official at all with reference to the matter. The last time I saw the men was when they got off the train at Boma under guard. I had no means of ascertaining what became of them after that. Some of the men, who I suppose were prisoners, were chained together with chains round the neck, perhaps a couple of dozen.

Mr. SAMUEL. Have you asked the King of the Belgians whether you can get land concessions—sites for missionary purposes?

The Rev. W. M. MORRISON. Yes; and I was informed that the Kongo Free State are not giving concessions of free land any more.

Mr. SAMUEL. And you offered to pay for land?

The Rev. W. M. MORRISON. Yes.

Mr. SAMUEL. What about the Roman Catholics?

The Rev. W. M. MORRISON. After the refusal to concede land to us, on the ground that no more concessions were being made, I showed the Congo government, by a record in its 'Bulletin Official,' that in 1901 four concessions had been made to Roman Catholics at a time when they said no land was being granted. They could not give any explanation of that.

Sir W. Brampton Gurdon, M. P., then moved: "That this meeting expresses its pleasure that a debate on the Kongo question in the House of Commons has been arranged for the 20th of May, and urges all members of Parliament in sympathy with the object to give it their zealous support." He said he had very great sympathy with the remark just made about arming the natives in self-defense, if that were practicable. But it would take them all their time to effect this. In the first place, they must land their arms and face the Boma fortifications, and then take the weapons up the country. Even after that they could do no good unless they took a sufficient supply to enable them to defeat the whole soldiery of the Kongo State and assume possession of the entire country. Passing to the resolution, the mover said they were probably aware that it was only by ballot that members of Parliament could get an opportunity of bringing forward a motion, and Mr. Herbert Samuel had very fortunately secured a place for the 20th of that month. He knew that Mr. Samuel had given a great deal of attention to this Kongo question, and that he was a very good speaker. He did not think the motion could be in better hands. He could only hope that he would elicit a satisfactory answer from the Government, an answer that would silence the defenders of these outrages. He trusted that all members of Parliament interested in the question would be present, and that they would be able to show the Government and the country that they were earnest in this question of the good and humane government of the Kongo basin. He trusted that they would revert to the traditions of the days of Wilberforce and of their forefathers, who felt so keenly and earnestly on matters of this kind, and that they would be able to put a stop to outrages that were a blot on our boasted civilization.

Mr. F. A. Swanzy, of the London Chamber of Commerce, in seconding the resolution, said that, so far as the point of view of the merchant was concerned, Mr. Morel had put it very plainly. It seemed to him (Mr. Swanzy) that the merchants, whether they were interested in West or South Africa, were concerned above all others in seeing that the natives were properly treated, because it was from the natives they derived their wealth. He did not think it was the interest of the Kongo Free State to maintain the present state of things. It might be the interest of certain individuals, but that it should be the interest of a government, representing a nation, to carry on raiding such as now prevailed in the Kongo Free State, he could not believe. As regarded these terrible atrocities, he considered they were proved to the hilt; but whether they were proved to the hilt or not, they must conclude that from such a régime such results must follow. Where you have a system of huge monopoly—monopoly granted to concessionnaire companies empowered to purchase rubber from the natives—what do you find? You find these natives are forced to bring in rubber and to sell it to the concessionnaire companies at ridiculous prices. And, of course, such a state of things inevitably brings in its train these brutalities and enormities. It was the duty of our Government and of other governments interested in this matter and responsible for the right administration of this territory without delay to put the vile system down. It was not too late to do this. He was sincerely glad that Mr. Samuel had taken up this question and would bring it before the House of Commons.

The resolution was put, and passed unanimously.

Mr. Robert Whyte then moved a cordial vote of thanks to Dr. Clifford for presiding, and to the Rev. W. M. Morrison for his address.

Mr. Herbert Samuel, M. P., in seconding the motion, remarked that what he had to say on this question must be reserved for another time and place. Though this was a trading question, primarily and in the main it was a humanitarian question. In due course, no doubt, the interests of trade would be considered. There would also have to be considered a very important matter which had not been mentioned that night. Europe would be compelled to consider the question of the Kongo, not necessarily this year or next, but in 1907, for in 1890 the Brussels conference, at the request of the King of the Belgians, authorized the Kongo State to levy customs duties forbidden by the act of Berlin. The conference authorized those duties to be levied only for fifteen years after the signing of the Brussels act, and at the end of that time the whole position was to be reconsidered. Therefore, he (Mr. Samuel) thought they were well advised in stirring up public opinion in anticipation of that common action of the powers.

The motion having been unanimously adopted, the Rev. W. M. Morrison, in replying, expressed a fervent hope that England and the United States would ever be found the foremost advocates of justice and freedom throughout the world, and would unitedly seek to advance the cause of righteousness and of civilization.

The chairman, in acknowledging the compliment paid him, said that, so far as he was concerned, they need not have any misgivings about the Baptists. He should like them to bear in mind that while they had one resolution from the Baptist Missionary Society, they had another of a somewhat different kind from the Baptist Union, and the latter was precisely along the lines of the resolution passed that night. He had a theory, and he thought it was a sound one, that all societies and institutions were slow to move, and that only through individual initiative could they get any good accomplished on this planet. Hence it was not surprising to him that the Baptist Missionary Society had been a little slow in this matter; but he had no doubt that with a little prodding they would take the right position.

The meeting then terminated.

DOCUMENT VIII.—*Letter of Rev. John H. Weeks, Monsembe, Africa.*

BAPTIST MISSIONARY SOCIETY,
Monsembe, June 13, 1903.

Monsieur LE COMMISSAIRE DE DISTRICT DU BANGALA.

DEAR SIR: I wish to inform you that I arrived last Saturday at Monsembo to take up my residence again here after a furlough in Europe of eighteen months.

It distresses me much to see and hear that this town and others of this and neighboring districts are in a more deplorable state than they were two years ago. When we came to settle in Monsembe in 1890 there were over 7,000 people between here and Bokongo. In 1900 there were very few over 3,000, and now there are not many over 1,000. If the decrease continues at the same rate, in another five years there will be no people left.

Many things have conduced to this deplorable decrease in population.

Will you pardon me if I presume on my thirteen years' residence in this district and my twenty-two years' residence on the Kongo to point out to you what appear to me to be the principal reasons for the sad and alarming diminution of one of the finest tribes of the Kongo Free State?

They are, I think, as follows:

(1) The continual deportation of young men (and in a lesser degree of young women) to serve as soldiers and workmen for the State; and the very few that ever return home. As a consequence of this drainage of the young blood and strength of the district there is a marked paucity of children, so that the deaths are far in advance of the births. Had the demand for men been levied in a fixed and regular manner, it might not have been so harmful. But it has been levied (so it appears to us) at the caprice of the authorities for the time being without any regard for population.

(2) The flight of the people from the river to get away from oppressive taxation. As an example of this I would mention the towns of Lobengo and Mantele, which a few years ago were large and prosperous towns, but are now simply grass and bush, with not a single person living in them.

(3) Sleeping sickness has undoubtedly carried off many, but from careful observation of this and other parts of Kongo, where I have resided, I think that this disease would never have taken such a hold on the people if they had not had their spirit crushed out of them by an ever-increasing burden of taxation that has taken the heart out of them and made life not worth living.

(4) The heavy burden of taxation, which for each person is becoming heavier and heavier because fewer are left to share it. It was some time in 1895 that the people in this district were first taxed, and the tax was then fixed, I presume, according to the population of the district. Since then three-fourths of the people have been deported, fled, or died, yet the tax has not been reduced one iota to relieve a broken-spirited, diminished, and dying people. Again, in 1890-1895 goats exchanged hands for 100 to 150 rods; from 1896 to 1901 the price rose steadily to 800 rods, and now, in 1903, the price ranges from 1,500 to 2,500 rods. Yet, notwithstanding the high price of goats and the decrease in population, the tax in goats and fish, which was doubled in 1897, has remained the same ever since. I think you will see from this that the burden of taxation has become more than a dying people can bear if you wish to have any people left to govern.

(5) The imposition of whimsical fines, out of all proportion to real or supposed offenses, is sapping the life of the people. As an example of this, take the recent visit of "Mabata" (I regret that I can only give his native name) to this town. He quartered himself, with over twenty soldiers and many paddlers, twice on a people that had broken no law and had refused no demand of the State. The second time he came, because food for his increased crowd was not forthcoming at once he took the chief, Mangumbe, appointed by the State itself, and carried him as hostage to his sleeping camp, some miles up river, until the food arrived. He also demanded from this Monsembe district of 300 people 8,000 rods, and although he was frequently asked the reason for such a demand, he never deigned to give one.

Among the 800 people that comprised the districts below us, viz, Bongwele, Malele, Bokomela, Mungundu, and Bokongo, he quartered himself and his men for over a month, which sadly taxed their resources, and in addition demanded and tied up people until he obtained nearly 50,000 rods from them.

Surely, if no proper explanation of this is given, we shall be within our rights in referring this matter to the authorities at Boma.

Have the delinquencies of these people been tried in a properly constituted court? Is "Mabata" a judge that he has power to impose such so-called "fines?" In addition to a tax that presses sorely, these unfortunate people are subjected also to irregular and capricious demands.

We pray you, for humanitarian reasons, to lighten the burdens of these people and to bring their taxation within their limited and decreasing means. It is heartrending to compare this district now with what it was in 1890. At that date in the Mungala Creek there were more than 1,500 people; now there are scarcely 200, and thus one can take district after district with the same sad tale to tell. In 1890 the towns were well kept, clean, and tidy, with neatly built houses; now they are ill kept and very slovenly, because at any moment the inhabitants fear they may have to flee to the bush for refuge or have their towns looted and burned through inability to meet some heavy demand. Then, also, there was some security for life and property, for men defended them by the strength of their arms; now there is no security for either.

In reply to some of the above statements, it may be said that the State pays for what the natives take to Bangala, but the remuneration paid is less than one-tenth of the real value. And the natives are forced to take produce to the State under threat of having their towns burned down and have to accept for their goods what is given them.

Again we pray you to do all you possibly can for the amelioration of these unfortunate people, that the remnant may not die out, but rather be fostered again in a strong tribe.

With every assurance of my best wishes,

Believe me to be, yours, sincerely, JOHN H. WEEKS.

DOCUMENT IX.—*Notes of a journey by Rev. A. E. Scrivener.*

[Extract from notes of a journey to Lake Leopold II in July, August, and September, 1903, by the Rev. A. E. Scrivener. From the West African Mail, January 8, 1904.]

Just as the sun was setting we reached a large and imposing State post, a large quadrangle, say 300 rods square, surrounded by wattle and daub erections. I expected at least two white men would be resident, but was surprised to find only a retired soldier, with a few nondescripts to assist. There was a long house, which, I was told, had been the residence of a white man they called ——. I had heard before of this man from the refugees in the neighborhood of Bolobo, and was naturally curious to know more about him. But there was no need to probe or question.

From the work people about the post and the few wretched people in the miserable village adjoining the post came spontaneously stories of the most atrocious deeds and of murders of such a wholesale character that it was difficult to believe them. All round the post, which was splendidly situated and commanded fine views in all directions, were plentiful signs of the former population. This place, Mbolo, had been the home of some of the people near Bolobo, and I had heard many stories of the big villages and the many chiefs. But, alas! I could only hear of three very small villages, and later I heard from a white official that the total remaining population did not number 100, all told. * * *

I heard later on, when near the lake, that the famous or, rather, infamous ——— had been resident at Mbolo only seven months; that he had found it, as things go in this land, very well populated, and that he left it a waste. * * *

Soon we began talking, and without any encouragement on my part they began the tales I had become so accustomed to. They were living in peace and quietness when the white men came in from the lake with all sorts of requests to do this and that, and they thought it meant slavery. So they attempted to keep the white men out of their country, but without avail. The rifles were too much for them. So they submitted and made up their minds to do the best they could under the altered circumstances.

First came the command to build houses for the soldiers, and this was done without a murmur. Then they had to feed the soldiers and all the men and women—hangers on—who accompanied them. Then they were told to bring in rubber. This was quite a new thing for them to do. There was rubber in the forest several days away from their homes, but that it was worth anything was news to them. A small reward was offered, and a rush was made for the rubber. "What strange white men, to give us cloth and beads for the sap of a wild vine." They rejoiced in what they thought their good fortune. But soon the reward was reduced, until at last they were told to bring in the rubber for nothing. To this they tried to demur, but to their great surprise several were shot by the soldiers and the rest were told, with many curses and blows, to go at once or more would be killed.

Terrified, they began to prepare their food for the fortnight's absence from the village which the collection of rubber entailed. The soldiers discovered them sitting about. "What, not gone yet?" Bang! Bang! Bang! and down fell one and another, dead, in the midst of wives and companions. There is a terrible wail and an attempt made to prepare the dead for burial, but this is not allowed. All must go at once to the forest. Without food? Yes, without food. And off the poor wretches had to go without even their tinder boxes to make fires. Many died in the forests of exposure and hunger, and still more from the rifles of the ferocious soldiers in charge of the post. In spite of all their efforts the amount fell off, and more and more were killed.

I could not hear of any white man being directly connected with this slaughter. It seems to have been the work of four or five soldiers sent to take charge of that district. I was shown round the place, and the sites of former big chiefs' settlements were pointed out. A careful estimate made the population of, say, seven years ago to be 2,000 people in and about the post within a radius of, say, a quarter of a mile. All told, they would not muster 200 now. And there is so much sadness and gloom about them that they are fast decreasing.

We stayed there all day on Monday and had many talks with the people. On the Sunday some of the boys had told me of some bones which they had seen, so on the Monday I asked to be shown these bones. Lying about on the grass within a few yards of the house I was occupying were numbers of human bones, in some cases complete skeletons. I counted thirty-six skulls, and saw many sets of bones from which the skulls were missing. I called one of the men and asked the meaning of it. "When the ruber palaver began," said he, "the soldiers shot so many we grew tired of burying, and very often we were not allowed to bury, and so just dragged the bodies out into the grass and left them. There are hundreds all round, if you would like to see them."

But I had seen more than enough, and was sickened by the stories that came from men and women alike of the awful time they has passed through. The Bulgarian atrocities might be considered as mildness itself when compared with what was done here. How the people submitted I don't know, and even now I wonder as I think of their patience. That some of them managed to run away is some cause for thankfulness. Many of the worst stories came from present employees of the State, who for a little inducement would be quite capable of repeating anything that has already been done. * * *

In due course we reached Iboli. I had heard already that which led me not to expect much in the way of buildings. There was hardly a sound of building on the place. The one white man, a clerk, apologized for the necessity, but said he thought I had better put up my tent. I might, he said, erect it under the roof of the partially finished house of the commandant. I saw this, but it was so dark and gloomy that I preferred to stay outside. My boys, however, elected to sleep there, but in the night had to move on on account of the rain coming through onto them. Why such dilapidation?

The commandant away for a trip likely to extend into three months; the sublieutenant away in another direction on a punitive expedition. In other words, station must be neglected and rubber hunting carried out with all vigor. I stayed there two days, and the one thing that impressed itself upon me was the collection of rubber. I saw long files of men come in, as at Bongo, with their little baskets under their arms, saw them paid their milk tin full of salt and the 2 yards of calico flung to the headmen; saw their trembling timidity and, in fact, a great deal that all went to prove the state of terrorism that exists and the virtual slavery in which the people are held.

POST-OFFICE AT PORTLAND, OREG.

Mr. MITCHELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the Senate at his earliest convenience copies of all correspondence between the Department and its agents and contractors relating to the leasing and fitting up of the building now used as a temporary post-office in the city of Portland, State of Oregon, and of the action of the Department thereon; and also that he advise the Senate as to whether the proposal of Hartman, Thompson & Powers, of date February 16, 1903, for rented quarters for such building was or was not accepted by the Department, and, if so, whether such acceptance was based on the recommendation of any agent or agents of the Department; and also whether the building covered by the proposal of Hartman, Thompson & Powers was investigated and reported upon by any agent or agents of the Department prior to its acceptance by the Department, and, if so, the character of such report or reports; that he also advise the Senate as to the exact area in square feet of the ground floor, and also of each of the several floors of the building above the ground floor of the building actually furnished by Hartman, Thompson & Powers; also that he advise the Senate as to the date of the contract entered into between the Department and Hartman, Thompson & Powers, and the date when the Department notified the lessors, if ever, that there was any discrepancy between the character of their proposal and the building actually furnished and accepted by the Department; also that he advise the Senate as to whether the rent due said Hartman, Thompson & Powers for said building is being withheld by the Department, and, if so, for what length of time and for what amount has the same been withheld and the reasons for withholding the same.

CLAIM OF CHARLES SMITH.

Mr. MITCHELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to advise the Senate, at his earliest convenience, as to whether the claim of Charles Smith, late deputy collector of customs, Circle City, Alaska, of $1,100 for compensation for services as such deputy from October 1, 1898, to March 31, 1899, and of $300 for traveling expenses incurred by him as deputy collector during that period, amounting in all to $1,700, has ever been by the Department approved for payment and reported to Congress, and if subsequently disapproved by the Department the reasons therefor; also whether said claim or any part thereof has been at any time referred for investigation and report to any agent or agents of the Department, and if any report or reports have ever been made thereon to transmit to the Senate copies of each thereof; and that he also transmit to the Senate copies of all papers on file in the Department relating to said claim or any part thereof.

PURCHASE OF CAMP SITES.

Mr. QUARLES. I present a letter signed by the Secretary of War relating to the necessity of the purchase of camp sites. I ask that the letter may be printed as a supplement to the report of the committee upon the camp-sites bill, which has been already reported.

The PRESIDENT pro tempore. In the absence of objection the letter which the Senator from Wisconsin presents will be printed as a supplement to the report on the bill named by him.

ARMY APPROPRIATION BILL.

Mr. QUARLES. I now ask leave to call up the conference report upon the army appropriation bill. I call the attention of the Senator from Colorado [Mr. TELLER] to the request I have just made.

The PRESIDENT pro tempore. The conference report on the bill (H. R. 10670) making appropriations for the support of the Army for the fiscal year ending June 30, 1905, and for other purposes, is before the Senate. The report was read in full and discussed yesterday.

Mr. TELLER. Mr. President, there is a provision in this report as to Senate amendment numbered 29 to which I object. I observe that the conference report makes a considerable change in the language of the amendment as it was put in the bill by the Senate. I want to move that the Senate concur in the report with an amendment. I want to strike out a portion of the amendment.

The PRESIDENT pro tempore. That can not be done.

Mr. TELLER. Can we not nonconcur with an amendment?

The PRESIDENT pro tempore. That can not be done.

Mr. TELLER. Then, Mr. President, I move that the Senate nonconcur in the report; and I want to state why I make that motion.

The PRESIDENT pro tempore. The Senator from Colorado moves to disagree to the conference report.

Mr. TELLER. Mr. President, I was under the impression that I could move to nonconcur with an amendment.

The PRESIDENT pro tempore. No amendment is admissible. If the Senator desires an amendment adopted, the only way is to reject the report.

Mr. HALE. Mr. President, I take it that the Senator from Colorado has one thing in view, and that is this particular matter to which he has referred. I take it he does not seek to reject the entire report, but for the purpose of moving an amendment he asks the Senate not to accept the report. I think that is the attitude of the Senator. He does not oppose the whole report or action upon the bill, but he wishes an opportunity of offering his amendment, and so he asks that the Senate do not adopt the report. Of course if the Senate nem. con. agrees to that in order that the Senator from Colorado may offer his amendment, then after the amendment is offered and has been passed upon by the Senate, the report will be accepted and the bill will pass, or else the Senator's amendment will pass; but that is the only way under our rules that any Senator can secure the adoption of an amendment in such a case.

The PRESIDENT pro tempore. He can not get it in that way.

Mr. HALE. He can get a disagreement on that particular item.

The PRESIDENT pro tempore. He can get a disagreement on that, and then the conferees might change their report.

Mr. TELLER. Can I get an agreement on everything except the amendment to which I object?

Mr. ALDRICH. No.

Mr. HALE. The Senator can get an agreement.

Mr. TELLER. Can I get an agreement on everything else, and a disagreement as to this particular amendment?

The PRESIDENT pro tempore. No.

Mr. TELLER. Mr. President, the intricacies of a conference committee are rather beyond me. I want to say that the Senate put an amendment in the bill similar to what the Senate has put in other bills on several occasions, to enable the President of the United States to retire certain officers with an increased grade, and it applies only to officers who were engaged in the civil war. I think the Senate has passed such a bill three or four times, but we have never been able to get it through the House of Representatives. The House on some occasions have limited the provision to those who should hereafter retire, leaving out many

meritorious officers who had already retired, and finally the committee of conference put it in this shape, to which I object:

That any officer of the Army below the grade of brigadier-general who served with credit as an officer or as an enlisted man in the regular or volunteer forces during the civil war prior to April 9, 1865, otherwise than as a cadet, and whose name is borne on the official register of the Army, and who has heretofore been, or may hereafter be, retired on account of wounds or disability incident to the service, or on account of age, or after forty years' service, may, in the discretion of the President, by and with the advice and consent of the Senate, be placed on the retired list of the Army with the rank and retired pay of one grade above that actually held by him at the time of retirement: *Provided*, That this act shall not apply to any officer who received an advance of grade since the date of his retirement or who has been restored to the Army and placed on the retired list by virtue of the provisions of a special act of Congress.

Mr. President, the objection I make is to this language: "On account of age or after forty years' service." I desire, if I can ever get where it will be in order to do so, to move to strike out "forty" and insert "thirty." I will say that I believe that will include about five officers who are on the retired list and who are excluded from this provision.

Under the provisions of the existing law a large number of army officers have been retired and appointed to one grade above what their retiring grade was supposed to be, and perhaps the next day they have been placed on the retired list. A great number of colonels have been made brigadier-generals, and a large number of subordinate officers have been made colonels. I do not myself complain of that. It was the only way by which the additional rank could be conferred.

Mr. President, every man who has served his Government as an officer has an ambition to have a grade higher than that at which he has been serving as an officer. It carries with it not only the distinction of a higher grade, but it carries with it, Mr. President, what I think is of some importance, but not as much to the generality of the officers as that of rank—it carries additional pay; and the pay of a retired officer is not high after all. But forty years' service, exclusive of a cadetship, is more than a nation, having proper regard for the services of its officers, ought to exact. If we have not made the general rule of giving additional grade, we have gone so far in it and have given so many grades that it seems to me, in order that there shall be no invidious distinction, we ought to give it to all the officers who have had that kind of service. As I have said, if you put this at forty years, you will probably exclude five or six. I believe, with a little reflection, I could name about five, and I think I have had correspondence practically with every man who would be shut out by this provision requiring forty years' service.

What I want to do, Mr. President—and I propose to ask the sense of the Senate on it—is to say to the other body that we will accept their modification—which I do not entirely like—provided we shall be allowed to provide that the men who have served thirty years on the active list and who have been retired either on account of age or on account of physical disabilities shall have the opportunity of being promoted one grade above that to which they would be otherwise entitled.

There are, as I said, these few persons who were not retired by the military board because of disabilities; but, recognizing their disabilities, they said to the Department that they were unable to continue longer in the service of the Government and that they desired to be retired. Thereupon, on their application, the Government, without first sending them before the board, allowed them to retire.

Mr. CULLOM. Does the Senator see any particular reason why the limit should be made forty years instead of thirty?

Mr. TELLER. There is not any reason for the limit unless the purpose is to shut off certain men. Thirty years of active service is long enough for any officer who has done his duty to be deserving of the kindly regard of the nation he has served.

If it is possible to get where we can have a vote on the question whether the time shall be thirty years or forty years, I want to get it. I believe public sentiment everywhere would sustain us in insisting that the rule should not be more than thirty years instead of forty years.

Mr. President, I want to make the proper motion if I can, and if I can not get a vote on thirty years now I want to get a vote that will be a practical instruction to the committee of conference to stand for thirty years as against forty years.

Mr. CULLOM. If we defeat the conference report, we shall then have a chance to get it.

Mr. LODGE. We could reject the conference report, and then instruct the conferees.

Mr. PLATT of Connecticut. I believe we do not instruct committees of conference. We have had a great deal of discussion about that question heretofore in the Senate.

Mr. TELLER. I did not want to move to instruct the committee. I will trust the committee. If the Senate will indicate its wish to have thirty years fixed instead of forty, the committee will then take care of it.

Mr. PLATT of Connecticut. If I understand—but the chairman of the Committee on Appropriations [Mr. ALLISON] knows better than I do about it—the rejection of a conference report upon the discussion of an item in the report is considered equivalent to an instruction of the Senate to the conferees, but we have not, as I understand it, formally instructed our committees of conference.

Mr. ALLISON. We have not, I believe, Mr. President, if the Senator will allow me——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Colorado yield to the Senator from Iowa?

Mr. TELLER. I yield.

Mr. ALLISON. I want to suggest to the Senator that the acceptance of this conference report——

Mr. QUARLES. We can not hear the Senator, and I am very anxious to hear what the Senator from Iowa says.

Mr. ALLISON. If this conference report shall be agreed to and the matter thus disposed of for the present, it does not foreclose in any way the Senator from Colorado [Mr. TELLER] from dealing with the four or five meritorious persons of whom he speaks at some other time, and dealing with them in a way that ought to be satisfactory; but I suggest that we will still find difficulty, after we shall have rejected this report, in accomplishing at this time what the Senator desires, from the fact, as I understand it, that we have put an amendment on this bill with reference to this item which the House disagreed to and have persisted in disagreeing to. Therefore I believe the best way—if I may be permitted to make a suggestion to the Senator from Colorado, who has really had more experience than I have in these matters—is to agree to the report, and then the Senator is not foreclosed from dealing with this subject either at this session or at some future one so as to do justice to those officers.

Mr. QUARLES. I think, under the circumstances, it is due to the Senate that they should understand exactly not only the present situation of this legislation, but what took place in the committee of conference since this matter was intrusted to your committee. Let me say, in the first place, that when this bill came from the House it had no clause in it whatever relating to the matter of retirement.

Mr. TELLER. The Senator is mistaken, I think, or else I am. Did the committee report that retirement clause?

Mr. QUARLES. On page 16 of the original bill, numbered 29, you will find the amendment of the Senate printed in italics, where it appears for the first time in the bill.

Mr. TELLER. I think the Senator is correct; I was mistaken, but the Senate committee proposed an amendment which we modified somewhat.

Mr. QUARLES. Certainly. That amendment was a very liberal one and allowed this increase of grade to all retired officers below the grade of brigadier-general—that is, all field, line, and staff officers, as we phrased it, below the grade of brigadier-general—with creditable records who served during the civil war. Those were the only conditions that the Senate amendment imposed upon the discretion of the President regarding this matter of an increase of grade.

When the conference came on the House conferees objected to this provision entirely, and it resulted in a complete disagreement between the two Houses, which was reported severally to the Houses. Then we had a second conference, when the House conferees still insisted that this provision should not go into the bill at all; but finally they went back to the House and obtained an amendment there to the bill providing substantially what is known as the "Dick bill." They brought that back to conference, and that, on examination, was found to preclude this increase of grade to any officer of the Army who, since the Spanish war, had received two promotions, although he had earned those promotions in the usual course of service.

To that, of course, your conferees could not agree. And thereupon the House conferees yielded that point and yielded several other propositions. So we pruned down the amendment until it took the form in which you find it in the present conference report.

Now, your conferees looked into this matter, and we found that the clause of which the Senator from Colorado is complaining would leave out only some five or six meritorious officers who had retired under the thirty-years clause, having had thirty years' service under the law whereby they asked for retirement, and it is not made compulsory on the part of the President. We thought that, rather than to have a further disagreement between the two Houses, it would be better for us to concede this, and then, as we concluded, we could from time to time, if necessary, pass special bills for these five or six meritorious cases.

I do not think there will be any trouble about it whatever. But we thought that you would desire that we should agree to this, although it was not satisfactory to the Senate conferees, rather than have the bill fail. That was the way in which the matter stood—we could either accept this or let the bill fail.

Mr. CULLOM. If only five or six persons would be included, if it were thirty instead of forty years, does the Senator think that the inclusion of the five or six men would result in the failure of the conference?

Mr. QUARLES. That was the exact attitude of the conferees on the part of the House. They yielded to us first on the proposition as to whether there should be anything in the bill on the subject; secondly, as to the provision of their own amendment, yielding three or four different points on that. Then it came to a point where they would yield no more.

Mr. CULLOM. It seems to me rather an unreasonable sort of attitude for those gentlemen to assume. When the inclusion of only five or six men would clean up the whole list, I am surprised that there should be hesitancy to agree if the House conferees would agree to any number of years of service.

Mr. QUARLES. I would remind the Senator that we had seventy-five propositions where we were in disagreement. The Senator knows that in all such cases conciliation has to be practiced in order to reach a conclusion, and the attitude of the House on a great many propositions and the attitude of the Senate have their influence when you come to the final propositions that have to be considered.

Mr. ALGER. Will the Senator from Wisconsin allow me?

Mr. QUARLES. Certainly.

Mr. ALGER. Mr. President, I advised the acceptance of this compromise. I shall be very glad to join in taking care, under separate bills, of these five or six old soldiers who I know should be cared for, but, feeling that there was danger that we might not agree, I thought it best, so far as my counsel was concerned, to advise the acceptance of this agreement.

Mr. TELLER. Mr. President, I observed what the Senator from Iowa [Mr. ALLISON] said about special bills. After some experience in this body I know the difficulty of getting through a special bill. If I were as young as I was when I entered the Senate, I might hope to see those bills pass, but in the nature of things I can not be here long enough, in my judgment, to see them pass. I do not believe that if I live out my term I shall see them pass, unless I can secure the assistance of the Senator from Wisconsin who has just addressed the Senate, and of the Senator from Michigan. If I could secure their support, I believe I could pass the bills for these meritorious cases, for I think they are just as meritorious as any that will have the benefit of this bill.

Mr. QUARLES. I wish to say to the Senator, if he will permit me to interrupt him——

Mr. TELLER. Certainly.

Mr. QUARLES. That as the Senate Committee on Military Affairs is now organized there will be no question about a unanimous report on each one of those cases, and I do not think there will be any trouble at all in passing the bills through the Senate.

Mr. TELLER. What I want to accomplish is in part accomplished by this amendment. I do not wish to jeopardize even what we have secured, for I know something about the difficulty the committee has had. I understand from those who are wiser in this matter than I am that the proper motion in this case is to concur. If we do not concur, then the matter is open.

Mr. CULLOM. To agree.

Mr. TELLER. The Senator from Massachusetts says "concur." I am yielding to him because I think he knows more about it than I do. I do not care to call for the yeas and nays on this matter. If the Senate thinks it ought to concur in the report, I will take the pledge of the Senator from Michigan [Mr. ALGER], who promises his assistance at the next session, and of the Senator from Wisconsin [Mr. QUARLES], who speaks for the committee, and we will try to take care at the next session of Congress of the cases which I greatly regret we could not take care of in this bill.

The PRESIDING OFFICER. The question is on agreeing to the report of the committee of conference.

The report was agreed to.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. CULLOM. In the absence of the chairman of the Committee on Appropriations, who has left the Chamber temporarily and asked me to call up the sundry civil appropriation bill, I do so.

The PRESIDING OFFICER. The Chair lays before the Senate the sundry civil appropriation bill, which will be read by title.

The SECRETARY. A bill (H. R. 14416) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes.

UNION STATION, DISTRICT OF COLUMBIA.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 14901) to provide for payment of damages on account of changes of grade due to construction of the Union Station, District of Columbia, which was read the first time by its title.

Mr. GALLINGER. Mr. President, this is an important bill. The work is going on at the Union Station. The Senate committee has reported a similar bill, which is now on the Calendar. I request the Senator from Illinois to permit me to ask consideration for the bill.

Mr. CULLOM. Will it lead to any debate?

Mr. GALLINGER. It will lead to no debate whatever.

Mr. CULLOM. I yield.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill.

The bill was read the second time at length; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. GALLINGER. I move that the bill (S. 2793) to provide for payment of damages on account of changes of grade due to construction of the Union Station, District of Columbia, be indefinitely postponed.

The motion was agreed to.

PRACTICE OF MEDICINE IN THE INDIAN TERRITORY.

Mr. CLARK of Wyoming. I ask the Senator from Iowa to yield to me for the purpose of calling up a bill in relation to matters in the Indian Territory. It is a House bill, and is of immediate and seemingly pressing importance. I am sure it will lead to no debate whatever. I wish to ask for its immediate consideration.

Mr. ALLISON. I will yield to the Senator if the bill leads to no debate. I should like to go on a little while during the day with the sundry civil bill.

Mr. CLARK of Wyoming. If it leads to any debate, I will withdraw the request.

Mr. ALLISON. Very well.

Mr. CLARK of Wyoming. I ask unanimous consent for the present consideration of the bill (H. R. 11963) regulating the practice of medicine and surgery in the Indian Territory.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. CLARK of Wyoming. The Senator from Minnesota, who is not in his seat, proposed an amendment, to which I have no objection, and that is the insertion of the words "Christian science" at the end of line 15, on page 7.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After the word "massage," in line 15, section 16, page 7, insert "Christian science."

The amendment was agreed to.

Mr. GALLINGER. Mr. President, I am not going to interfere very seriously with the consideration of this bill, but I wish to call attention to one or two facts in connection with it.

I have had something to do with the enactment of laws in my own State and the District of Columbia regulating the practice of medicine. We have always insisted not only that a practitioner should have a diploma, but that likewise he should be subjected to an examination by a medical board, which boards exist in all the States and in the District of Columbia and in the Territories, unless it be in the Indian Territory. I do not know whether such a board exists in the Indian Territory, but I notice that the pending bill provides that any person having a diploma may practice medicine in the Indian Territory.

Mr. President, the requirements are very strict in this bill, and properly so, as to the course of instruction. They shall be instructed in—

> Anatomy, physiology, chemistry, toxicology, histology, pathology, hygiene, materia medica, therapeutics, obstetrics, bacteriology, medical jurisprudence, gynecology, principles and practice of medicine and surgery, and specially requiring clinical instruction in the last two named of not less than four hours per week in each during the last two courses of lectures.

That is a very proper provision.

Mr. SPOONER. Does the bill drive out of practice the Indian medicine man?

Mr. GALLINGER. I was coming to that point.

When a man or woman takes that course and gets a diploma he or she ought to be pretty well qualified to practice medicine, the requirement being for four years' course of study and instruction in those various subjects. But, Mr. President, when we come to the proviso, we find that when these accomplished and educated physicians get there they come in competition with herb doctors who are not required to attend a course of lectures, who are not required to know anything about pathology or hygiene or materia medica or surgery or anything else except herbs, and they are exempted from the provisions of the proposed law. So this educated man comes in direct competition with an herb doctor, who has not been required to spend an hour in a medical school. He also comes in competition with the osteopath, who is not required to take an examination.

The educated physician comes in competition with a masseur, and, according to the amendment just adopted, he comes in competition with the Christian Science healer. It is an extraordinary proviso to go in a bill providing for the regulation of the practice of medicine in any part of this country or in any civilized com-

munity. I think there are doubtless conditions in the Indian Territory different from those in any State or Territory or the District of Columbia, but if we commence in Congress by legislating to exempt those classes of people from the law I do not know why, when they ask us to do it in the legislation in the States and in the District, we ought not likewise to do it there and here. I do not object to the consideration of the bill, but I wanted to state the peculiarities of the proviso, which really ought to be stricken out.

Mr. ALLISON. I yielded for the consideration of this bill——

Mr. GALLINGER. That is all I have to say.

Mr. ALLISON. Under the idea that it would not lead to debate. If it leads to no further debate, I will allow the bill to proceed.

Mr. SPOONER. Has the Senator from Wyoming the bill in charge?

Mr. CLARK of Wyoming. I have.

Mr. SPOONER. I wish to ask the Senator whether the bill would not be improved as a literary production if the letter "y" were added to the word "osteopath," in line 15 of the last page.

Mr. CLARK of Wyoming. I think not; "osteopath" being an adjective, and referring to the "treatment" following.

Mr. SPOONER. Does it mean osteopath treatment?

Mr. CLARK of Wyoming. I suppose that is what it means.

Mr. SPOONER. I think it should be "osteopathic" treatment.

Mr. CLARK of Wyoming. Possibly so.

Mr. SPOONER. But as the bill is a matter of grave importance I do not care to delay it.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

PHARMACY IN THE INDIAN TERRITORY.

Mr. BERRY. I should like to ask the Senator from Wyoming if he has in charge a bill regulating pharmacy in the Indian Territory. I have had many letters respecting the bill.

Mr. CLARK of Wyoming. I have it in charge, and I intend to call it up at the earliest opportunity. I have the bill in my desk now, and I would ask the Senator from Iowa to yield, but for the fact that I have trespassed upon his time so far this morning. The bill should be brought up, as it is of great importance.

Mr. ALLISON. At some other time I shall be glad to yield to the Senator.

The PRESIDENT pro tempore. The reading of the appropriation bill will be proceeded with.

RAILROADS IN INDIAN TERRITORY.

Mr. ALLISON. I have agreed to yield to the Senator from Kansas [Mr. LONG] for a bill which he informs me will not lead to debate.

Mr. LONG. I desire to call up the bill (S. 5454) permitting the Ozark and Cherokee Central Railroad Company and the Arkansas Valley and Western Railway Company, and each or either of them, to sell and convey their railroads and other property in the Indian Territory to the St. Louis and San Francisco Railroad Company or to the Chicago, Rock Island and Pacific Railway Company, and for other purposes.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MONUMENT TO COMMODORE BARRY.

Mr. HANSBROUGH. I ask the Senator from Iowa to yield to me for the passage of a short bill.

Mr. ALLISON. I will yield to the Senator if the bill leads to no debate.

Mr. HANSBROUGH. I think there will be no debate. I ask the Senate to proceed to the consideration of the bill (S. 1547) for the erection of a monument to the memory of Commodore John Barry.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Library with an amendment, to strike out all after the enacting clause and insert:

That there shall be erected in the city of Washington, D. C., a statue to the memory of Commodore John Barry; and for the purpose of procuring and erecting said statue with a suitable pedestal, and for the preparation of a site, the sum of $50,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, the same to be expended under the direction of a commission to be composed of the Secretary of War, the Secretary of the Navy, the chairman of the Committee on the Library of the Senate, and the Chairman of the Committee on the Library of the House of Representatives.

SEC. 2. That the commission herein created is empowered to select a site for the statue authorized by this act on ground belonging to the Government: *Provided*, That said statue shall not be located in the grounds of the Capitol or Library of Congress.

Mr. KEAN. I should like to refresh my memory in regard to history, and I ask to have the report read.

Mr. HANSBROUGH. There is a very brief report covering only one page. If the Senator from New Jersey insists on having it read, I ask that it be read.

Mr. ALLISON. I hope the Senator from North Dakota will be able to state briefly the contents of the report.

Mr. HANSBROUGH. I shall hardly dare to undertake to describe the patriotic service of this Revolutionary officer as it is done so well here in one page of the report. It is far more thrilling than any appropriation bill, and I hope the Senator from Iowa will hear the report read.

Mr. KEAN. I think the report might be printed in the RECORD.

Mr. ALDRICH. Let it be printed in the RECORD.

Mr. HANSBROUGH. Very well.

There being no objection, the report submitted by Mr. HANSBROUGH on the 6th instant was ordered to be printed in the RECORD, as follows:

The Committee on the Library, to whom was referred the bill (S. 1547) for the erection of a monument to the memory of Commodore John Barry, have had the same under consideration and report it back with an amendment, as follows:

Strike out all after the enacting clause and insert the following:

"That there shall be erected in the City of Washington, D. C., a statue to the memory of Commodore John Barry; and for the purpose of procuring and erecting said statue with a suitable pedestal, and for the preparation of a site, the sum of $50,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the same to be expended under the direction of a commission to be composed of the Secretary of War, the Secretary of the Navy, the chairman of the Committee on the Library of the Senate, and the chairman of the Committee on the Library of the House of Representatives.

"SEC. 2. That the commission herein created is empowered to select a site for the statue authorized by this act on ground belonging to the Government: *Provided*, That said statue shall not be located in the grounds of the Capitol or Library of Congress."

John Barry was born on the seacoast of County Wexford, Ireland, about 1745. He left his home at an early age for Philadelphia, and is recorded as "clearing" from that port in 1766 as captain of a schooner. In 1769 he was elected a member of the "Society for the Relief of Poor and Distressed Masters of Ships," and in 1774 was made captain of the *Black Prince*, a merchant vessel. In 1775 he was placed in command of the *Lexington*, which had just been fitted out by the Continental Congress, and for which "he gave up the command of the finest ship and best employment in America."

Speaking of his selection, Bailey's American Naval Biography says:

"At this interesting crisis it became important to select officers whose valor and discretion, whose experience and skill, could give the utmost efficiency to our insignificant means of defense and annoyance. The rare union in Commodore Barry of these qualities recommended him to the notice of Congress."

On April 11, 1776, he brought into the port of Philadelphia the *Edward*, and he is said, in Preble's Origin of the Flag, to be the first who "bore the continental flag to victory on the ocean." This was followed by several other victories, recounted by Henry Fisher, Cæsar Rodney, and Josiah Bartlett.

In February, 1778, Barry, with four rowboats, captured two ships and a schooner in the lower Delaware, of which exploit Frost's Naval Biography says:

"For boldness of design and dexterity of execution it was not surpassed, if equaled, during the war."

Part of the captured stores were forwarded to Washington, at Valley Forge, who wrote:

"I congratulate you on the success which has crowned your gallantry and address in the late attack on the enemy's ships."

In 1778 he was attacked on the *Raleigh* by a superior force, but succeeded in running his vessel on shore. In Watson's Annals the fight is called "a noble and daring defense." Later he was placed in command of the *Alliance*, so named in honor of the unity existing between America and France, the best ship ever owned by the Continental Congress, and sent to convey Commissioner Laurens, Thomas Paine, and Count de Noailles, brother-in-law of Lafayette, to Paris. On his return voyage he captured the *Atlanta* and the *Trepassy*, and was severely wounded.

In November, 1781, he was intrusted with the conveyance of Lafayette to France. He had the honor to fight the last battle of the Revolution, in which he whipped the British frigate *The Sybil*.

His prizes for one voyage alone sold in the French ports for $2,316,000, and helped to cause the British merchants to petition for peace.

While the American fleet was compelled to be idle in the Delaware, Barry recruited a company and served in the battles of Trenton and Princeton.

On the acknowledgment of independence Barry returned to the merchant service, where he remained until 1794, when our commerce being threatened by Algerine pirates and by the war between England and France, it became necessary that "a naval force should be provided for its protection." To command this force President Washington, on June 3, 1794, nominated six captains, Barry being named first in the list. He was given, by courtesy, the title of commodore, which was not legally established until 1862. When the naval forces were reduced under Jefferson, Barry was one of the nine captains retained. He remained in the service of the nation until his death, at Philadelphia, on September 13, 1803.

After his demise, Mr. Dennie, editor of The Portfolio, a literary journal of the period, wrote:

"His eminent services during our struggle for independence, the fidelity and ability with which he discharged the duties of the important stations which he filled, give him a lasting claim upon the gratitude of his country."

His epitaph was written by Dr. Benjamin Rush, one of the signers of the Declaration of Independence, and recites in part that—

John Barry
was born in the County of Wexford
in Ireland;
that America was the object of his
patriotism, and the theatre of
his usefulness.
In the Revolutionary War
which established the independence
of the United States
he took an early and active part
as a Captain in the Navy
and afterwards became
Commander-in-Chief.
He fought often and once bled in
the Cause of Freedom.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported as a substitute by the Committee on the Library.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CLAIMS FOR DAMAGES FROM TARGET PRACTICE.

Mr. HALE. If the Senator from Iowa will yield to me——

Mr. ALLISON. I yield to the Senator from Maine.

Mr. HALE. There is a little bill, Senate bill 4236, which I should like to have passed.

Mr. ALLISON. Being a little bill, I hope it will not lead to debate.

Mr. HALE. If it does, I will withdraw it.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill (S. 4236) to pay claimants for damages to private property by reason of mortar practice at Fort Preble, Me., during the fall of 1901, as reported by a board of army officers constituted to ascertain the same.

Mr. SPOONER. Will not the Senator from Maine make some explanation of the bill?

Mr. HALE. I can not unless the Senator from Iowa will consent. I agreed that if it gave rise to debate I would withdraw it.

Mr. SPOONER. I do not think the Senator from Iowa will object.

Mr. ALLISON. I will yield for a brief explanation.

Mr. HALE. I will say in a few words to the Senate that there have been bills of this kind from all over the country where property of private citizens has been destroyed or damaged by the firing of heavy guns that have been put up by the Ordnance Department. Several of those claims have been sent to the Committee on Appropriations for embodiment on deficiency appropriation bills. I do not think that that is the proper place for them, and therefore instead of resorting to that I had this matter presented to the proper committee of the Senate, which, after an examination into the several amounts, has reported this bill. I propose to take my chance on getting it through the other House rather than to ask the Committee on Appropriations to put it on the deficiency appropriation bill.

Mr. FAIRBANKS. Will the Senator from Maine state what committee reported the bill?

Mr. HALE. The Committee on Claims. That is the proper committee. It is a claim. It is not a matter that ought to be put upon an appropriation bill. I did not resort to the Committee on Appropriations, but sent it to the Committee on Claims, which has reported the bill.

Mr. FAIRBANKS. I think it needs a little more careful investigation than the subject can be given now, and I object.

Mr. HALE. If the Senator objects, then of course it will go over.

TIMBER FOR MINING AND DOMESTIC PURPOSES.

Mr. FULTON. I ask the Senator from Iowa to yield to me for the consideration of a short bill, one that will occasion no debate, I am sure.

Mr. ALLISON. I will yield to the Senator from Oregon, but I hope after this bill shall be disposed of I may be permitted to go on with the sundry civil appropriation bill.

Mr. FULTON. I ask the Senate to proceed to the consideration of the bill (S. 2994) to amend an act entitled "An act authorizing the citizens of Colorado, Nevada, and the Territories to fell and remove timber on the public domain for mining and domestic purposes," approved June 3, 1878, so that the provisions of said act shall be extended to and include the States of Oregon, Washington, and California.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

IRRIGATION IN CALIFORNIA AND ARIZONA.

Mr. ALLISON. I will yield to the Senator from California [Mr. BARD] to take up a joint resolution that was objected to on yesterday, but which I understand will now pass without objection.

Mr. BARD. I ask the Senate to proceed to the consideration of the joint resolution (S. R. 71) requesting the Secretary of the Interior to institute an investigation relative to the use of the waters of the Colorado River for irrigation, and to report to Congress thereon.

The PRESIDENT pro tempore. The joint resolution was read yesterday in full. Is there objection to its consideration?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution.

Mr. TELLER. The word is not "requested," as it was read at the desk. It was amended yesterday to "directed." If it has not been changed, I move that amendment now.

The PRESIDENT pro tempore. The title was not changed. It is all right in the body of the joint resolution. The title will be changed later on.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A joint resolution directing the Secretary of the Interior to institute an investigation relative to the use of the waters of the Colorado River for irrigation, and to report to Congress thereon."

CONSIDERATION OF CLAIMS BILLS.

Mr. WARREN. Will the Senator from Iowa yield to me to make a request?

Mr. ALLISON. Certainly.

Mr. WARREN. Mr. President, I ask unanimous consent to take up the Calendar of House and Senate private claims bills at 3 o'clock to-morrow.

Mr. ALDRICH. I do not think we had better grant any requests for the order of business at the present time as to bills of which we do not know anything about the nature. I shall therefore object to any agreement.

Mr. WARREN. If the Senator will withhold his objection a moment, I will state my reasons for making the request, and then my duty will have been done.

Mr. ALDRICH. I will withhold my objection until the Senator states his reasons.

Mr. WARREN. As the Senator knows, we have not been to the Calendar in a regular way for some months now, and it is difficult to call up claims bills under unanimous consent, for they are usually objected to.

We have before us in committee a bill from the House known as the "omnibus bill." Under rules that the committee have heretofore adopted we only put such miscellaneous claims on the omnibus bills as have already had the consent of the Senate or House in the passage of the several bills, each standing alone. There are a good many matters not yet reached on the Calendar that ought to be cared for—bills that have been carefully considered by the committee and are on the Calendar, and if passed by the Senate could take their places in the omnibus bill. It is highly necessary that the omnibus bill should be completed, and therefore I want to get the consent of the Senate to consider the Calendar of private claims bills. If consent for to-morrow is not given, I will ask the Senator if he will state a time when the Calendar of private claims can be taken up?

Mr. ALDRICH. That is just what I object to, to fixing a time at the present moment for the consideration of any bills. There is a general desire, I think, that the appropriation bills and conference reports shall be disposed of, and it is impossible——

Mr. WARREN. My request is subject to both those.

Mr. ALDRICH. It is impossible, I say, at this time to indicate when a period will be reached that bills of the nature of those suggested by the Senator from Wyoming ought to be considered. Of course the Senator has the right at any time to move to take them up, or there will be no objection, I assume, to proceeding with unobjected cases upon the Calendar at any time when there is not an appropriation bill before the Senate. I think there will be no difficulty as to that arrangement, but it is extremely difficult to fix a time in advance for the consideration of any particular bills, and I suggest that it is better for the Senator from Wyoming to wait until he gets an opportunity to call up the bills.

Mr. WARREN. The opportunity, I will say to the Senator, will never arrive when the Senate shall be ready unless by an arrangement to take up the Calendar for claims bills.

Mr. ALDRICH. It seems to me that it is not feasible to make that arrangement now, but I suggest to the Senator that it can be done later on in the session. I shall feel constrained to object to fixing any time now to consider any particular bill.

Mr. STEWART. I should like to make one suggestion about unobjected bills. Bills ought not to be black-eyed or repudiated because objected to. They are very frequently objected to because a Senator wants to go on with something else, and the objection has no reference to the merits of a particular bill. There ought to be some time fixed so that we can take up the bills and act upon them; but I object to the suggestion to take up unobjected bills to the exclusion of those objected to for mere convenience. Meritorious bills are frequently objected to because other business intervenes. That is no criterion by which to measure bills.

Mr. WARREN. I would be entirely willing, in the first place, to have an agreement made subject to appropriation bills and conference reports, and first go over the Calendar for unobjected bills. I should be glad if the Senator from Rhode Island would

suggest some manner by which now or at some later time these matters may be dealt with.

Mr. ALDRICH. My experience has been that an omnibus claim bill demands and receives recognition sooner or later. I do not think the Senator need be alarmed, but that at some time in the course of the session his bill will be considered. The nature of the bill is such that it necessitates action, whether we consent to it or not. But I think it is too early now to ask for a time to fix a date, and I therefore, as I said, am constrained to repeat my objection to the suggestion made by the Senator from Wyoming.

Mr. WARREN. I will simply say that the omnibus bill has not been, and can not well be, reported to the Senate from the committee until work on the Calendar has been done. I have no intention of bringing in an omnibus bill until the Senate is willing to consider the Calendar, because it would be hopeless to try it, of course.

SUNDRY CIVIL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14416) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes.

The reading of the bill was resumed at line 8, on page 152. The next amendment of the Committee on Appropriations was, under the subhead "Miscellaneous objects, Department of Justice," on page 156, line 6, after the word "available," to strike out "during the fiscal year 1905" and insert "until expended;" so as to make the clause read:

Enforcement of antitrust laws: That the balance of the appropriation of $500,000 for the enforcement of the provisions of the act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof or supplemental thereto, and other acts mentioned in said appropriation, made in the legislative, executive, and judicial appropriation act for the fiscal year 1904, approved February 25, 1903, shall continue available until expended.

The amendment was agreed to.

The next amendment was, under the head of "Judicial," on page 157, line 20, to increase the appropriation for payment of regular assistants to United States district attorneys who are appointed by the Attorney-General, etc., from $210,000 to $220,000.

The amendment was agreed to.

The next amendment was, on page 157, line 24, to increase the appropriation for payment of assistants to the Attorney-General and to United States district attorneys employed by the Attorney-General to aid in special cases from $85,000 to $135,000.

The amendment was agreed to.

The next amendment was, on page 159, line 17, after the word "dollars," to strike out the following proviso:

Provided, That the money heretofore, or that shall hereafter be, appropriated for this purpose shall be expended in payment for such supplies only as have been, or shall hereafter be, purchased by the Department of Justice for distribution.

The amendment was agreed to.

The next amendment was, on page 161, line 22, after the word "Attorney-General," to insert:

And for expense of care and medical treatment of guards who may be injured by prisoners while said guards are endeavoring to prevent escapes or suppressing mutiny;

So as to read:

For miscellaneous expenditures, in the discretion of the Attorney-General * * * for pay of extra guards when deemed necessary by the Attorney-General, and for expense of care and medical treatment of guards who may be injured by prisoners while said guards are endeavoring to prevent escapes or suppressing mutiny, $35,500.

The amendment was agreed to.

The next amendment was, under the head "Legislative," on page 166, after line 15, to insert:

Purchase of bust of General Lafayette: For the purchase by the Joint Committee on the Library of a marble bust of General Lafayette, by David d'Angers, to replace the one destroyed by fire in 1851, $2,000.

The amendment was agreed to.

The next amendment was, on page 166, after line 20, to insert:

Purchase of bust of ex-President Taylor: For the purchase by the Joint Committee on the Library of a marble bust of ex-President Zachary Taylor, $2,500.

The amendment was agreed to.

The next amendment was, under the head of "Public printing and binding," on page 170, line 4, after the word "Survey," to insert "and $170,000 for the Census Office;" so as to make the clause read:

For the Department of Commerce and Labor, including $30,000 for the Coast and Geodetic Survey, and $170,000 for the Census Office, $500,000.

The amendment was agreed to.

The reading of the bill was concluded.

The PRESIDENT pro tempore. A committee amendment was passed over on page 81.

Mr. ALLISON. Mr. President——

Mr. BACON. If the Senator from Iowa will allow me, I wish to ask him a question as to section 3 for information, if it is proper to do so now.

Mr. ALLISON. Very well.

Mr. BACON. I should like to ask the Senator if the construction of that section is that any additional conveyance is authorized to be used by any one of the Departments, provided the name be put upon it? Is that the only limitation? That section reads:

SEC. 3. No part of any money appropriated by this act shall be used for purchase, maintaining, driving, or operating any carriage or other vehicle, other than those authorized for personal purposes in section 2 of the legislative, executive, and judicial appropriation act for the fiscal year 1905, unless the same shall have conspicuously painted thereon at all times the full name of the Executive Department or other branch of the public service to which the same belong and in the service of which the same are used.

The question I wish to ask the Senator, to make it a little more plain, is this: Is the only limitation upon a Department having such additional vehicles as it may see proper to secure or use, the fact that it shall have this painting upon it, showing the Department to which it belongs? In other words, is a Department authorized to have vehicles additional to those provided for in the act referred to in that section if it will simply put the name of the Department upon the vehicle?

Mr. ALLISON. As I understand the section, it is a limitation upon the appropriation contained in the pending bill.

Mr. BACON. Yes.

Mr. ALLISON. It is a limitation upon the authority to use any carriage or vehicle excepting those authorized in the legislative, executive, and judicial appropriation act.

Mr. BACON. That is the question I asked the Senator.

Mr. ALLISON. That I understand to be the purpose of the section.

Mr. BACON. Here is the present situation: Under the legislative, executive, and judicial appropriation act certain vehicles and horses were authorized for each of the Executive Departments and possibly certain divisions of those Departments. Now that, of course, is fixed so far as that law can fix it.

Then, to guard the further use of money appropriated in this bill, section 3 provides that no additional vehicles or horses shall be used in any of these Departments unless there is painted upon such vehicles the name of the Department to which the same belongs and in which it is used. Therefore I ask the Senator from Iowa this question: Does the Senator understand whether the Department is authorized under this bill to use a part of the money herein appropriated for such additional vehicles as, in the discretion of the officers of that Department, may be required, if they will simply comply with this condition, which is to put upon the vehicle the name of the Department?

Mr. ALLISON. And if also such vehicles are used for a public purpose?

Mr. BACON. Yes.

Mr. ALLISON. If they are used for a public purpose with this designation. I suppose they are authorized to be so used.

Mr. BACON. I will ask the Senator if it was not the intention of the executive, legislative, and judicial appropriation act to specifically limit the vehicles which should be used by the Executive Departments to the number specified in that act, and whether or not it is not necessarily the consequence of this section that that limitation is removed and that the Executive Departments have just as much liberty as they have heretofore exercised to employ all the vehicles they may desire, upon the simple condition that they will put the name of the Department upon the vehicle and use it for public purposes.

Mr. ALLISON. I do not so understand it; and if the language can be so construed, I hope the Senator will devise words that will execute the idea which he suggests.

Mr. BACON. Well, Mr. President, I am not parsimonious in my ideas as to what should be allowed the Executive Departments, but at the same time Congress has thought that it was necessary that there should be a limitation in the legislative, executive, and judicial appropriation act. An investigation had been made as to what was required and what was proper for the Executive Departments to have the liberty to use and as to the amount of money which they should utilize in that direction, and there is a specification in that act, if I understand it, of the number of vehicles which they shall use and which each of the Departments shall have. Now, if that is so, if that act was carefully considered and if the number was properly apportioned to the different executive officers and Departments which they should use, why is it enlarged by this section? For unless I am very unfortunate in the construction of language it evidently does enlarge it, and enlarges it in an indefinite way, without any limitation whatever, except simply the condition that the vehicles should bear the names of the Departments and that they be used in the public service.

Mr. ALLISON. I understand this provision to be an additional limitation. I think the limitation is very well provided for. Of course it could be still more limited if it were necessary, but I do not think it is. The committee did not think it worth while to

insert any additional words to the restrictions provided for in the section.

Mr. BACON. If the Senator will pardon me, this can not be an additional limitation to that which is expressed in the legislative, executive, and judicial appropriation act, because that was a specific limitation as to the number of vehicles to be used.

Mr. ALLISON. If the Senator will allow me a moment, as I understand the limitation in the legislative, executive, and judicial appropriation act, it provides only that the heads of the Executive Departments shall be authorized to use carriages for other than public purposes, and that limitation is found in the legislative, executive, and judicial appropriation act.

This section provides that in addition to that the carriages which are used shall not only be used for public purposes, but there shall be shown on some suitable and visible place on each of the carriages that they are used for public purposes only. If the Senator is not satisfied with that limitation and will suggest any other words, I shall be glad to accept them.

Mr. BACON. As I say, Mr. President, I have no desire to unduly restrict the Executive Departments; but it does seem to me that this section entirely removes all limitations and that the Departments can have just as many carriages as they please, provided they will put on each vehicle the name of the Department and guarantee the fact that it is only used in the public service.

If the legislative, executive, and judicial appropriation act did not provide for a sufficient number of carriages, then I quite agree with what appears to be the idea of the committee, that that number ought to be enlarged, and I am willing that they shall enlarge it to any extent that it can be shown it should be enlarged.

But I will call the Senator's attention to the fact that it was made to appear that there was great abuse in this particular, not so much from anything that occurred in this body as in the debates in the House of Representatives. It was a matter of public comment, and the Senator will probably remember a celebrated cartoon that appeared in a local paper, in which the carriages which were being used by public officers were represented as extending from the Capitol to the other end of the Avenue. Of course I have no doubt that that was a very gross exaggeration, but still it is a fact that it was recognized that there had been an abuse by the Executive Departments, or some of them—not all of them, I presume—that there had been in various Executive Departments some abuse of the unlimited opportunity which they had theretofore enjoyed and exercised of having carriages at the public expense.

Therefore it was, if I understood it correctly, that in the legislative, executive, and judicial appropriation act there was an effort made to limit the number of carriages which they could use, so that, without unduly restricting the Departments, there should be no longer this abuse.

If we were mistaken then in the legislative, executive, and judicial appropriation act and did not provide for as many vehicles as the public service properly would justify and require, then I am in favor of the enlargement to the limit which is proper; but the criticism, which I respectfully make and with very much hesitation—for I have the profoundest respect for the conservatism of the Appropriations Committee—the criticism which I make is that this bill entirely fails to make an additional limitation, as suggested by the Senator from Iowa, but that it makes an enlargement of a previous limitation in the legislative, executive, and judicial appropriation act, and not only that it makes an enlargement, but that it makes an enlargement which absolutely destroys all limitation, except the simple conditions which I have spoken of, that the vehicles shall have painted upon them the name of the Department to which they are assigned, and that they shall be used in the public service. That is the suggestion which I make.

The Senator says to me that if I am not satisfied, and if I will suggest so and so, he will agree. I simply desire to say that I have such very great confidence in the Senator from Iowa and the great committee over which he presides, that if, upon the suggestion I have made, he is still satisfied with the language of the bill, I should not presume to attempt to amend it.

Mr. ALLISON. Mr. President, I thank the Senator for the compliment he has paid to the Committee on Appropriations, but according to my interpretation—and I do not speak for the committee, but for myself—this is a restriction. Under the legislative, executive, and judicial appropriation act, of course no carriages can be used unless they are appropriated for, and under that act it was provided not only that they should not be used unless appropriated for, but also that they should only be used for public purposes, save and except that certain Cabinet officers should each be allowed a carriage for personal purposes.

Mr. BACON. Yes.

Mr. ALLISON. That applied to the appropriations under that bill.

Mr. BACON. The Senator refers to the bill of this year?

Mr. ALLISON. I refer to that bill of this year. That was intended, I think, to correct an abuse, if there was one.

Mr. BACON. Yes.

Mr. ALLISON. When this bill came to be considered it not only provided for those restrictions, but it also provided, as I understand this provision in the bill, that if there are in this bill appropriations for horses and carriages, they shall not only be subject to the restrictions which are now in existence, but also that the carriages shall have a placard showing the name of the Department.

Mr. BACON. If the Senator will pardon me there, if it be true that there are in this bill specific provisions for additional carriages and horses other than those specified for in the legislative, executive, and judicial appropriation act, then the construction of the Senator is correct, and I simply ask him if it is a fact that there are in this bill provisions for additional vehicles?

Mr. ALLISON. I understand there are a few not provided for in the legislative act.

Mr. BACON. Very well. Then the Senator's construction of it is—and it is important to make this statement, because I presume the departmental officers will be guided by the construction which is now stated in the Senate to be that intended—the construction of the Senator of this language is that it refers simply to the vehicles and horses which are otherwise authorized in the bill.

Mr. ALLISON. Undoubtedly.

Mr. BACON. Very well. Then I am very glad to have that statement, because it entirely clears the matter up.

Mr. ALLISON. I offer the amendment which I send to the desk, to come in on page 5, after line 8.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 5, after line 8, it is proposed to insert the following:

Detroit, Mich., post-office and court-house: For repairs and improvements to enlarge the accommodations of the post-office room in the post-office and court-house building at Detroit, Mich., $15,000.

The amendment was agreed to.

Mr. ALLISON. I offer the amendment which I send to the desk, to come in on page 27, after line 13.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 27, after line 13, it is proposed to insert the following:

For purchase of specimens to supply deficiencies in the collections of the National Museum, $10,000.

The amendment was agreed to.

Mr. ALLISON. On page 39, line 22, I move to correct the total appropriation under the subhead "Immigrant stations, Department of Commerce and Labor," by striking out "thirty-six," before the word "thousand," and inserting "twenty-six;" so that the total will be $126,000.

The amendment was agreed to.

Mr. ALLISON. I offer the amendment which I send to the desk, to come in on page 150, after line 24.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 150, after line 24, it is proposed to insert the following:

International exposition at Liege, Belgium: To enable the Government to take official part in the international exposition to be held at Liege, Belgium, during the year 1905, $25,000: *Provided*, That no liability in excess of the appropriation shall be incurred, and that the commissioners, to be selected by the Department of State, shall serve without compensation.

The amendment was agreed to.

Mr. ALLISON. I offer the amendment which I send to the desk, to come in on page 98, after line 4.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 98, after line 4, it is proposed to insert the following:

To enable the Secretary of the Interior to cause to be made and completed, under the supervision of the Director of the United States Geological Survey, a railroad map of the United States, showing connecting lines in the Dominion of Canada and the Republic of Mexico, on the scale of approximately 16 miles to 1 inch, which shall show State and county boundary lines; all lines of railways, with their names or other designations; all important cities and railway stations along such lines; important streams, mountain ranges, the depths of navigable waters near seaports, and such other facts as may be pertinent to such a map, $20,000, to be immediately available.

The amendment was agreed to.

Mr. ALLISON. I offer the amendment which I send to the desk, to come in on page 104, after line 8.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 104, after line 8, it is proposed to insert the following:

Freedmen's Hospital: The appropriation of $50,000 made by the sundry civil appropriation act for the fiscal year 1904 is hereby continued for the fiscal year 1905: *Provided*, That the tract of land lying and being between Sixth and Fourth streets and between Pomeroy and College streets, in the city of Washington, D. C., containing approximately 11 acres of ground, be, and the same is hereby, retroceded to Howard University, upon the condition that the said Howard University shall make and execute to the United States a perpetual lease for the nominal rental of $1 per annum, and that upon the

execution of such lease to the satisfaction of the Secretary of the Interior, said Secretary shall cause to be erected on the ground so retroceded and leased the new hospital for freedmen provided for by the act above referred to.

The amendment was agreed to.

Mr. ALLISON. I have no other amendments to present, and now ask to return to the amendments that were passed over.

Mr. COCKRELL. Will the Senator yield to me for a moment to offer an amendment?

Mr. ALLISON. Yes; I yield.

Mr. COCKRELL. I want to offer an amendment, but before I offer it I want to read section 3 of the sundry civil appropriation act of March 3, 1893, in regard to the Chicago exposition, which is as follows:

SEC. 3. That not to exceed 50,000 bronze medals and the necessary dies therefor, with appropriate devices, emblems, and inscriptions commemorative of the said exposition celebrating the four hundredth anniversary of the discovery of America by Christopher Columbus, shall be prepared under the supervision of the Secretary of the Treasury; and the Bureau of Engraving and Printing, under the supervision of the Secretary of the Treasury, shall prepare plates and make therefrom not to exceed 50,000 impressions for diplomas at a total cost not to exceed $103,000. Said medals and diplomas shall be delivered to the World's Columbian Commission, to be awarded to exhibitors in accordance with the provisions of said act of Congress approved April 25, 1890, and there is hereby appropriated, from any moneys in the Treasury not otherwise appropriated, the sum of $103,000, or so much thereof as may be necessary, to pay the expenditures authorized by this section.

I offer the amendment I send to the desk, to come in at the close of the bill. It does not appropriate a dollar. It provides for the coining of the medals, all the material to be furnished by the Louisiana Purchase Exposition Company.

The PRESIDENT pro tempore. The Senator from Missouri offers an amendment, which will be stated.

The SECRETARY. It is proposed to add at the end of the bill the following:

SEC. 5. That the Secretary of the Treasury be, and he is hereby, directed to prepare or have prepared suitable dies with appropriate devices, emblems, and inscriptions commemorative of the Louisiana Purchase Exposition, celebrating the one hundredth anniversary of the purchase of the Louisiana Territory; from which dies, under the supervision of the said Secretary of the Treasury, there shall be coined, at some mint of the United States, medals to be awarded by the said Louisiana Purchase Exposition Company to exhibitors, in accordance with the provisions of the act of Congress entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana Territory by the United States," etc., approved March 3, 1901; that the devices, emblems, and inscriptions for said dies and medals shall be furnished by the Louisiana Purchase Exposition Company, and said medals shall be made and coined from such material as the said exposition company may, at its own expense, furnish; and authority may be granted by the Secretary of the Treasury to the holder of any medal properly awarded to any exhibitor to have duplicates thereof made at any time at any of the mints of the United States, from gold, silver, or bronze, at the expense of the person desiring the same; said medals shall be coined and the dies therefor prepared subject to the provisions of the fifty-second section of the coinage act of 1893, and all the provisions, whether penal or otherwise, of said coinage act against counterfeiting or imitating of coins of the United States shall apply to the medals struck and used under the provisions of this act.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Missouri.

The amendment was agreed to.

Mr. ALLISON. Now I ask the Senate to return to page 81.

The PRESIDENT pro tempore. The committee amendment on page 81 will be stated.

The SECRETARY. After line 12, on page 81, it is proposed to insert the following:

To acquire a site for and toward the construction of a fireproof building for committee rooms, folding room, and other offices for the United States Senate and for necessary office rooms for Senators, to be erected on square No. 686, in the city of Washington, D. C., bounded by B street NE., First street NE., C street NE., and Delaware avenue NE., $750,000; and said site shall be acquired and said building constructed under the direction and supervision of a commission, which is hereby created, to be composed of three Senators, namely: Hon. SHELBY M. CULLOM, of Illinois, Hon. JACOB H. GALLINGER, of New Hampshire, and Hon. FRANCIS M. COCKRELL, of Missouri, and said building shall be constructed in accordance with architectural plans to be secured by said commission in such way as they may deem advisable. The cost of said building, exclusive of site, shall not exceed $2,250,000; the construction thereof and letting of contracts therefor, including employment of skilled and other services, shall be under the control of the Superintendent of the Capitol Building and Grounds, subject to the direction and supervision of said commission.

The said commission may acquire said site or any portion thereof by direct purchase, if the prices are reasonable; such portion of said site as can not be so purchased shall be acquired by condemnation, as follows: The said commission shall notify the Secretary of the Interior in writing of such failure, whereupon the said Secretary of the Interior shall, within thirty days after the receipt of said notice, proceed to acquire such portion of said site in the manner prescribed for providing a site for an addition to the Government Printing Office in so much of the act approved July 1, 1898, as is set forth on pages 648 and 649 of volume 30 of the Statutes at Large, and for the purpose of such acquisition the Secretary of the Interior shall have and exercise all powers conferred upon the Public Printer in said act.

The appropriations herein and hereafter made for said site and building shall be disbursed by the Secretary of the Interior.

Any vacancy occurring by resignation or otherwise in the membership of the said commission shall be filled by the presiding officer of the Senate.

Mr. BERRY. Mr. President, I am opposed to the proposed amendment, but I intend to occupy only a short time in stating the reasons.

When the amendment was reached on last Friday, and before the Senator from Iowa [Mr. ALLISON] had asked that it be passed over, I had already said that it was not a gracious thing to appear here in opposition to a proposition intended for the convenience or comfort of members of this body. We all know how reluctant Senators have been to object to increased clerks, to increased clerk hire, to increased messengers, which have so often been asked for by the various chairmen of committees, and while there has been an effort made on rare occasions to limit the number and to limit the amount paid, yet I do not think any such effort has been very successful. In my judgment that practice has tended to create the impression that the Senate is especially extravagant in regard to officers in its employ.

But, Mr. President, those are small matters, in my judgment, as compared with this. I think this is an extravagance which surpasses anything I have ever seen offered in the Senate. Now, what is the proposition? The proposition is to appropriate in this bill $750,000 to buy a block of ground lying just north of the Capitol grounds. It is also proposed to provide for an appropriation of not exceeding two and a quarter million dollars for the purpose of erecting on that land a building for committee rooms of the Senate and for offices for Senators and for the folding room connected with the Senate. The proposed amendment contemplates an expenditure of $3,000,000, and yet I do not think there is a single Senator on the Appropriations Committee who does not believe that by the time the ground is purchased and the contracts made, or the land is condemned where agreements can not be made, and the building is finished, it will amount to $4,500,000. I do not think the chairman of the committee, the Senator from Iowa, expects to acquire the land and build the building within the amount specified in the bill.

Now, it is proposed that the $3,000,000 specified in the bill—$4,500,000 as I say the building will eventually cost—shall be used to procure offices for the committees of the Senate and for the Senators on this floor. If it should cost $4,500,000, it would be $50,000 for each and every Senator who sits upon this floor. If it costs only what is stated in the amendment, it will be, in round numbers, $33,000 for each and every Senator to build offices and committee rooms for the Senate alone.

In addition to that, it will be remembered that some fifty of the Senators, who are chairmen of committees, or most of them, perhaps all, have committee rooms within the Capitol building. There are forty Senators, I believe, who have rooms in what is known as the "Maltby Building." It is proposed to erect this enormous structure, costing this great amount of money, in addition to the committee rooms that are provided in the Capitol for the Senate, and to expend this money for a structure which, it seems to me, is extravagant beyond the wants and beyond the demands of the Senate or beyond what is reasonable.

Mr. President, a few years ago it was announced upon the floor of the Senate that a building known as the "Maltby Building" could be purchased at a very reasonable price. It was urged that if it was not purchased then it would increase in value. It was said that the building would be ample and sufficient to provide committee rooms and offices for every Senator in this body. Now we are told that the building is unsafe and has been condemned; that it is unfit to be used for the purposes for which we purchased it. I forget what amount of money was paid for it, but I do remember distinctly that those who urged it said at the time that it would be sufficient for all time to provide for every committee and for every Senator, and now, as I said, it is claimed that it is unsafe and must be abandoned.

But it seems to me that if the extension of the eastern front of the Capitol is made, as proposed by the House of Representatives and provision for which is contained in the bill now pending before the Senate, and if provision should be made elsewhere, as I have no doubt it will be, for the Supreme Court, there will be ample room within this building to accommodate every Senator who now has a committee room or an office in the Maltby Building. I say that I think this immense structure, provision for which is contained in the proposed amendment to an appropriation bill, is unnecessary. I think the provision in the bill, together with the committee rooms that may be secured when the House shall take possession of its new quarters, for which it has provided, will be amply sufficient to furnish committee rooms and offices for every Senator in this body.

Mr. President, I regret, as I said at the beginning, to stand here opposing a measure of this kind. I know full well what construction may be put by some upon the action of a Senator who does oppose it, but I believe it is wrong. I believe it is extravagant, and I believe that if we pass a bill here appropriating money to build offices and committee rooms for the Senate, costing even $33,000 for every Senator here, it will tend to give color to the charge of extravagance which has so often been made against this body. For these reasons, while I regretted to differ with the majority of the committee of which I am a member, I said to its chairman that I did not believe the committee ought to propose the pending amendment at the present time; that I believed it

was extravagance, and that it was not best that it should go into the bill.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee

Mr. BERRY. On that I call for the yeas and nays.

The PRESIDENT pro tempore. Is there a second?

Mr. BERRY. Mr. President, if the Senate has the courage to vote for what it believes right I trust it will give me the yeas and nays. I know Senators here are willing to vote for the amendment, as they believe in it, and I think we ought to have the yeas and nays. I know the Senator from Texas [Mr. BAILEY] will vote for the call for the yeas and nays, for he is never afraid to vote for whatever he thinks is right.

The yeas and nays were ordered.

Mr. BAILEY. Mr. President, like the Senator from Arkansas [Mr. BERRY], I believe in rigid economy in the expenditure of public money; but I can not concur with him in describing as useless extravagance a suitable provision for places in which Senators can perform their public duty. If this provided only places where the Senators might work, I should favor it, and I would particularly favor it when, in addition to working places for the Senators, additional and necessary committee rooms are provided.

The Senator from Arkansas has the honor to be chairman of a committee, and yet his committee room is located somewhere in the basement, so far from this Chamber that he can not find it if he should undertake to go to it this afternoon. So inconvenient is his place for working that the Senator has not sought it three times during the entire session. So excellent a public servant as the Senator from Arkansas is entitled to a better place for working than the basement of the Capitol, shut out from the light and the air. Such a place is not agreeable nor conducive to good work.

Not only so, but I happen to be located in the Maltby Building, to which the Senator has referred, and so crowded is it that when our constituents come to interview us on matters affecting the public interest, they are often compelled to wait in a hall until it may suit our convenience to see them. It is so crowded that when the Committee on Irrigation attempts to hold a session it is compelled to exclude everybody from what is called "a reception room" in that building in order to occupy that room for its meeting.

Now, it may be that the Senate has too many committees. It is sometimes said that committees have been created more for the benefit of the clerks than for the benefit of the public service. Certain committees never hold a session, but their clerks draw $2,220 per annum, while the clerks of other Senators performing just as laborious and just as useful service draw $1,500 per annum. I make no criticism of that. I assume that when the Senate creates a committee, the committee has a duty to perform, and I insist that the Senate shall provide a place where the committee can suitably perform its duties.

If the Senator from Arkansas is to judge by what a public expenditure may average to each Senator, the country would stand somewhat staggered when this Capitol was constructed, but nobody believes that the object in constructing this magnificent Capitol was to provide merely for the comfort of the men who hold the commissions of great States to membership in this body. They sought to make a building suitable for the home of the representatives of the people, and the people approve it. A man fit to be the ambassador of a great State in the highest legislative body of the world is entitled to a comfortable place in which to work, and the best is none too good for the Senators from Arkansas and other great States in this Union.

I commend the Senator from Arkansas for always striving to represent what he believes to be the sentiment of his people, but my judgment is that the people of Arkansas, though I know no more of them than a neighbor tries to know of his neighbors, would not want to tear down this splendid pile of marble which is the home of their representatives and rebuild it either of brick or logs. Neither do I believe the people of Arkansas want their Senators sent to a room little better than a dungeon as a working place. I do not know how it may be with other Senators, but I judge it to be with all others as it is with me—that the efficiency of the work corresponds in some fair degree to the surroundings under which the work is performed.

I am free to say that when one of my constituents comes to the Capitol of this Republic I prefer to have a comfortable place to which I may invite him. I do not propose any oriental magnificence that is not in keeping with the simplicity of a republic, but I do believe that every building erected by this Government ought to typify the Government itself—ought to be massive and to look like it would stand four-square to all the winds that blow.

It ought to be simple, if you please, but splendid in its simplicity, and if it is the judgment of the committee that has investigated this matter that it takes this much money to build a building suitable for committees and Senators, the people of this country desire that kind of a building. Nobody wants a Senator who represents him either to live in a hut or to stop at a wagon yard in Washington. The people want their representatives to bear themselves as become the representatives of a great, a free, a self-respecting, and, if you please, a proud-spirited people.

The only difference between the Senator from Arkansas and myself is that he thinks all this could be accomplished with a smaller expenditure. I am myself not so sure that the amount the committee has provided is the least sum for which suitable service could have been secured, but as I am not sure on that point I withhold all criticism. I regret that the Senator from Arkansas, instead of merely criticising what he deems an extravagant appropriation, did not give the Senate the benefit of his judgment as to what would be a reasonable appropriation.

I am entirely sure that the Senator from Arkansas does not desire Senators of the minority turned out from the Capitol, and yet there is not room enough here for the minority and the majority, too. True enough, some of those whose excellent service has so endeared them to their people as to have been returned a sufficient length of time are provided for in the Capitol, and if I was ungenerous I might think that was one reason why they are not so much interested in relieving us from the building across the grounds. I know that is not the influence which controls the Senator from Arkansas. I do not believe such an influence would control any Senator here.

But I commend to the Senator from Arkansas the report of the Architect of the Capitol, submitted to this body in response to a resolution adopted by us, in which he describes the Senate Annex, commonly called the Maltby Building, as a fire trap. He practically declares that in case of a fire it would burn like a house of straw. Yet the Senator from Arkansas, as little as he may value the services of some of us located there, would not be willing to expose us first to the discomforts of it when it stands and to the danger of it when it may fall.

Mr. President, I can conscientiously say that I have never voted to waste a dollar of public money, because I regard it as a trust fund, which no man has a right to squander. What he possesses either by earning or by inheritance he may waste. That is his own, to be disposed of according to his views of duty to himself and to those dependent on him. But what is taken from the people of this land in the shape of taxes and covered into the public Treasury is a sacred trust fund, which no Senator has a right to waste.

During my fourteen years of public service I have never voted to misspend a dollar of public money. But if I shall be spared hereafter to serve twice fourteen years, I will never hesitate for an instant to spend a dollar that ought properly to be spent. I shall never hesitate to spend a dollar that will provide a proper public service.

Neither do I believe that in Texas or in Arkansas or in any other section of this country there is an element, respectable either in numbers or intelligence, that would have us deny ourselves or deny them any proper and suitable expenditure. The Senator from Arkansas does not dissent from this view, and the utmost difference that can exist between him and any of his colleagues is as to the extent of the appropriation and not as to the appropriation itself.

Mr. BERRY. Will the Senator permit me?

Mr. BAILEY. Certainly.

Mr. BERRY. The Senator has wholly failed to refer to the fact that I stated if the eastern front of the Capitol is extended, as is proposed by the House of Representatives in this bill, and then provision is made, as I understand the Senator from Indiana [Mr. FAIRBANKS] is trying to make it, for the Supreme Court in another building, there would be ample room within the Capitol for the Senators who are now in the Maltby Building.

The Senator fails, furthermore, to allude to the fact that there are fifty Senators already provided for in the Capitol, indifferently it may be as to some; and I may refer to my own committee room.

It is not such a committee room as I would be glad to have, but I usually do my work at the hotel where I board. But there are fifty Senators in this building who have rooms, either committee rooms or rooms otherwise. There are only forty remaining, and I put the question to the Senator from Texas himself, who is always fair and debates fairly, whether he does not think $4,500,000, or $3,000,000, which is covered by this appropriation here, is too much money to provide committee rooms and office rooms for the forty Senators now in the Maltby Building.

I repeat, Mr. President, I think it is an extravagant appropriation, beyond anything that has heretofore come to the Senate. I regret, as I said before, to oppose anything of this kind, and I have no purpose in it save and except I believe it is a wrong appropriation—an appropriation of a large amount clearly beyond what the necessities demand.

Mr. BAILEY. Mr. President, I thank the Senator from Arkansas for calling my attention to the fact that I was about to over-

look his suggestion that ample accommodations could be provided by extending the east front of the Capitol.

Mr. BERRY. And which is provided by this bill.

Mr. BAILEY. Not authorized, but a commission is appointed, and the bill expressly provides that no money shall be expended until Congress appropriates it hereafter.

Now, as between the Senate building and the Capitol extension, I would not hesitate one minute in my choice. In the first place, the extension of the Capitol is more a matter of art and architectural beauty than of convenient and good working quarters for Senators. The three millions which it is proposed to spend on that Capitol improvement is out of all proportion, so far as practical results are concerned, when compared with the building which the Committee on Appropriations has provided for.

The Senator from Arkansas, moreover, is mistaken when he declares that that improvement would provide for all the Senators now located in the Maltby Building. It is estimated that there would be about twenty-eight additional rooms on the Senate side of this new improvement.

Mr. CLAPP. Will the Senator pardon me a moment?

Mr. BAILEY. Certainly.

Mr. CLAPP. That would involve the idea that the court would still remain here, would it not?

Mr. ALLISON. It would.

Mr. CLAPP. Yes; it would.

Mr. BAILEY. The Senator from Iowa says that is true. Not only would there be but twenty-eight additional rooms, but some of them dark and not satisfactory places to work in. So after we had spent $3,000,000 providing twenty-eight single rooms, we would still have twelve or fourteen Senators not provided for; and it must be remembered that we are soon to have four more, according to one view, and eight more, as I hope.

Forty need workshops; twenty-eight would be supplied, leaving twelve to stand out-of-doors, and that twelve to be joined by the four or eight, as the wisdom of Congress may decide, from the newly admitted States. To spend $3,000,000 for twenty-eight rooms, and with no committee rooms, is incomparably worse than to spend $3,000,000 for rooms for fifty Senators with committee rooms and offices in addition.

Mr. BERRY. Will the Senator permit me?

Mr. BAILEY. Certainly.

Mr. BERRY. I wish to state to the Senator that there is in this bill a provision, put there by the House of Representatives, providing for the extension of the eastern front in any event.

Mr. TELLER. No.

Mr. BERRY. I say the House put it in.

Mr. TELLER. Oh, yes; the House put it in.

Mr. BERRY. That is what I stated, if the Senator from Colorado will permit me. Now, that is their proposition. It has nothing to do with the other proposition except that we are together to spend $6,000,000 if we provide for both, because that provision is in the bill. It is not stricken out either by this amendment. It is changed and modified—architects are provided for, a certain commission from the House and the Senate is also provided for, no further appropriation is to be made until after they report, etc.—but it still stands in that provision; and I take it for granted that the House of Representatives is going to insist upon extending the eastern front of the Capitol without regard to what may be done for the convenience of Senators.

But the amendment proposed by the committee applies alone to Senate committees and offices for Senators and certain folding rooms connected with the Senate. The eastern front applies to the entire Capitol, to the House of Representatives, to the country at large. It is an extension of this great building, of which the Senator has spoken, and is not intended alone to make committee rooms. The House had no such thought.

Mr. BAILEY. Mr. President, I have no doubt when the question comes back from this commission to the Senate I shall find myself at agreement with the Senator from Arkansas in voting against the expenditure of $3,000,000 for the Capitol extension, because it must be remembered that the House of Representatives has already had the good judgment to provide itself with a building for offices and committee rooms; and when the Senate imitates the good judgment of the House and provides for itself, there will be absolutely no excuse for the Capitol extension, unless it be one merely relating to its architectural appearance.

It may be that instead of a new public building which is sometimes proposed, to be called a "temple of justice" or a new home for the court, Congress in its wisdom will provide better quarters for the Supreme Court and continue it under the Dome of this Capitol. If that shall be proposed, it will raise another question as to a suitable chamber for the Supreme Court. So far as an appropriation to improve the Capitol is concerned, I will join the Senator from Arkansas, then, in voting against the expenditure of that $3,000,000, because I do not believe it will be justified by any useful public purpose.

In addition to the twelve Senators in the Senate Annex who would be unprovided for under the Capitol extension and the four or eight Senators who will come to represent the newly admitted States, some six or eight Senators, like the Senator from Arkansas, occupy rooms in the basement of this Capitol, so damp and dark as to breed disease. Thus there are twenty Senators——

Mr. BACON. There are very many more than eight, counting the crypt.

Mr. BAILEY. The Senator from Georgia says there are more than eight. I happen to know of Senators who need to be relieved, and I intend to vote to relieve them in spite of their opposition. I do not intend that the Senator from Arkansas shall be compelled to call the Committee on Additional Accommodations for the Library of Congress together in a committee room that he could not find if he starts out from the Senate Chamber this afternoon without a page to guide him. The Senator from Arkansas and at least seven others ought to be provided for in a better way.

It is small wonder that the Senator from Arkansas, according to his own statement, does his work at the hotel where he lives. He is justified in doing it anywhere rather than in that little room located so far away and reached by such a circuitous, difficult route that he can not find it.

But some of us in the performance of our duties find it necessary to have more books about us than we find it convenient to keep or to carry to the taverns where we live. Some Senators know how it ought to be without troubling themselves to search the books, but a good many of us are not willing to trust our own conclusions until we have examined the authorities. Senators who, compelled to have the aid of books, and sometimes many of them, find it impossible to work in their rooms at the hotel; and those of us who find it necessary to summon to our assistance the wisdom of the dead as embodied in books are not permitted to carry those books, as I have said once before on this floor, into our committee rooms at the Maltby Building.

They tell us that the floor or the walls, or perhaps both the floor and the walls, have been so disjoined and are so out of level and plumb as to render it unsafe to carry into the building the ordinary books which a Senator desires to keep within easy and immediate reach.

The Senator from Arkansas [Mr. BERRY] would not want to keep a colleague like myself confined to a house where it was impossible for me to carry the books which I need to consult. Other Senators—I say that without offense—can afford to rely upon their own judgment or conclusions reached without the aid of what others have thought or said or written, but all of us are not that fortunate.

I am free to say that for my part I count it no disparagement to my intelligence that I generally go to the books first to lead me to my conclusions, and even to confirm me when I have reached a conclusion before consulting them. I am never so well satisfied with any conclusion I have reached as when I find it in accordance with the choice and master intellects of the ages gone by; and I am not alone in this course of study. Other Senators need aid as well as I do, and to require me or them to work where we can not have the benefit of books is to deny to our constituents our best efforts.

No Senator desires to do that. I am sure that every Senator here knows that when each of us has done his best our conclusions are none too wise. When we have wrought under the most favorable circumstances, remembering that our work projects itself into the centuries for good or evil, we ought to work under conditions that insure the wisest conclusions.

Mr. President, I have seen a committee of the Senate conducting investigations, crowded into a committee room almost to suffocation. Would it not be wise that when the Senate provides this building there shall be rooms in which the people of this country may be permitted to come and hear the testimony, when testimony is taken, and hear the arguments, when arguments are made, concerning vital questions in which they feel an interest?

But, Mr. President, I am uselessly consuming the time of the Senate to argue this question longer. The only difference between other Senators and the Senator from Arkansas is one of degree, not of principle. He thinks the appropriation extravagant. I, myself, regret very much that a proper building could not be erected for less. I would not vote a dollar more than is necessary, nor would I vote a dollar less.

Mr. CLAPP. Mr. President, if the Senate will bear with me for a moment, it is with some hesitation that I vote against the report of the committee; but I will put my vote upon an entirely different ground from that upon which the Senator from Arkansas [Mr. BERRY] places his.

I fully agree with the Senator from Texas [Mr. BAILEY] that our constituents want us to have proper accommodations. They want us to have proper opportunity and surroundings in our labor here, and I would not hesitate to vote for the amendment no matter how many millions it involved; but I do believe the

genius of the Senate ought to be able to devise some means by which ninety Senators can be accommodated under the roof of the Capitol.

Take the House with its great body and it is necessary that it should go outside and erect another building; but with only ninety Senators, or ninety-four or ninety-eight, if the eight ultimately come, with the Supreme Court removed from this building to quarters such as it ought to have and such as it never can have in the Capitol building, with the library of that court removed, I believe room enough could be found under this roof to accommodate the members of the Senate instead of compelling us to go chasing underground on trolley cars, as this amendment proposes we shall do. As one of the unfortunates who is rapidly becoming web-footed from traversing the underground galleries here, I wish to say that a reasonable expenditure would keep rain out of that part of this building and make that part of it very comfortable for all.

Mr. President, it may be presumptious to set up one man's judgment against that of the committee. I know the architects say the Capitol ought not to be extended. I do not want to question the motive of any man, but I can readily understand how an architect would prefer to put up a new magnificent building rather than to be employed on an extension of the Capitol.

It is said the Supreme Court does not want the extension, because the extending the Capitol does not, as it is now considered, involve putting up an additional building for the court. I believe if that court realize that Congress has put up a building for them, such as they ought to have, they would very gladly vacate this building.

So, Mr. President, for one I shall vote against this amendment, believing that instead of going outside and putting up a building for Senators we should go outside and put up a building for the Supreme Court and rearrange this building so as to furnish offices under this roof for members of the Senate, and not require them to go from one place to another seeking places of business.

Mr. PLATT of Connecticut. Mr. President, it seems to me that we ought not to provide in this bill for both the Capitol extension and this new building. I think if we adopt the amendments which have been suggested by the Committee on Appropriations, that will be precisely what we as a Senate should do.

The provision for the Capitol extension is already in the bill, and it is left in the bill; the committee has not struck it out. The committee has modified it, but still the provision for the Capitol extension will remain in the bill whatever the conference committee may do. If the Senate committee amendment passes, the work will not be constructed until the commission has received plans and submitted them to Congress, but still there will be a committal of Congress to that work.

Now, I do not think we ought to have both the Capitol extension and this building.

Mr. CLAPP. Will the Senator pardon me a moment?

Mr. PLATT of Connecticut. Certainly.

Mr. CLAPP. Do you not think the time has come when the Supreme Court of this country ought to have better quarters than they have?

Mr. PLATT of Connecticut. I do.

Mr. CLAPP. Do you think it can be obtained except either by the erection of a building outside or enlarging and extending the front of the Capitol building?

Mr. PLATT of Connecticut. I am not at the present moment committing myself to either of these plans or to the question of another building for the Supreme Court. I want to leave that for the present. I want to consider just what we are doing now.

Mr. CLAPP. If the Senator will pardon me, that is just what we want to consider. I understand the Senator to say that if this plan to erect an additional building for the Senate is carried out he does not think the other ought to be. That leaves us, then, with the present condition as to the Supreme Court.

Mr. PLATT of Connecticut. Put it the other way, if the Senator pleases, that if that Capitol extension is carried out I do not see any necessity for this new building.

Mr. CLAPP. Except for the Supreme Court.

Mr. PLATT of Connecticut. We can erect a court building somewhere else. But I should like to state what I had in mind.

Mr. TELLER. I want to call the Senator's attention to the last proposition which he made, that no plan for the extension of the Capitol provides for Senators, and that it is impossible to do so under any plan that has ever been submitted.

Mr. PLATT of Connecticut. Mr. President, I think that if we could get twenty-eight new committee rooms it might be possible to pretty well provide for the Senators, that is, if they were in addition to the rooms which we already have. I have one very small room, and I am sure I would not trade that small room for a suite of rooms, however magnificent and commodious they might be.

Mr. BAILEY. Nor divide it with one of the twelve or fourteen Senators who are unprovided for.

Mr. PLATT of Connecticut. But what I intended to say was that I think, if we adopt this amendment of the Committee on Appropriations, we are going to commit ourselves to the Capitol extension sooner or later. The commission which is provided for is to employ architects and to bring in plans. They, to be sure, have to be approved by Congress; but nevertheless this provision will stand that the Capitol extension is to be completed according to the original plans of Mr. Walter, with such modifications and extensions as may be suggested by the proposed commission.

Mr. FAIRBANKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from Indiana?

Mr. PLATT of Connecticut. Certainly.

Mr. FAIRBANKS. The Senator from Connecticut will observe that the sum of $500,000 is appropriated to carry on the work to which he has just been directing attention.

Mr. PLATT of Connecticut. There is more than that in it.

Mr. ALLISON. I hope the Senator will allow me to make a suggestion.

Mr. PLATT of Connecticut. Certainly.

Mr. ALLISON. I propose to move an amendment modifying the sum, so that the architects will understand what is proposed by the committee. I shall offer an amendment inserting either $50,000 or $75,000, instead of $500,000.

Mr. HALE. Mr. President——

Mr. PLATT of Connecticut. Will the Senator from Maine permit me a moment?

Mr. HALE. Certainly.

Mr. PLATT of Connecticut. There is more in it than a mere appropriation of $500,000, because it is provided—

> And the Superintendent of the Capitol Building and Grounds, subject to the approval of Congress as aforesaid, under the direction and supervision of said commission, is authorized to make contracts for said construction after proper advertisements and the reception of bids within a total sum not exceeding $2,500,000.

Whether we approve any of the plans that this commission brings us or not, finally we must, if this legislation is passed, make this extension of the Capitol.

Mr. ALLISON. Will the Senator permit me to interrupt him?

Mr. PLATT of Connecticut. Certainly.

Mr. ALLISON. I do not so understand. Taking the provisions of this amendment and construing them together, there can be no contract made under it as it now stands until after Congress shall have approved the plans.

Mr. PLATT of Connecticut. I know that; but still we shall have legislation here which will commit Congress, as it seems to me, to the building of the Capitol extension whenever plans are suggested which Congress approves.

Mr. ALLISON. Undoubtedly when Congress shall agree to build it, then we shall build it.

Mr. PLATT of Connecticut. No.

Mr. ALLISON. But I agree with the Senator that the amendment in form commits the Senate and the House of Representatives.

Mr. PLATT of Connecticut. To the final extension——

Mr. ALLISON. To the extension of the Capitol when Congress shall have ascertained what the extension is to be, but not before.

Mr. ALDRICH. Congress is not only to ascertain, but to decide.

Mr. PLATT of Connecticut. Does the Senator doubt that Congress will eventually, after it shall have enacted this legislation, adopt some plans for carrying it out?

Mr. ALLISON. I do not doubt it, and I will not permit myself to doubt it, as I think it ought to do.

Mr. PLATT of Connecticut. Then, Mr. President, the Senator from Iowa, at the head of the great Committee on Appropriations, as well as the Senate, will by passing this bill commit itself to the extension of the Capitol in some form. If the Senate is going to do that I do not think that we ought, in addition to that, provide for this building.

Mr. HALE. Mr. President, I do not agree at all with the Senator from Connecticut [Mr. PLATT] that because we have provided that this scheme for the extension of the Capitol—to which I am opposed entirely, root and branch—instead of being adopted now shall be put off until we can have a report by architects of what is contemplated, and until the Congress has adopted that or some other plan, commits us now to that proposition. I do not for one moment recognize that. I should like better, if I could have my way, to put through this provision for a building for Senators corresponding to that which we have already given to the House of Representatives, not to be so large and costly as that is, but to be spacious, handsome, near by, and, through modern methods of transportation, easily accessible to the Senate. I would desire that that proposition should go through, and that we should strike out entirely the House proposition.

Mr. PLATT of Connecticut. That would do.

Mr. HALE. As to the extension of the Capitol, I look with

dread, Mr. President, and with apprehension at any project, howsoever it may be sanctioned, by one body or the other, or by architects, as interfering with the simple and beautiful and almost perfect—so far as I am concerned, I will say perfect—façade of the east front of the Capitol. I shall never, for one, agree to any scheme that destroys that; least of all, to any scheme that projects into this intermediate space between the two wings of the Capitol a structure that fills it all up with projections, even farther out than the wings, and gives, instead of a beautiful, symmetrical, and gratifying front, a vulgar front, like that of common buildings; that fills up all this space between, and leaves everything else in darkness. I should never agree, for one, to vote for that; but would vote against it, if I voted alone finally.

But it is a great deal—as the House has put on a project for our doing this at once, ruthlessly, without consideration, without contemplation, and without investigation—it is a great deal to postpone that matter and to declare, as we have in this amendment, that it shall be submitted by the commission to architects, and that nothing whatever shall be done until it is reported exactly what the architects recommend, and that then nothing shall be done until Congress has adopted it.

While I would rather strike out the whole provision, as the Senator from Connecticut would, I do not agree that by postponing this matter and getting more information any Senator is bound to hereafter, whatever may be the report, vote for what, to my mind, destroys the beauty of this great Capitol.

If any Senator moves to strike out the entire provision of the House, I will vote for the motion; but if that can not be carried, it is the plan of the committee that we shall go on and provide for the building which we ought to erect for the accommodation of Senators, which it is proper that we should have, as the House has its great building, though ours will not cost more than half as much as theirs. I have no fear of being troubled with criticisms that we are doing an extravagant thing. But we can do that. The commission can take charge, can go on and condemn; and when we come together next winter, then we shall have a report upon this other and nearer and more vital and more important matter as to whether we shall commence the work of destroying this Capitol as it now exists.

I agree fully, Mr. President, with the reports that were made to the Senate when the two wings were put on this building—most enlightening reports—covering the whole subject-matter, in which this very subject was discussed and brought out. In a report made by the then Senator from Mississippi, Jefferson Davis, who had taste about these things, and Mr. Clark, of New Hampshire, they declared that in every step that was taken in building the two wings they bore in mind that nothing should interfere with the beautiful east front of the Capitol as it now exists, and that the two wings, by the light that they threw, would add to the charm of that wonderful façade that we all look upon with such pride and with such comfort. I may say I do every time I look at it. I am in favor of carrying out those projects—the very projects that they started upon.

The sketch that has been picked up has never had the indorsement and never been viséed by Mr. Walter. At the time when Mr. Davis and Mr. Clark were making their reports, declaring that they would not, under any circumstances, agree to anything that would interfere with this east front, Mr. Walter was making a report, as the Architect of the Capitol, and he never once intimated that he had any design or sketch that would destroy or cover and darken that east front.

It is assumed that these are plans which had been deliberated upon, perfected, studied out, and brought in by the Architect of the Capitol, Mr. Walter. There is not a particle of testimony that shows that that was a finished sketch. He struck out and designed three or four different plans, and one of these plans has been picked up, and it is assumed that it is Mr. Walter's plan; and, as I repeat, when the whole subject was up, he never, by word or phrase, intimated that that east front was to be desecrated or darkened or destroyed.

I should be in favor of striking out entirely this provision the House put in and going on to provide for our building, which they ought not to object to, as we did not object to their building; but if that can not be done, then I do not agree with the Senator from Connecticut that by postponing the matter and providing for further investigation and bringing it all before Congress we are committed to anything.

The Senator from Iowa [Mr. ALLISON] does not feel as I do about that plan. We differ about that. That is a matter of broad ground on which we may differ; but I think the Senator would say that he does not consider that he or that anybody in the Senate is committed by this proposition to afterwards vote to destroy the east front of the Capitol.

Therefore, while, as I said, I would vote, and will do so now if any Senator makes the motion, to strike out the entire House proposition, yet if we can not do that, then we might certainly, in the interest of good legislation upon this project for saving the east front of the Capitol, do better by adopting the amendment the committee has reported.

Mr. LODGE. May I ask the Senator a question?

Mr. HALE. Certainly.

Mr. LODGE. As I understand, there is nothing of Mr. Walter's plan save mere sketches. There is not a working plan of any kind.

Mr. HALE. They were never carried into effect; there is no intimation that they were anything more than stray sketches. He made two or three or four of them; but I can find—and I have looked over the literature on the subject and have read the reports made in the Senate and the reports made by the architect when the wings were put on the building—not only nothing that indicates that there was a plan to change the east front, but I find repeated assertions in the debates and in the reports that nothing should be done that would change it.

Mr. LODGE. May I ask the Senator if the model in the Rotunda is according to the plans of Mr. Walter?

Mr. HALE. No; that has been constructed on the basis of one of those sketches to which I have referred, and it has been assumed that it was Mr. Walter's deliberate plan and that he believed it could be done; but I find no testimony and no evidence has been brought to show that.

Mr. LODGE. That plan was a mere suggestion.

Mr. HALE. A mere suggestion; a thought he had in his mind.

Mr. BEVERIDGE. I should like to ask the Senator from Maine a question for information. I should like to know if this is not the actual situation: That if the new building to be erected across the street is built, will not that, as a practical proposition, prevent the extension of the Capitol for all time to come, no matter how we make up our minds hereafter?

Mr. HALE. I will answer that question frankly. I am in favor of the new building anyway, but I do not think that any extension of the Capitol, such as is contemplated by these plans, will give any relief to committees. There are too few of those rooms that would be light. A great wide space has got to be had in this projection for a centerpiece. The House rooms on the right-hand side will cover up that part, and the rooms on this side, with the exception of the great dark space, which can not be utilized, will be very few. Therefore, whether that building is erected or not, I am not in favor of this extension; but I am in favor of the new building, because it will be a relief to Senators who have not got good or safe quarters.

Mr. BEVERIDGE. In common with many, or at least with some other Senators, I am not informed upon the merits or demerits of either proposition, but the question which occurred to my mind was this—and it has occurred to the minds of others—that if the building proposed should be erected across the street will it not have the practical result of preventing the erection of an extension to the Capitol for all time to come, no matter what might be our future judgment as to its advisability?

Mr. HALE. If the only object to be attained is in getting committee rooms, it would remove that object, undoubtedly.

Mr. BEVERIDGE. Yes.

Mr. HALE. But it does not in any way interfere with the general proposition that we ought not to interfere with the east front of the Capitol.

Mr. BEVERIDGE. But that relates merely to the question of art; so that if the building across the street should be erected there would not for all time to come be any reason for the Capitol extension, except merely as a question of art and not of utility. Is not that the situation?

Mr. HALE. It is claimed by its advocates that the plan for the extension of the east front improves the Capitol; but I do not believe that.

Mr. BEVERIDGE. I do not know, and I have asked the Senator for information because, as I say, there are many Senators around here who are not informed; but it appears, to repeat the question, that if the new building is erected, that will have the practical effect of preventing an extension of the Capitol at any time in the future, no matter what the future judgment of Congress might be.

Mr. HALE. It removes one reason?

Mr. BEVERIDGE. And leaves merely the reason of art?

Mr. HALE. Which I think ought to be the main reason.

Mr. BEVERIDGE. And not the reason of utility?

Mr. HALE. Not the reason of utility.

Mr. BEVERIDGE. The reason of art, in the first place, which it leaves is not so powerful as is the reason of utility.

Mr. BACON. I presume that it will be conceded by every Senator that there ought to be some additional accommodations for Senators, and it is simply a question as to what shall be done. Something evidently must be done. There are not now accommodations which are sufficient for Senators or in the use of which they can properly discharge their duties.

The presentation has been so fully made as to the necessity of this proposed building that I shall not dwell upon it at all. I

would not say anything now, Mr. President, but for the fact that the question has been suggested as to the propriety of the extension of the east front of the Capitol. I simply wish in a word to join most heartily in what has been said by the Senator from Maine [Mr. HALE] as to the impropriety of any change to the east front of this Capitol.

I am not an architect, but it is not necessary that one should be an architect in order to be able to appreciate the beauty of the front of this Capitol. One may travel the world round and see no such public building, so beautiful in its architectural effect, as is this building when viewed from East Capitol street. I myself think it would be an absolute sacrilege, so far as I am able to judge of the question of architecture, to make the extension which is proposed by the plan which is now in the Rotunda of this Capitol.

I would not touch it or make any change in it. Much less would I make the change contemplated in the proposed extension. If anyone will take a stand on the east front of the Capitol, he must perceive that one of its chief beauties is found in the great Dome, and that the splendid colonnade of that east front, of which from that standpoint it seems to form a part, constitutes really a feature of its architectural effect. If you extend the east front, you destroy the effect of the Dome from any near point of view. Besides that, to my taste, the extension would destroy also the fine architectural effect of the beautiful colonnades to the right and left.

I would very much prefer that the provision for the extension of the Capitol should be stricken from this bill altogether. It is true that it does not make any definite and permanent provision for it. It is true that if the plans are not subsequently approved the work will not be undertaken; but I am so impressed with the fact that to change it in any particular is to destroy its beauty that, for myself, I would be glad to see no step taken in that direction, even in the way of an investigation.

I was about to ask the Senator from Iowa what was to be done with this $500,000. I understood from him—I could not hear the Senator from Iowa distinctly—but I understood he proposed to reduce that amount to $500. Was I correct?

Mr. ALLISON. The Senator misunderstood me.

Mr. BACON. I could not hear the Senator very well on account of the conversation around me.

Mr. ALLISON. I said fifty or seventy-five thousand dollars.

Mr. BACON. Well, for what purpose, I would ask the Senator from Iowa, with his permission, would the fifty or seventy-five thousand dollars be used if it is simply to provide for an investigation by this commission, with a report to Congress? I do not understand that that involves the expenditure of money.

Mr. ALLISON. I will say to the Senator that it involves the study and preparation of plans in detail, including specifications for all the work that is to be done under the plans. Therefore it is a very great work to make the plans and the specifications covering all the details.

Mr. BACON. Mr. President, it seems to me that that could be very well postponed if we are going to enter upon the work of the construction of this building for the Senate. The extension of the Capitol could not in any measure supply the demand that the Senate now has for additional accommodations for Senators. Whatever building is put up ought to be in harmony with this Capitol. It ought to be a building not for this year or next year or the next century, but, so far as we can anticipate, for all time.

I would be very glad if the Senator from Connecticut [Mr. PLATT] would make the motion to strike this provision out altogether, but it seems to me that, even if it is not stricken out, we ought not to go to the expense of fifty or seventy-five thousand dollars for plans for the execution of which there would be little reason if we are to erect this proposed Senate building. The extension of the Capitol itself will not answer the demands of the Senate, and the extension itself would not do away with the necessity for the Senate building; but the erection of that building will do away with the necessity for the extension of the east front of the Capitol.

Mr. HALE. In order to test the sense of the Senate on the question of the extension of the Capitol, I will move to strike that provision out.

Mr. BERRY. I think it would be better to first take a vote on the proposition for an annex to the Senate, Mr. President.

Mr. HALE. Very well. After that vote is taken I will move to strike out the House provision regarding the Capitol extension.

Mr. BERRY. I ask for a vote on the question of the adoption of the amendment in regard to the new building for the Senate.

Mr. ALLISON obtained the floor.

Mr. TELLER. What is the question?

The PRESIDENT pro tempore. The question is on the amendment on page 81, providing for the erection of an annex for the use of Senators.

Mr. TELLER. I should like to say a word or two on that amendment whenever the Senate is in order, so that anyone can be heard. It is impossible for us to know over here what is going on in the Senate.

The PRESIDENT pro tempore. The Senate will please be in order.

Mr. TELLER. There is so much disorder that we must be in ignorance of what is going on.

The PRESIDENT pro tempore. The Chair recognized the Senator from Iowa [Mr. ALLISON].

Mr. ALLISON. Does the Senator from Colorado want to speak?

Mr. TELLER. I want to make some remarks; but I will wait until the Senator from Iowa gets through.

Mr. ALLISON. I wish to say a word or two. The Committee on Appropriations considered this subject with as much care as possible, having in view such enlargement of accommodations and the situation as would accommodate Senators, the Senate, and the business of the country, which all of us here know is growing with great rapidity as respects its relations to the two Houses of Congress and to the Executive Departments.

It is manifest to us all, and has been manifest to many of us for some years, that it is impossible to do well, with convenience and with comfort, the necessary business of the two Houses of Congress. Since I have become a member of this Senate I believe the work of the Senate has grown threefold and more.

When I entered the Senate, during my first term, Mr. President, I was not permitted even to have an assistant to help in the work that I was called upon to do as a member of the Senate. It was some time before I had an opportunity in the work of committees, etc., of which I was a member, to even have a skilled laborer assigned to me to assist in the necessary work that I was called upon to do. That was only thirty years ago.

I have lived to see within my service here every Senator on this floor provided with a clerk at an adequate compensation. I have seen, and we now know, that, in addition to that, every Senator is entitled to a messenger. I am speaking now of those who are not chairmen of committees and who do not have a committee room. A clerk and a messenger are given to the Senators, because we all know that the public business requires that they shall have such aids in order to enable them to transact the business which their constituents require them to do in this Chamber.

I have always been in favor of giving Senators, whether they be chairmen of committees having committee rooms or otherwise, such reasonable aids and instrumentalities as will enable them to do the work of their constituents.

You may go into every committee room in this building, and you find the shelves and every nook and corner occupied by public documents connected with the everyday business of the Senate. There is not a committee room having sufficient space in it for the accommodation of the useful papers necessary to carry on the work of the committee. Now, what is true of the Senate and what is true of its membership discloses that this wing of the Capitol, occupied first in 1859, is wholly inadequate for the business of this great country of ours in 1904.

Therefore, as a member of the Committee on Appropriations and partially responsible for the amendments and the measures that it projects into this Chamber for adoption or rejection, I am willing to take my share of the responsibility of everything that is proposed in this bill. We took up this question not only this year, but we had it up two years ago, when the House of Representatives made provision for a building outside of the House itself in order to accommodate its membership and its committees and to enable the Members of the House to perform their public duties by having instrumentalities necessary for that purpose. We undertook then to put on a provision here for the purpose of examining the question whether or not we should not pari passu with the House of Representatives have a building on the northeast corner. That fell through. The House of Representatives then wanted to enlarge the Capitol in the center, so that, in addition to securing accommodations in the new building, they would also secure accommodations in the Capitol.

I do not know by what law or by what authority it is, but the Capitol is divided into two parts. One part of it is south of the center of the Dome, and the other north of it. There is a comity, whatever we may say or whatever we may believe, that leads us at least to acknowledge that the Capitol belongs to the two Houses of Congress and not to one House. Therefore, in examining this question we should study it with reference to the present situation and what is necessary to improve that situation.

Senators have said in this debate that there is a desire on the part of the Supreme Court, representing one great branch of our Government, to vacate the Capitol, where they have been since the Capitol was constructed, in order to have a building of their own.

I do not speak for them and I do not know positively what they favor, but if I have a correct understanding with respect to their

view, it is that they desire to remain in the Capitol and not be banished to some other portion of the city for the purpose of having a temple of justice. I think it is to the interest of the public service that they should remain here if they so desire, and if we can make provision whereby they can be suitably accommodated we should do so. Their numbers are but nine, and they do not require very large accommodations, and it is not probable that that number will be largely increased, if it is increased at all. While they have not accommodations suitable to their situation and the work they have to do, yet it is very easy to provide in some way for additional accommodations for them without sending them out of the Capitol.

Mr. HALE. Does the Senator understand that the Supreme Court is finding fault with its present quarters?

Mr. ALLISON. I do not.

Mr. HALE. They are content if we let them alone.

Mr. ALLISON. Undoubtedly.

Mr. HALE. Yes.

Mr. ALLISON. Therefore, with our enlarged work and our enlarged necessities, if we are to retain the Supreme Court where it is, we have, in my judgment, an obligation resting upon us to provide suitable accommodations for the business of the Senate and the House, which is the business of the country.

The House has decided that for its convenience it requires not only what it has now, but space for the uses of the House and its committees plus the building it is now constructing. Whilst I believe that the building proposed by the House, in enlargement of the present Capitol, would in a great measure relieve the stress and strain we have here now, I agree with Senators that when that is done, if it is properly done, there will still be necessity for some rooms for the purposes of the Senate in addition to the Capitol. So I have no trouble and no scruple as respects the two things that are in this amendment—the enlargement of the Capitol and the construction of this building on the northeast corner.

That brings us to the consideration of the question whether we should or should not enlarge the Capitol. I do not lay very great stress on the fact as to what Mr. Walter said or what Mr. Walter did in 1855 regarding the extension of the Capitol. Neither do I lay special stress on the plans which he made in the year 1873–74. I only know that there was even then a pressure, as there was thirty years ago, for an enlargement of the Capitol or for some additional accommodations in other quarters. That necessity finally resulted in the purchase of the Maltby Building, which is wholly inadequate for the purposes intended.

Mr. President, I have changed my mind with respect to the center of the building and the construction proposed there. I had the idea that an enlargement of the building, by putting an addition on the east front, would impair the beauty and harmony of the building, but I have reason to believe that all of the architects, or all of them with very few exceptions, now believe that to make a suitable enlargement of the central building will greatly enhance the beauty of the Capitol and not impair it. That is the impression I gathered from the architects who appeared before the committee with respect to the House provision. And so understanding, the Committee on Appropriations have put in this bill provisions whereby the most eminent architects of our country shall study these questions and see whether or not the Senator from Maine is right in his belief that the beauty of this façade will be marred or impaired by the additional construction proposed. If it can not be done architecturally, it will not be done. If it can be done architecturally, I have no doubt of the importance of doing it. I have no doubt of its utility.

The Senator from Minnesota expressed what I am sure must be the view of most of the Senators, that they would greatly prefer to have accommodations for committee rooms at least in this building if those accommodations can be secured. I know of no Senator who has a comfortable committee room who is willing to exchange it for a place in the Maltby Building. I know of no Senator who would be willing to leave the Capitol, if he has a good committee room here, and place himself and his committee in the distant northeast building which we propose to construct.

Therefore I take it for granted it is important, both as a measure of utility and as a measure necessary to increase the beauty of the Capitol and not to mar it, that we should have an addition, or, rather, a central building, constructed here, not as the Senator from Maine says, to mar its beauty or impair any other portion of the Capitol, but which would add to its beauty.

Mr. HALE. Does not the Senator acknowledge, while he says he thinks the new plans would be as good or better than the old, that the filling up of the space entirely destroys the present façade?

Mr. ALLISON. We have no proposition before us to fill up that space. It is not a question of filling up space that is proposed in the model, if you call it such, of the front of the building.

Mr. HALE. I examined that model with Mr. Woods the other day. It fills up almost the entire space between the two wings and projects farther out than either wing.

Mr. ALLISON. Very well.

Mr. HALE. Now, I say that can not be done. The Senator thinks it would be a better design than the present——

Mr. ALLISON. I have not said so.

Mr. HALE. I thought so.

Mr. ALLISON. Certainly I have said nothing about the design.

Mr. HALE. I thought the Senator said it would improve it. Does not the Senator think it would destroy the present design?

Mr. ALLISON. I have said, and I repeat it, that I have enough confidence and faith in the skill of American architects to believe that they can so modify this plan as not to mar the present structure, but to add to its beauty and harmony as well as its utility.

Mr. HALE. And preserve the present eastern front?

Mr. ALLISON. Undoubtedly. That is the object of it. If that can not be done, then, of course, Congress will not approve the plan. If we have no architects who can put the dome somewhere in the neighborhood of the center of the Capitol instead of limping on one side, and thereby add to its beauty, we had better reject the scheme we have here that Congress shall approve this plan.

Mr. BEVERIDGE. I wish to ask a question because I am as uninformed as I am concerned. The Senator from Iowa knows all about the question——

Mr. ALLISON. I do not.

Mr. BEVERIDGE. While some of us know nothing about it. Suppose the new building is built with ample accommodations for the entire present membership of the Senate and all that may hereafter be added to it. Will that not as a practical matter have the result of foreclosing all possible extensions of the Capitol, whatever our future opinions may be about it? I am very willing myself, I think, on a vote to take the opinion of the committee, but it seems as the discussion goes along that that may be a pertinent question.

Mr. ALLISON. It is a pertinent question, assuming as a basis suggestions made by Senators. But as I understand, whatever we may do, if we build a building over there capable of providing for each Senator ample room, and in addition to that spacious committee rooms, if you please, still there would come up after we have passed away, or some of us at least, a desire on the part of Senators who may come here that they should have some committee rooms in the Capitol.

Mr. FAIRBANKS. Assuming that to be true, does not the Senator think it would be better and more economical to proceed with these projects one at a time? They are both very large and involve a very considerable sum of money. We have demands for buildings for the accommodation of other branches of the service, and does not the Senator think it is enough for the moment for us to provide for the construction of the independent building for the use of Senators, for folding rooms and the like, a complement to the building in course of erection for the House of Representatives, and then, if need be, after this work is completed, take up consideration of the question of an extension of the Capitol?

Mr. ALLISON. I will answer the Senator as I understand the question. I think it is important that at as early a day as practicable we provide additional accommodations for Senators, and that is just what this amendment proposes, as we have it here.

Mr. FAIRBANKS. Yes.

Mr. ALLISON. We propose now to do what? We propose now to provide a building on the north side of the Senate which shall in a measure be the counterpart of the building which the House of Representatives is now constructing.

Mr. FAIRBANKS. It is not proposed to make that less than sufficient to accommodate the present needs of Senators, is it?

Mr. ALLISON. It is supposed that the commission which is named in the amendment will provide a suitable plan for that purpose.

Mr. FAIRBANKS. Ample in every respect?

Mr. ALLISON. Ample for what? Certainly it is not expected that the committee rooms in this wing are to be transferred to the new building in any great number. It is certainly important that every committee we can have in the Capitol should be placed here. Therefore the commission will provide a suitable building. Our other amendment to the House provision looks to a careful study, not so much by ourselves, not by people who have not devoted their lives to the study of architecture, but by the most eminent architects in our country, of the great question of improving and enlarging and beautifying the Capitol of our country, and at the same time providing such room as will enable the country to get the greatest benefit from the services of the great men who are sent from the various States to perform the work of the country.

That will take the architects some time. They will not be able to report a suitable improvement of this building, if they make the study of it they ought to make, until the next Congress convenes. I am not myself prepared to postpone this question five or ten years. I want to see it progressing intelligently, in order that whatever is necessary may be done by the two Houses of Congress to provide such accommodations as they require to transact the public business.

We have built a Library here at an expenditure of $6,000,000, in round numbers, for the purpose of accommodating the people who come from every part of our country and for the purpose of accommodating the Representatives and Senators with respect to the literature which they need in their work. But we have thus far failed to provide ourselves with proper accommodations to do our work.

The Senator from Texas [Mr. BAILEY] made an observation a few moments ago which impressed me, and that was that a Representative or a Senator requires a lot of books about him in order to investigate questions which daily arise here and which are of the utmost importance. If Senators are to investigate the subjects, they must have about them books. With respect to the deficiency bill which is now under consideration in the Committee on Appropriations, we had a request from the Attorney-General that there should be provided an additional set of the Reports of the Supreme Court of the United States and of the Federal Reporter. He said there were only six sets in the Attorney-General's Office, and that each Assistant Attorney-General ought to be provided with a set in his own room.

If it be true that in the Executive Departments of the Government, with respect to the people who are the arms of the Attorney-General in the Department of Justice, they require these instrumentalities, is it not true also that Senators require them? That is impossible under existing conditions, and therefore I am in favor of enlarging the Capitol: first, because I believe it is necessary for Senators; secondly, because the coordinate branch with us in making the laws of this country have decided that it is important for them as well as for ourselves. Even if we had some doubt as respects the utility and the immediate and pressing necessity of the enlargement of the Capitol, I think we ought to have some regard at least to the comity that should exist between the two Houses.

Mr. BERRY. Will the Senator from Iowa permit me?

Mr. ALLISON. Certainly.

Mr. BERRY. The Senator said he supposed the committee rooms in this building would be retained as committee rooms; that he was impressed with the remark made by the Senator from Minnesota that it was preferable to have committee rooms in this building.

Mr. ALLISON. So far as practicable.

Mr. BERRY. The Senator realizes, I take it, that each chairman of a committee having suitable rooms in this building will not require an office in the new building?

Mr. ALLISON. I do not want to commit myself on that question.

Mr. BERRY. Very well; if a man wants two offices in two different buildings, that is a proposition which has never been discussed. I put this question to the Senator from Iowa: He says he is in favor of the eastern front extension; that it will furnish a number of rooms necessary for committee rooms for Senators. There are about fifty Senators now who have rooms in this building, and the Senator thinks they would prefer those rooms rather than to go to the northeast corner. I wish to ask the Senator if he does not think that $4,500,000—and he will not deny that it will reach that sum before we get through with it, but put it at $3,000,000, if you will, which is the amount specified in the amendment—is an excessive amount to provide for the remaining forty Senators who are in the Maltby Building? Does he think we ought to have a building costing this enormous sum of money for the forty Senators remaining now in the Maltby Building? As I said a while ago, I do not think the Senator will say we will complete the building for $3,000,000.

Mr. ALLISON. If I can remember all of the questions the Senator puts to me, I will try to answer them.

Mr. BERRY. If the Senator will answer such of them as he can remember, I will be glad.

Mr. ALLISON. I will answer that part of the question which stated as a premise that there are fifty Senators who have suitable accommodations in this building.

Mr. BERRY. I said who have rooms here.

Mr. ALLISON. Oh; rooms are a different thing. I want to provide, if I can, suitable rooms for Senators.

Mr. HALE. Has the Senator any doubt that there are at least a dozen, and I think more, rooms now here under the present arrangement which are occupied as committee rooms, in the terraces and those places, that are not suitable, and the occupants of which would be very much improved in accommodations if they had rooms in the new building?

Mr. ALLISON. I think probably they would be improved. The rooms in the new building, I think, would be an improvement on the rooms in the terrace.

Mr. HALE. I know myself there are here a dozen rooms occupied as committee rooms the occupants of which would be furnished improved accommodations in the new building. So the object of this building is not only to take care of men who have not committee rooms here, but of those who have not good committee rooms here. That is the proposition of the committee.

Mr. ALLISON. I understand that perfectly. The Senator has emphasized what I am trying to say when I say that we need all the committee rooms we can have here that are suitable, and in addition to that I feel quite sure we will require a great amount of additional room in the new building.

I wish to say a word about the committee rooms in the Capitol. They are not suitable committee rooms, with a very few exceptions. There are but few rooms that are suited to the work that has to be done. The Senator from Arkansas saw proper to suggest that I would not like to change to any new building that was constructed or even to the central part of this building, if improved, the committee of which I have the honor to be chairman at this time. I would not.

Mr. BERRY. I did not say that. The Senator will pardon me. I said that he had said that those who had committee rooms here would not want to move.

Mr. ALLISON. I would not, but at the same time the room of the Committee on Appropriations lacks just what the Senator from Texas in his observations said was most needed—that is, it practically lacks having a private room where study can go on, where books and reports can be provided suitably and examined. The committee room is lumbered up, and it is from necessity almost a public room.

Mr. President, with great deference to other Senators, especially to the Senator from Indiana [Mr. FAIRBANKS], who has charge of legislation affecting public buildings and grounds in this city and elsewhere, in my opinion we will not provide a temple of justice within the next few years for the Supreme Court. I see no movement looking to that end. It will not come. They do not want to go, and as long as they prefer to stay here that pressure will not be upon us.

I wish to say another thing before I sit down, and that is with respect to these two provisions. I believe our first duty or our equal duty is to provide accommodations for Senators and Members of the House which will be equal at least to the accommodations afforded the Executive Departments of this Government. I do not know of the head of an Executive Department, except perhaps one or two, who is not amply provided with accommodations, and with better accommodations for the transaction of the public business than any Senator in the Capitol.

The Senator from Arkansas says that these two provisions involve four and a half million dollars. This is limited to $2,225,000. I should have been willing to have made the limit less. The ground which is ample and which is probably necessary in many ways, outside of the building itself, will not cost to exceed $750,000; so the outside cost of the building will be $3,000,000.

The cost of the central building is limited to two and a half million dollars, and not $3,000,000, in the bill. If the views expressed by the Senator from Maine and others are to prevail, then the central building will be much smaller than the building proposed to project away out in the center of the Capitol. If it is a much smaller building, it will cost much less money. So we can accommodate suitably the committee rooms in this building, the House of Representatives, and the Supreme Court, and also take care of the number of Senators in the new building who may require care.

Mr. President, I do not share the view of either Senator who has spoken against this central building as respects taking only one or the other. I am for both of them and for starting both upon their pathway, one more rapidly than the other, but both, in order that we may provide here suitable accommodations for ourselves and for those who come after us.

Mr. TELLER. Mr. President, the primary purpose of this amendment——

Mr. FAIRBANKS. Will the Senator from Colorado allow me to ask the Senator from Iowa a question?

Mr. TELLER. Certainly.

Mr. FAIRBANKS. It is a question merely for information. I wish to inquire of the Senator from Iowa how many Senators will be accommodated in this building after the front is extended as proposed?

Mr. ALLISON. That depends entirely, of course, upon the plan which we have provided shall be most carefully studied. It may accommodate twenty-five; it may accommodate thirty-three; it may accommodate a less number. I know if it can accommodate even ten and will add to the beauty and harmony of this great structure, it ought to be entered upon, in view of all the circumstances surrounding the situation.

Mr. FAIRBANKS. I asked how many would be accommodated all told, taking those who are accommodated now and those to be provided for by the addition.

Mr. ALLISON. In the two buildings?

Mr. FAIRBANKS. Yes, approximately.

Mr. ALLISON. There are ninety Senators now, and I think there are forty-eight or forty-nine committees, so that Senators not having committees would be obliged to get suitable quarters for their work, which they must do and ought to do and which they would like to do, in the neighborhood of the Capitol.

So I should think there would be required some forty rooms in the building on the other side for committees, in addition to, say, twenty or twenty-five here, as we could find room. I think it is very important that we should have as many committee rooms as possible in this building.

Mr. FAIRBANKS. I simply wanted to find out how many would have to be provided for in the new building.

Mr. ALLISON. That is a conjecture—an estimate.

Mr. TELLER. Mr. President, as I was proceeding to say, the primary purpose of the Senate committee amendment is to provide committee rooms or office rooms for Senators, or both. Now, there are two projects to meet that demand. One is to do what the Senate committee proposes to do—to construct a building. The other is to meet that demand by increasing the Capitol by the extension of the east front. If anybody has for a moment considered and given any attention to the last proposition, he must admit that it does not solve the difficulty. There will be some room, but of the whole number that anyone has claimed half must be surrendered to the House, and the other half will be practically dark rooms.

Mr. ALLISON. The two together will accommodate them.

Mr. TELLER. The two together, the Senator says, will accommodate them. But, Mr. President, we have no expectation that the House is going to divide that space with us. Years and years ago the line was drawn between the House and the Senate.

Mr. ALLISON. I refer to our outside building and the number who will be accommodated here.

Mr. TELLER. I expect we will erect the outside building big enough to accommodate the Senate. How big that will be I do not know. That will be determined. But I do know, and so does the Senator from Iowa, and every other man on the committee and off the committee ought to know, that if you extend the east front you still leave the problem unsolved as to how you are going to take care of your membership. You leave a great number of Senators who are not treated as other Senators are treated even with the extension as proposed.

Now, Mr. President, I wish to say merely a word or two about the proposed extension. The Senator from Iowa says he has changed his mind—that he has heard some architect. I myself heard the architect before the committee the other day. There were six or eight of them who appeared before the committee, and there was not a single man of them who knew what Walter's plan was. Finally they said they did not believe that it was a fixed and determined plan of Walter's. Some of them said they could devise a scheme that would beautify the front.

Oh, Mr. President, I suppose you could find a carpenter out here who would agree to do that. I do not care what an architect says about this front, the public opinion and the world's opinion for fifty years has declared that it does not need any tinkering by anybody, whether he is an architect or anything else. There is not a public building on the face of the earth that has had more laudations of its beauty than the very building in which we are now, and when some man who labels himself as an architect because, perhaps, he has studied the question of drawing angles and corners comes here and tells me that he can beautify it and improve it I want first to see his work.

Mr. President, no great architect who has ever looked at this building has ever suggested any improvement on it by that process, by extending the front. Common sense ought to show every man that it puts the whole Capitol building out of its order and that the symmetry is destroyed.

If it had not been for the pressure for room you would not have heard of any demand for the extension of the east front of the Capitol. I have heard it here for years, first for the east front, and when public opinion would not approve of that, then it was for the west part of the building. Then, as I said the other day, we devised the crypt, which is not a fit place for anybody to stay in except the engineer who takes care of the engines down there, or something of that sort.

Mr. SPOONER. There are eleven Senators down there.

Mr. TELLER. The Senator from Wisconsin says there are eleven Senators down there. Mr. President, I spent two years there. I spent two years in the Maltby Building. When I came here I spent two years looking around for a place, and finally I hired a room down on F street to transact my business in. I came from a law office in a small country town. I never have had since I have been here accommodations which I would have regarded for a moment as suitable for a law office in a town of 3,500 or 4,000 people. I surrounded myself with books, when books cost four or five times what books cost to-day, and in the library in which I profess to have an interest there are several thousand law books, and none too much for the law office to which I formerly belonged and of which I am not now a member.

I am like the Senator from Texas. I can not do business without books. I heard a Senator the other day talking about a brilliant young man, who had studied law and who came to the bar. He did not seem to give much attention to books, and one of his brothers said to him, "Why, you ought to give more attention to the law books and study the law." "Oh," he said, "I looked over them and found that they said the law was as I thought it was, and I do not think I need go any further."

Mr. SPOONER. He did not go much further, did he?

Mr. TELLER. I guess he did not go much further, either. Mr. President, I am not one of those. I have my ideas of what the law is. I am like the Senator from Texas; I want to fortify myself and find out whether I am right or not. I find, occasionally, that the Supreme Court of the United States has said one thing is the law one day and subsequently it modified or revoked it. I want to keep in touch with those things. I think every Senator ought to have a set of the Reports of the Supreme Court of the United States in his office, where he can have access to them. Two-thirds of the Senate are lawyers, and always will be, probably, and it is upon the lawyers of the Senate we depend in law questions.

Mr. President, I am going to vote with the Senator from Maine, who moves to strike out all about the east front. I do not agree with the Senator from Connecticut that we commit ourselves to it; but I believe when you have a special building built you will cease to hear any demand from anybody for the extension of the east front. But, anyway, the proposition as it came from the committee is in a better shape than when it came from the House. What was that? That immediately we are to go to work and tear down the east front.

There is not a man living who knows what the architect would bring out of it. Now, I do not intend to be silent when a proposition is made that any man living shall be authorized to tear down that front and substitute something for it except as Congress directs him to do it. I know the people of the United States will hold us responsible if we allow some one calling himself an architect or calling himself what he pleases to make a botch of that work, as I believe would be the case if they are allowed to go on unrestricted and unrestrained and undirected.

I have taken great pride in this Capitol. I came here at an early day, long before I ever expected that I would become a member of this body or of any other connected with it. I stood around the building and looked at it. I was not an architect, but I do not need to be an architect to know whether the lines of a building are drawn with reference to symmetry and taste and beauty. That is a thing that is given to you by the Almighty, and you do not get it out of books. There never was an architect in the world who was not, if a great architect, like a poet, born. The men who built the great buildings of the world were great teachers of architectural beauty, and there are now in the world lines of architecture of systems of buildings that the world recognizes as a correct idea and a correct system.

This extension of the Capitol will find no parallel on the face of the globe. In all the great buildings that have been built in the history of the world there has been nothing like what is now proposed. It can not be classed with any order of architecture or class of buildings that mankind ever looked on before. Yet we are to have it, first, in the interest of economy, and then in the interest of a few traveling architects who think they would be able to do something to immortalize themselves. Mr. President, I believe they would—but not in the way they hope to do it—if they were allowed to have their way and perform the work they propose, to extend the building out 200 feet.

Mr. President, undoubtedly that part of the building could be taken down and a new one put up that would not greatly destroy the harmony of the building, but it would not be big enough to accommodate any considerable number of Senators. On the contrary, if you should do what ought to be done, if at all it is to be touched, you would have to keep close in the lines of the original building. I do not believe there is a first-class architect in the world who would tell you that he can improve the building. At all events, there has been no public demand that we should attempt to do that thing.

As I said the other day in committee, I repeat, if you allow profane hands to be put upon the building and it turns out not to be symmetrical and beautiful, and a building that does not receive the plaudits of the world, as this has done, you will hear a complaint from one end of the land to the other, and not from the masses, but from the best minds and best people of the land.

Mr. President, I want to address myself for a moment or two to the expense of this building. I know, of course, we have different ideas about the matter.

Like the Senator from Texas, I would not spend a dollar of the public money that was not properly expended; but I know a great nation like this is not bound down by the economy that individuals are bound down by. The buildings that we build for the nation should not be such as a man builds for himself either for business or for residence. It should be a building that will accommodate the necessities of the Government. It should be a building built, as the Senator from Texas says, strong, splendid, useful; and it should be built not for this year or the next or the next hundred years, but it should stand like the old buildings of Rome, for two thousand years.

Mr. President, if I had been a member of the Senate seventy-odd years ago I do not suppose I would have thought of expending $2,000,000 or $3,000,000 upon a house for Senators, but when I was born the population of this country was less than 12,000,000. To-day it is 80,000,000 and more. Senators sitting here will yet live to see that population doubled, and with the doubling population you will double the wealth and you will double the necessities of the Government for places of business here. You may not get more Senators than the Senator from Texas says you are going to get. It may be four and it may be eight more——

Mr. STEWART. How about Alaska?

Mr. TELLER. But, Mr. President, I believe there are Senators sitting here who will see more than eight additional Senators coming into this Chamber. Fourteen Senators have come into it from seven new States since I took my seat in the Senate. I can not say what the future will be as to Alaska, as the Senator from Nevada suggested, but I believe that eventually there will be a population there that will justify the admission of a State from Alaska. If we maintain our relations with Porto Rico, some day we are either to put Porto Rico by herself or we are bound to take her in as a State. Possibly, and it has been one of my hopes and one of my dreams, at some time this great country north of us, peopled with people like ourselves, of the same race and the same aspirations, may say to us, "Let us come in under your flag." They could do it, Mr. President, without loss of dignity. They could do it without loss of prestige. They could do it, I believe, to great advantage for us and for them. Suppose they asked us to accept them as a part of this great Republic, dividing them up into States, I should like to see this Capitol in such a shape that it could take them in when they came.

I do not believe in economizing to such an extent that we shall appear mean. I think since I have been in the Senate I voted not less than four or five times against a proposition to build a library building in this city. Why? Because no proposition came to us from the other body that was of a proper character. Finally, after rejecting bill after bill, we passed a law to build the present grand and magnificent Library building to which everybody who comes to Washington holds up his hands in admiration. The first Librarian of that building said to me, "I have seen every great library of the world. There are bigger buildings, but there is no such library building in its appointment, in its fitness, in its beauty, anywhere else under the sun."

Thousands and tens of thousands of people come here from our own land and look upon that building with pride and with pleasure. I want to see the public buildings in this great capital of ours built so that when the people come here they will look up to them with reverence and be delighted.

Mr. President, if the building costs $3,000,000 or $5,000,000 or $10,000,000, we are able to build it and ought to build it.

I have a committee room. I could get from my committee room in the proposed building almost as quickly as from the one in the Capitol. I have no privacy in it. It is a place where I must open the door for any man who comes from my State or any other on public business, or who desires a place to write or to read or to consult me or anybody else.

I say every Senator ought to have two rooms. Every Senator ought to have two rooms, one of them large enough to contain his library. I do not know whether the Government of the United States will supply each Senator with a library. I have for many years supplied myself with such books as I felt I ought to have. I can not put them in my committee room, and I am compelled to put them in my rooms at the hotel. I pack them up every time I go away and send them to some storehouse, and unpack them again when I come back. I say no Senator can do his duty here without more or less books of reference, without books of authority on the great questions that come before us day by day.

Mr. President, it is said one could not get from the building over there into the Senate in time to answer to a roll call. In my judgment, that would be one of the advantages in having Senators there. I say it is the duty of a Senator not to be in his committee room during the hours when the Senate is in session. It is his duty to be here. I do not care what is up or what is being considered, it is the duty of a Senator to attend the sessions of the Senate and not be in his committee room. Early in the morning or after adjournment there is time enough for us to do our work in committees.

Mr. President, I would be very glad to see adopted, as I said, the amendment proposed by the Senator from Maine, striking out all about the east front; but if that is not done I do not believe, as the Senator from Connecticut [Mr. PLATT] says, that we are committed to that scheme. We have appointed a commission. The Senators we have selected I am sure can not be objectionable to anybody, and I believe I can say, although in their presence, that they are men who are not going to allow any architects or anyone else to cajole them into doing a thing that ought not to be done.

The same may be said of Members of the House of Representatives who have been included in this provision after consultation with Members of that body.

Mr. President, when they have got right-thinking architects before them—and the commission are to select the architects—I believe we shall get a report from that commission that under no circumstances do they want or do we want to touch the east front of the Capitol.

I do not expect, Mr. President, that I shall ever have the advantage of this new building. My term of office will undoubtedly have expired before it is sufficiently completed to be suitable for occupation; but there will be others to occupy it.

I believe it is the duty of the Senate to provide what we ought to have provided years ago. As I heard a Senator say to-day, the House for twenty years knew that they ought to do just what they have done, but they were afraid of public criticism; and yet when they did it, Mr. President, there was not a suggestion from any place in the country that there had been any lack of economy or lack of judgment in so providing for their accommodation in the future.

Mr. FAIRBANKS. I understand that there are not thirty of the ninety Senators who are properly provided for so far as their rooms are concerned. In other words, there are over sixty of the Senators not properly accommodated.

Mr. HALE. Not over twenty-five Senators are properly provided for.

Mr. FAIRBANKS. The Senator from Maine suggests that there are not over twenty-five who are properly provided for.

Mr. TELLER. I think the last statement is more nearly correct than the first.

Mr. FAIRBANKS. I am very heartily in favor of providing the most ample accommodations for Senators, upon whom a vast amount of work devolves and great responsibility rests. I do not think there is any difference of opinion among Senators upon that point. The only question which arose in my mind was whether it was advisable to carry forward both of these contemplated projects at the same time. The committee proposes by its amendment to go forward with the purchase of a site and the construction of a separate building for the use of Senators which shall be the complement of the building in course of construction for the House of Representatives.

It will take some years to complete it. It seems to me that it should be adequate for the reasonable present necessities of those Senators who are very inadequately provided for, and at a later date the work of extending the Capitol might be entered upon if that course, upon the most mature consideration, should be thought advisable.

Mr. TELLER. Mr. President, I do not care to continue this discussion further. I think the Senator from Indiana [Mr. FAIRBANKS] has substantially said what I was about to touch upon, so I need not continue.

Mr. CULLOM. Mr. President——

Mr. STEWART. I should like to make a single remark.

Mr. CULLOM. I should like to be recognized for a moment, Mr. President.

The PRESIDENT pro tempore. The Senator from Illinois.

Mr. CULLOM. There is a good deal of necessity for an executive session this evening. There are many nominations that have not been disposed of for some days, and in addition to that there is a ratification of a treaty to be considered, which I am anxious to have attended to as soon as possible. I ask the chairman of the Committee on Appropriations whether he will not yield, that I may move an executive session?

Mr. ALLISON. I had hoped that we should be able to finish the sundry civil appropriation bill this evening, but I am willing, under the circumstances, to yield to the Senator from Illinois, as I am sure we can not finish the bill to-night.

Mr. McLAURIN. Will the Senator from Illinois [Mr. CULLOM] withhold his motion for a moment?

Mr. STEWART. I want to say just a few words on the matter

which has been pending, but I will make my remarks in the morning.

G. W. HARDY AND JOSEPH LARD.

Mr. McLAURIN. I ask unanimous consent for the present consideration of the bill (S. 5245) to indemnify G. W. Hardy and Joseph Lard, of Scott County, Miss., for homestead land by granting other lands in lieu thereof. It will take only a minute. A similar bill passed the Senate in the last Congress.

Mr. CULLOM. I understand that the chairman of the Committee on Appropriations has in part promised to yield to the Senator from Mississippi, so I will yield to him; but I give notice that I will not yield to any other Senator.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to grant to G. W. Hardy and Joseph Lard, Scott County, Miss., each 80 acres of the unreserved public land of the United States in the State of Mississippi, such as they shall, respectively, select and notify to the Secretary of the Interior, in subdivisions not less than 40 acres, in lieu of land held by them but awarded by the General Land Office to the Alabama and Vicksburg Railroad Company, and that such selection shall not be made of any land lawfully held by any other person at the time of such selection as a homestead entry, or to which any other person shall have at such time any lawful claim.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eighteen minutes spent in executive session the doors were reopened, and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 20, 1904, at 12 o'clock m.

CONFIRMATIONS.

Executive nomination confirmed by the Senate April 12, 1904.

POSTMASTER.

ILLINOIS.

Frank E. Davis to be postmaster at Arlington Heights, in the county of Cook and State of Illinois.

Executive nominations confirmed by the Senate April 19, 1904.

CONSUL-GENERAL.

James R. Parsons, jr., of New York, to be consul-general of the United States at Mexico, Mexico.

REGISTER OF THE LAND OFFICE.

Albert D. Chamberlin, of Wyoming, to be register of the land office at Douglas, Wyo.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

To be first lieutenant.

Second Lieut. James E. Abbott, Twelfth Cavalry, April 2, 1904.

INFANTRY ARM.

To be lieutenant-colonel.

Maj. Henry E. Robinson, Fourth Infantry, April 7, 1904.

To be majors.

Capt. Wilds P. Richardson, Eighth Infantry, April 7, 1904.
Capt. Charles H. Barth, Twelfth Infantry, April 7, 1904.

To be captains.

First Lieut. Robert W. Barnett, Thirteenth Infantry, April 7, 1904.
First Lieut. Pearl M. Shaffer, Thirteenth Infantry, April 7, 1904.
First Lieut. Laurence A. Curtis, Twenty-second Infantry, April 7, 1904.
First Lieut. David B. Mulliken, Twenty-ninth Infantry, April 7, 1904.
First Lieut. Peyton G. Clark, Thirteenth Infantry, April 8, 1904.

To be first lieutenant.

Second Lieut. Clyde B. Crusan, Fourth Infantry, April 5, 1904.

PROMOTION IN THE MARINE CORPS.

First Lieut. Percy F. Archer, of the United States Marine Corps, to be an assistant quartermaster in the Marine Corps, with the rank of captain, from the 31st day of March, 1904.

APPOINTMENTS IN THE NAVY.

To be assistant surgeons.

Harry F. Hull, a citizen of Colorado.
George L. Wickes, a citizen of New York.
William J. Zalesky, a citizen of Iowa.

PROMOTIONS IN THE NAVY.

Pay Inspector William W. Galt, United States Navy, an additional number in his grade, to be a pay director in the Navy from the 27th day of December, 1903.

Lieut. William C. Herbert to be a lieutenant-commander in the Navy from the 1st day of January, 1904.

Lieut. (Junior Grade) Orin G. Murfin to be a lieutenant in the Navy from the 11th day of October, 1903.

Lieut. (Junior Grade) Clarence S. Kempff to be a lieutenant in the Navy from the 1st day of January, 1904.

Ensign Charles W. Forman to be a lieutenant (junior grade) in the Navy from the 28th day of January, 1904.

Lieut. (Junior Grade) Edward Woods to be a lieutenant in the Navy from the 1st day of January, 1904.

Ensigns Allen Buchanan and Frederick J. Horne, jr., to be lieutenants (junior grade) in the Navy from the 28th day of January, 1904.

Lieut. Hilary P. Jones, jr., to be a lieutenant-commander in the Navy from the 15th day of March, 1904.

Lieut. William R. Shoemaker to be a lieutenant-commander in the Navy from the 18th day of March, 1904.

Assistant Civil Engineer James V. Rockwell to be a civil engineer in the Navy from the 6th day of March, 1904.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

First Asst. Engineer Henry K. Spencer to be a chief engineer, with the rank of first lieutenant, in the Revenue-Cutter Service of the United States.

Second Asst. Engineer Henry T. Powell to be a first assistant engineer, with the rank of second lieutenant, in the Revenue-Cutter Service of the United States.

APPOINTMENT IN THE REVENUE-CUTTER SERVICE.

Joseph E. Sheedy, of Massachusetts, to be a second assistant engineer, with the rank of third lieutenant, in the Revenue-Cutter Service of the United States.

PROMOTIONS IN THE MARINE-HOSPITAL SERVICE.

Asst. Surg. Walter W. King, of Michigan, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from March 13, 1904.

Asst. Surg. Thomas F. Richardson, of Louisiana, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from March 11, 1904.

SURVEYOR OF CUSTOMS.

Joshua L. Chamberlain, of Maine, to be surveyor of customs in the district of Portland and Falmouth, in the State of Maine.

DISTRICT JUDGES.

William H. Hunt, of Montana, to be United States district judge for the district of Montana.

James B. Holland, of Pennsylvania, to be United States district judge for the eastern district of Pennsylvania.

CIRCUIT JUDGE.

A. N. Kepoikai, of Hawaii, to be judge of the circuit court of the second circuit of the Territory of Hawaii.

UNITED STATES ATTORNEYS.

Noah B. K, Pettingill, of Porto Rico, to be United States attorney for the district of Porto Rico.

William Wirt Howe, of Louisiana, to be United States attorney for the eastern district of Louisiana.

MARSHAL.

William R. Compton, of New York, to be United States marshal for the western district of New York.

POSTMASTERS.

ALABAMA.

Hattie N. Tabb to be postmaster at Thomasville, in the county of Clark and State of Alabama.

COLORADO.

Edgar E. Beckett to be postmaster at Lafayette, in the county of Boulder and State of Colorado.

Charles G. Pickett to be postmaster at Wray, in the county of Yuma and State of Colorado.

CONNECTICUT.

George P. Edwards to be postmaster at Collinsville, in the county of Hartford and State of Connecticut.

IDAHO.

John M. Butler to be postmaster at Shoshone, in the county of Lincoln and State of Idaho.

IOWA.

S. M. Brinton to be postmaster at Brighton, in the county of Washington and State of Iowa.

Evan B. Dowell to be postmaster at Indianola, in the county of Warren and State of Iowa.

MASSACHUSETTS.

William H. Pierce to be postmaster at Winchendon, in the county of Worcester and State of Massachusetts.

Martin E. Stockbridge to be postmaster at Dalton, in the county of Berkshire and State of Massachusetts.

Willis A. Taft to be postmaster at Oxford, in the county of Worcester and State of Massachusetts.

MINNESOTA.

Charles S. Harden to be postmaster at Le Roy, in the county of Mower and State of Minnesota.

MISSOURI.

George W. Goins to be postmaster at Breckenridge, in the county of Caldwell and State of Missouri.

C. M. Harrison to be postmaster at Gallatin, in the county of Daviess and State of Missouri.

NEW YORK.

Charles G. Bacon to be postmaster at Northville, in the county of Fulton and State of New York.

Robert J. Buck to be postmaster at Watertown, in the county of Jefferson and State of New York.

Rufus Daggett to be postmaster at Utica, in the county of Oneida and State of New York.

Charles L. Dix to be postmaster at Forestville, in the county of Chautauqua and State of New York.

George H. Emens to be postmaster at Clifton, in the county of Monroe and State of New York.

James A. Johnston to be postmaster at Marlboro, in the county of Ulster and State of New York.

Frank S. Kenyon to be postmaster at Adams, in the county of Jefferson and State of New York.

William McCarthy to be postmaster at Mineola, in the county of Nassau and State of New York.

OHIO.

William C. Hughes to be postmaster at New Straitsville, in the county of Perry and State of Ohio.

John McGuff to be postmaster at Creston, in the county of Wayne and State of Ohio.

Samuel F. Smith to be postmaster at Pomeroy, in the county of Meigs and State of Ohio.

Robert H. Wiley to be postmaster at Flushing, in the county of Belmont and State of Ohio.

OKLAHOMA.

Emily McKinley to be postmaster at Kingfisher, in the county of Kingfisher and Territory of Oklahoma.

PENNSYLVANIA.

Martin B. Allen to be postmaster at Honesdale, in the county of Wayne and State of Pennsylvania.

John H. Brubaker to be postmaster at Elizabethtown, in the county of Lancaster and State of Pennsylvania.

William H. Fulton to be postmaster at Stewartstown, in the county of York and State of Pennsylvania.

Alvin A. Hazlett to be postmaster at Aspinwall, in the county of Allegheny and State of Pennsylvania.

David D. Park to be postmaster at Lapark, in the county of Lancaster and State of Pennsylvania.

SOUTH CAROLINA.

Charles J. Mulkey to be postmaster at Westminster, in the county of Oconee and State of South Carolina.

UTAH.

Stephen W. Ross to be postmaster at Lehi, late Lehi City, in the county of Utah and State of Utah.

VIRGINIA.

Beverly A. Davis to be postmaster at Rockymount, in the county of Franklin and State of Virginia.

WASHINGTON.

Ulysses E. Foster to be postmaster at Sedro-Woolley, in the county of Skagit and State of Washington.

HOUSE OF REPRESENTATIVES.

TUESDAY, *April 19, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

STATEHOOD FOR THE TERRITORIES.

Mr. DALZELL. Mr. Speaker, I present a privileged report from the Committee on Rules.

The Clerk read as follows:

The Committee on Rules, to whom was referred the resolution of the House numbered 331, have had the same under consideration, and ask leave to report in lieu thereof the following:

"*Resolved*, That immediately after the adoption of this resolution the bill (H. R. 14749) entitled 'A bill to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States,' shall be taken up for consideration in the House as in Committee of the Whole, and general debate may be had on said bill until 4.30 o'clock p. m., at which hour, or earlier if said general debate shall cease earlier, a vote shall at once be taken upon the following amendments to said bill, which shall be considered as pending—that is to say, on page 5, in line 2, after the word 'marriages,' and on page 22, in line 25, before the word 'are,' insert in each case the words 'and the sale, barter, or giving of intoxicating liquors to Indians,' so that the closing sentence of the paragraph in each case as amended shall read: 'and that polygamous or plural marriages and the sale, barter, or giving of intoxicating liquors to Indians are forever prohibited'—and on the bill to its final passage, without intervening motion or appeal."

Mr. DALZELL. Mr. Speaker, this rule relates to the consideration of the bill proposing to admit to statehood Oklahoma and the Indian Territory as one State and Arizona and New Mexico as another State. The provision in the rule is for debate until half past 4 o'clock this evening, at which time a vote is to be taken on the bill and upon one amendment that is suggested in the rule and which relates to the sale of liquor to Indians. I have no disposition to occupy the time of the House. How much time does the gentleman from Mississippi want?

Mr. WILLIAMS of Mississippi. The usual time under the rule.

Mr. DALZELL. I did not ask the previous question; I forgot that. I will yield to the gentleman such time as he wants.

Mr. WILLIAMS of Mississippi. Very well.

Mr. DALZELL. Twenty minutes?

Mr. WILLIAMS of Mississippi. Yes.

Mr. DALZELL. I yield to the gentleman from Mississippi twenty minutes and reserve the balance of my time.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I suppose that the attention of the country has been sufficiently called to the rapid-fire, drastic legislation lately proceeding from the Committee on Rules.

The gentleman from Pennsylvania has been so long the mouthpiece of the Committee on Rules for purposes of this sort that his former urbane countenance has assumed here of late a Draconian expression.

Mr. Speaker, perhaps no matter of equal importance permanently and remotely to the American people has been pushed through in a manner like this. In order that the House may appreciate the importance ultimately and with regard to the future history of the country of the legislation now proposed, I wish to call its attention to some facts, but before that I want to say that in my opinion there is not an idea in the mind of gentlemen upon that side of the Chamber that this bill will become a law at this session of Congress; probably not an idea that it ever will become law. It is a pretext to satisfy the popular demand for statehood for Oklahoma and the Indian Territory and New Mexico and Arizona; a mere pretext, "apples to the eye and ashes to the taste." It is, in my opinion, purposely presented here in such a form as that it was known beforehand that it could not receive the approbation and votes of this side of the Chamber and will receive the votes of that side of the Chamber only for the purpose of holding up this pretext to the country.

What is proposed to be done here? Mr. Speaker, I want to call the attention of the House to the fact that Montana has 145,310 square miles; Texas, 262,290 square miles; California, 156,172 square miles; Nevada, 109,740 square miles; New Mexico, 122,460 square miles; Arizona, 112,920 square miles, making for Arizona and New Mexico put together an area of 235,380 square miles, more than any State in the Union except Texas. Now, I want to call the attention of this House to the fact that these States mentioned, if these two are admitted as one State, will contain the enormous area of 908,822 square miles, and that Montana, Texas, California, Nevada, and the new State of Arizona, composed of the Territories of New Mexico and Arizona, will for all time be limited in representation in the Senate of the United States to ten Senators, whereas the North Atlantic States, having all put together only 162,103 square miles; the South Atlantic States, having all put together only 268,620 square miles, making the

sum total of the Atlantic seaboard States 430,720 square miles, will have for all time a representation in the Senate of the United States of twenty-eight Senators, eight more than double the Senatorial representation which will be held in the States mentioned by me, with an area of nearly 909,000 square miles—over twice as many square miles.

Mr. Speaker, I believe that legislation like this is laying up a curse for the future. The time will come when the people of the Union will not submit to the Atlantic seacoast having twenty-eight Senators in the Senate of the United States and the entire Pacific slope only six, and the great States which lie on the Mississippi River, five on each side, ten altogether—the most fertile and destined to be the richest and most populous in the Union—only twenty representatives in the Senate of the United States, while the States of the Gulf coast, excluding Florida, will have for all time only ten Senators. When the country is met finally with the constitutional bar against changing this unjust and inequitable representation in the Senate save with the consent of each State, a representation that becomes more and more unjust and inequitable as time rolls on and the West and South become equal in density of population with the Atlantic seaboard, we have been taught by past history in this country that that bar will not restrain the people when they are seeking substantial justice. You are laying up a curse, you are laying up revolt against the Constitution itself, and you are laying up a glaring injustice for the future historian to consider.

Now, Mr. Speaker, how much time have I left, because I do not wish to consume all the time myself?

The SPEAKER. The gentleman from Mississippi has fourteen minutes remaining.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I yield those fourteen minutes to the gentleman from Tennessee [Mr. MOON].

Mr. MOON of Tennessee. Mr. Speaker, I have, as a rule, no serious objection to this House, through the Committee on Rules, limiting debate. It often happens that debate is too prolonged on immaterial matters in this House, and with a body of this size there ought to be some means by which it can be limited. It may occur, though seldom, that a bill ought to be presented and considered by this House without amendment. Scarcely, however, ought this to occur. To-day we are considering, not a matter of minor importance, but a matter that affects the rights and the destiny of nearly 2,000,000 of American people. Under the provisions of the Constitution we are proposing to-day to admit four Territories into the sisterhood of States. It has occurred to me that in view of the manner in which this bill was framed in the Committee on Territories, framed in the dark by the majority, without due consideration, that this House at some time ought to have the privilege of considering this intensely wicked partisan measure.

There are provisions of the bill which, I take it, will appeal to your sense of justice and right. There are provisions in it that deny equal representation in the constitutional convention which must adopt this act. There are provisions in the bill that do not permit the two great parties to participate by their representatives in the election or in the naming of the judges and the boards of election. These, perhaps, are of minor importance from a partisan standpoint. They ought to appeal to us, but ordinarily they do not to men seeking party advantage.

I now desire to submit to gentlemen on the other side of the House a matter which I believe will appeal not only to their sense of duty, but to their morality, their honesty, their integrity in the solution of this question. You have said that but one amendment ought to be submitted to this bill—that a prohibition amendment. I submit to you that this House ought to let the people of those Territories have a voice in the consolidation proposed under the bill. I submit that if New Mexico and Arizona are to vote together, if either of the States should reject the bill, that they should not be consolidated.

If Oklahoma and the Indian Territory are to vote together and if either rejects the provisions of the bill, it ought not to be passed. And why? You put it in the power of the Territory having the majority to mercilessly coerce the smaller Territory against its will into a union, although every vote in that smaller Territory may be polled against the measure. In the case of Oklahoma and the Indian Territory I say to you, gentlemen, that you can not pass this bill unless you violate the plighted faith and the honor of the United States to the Five Civilized Tribes, unless you permit an amendment that authorizes a separate vote in the Indian Territory on this question. If that be true, if your personal and political integrity are involved in this question, if the honor of the United States is involved, if the duty to keep treaties with the Indians is involved, is it wise for you to pass a measure without consideration of that question?

Listen for a moment and see if this does not appeal to your sense of justice: You remember the Indians were removed from east of the Mississippi in the early thirties and placed in the Indian Territory; that they agreed to treaties alone upon the ground that that was to be made a home for the Indians, a permanent abiding place, not to be controlled and no dominion to be exercised over it by the white men without their consent. That provision runs through all of their treaties. Yes, as late as 1898, this very House affirmed this provision of those treaties. Let us take the treaty of 1835 and see what it provides:

> Whereas it being the anxious desire of the Government of the United States to secure to the Cherokee Nation of Indians a permanent home, and which shall, under the most solemn guaranty of the United States, be and remain theirs forever, a home that shall never in all future time be embarrassed by having extended around it the lines or placed over it the jurisdiction of a Territory or State nor be pressed upon by the extension, in any way, of any of the limits of any existing Territory or State.

Is not that a solemn treaty obligation? How dare you oust the Five Tribes from their heritage under the treaty without their consent? Again, article 5 of the treaty of 1856 provides as follows:

> The United States hereby covenant and agree that the lands ceded to the Cherokee Nation in the foregoing article shall in no future time, without their consent, be included within the territorial limits or jurisdiction of any State or Territory.

How are you to obtain their consent? I say in no other way than by giving them a separate vote. If you permit Oklahoma to coerce them into this union, do you not violate the treaty? Again:

> The United States do hereby solemnly agree and bind themselves that no State or Territory shall ever pass laws for the government of the Creek or Seminole tribes of Indians, and that no portion of either of the tracts of country defined in the first and second articles of this agreement shall ever be embraced or included within, or annexed to, any Territory or State, nor shall either or any part of either ever be erected into a Territory without the full and free consent of the legislative authority of the tribes owning the same.

An agreement was again made with the Choctaws who there reside, as follows:

> No Territory or State shall ever have the right to pass laws for the government of the Choctaw Nation of Red Men and their descendants; and that no part of the land granted them shall ever be embraced in any Territory or State.

Again you affirmed it; you gentlemen of the majority, sitting there, by your solemn vote affirmed the stipulation that was made:

> This stipulation is made in the belief that the tribal governments so modified will prove so satisfactory that there will be no need or desire for further change until the lands now occupied by the Five Civilized Tribes shall, in the opinion of Congress, be prepared for admission as a State to the Union.

Mr. CURTIS. May I interrupt the gentleman?

Mr. MOON of Tennessee. I will say to the gentleman, as was said to me yesterday afternoon, "Not now."

Mr. CURTIS. I beg the gentleman's pardon; I never declined to yield to him for a question.

Mr. MOON of Tennessee. Very well; I believe it was not you; ask the question if you wish to.

Mr. CURTIS. In what part of the treaty of 1898 do you find the words declaring in effect "We agree to wait to admit those Territories as States until the tribes consent?"

Mr. MOON of Tennessee. That provision is not in the treaty of 1898. That treaty is a stipulation reaffirming the old treaty. That old treaty has never been abrogated anywhere.

Why, sir, good morals, decency, common honesty, ought to give the people of the Indian Territory some rights on this question; and of all the men in this House that I would have suspected least of standing here to protest against the exercise of the power by the Indians under the treaty is the gentleman from Kansas [Mr. CURTIS].

Mr. CURTIS. I am not asking to violate any treaty; but I want to say that the agreement of 1898 with the Chickasaws and Choctaws was made with the understanding that they would be taken into the Union as States by 1906.

Mr. MOON of Tennessee. Exactly, and they are ready to come in as States now, but with their consent, as every one of these treaties stipulates, and not by the coercion of Oklahoma. [Applause.]

We, sir, have no objection to a State being erected by the people of Indian Territory. Here is the language—I will ask that it go into the RECORD—which was written only a few weeks ago, on the 23d of March, by the chief of the Choctaw Nation to the chairman of this committee, protesting, in the name of the treaties, in the name of the honor and integrity of the United States, and for the sake of the welfare of the Indian Territory, against the consummation of this wrong on your part. [Applause.] I ask that this paper, without reading, be published as an appendix to my remarks.

The SPEAKER. Without objection, it will be so ordered.

Mr. MOON of Tennessee. Gentlemen, how can you override these treaties? What purpose have you in doing so? Are you not willing even to allow an amendment to be submitted to this House that will give these people their rights?

Turning from that question, let us look at the general issue of law involved in this controversy. Arizona was organized as a separate Territory. In pursuance of the long-established policy of this Government, in the discretion and judgment of the Con-

gress of the United States, she is entitled to be a State. The inchoate right of statehood vested in her when her Territorial government was formed under the law, subject alone to the judgment and discretion of Congress as to the time of admission. What do you appeal to to determine this question? To political conditions? I hope not. New Mexico was entitled to admission under the same rule. We do not object to her separate admission. We do not object to the separate admission of any of these Territories. We do object to their consolidation against their consent.

What is the duty of this House in determining this question? If the Territory has sufficient area, if it has sufficient population, if its resources are sufficient to enable it to maintain an independent State, then it is the duty of this House, following all precedents, following the rule of law, to admit the Territory into the Union as a State.

This is the exercise of a discretion—a legislative, a semijudicial discretion; not a willful, arbitrary discretion; not a discretion that appeals to the political feelings of Members of this House. But if the facts are such——

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. MOON of Tennessee. I will ask the gentleman from Pennsylvania [Mr. DALZELL] to give me five minutes more.

Mr. DALZELL. I yield the gentleman five minutes.

Mr. MOON of Tennessee. I thank the gentleman from Pennsylvania very much.

Mr. WILLIAMS of Mississippi. Can not the gentleman from Pennsylvania allow ten minutes more, so that the gentleman from Tennessee may complete his argument?

Mr. MOON of Tennessee. The gentleman has kindly granted the time I asked.

Mr. DALZELL. Any time that is yielded now must of course be charged to that side of the House.

Several MEMBERS on the Democratic side. Oh, yes; that is all right.

Mr. DALZELL. How much time does the gentleman from Tennessee want?

Mr. MOON of Tennessee. I should be glad if the gentleman could make it ten minutes.

Mr. DALZELL. Very well; let it be ten minutes.

Mr. MOON of Tennessee. Mr. Speaker, it will be seen that it is impossible for me to cover this whole field in this short time. I will only ask, during the consideration of this rule, the attention of the House for a few minutes.

This is a vast bill, with a very large number of sections. It disposes of much public property. It disposes of the rights of all of these people. I can not now enter fully into its discussion.

It is a bill almost identical on the question of consolidation with an amendment which the House, by a nearly unanimous vote, rejected two years ago. The gentlemen representing the Territories here have protested against this bill until the hour of coercion by the Republican party to meet the political exigencies as that party assumes them to exist in that country. They are estopped from saying that the amendment we ask you to grant should not be granted. Time and again they have said, the majority of this House have said—ah, more than that, the national Republican platform says—you shall make three States out of the Territories of Oklahoma, New Mexico, and Arizona, to say nothing of the Indian Territory. The Democratic platform proclaims the same. Are you going to pass this law in violation of your party pledges? Are you going to pass it in violation of your treaty obligations? Are you going to pass it in violation of the law and the long-established policy of this Government in the admission of States?

For what purpose, gentlemen, are you here? Do you want us to say—I would be loath to say it—that you believe that by the consolidation of these States you will obtain one Republican State and the Democrats one Democratic State, or possibly you obtain two Republican States, when, if you should incorporate these Territories into separate States, you fear the result would be three Democratic States and one Republican State? Have we descended so low in the political scale that we are to measure the rights and the liberties of nearly 2,000,000 people according to the necessities of a political party? Are we to determine questions that are sacred to them for the purpose of a mere temporary political advantage?

I warn you that these Territories may not always remain Democratic or Republican; that political lines may and probably will be changed. The time has already arrived in this Republic when a united West, North, and East can not stand together against that which you are pleased to call a solid South. The economic conditions are such that at no late day hence the Southern States will probably be found in alignment upon these great questions with the East.

Then it will be that the people of the West will point their fingers with scorn at you men who now represent the West, and will tell you that you have betrayed the best interests of that great section of this great country. [Applause on the Democratic side.] I do not care to see a condition exist when it shall be in the power of a combination of any three sections of this country to override the welfare and the interest of any other. Unhappily, we have experienced the misfortunes that arise from that condition in the part of the land in which I live. I would rather see an equipoise maintained. I would rather see conditions such that in the great citadel of Federal power—the United States Senate—no section shall have an advantage over any other, whatever the conditions upon this floor may be. 'Twere better in the end for the Union, better for the maintenance of constitutional government and the glory and honor of this great Republic, that no sectional strife exist.

You are here to-day to build other Commonwealths. You are to ordain constitutional government, to establish justice, to raise the shield of liberty against oppression again, to put an end to dependence, to establish independence, to breathe sovereignty into new Commonwealths. Shall you do it rudely, shall you do it disorderly, or shall you follow the methods of the Constitution? Shall you pursue the course of deliberative bodies? Shall you look to the interests of those people, or will you blindly and roughly ride over their rights and their wishes in the interest of party politics?

I ask you to consider here an amendment for a separate vote upon the question suggested, that these people may have a voice in determining their own destiny. [Applause on the Democratic side.]

APPENDIX.

[Copy of letter addressed to Hon. E. L. HAMILTON, Chairman of Committee on Territories.]

KINTA, IND. T., *March 23, 1904.*

SIR: On behalf of the Indians of the Choctaw Nation I most emphatically protest against the enactment by Congress of any legislation that seeks in any way to abrogate that portion of the Atoka agreement which guarantees that the lands of the Five Civilized Tribes in the Indian Territory shall be admitted as a separate State of the Union. The Atoka agreement, among other things, provides as follows:

"This stipulation is made in the belief that the tribal governments so modified will prove so satisfactory that there will be no need or desire for further change until the lands now occupied by the Five Civilized Tribes shall, in the opinion of Congress, be prepared for admission as a State to the Union."

This agreement was negotiated by representatives of the United States Government and representatives of the Choctaw and Chickasaw nations, and was enacted into law by Congress on June 28, 1898 (30 Stat., 495). I was a member of the commission representing the Choctaw Nation, and recall that the representatives of the United States Government wrote in that agreement the provision above quoted as an inducement to the Five Civilized Tribes to make agreements. The Indians of the Five Tribes have always been solicitous about their status when their tribal governments should cease. That solicitude was repeatedly expressed by the Indians while we were considering the Atoka agreement. As a result the United States commissioners made the guaranty just mentioned, which became to the Indians one of the most favorable provisions of the agreement.

However, this was but a reiteration of the solemn guaranties made to the Five Tribes when the United States Government first sought to make treaties with them, whereby the Indians relinquished their lands east of the Mississippi and moved to the Indian Territory. In the treaty of 1828 with the Cherokee Nation of Indians the United States Government used the following language:

"Whereas it being the anxious desire of the Government of the United States to secure to the Cherokee Nation of Indians a permanent home, and which shall, under the most solemn guaranty of the United States be and remain theirs forever, a home that shall never in all future time be embarrassed by having extended around it the lines or placed over it the jurisdiction of a Territory or State, nor be pressed upon by the extension, in any way, of the limits of any existing Territory or State."

Again, in 1835, in a treaty with the Cherokees, language even more forcible was used, as follows:

"ARTICLE 5. The United States hereby covenant and agree that the lands ceded to the Cherokee Nation in the foregoing article shall in no future time, without their consent, be included within the Territorial limits or jurisdiction of any State or Territory."

In 1856 the United States Government made an agreement with the Creeks and Seminoles, and article 4 of the agreement contains the following guaranty:

"The United States do hereby solemnly agree and bind themselves that no State or Territory shall ever pass laws for the government of the Creek or Seminole tribes of Indians, and that no portion of either of the tracts of country defined in the first and second articles of this agreement shall ever be embraced or included within, or annexed to, any Territory or State, nor shall either or any part of either ever be erected into a Territory without the full and free consent of the legislative authority of the tribe owning the same."

An agreement was made with the Choctaw Nation in 1830 whereby the United States Government guaranteed that:

"No Territory or State shall ever have the right to pass laws for the government of the Choctaw Nation of red men and their descendants; and that no part of the land granted them shall ever be embraced in any Territory or State."

These quotations from the earlier agreements, considered in connection with the Atoka agreement of 1898, show conclusively that the United States Government has always intended that the lands of the Five Tribes in Indian Territory should finally be admitted as a separate State. It shows also that the lands of the Five Tribes can not be annexed to or become a part of any Territory or State without the consent of the Indians. The Indians of the Five Tribes have so interpreted the language of these agreements.

I pause to remind you, and through you the Congress of the United States, that the friendship of the Choctaw people for the United States Government has existed for more than a century. The most memorable proof of that friendship was furnished by Pushmataha, the great Choctaw warrior and friend of President Jackson, when he organized several regiments of Choc-

taw warriors and rendered valuable assistance to the United States Government at a most critical period in her early history. That friendship has continued unabated through the years. When the United States Government sought to make agreements with the Indians of Indian Territory, whereby their lands might be allotted, their property divided, and their tribal governments dissolved, the Choctaw people were the first to accede to the request of the Government. They made and ratified the first agreement, namely, the Atoka agreement, referred to herein.

Afterwards it was found that the Atoka agreement would have to be amended in some particulars in order to finally settle all our tribal affairs. The Choctaw people readily complied with the request of the honorable Secretary of the Interior and negotiated an agreement supplemental to the Atoka agrement, commonly called the "supplementary agreement," ratified by Congress July 1, 1902, and by the Choctaw people on September 25, 1902, but that agreement in no way modified that portion of the Atoka agreement guaranteeing to us a separate State for Indian Territory.

So firmly were the members of the Five Civilized Tribes of the opinion that the United States Government would observe the various provisions above quoted that, at my suggestion, the chief executive of each of the Five Tribes appointed representatives to an international convention to formulate plans that would acquaint Congress with the Indians' wishes as to the kind of government that should be erected here at the expiration of the several tribal governments.

The plans were outlined in a convention held at Eufaula, Creek Nation, Ind. T., May 21, 1903, and for your information I inclose herewith a copy of the resolutions there adopted. I might add that these resolutions represent the very best thought of the leading men of each of the Five Tribes, and I most earnestly request that they receive the careful consideration of your committee and that Congress enact legislation embodying the ideas therein set forth.

I would further state that the Indians of the Choctaw Nation carried out these resolutions to the letter. December 19, 1903, they held the election provided for in section 3 of the resolutions. At that election 987 votes were cast for the plans therein outlined, and only 5 votes were cast against them. This fact is a most eloquent indorsement of the plans and shows conclusively that the Indians of the Choctaw Nation are unalterably opposed to the union of Indian Territory and Oklahoma.

Adverting to that section of the resolutions which provides that the constitution of the new State shall prohibit the sale of intoxicating liquors, I desire to say that the Choctaw people are warmly in favor of prohibition, but they request that Congress will either make the prohibition absolute or not embody it in the constitution at all. In other words, it would be very distasteful to the Indians of the Five Tribes for Congress to require that the constitution of the new State shall discriminate between citizens of Indian blood and citizens without Indian blood. In theory the Indian loves liquor; in practice he is not as bad as the Irish.

There is a widespread tendency to classify the Indians of Indian Territory with the reservation Indians which are maintained by the Government in several States, including Oklahoma Territory. I fear this impression prevails even in Congress. The Indians of the Five Tribes object to being classified with the reservation Indians. Thus far the policy of the United States with reference to those Indians has been to keep them principally on the reservations, and they have been slow to take part in political affairs.

Having no experience in matters of government, they are possibly not qualified to assume the responsibilities of United States citizenship. But the Indians of Indian Territory have had their own governments for nearly a century, and are thoroughly competent by actual experience to become citizens of a State and to intelligently participate in the administration of its affairs. Moreover, we are acquainted with the noncitizens of Indian Territory. They know us. We have been neighbors for many years, and our earnest wish is that we be made citizens of a State with them. We object to becoming citizens of a State with the people of Oklahoma. They know us not; neither do they know that we are qualified in every respect to take part in the formation and administration of a State government. Not only that, the people of Oklahoma, being accustomed to the reservation Indians, would be inclined to classify us with them, and thus be prejudiced against us and our rights.

Our friends in Congress must not forget that, comparatively speaking, there are but few full-bloods in Indian Territory, and that a great majority of them are thoroughly capable to take care of themselves and of their own affairs. The Indians of the Five Tribes have never been reservation Indians; they have always been self-sustaining. For nearly a century they have been taking care of themselves and of their personal affairs, and have been intimately identified with the affairs of government.

Inasmuch as the Choctaw Nation is the only tribe that held the election provided for in the inclosed resolutions, the question naturally arises, Why did the other tribes not hold their elections? The councils of the Creek and Seminole nations passed resolutions authorizing the appointment of delegates to the constitutional convention. The Cherokees and Chickasaws took no action, although I know, by correspondence and conversation, they are heartily in favor of the plans. A reason that operated strongly upon the tribes is that they can not appropriate money except by approval of the President of the United States. They were naturally apprehensive that the President might not approve acts appropriating the money with which to hold the elections and pay the expenses of the constitutional convention.

Furthermore, the severe criticisms indulged in by a noncitizen press at home and abroad who favor the union of Oklahoma and Indian Territory, so thoroughly discouraged the Indians of the other nations that they lost active interest in the movement. The Indians having failed to hold their constitutional convention, it was impossible for the noncitizens to perform the part assigned them in the Eufaula resolutions. It must also be borne constantly in mind that there is such diversity of opinion in Congress on the question of statehood legislation for Indian Territory that it is impossible for the Indians and noncitizens here to unite on any plan acceptable to Congress. However, I express the sentiment of the great majority of the Indians of the Five Tribes when I say that we are in favor of any statehood that Congress may provide, so long as it is statehood for Indian Territory alone, independent of Oklahoma. In this connection I invite your attention to a memorial passed by the general council of the Choctaw Nation in October, 1903, and addressed to the Senate and House of Representatives, in which they protest against the annexation of Indian Territory to Oklahoma, giving their reasons therefor at length. A copy of the memorial is inclosed herewith.

In conclusion, permit me to say that the inclosed resolutions of the Eufaula convention recite the moral obligations resting upon the United States Government to maintain its treaty obligations inviolate, and that the inclosed memorial advances, with great perspicuity, the manifold material reasons why the Indian Territory should be admitted as a separate State of the Union. However, I repeat that the Indians of the Five Tribes will not insist upon Congress giving us statehood legislation drawn in strict conformity with the resolutions of the Eufaula convention, but they will steadfastly insist that such legislation be drawn in conformity with the provision of the Atoka agreement herein quoted.

All of which is respectfully submitted.

Respectfully,

GREEN MCCURTAIN,
Principal Chief Choctaw Nation.

VIEWS OF THE MINORITY.

The minority of the Committee on the Territories do not agree with the conclusion of the majority, and dissent from the provisions of the bill presented by them in its material details and the general policy of the consolidation of the four Territories involved into two States. On the question of fact as to the ability of the four Territories to maintain separate and distinct organization and statehood we present separately the facts as to the condition, population, and resources of each Territory.

ARIZONA.

Area, 113,939 square miles, or 72,792,500 square acres.

Its vast area is distributed as follows: Forty-two million acres grazing land; 30,000,000 acres mineral land, the grazing and mineral lands blending; 10,000,000 acres agricultural land. One million acres of this agricultural land has already been reclaimed, and 9,000,000 acres more may be.

The grazing belt extends from the line of New Mexico on the east to the timber belt 140 miles west. The timber belt is a vast area of great pine forests, containing nearly 10,000 square miles of as fine timber as there is in the world.

MINERAL LANDS.

The mineral belt of this Territory is one of the largest in the world. It reaches from Nevada and Utah in the northwest, passing diagonally through the Territory into the State of Sonora, Mexico, in the southeast, a distance in length of 437 miles by about 100 miles in width. There are now 1,840 patented mines in operation in said Territory, and thousands of mining claims are being operated and developed which are not patented. Out of these mines is taken annually, in round numbers, $43,000,000, and the development of this great mineral belt is very fast growing. The output of these mines consists of the precious metals—gold and silver—and copper, and the testimony is that this great mineral belt is scarcely yet prospected, notwithstanding that it takes out $43,000,000 per year.

AGRICULTURAL LANDS.

The great portion of the agricultural lands lie south of the mineral belt just referred to, and are known as the Salt, Gila, and Colorado river valleys. Agriculture there is maintained by irrigation, and they have, all told, over 800 miles of irrigating canals and laterals for that use. In the Salt River Valley alone there are 152,000 acres in cultivation by means of irrigation. The receipts for the products sold last year are given below:

Hay	$1,200,000
Fruits	80,000
Stock fattened and sold from pastures and hay not otherwise sold.	1,500,000
Honey	80,000
Butter and cheese	76,000
Poultry and eggs	50,000
Total	2,906,000

In the Graham Valley on the upper Gila about 40 per cent of that amount was produced. The agricultural products of the balance of the agricultural portion of the Territory are not known, but they are vast.

PRODUCTIVE POWER OF THE SOIL.

The soil of this agricultural country is very deep and has wonderful productive power. They produce here all the tropical fruits, as well as cereals, cantaloupes, alfalfa, hay, etc. It has been shown that the soil yields an annual return per acre as follows: Almonds, $75 to $150 net; cantaloupes, from $75 to $110 net; alfalfa, from $36 to $56 net, and so on, showing the productive power of the soil to be wonderfully great.

The Salt River and Gila valleys converge and come together and have a length of about 368 miles in extent, making an area of country susceptible of reclamation and cultivation greater than the valley of the Nile.

PRODUCTION OF LUMBER.

This is a great industry in Arizona. There are three great lumber companies there whose plants will each cut 200,000 feet of lumber per day. Their returns are about 200,000,000 feet annually.

RAILROAD FACILITIES.

There are over 1,400 miles of railroad in the Territory and others fast building.

There are two great trunk lines passing through Arizona from east to west. The Santa Fe Pacific through the northern portion and the Southern Pacific through the southern part. The Santa Fe, Prescott and Phoenix runs north and south, connecting with the Maricopa and Phoenix Railroad, which connects with the Southern Pacific. There are feeder lines of railroad branching out in all directions and aiding in the development of the mineral section.

The El Paso and Southwestern, owned by Phelps, Dodge & Co., is built in the southeastern part of the Territory, reaching from the grazing land in the south to the great mines at Bisbee and other places. The Arizona and New Mexico is another eastern railroad, built by a Scotch corporation for the purpose of handling the copper in the Clifton and Morenci country and the interstate commerce passing into Mexico from that line. The United Verde and Pacific in the north, connecting the Black Hills mineral section with the Santa Fe, Prescott and Phoenix, is another system for developing the heavy mineral country. All of these railroads are in a prosperous condition and their business increasing about 33 per cent annually, and that is about the per cent of their annual increase for the last five years.

TAXABLE PROPERTY.

The railroad property costs not less than $30,000,000, and its assessed valuation is $6,000,000.

Mines and realty, value more than $200,000,000; taxed, improvements and all, $2,724,238. So the taxable property is assessed at $43,880,041 when it is really worth $400,000,000.

POPULATION.

The census gives Arizona 122,921. As given by counties last fall it was 178,600, and the immense increase to-day has no doubt reached the 200,000 limit. The population is almost entirely American, not 700 of it having been born in Mexico, and only about 4,400, all told, of the population were born in foreign countries. It is an intelligent population. Outside of 27,500 Indians, not taxed, who belong to the illiterate class, there is not 1 per cent of the population illiterate. All do their own reading and writing in the transaction of their affairs.

LAW AND SCHOOL.

Law.—The Territory of Arizona has as fine a code of laws as any of the older sections of the Union, and they are as well enforced as anywhere in the land. Therefore life and property rights are as well protected there as anywhere from the Atlantic coast to the Rocky Mountains. She has her own capitol and other public buildings—up-to-date and new, paid for by herself—and is thus ready prepared for housekeeping as a State as well as any State in the Union.

School facilities.—Arizona has its own university, with mining and agri-

cultural schools connected therewith. Normal schools 2, 10 high schools, 278 common schools.

The number of pupils from 6 to 21 years attending public schools are 25,951; from 8 to 14 years in other schools, 13,311.

SCHOOL PROPERTY AND VALUE.

Common school buildings and furniture	$727,182
Value of apparatus	21,802
Value of school libraries	9,144

Number of male teachers, 115; female, 359.

Average wages paid males, $80.33 per month; females, $67.53 per month.

The school fund collected for 1903	$515,633.49
Amount expended, 1903	415,243.15
Balance cash on hand for the present year	100,390.34

POSTAL RECEIPTS.

For the first and second class offices alone, 1903, $138,302—16 per cent more than any previous year.

NEW MEXICO.

From official sources we find the Territory of New Mexico to have:

Area, 122,469 square miles.

Population, 250,000; census of 1900, 195,310; 1890, 153,593; 1880, 119,565; 1870, 91,874; 1860, 87,034; 1850, including Arizona and southern Colorado, 61,547, which area now has over 400,000 inhabitants. Of the present population 144,000 came from the States or are children of parents from the States; 127,000 are of native descent; 13,000 are Indians. Of the 66,396 wage-earners in the census year of 1900, 40 per cent, or 27,214, were engaged in agricultural pursuits, 19,478 in domestic service, 10,378 in manufacturing, mining and mechanics, 7,308 in trade, and 2,118 in professional service.

FARMS AND FARM PRODUCTS.

Number of farms, 1890, 4,458; in 1900, 11,834. Acres in farms in 1890, 787,882; in 1900, 5,130,878. Value of farms in 1890, $3,543,141; in 1900, $53,737,824. Value of farm lands, 1890, $8,140,800; 1900, $20,886,824. Value of farm implements, 1890, $291,240; 1900, $1,151,610. Value of live stock, 1890, $25,111,201; 1900, $31,727,400. Value of farm products, 1890, $2,000,000; 1900, $10,000,000. Acres in alfalfa, 1890, 12,139; 1900, 55,467. Acres under culture, 1890, 91,745; 1900, 203,893. Butter, 1890, 105,000 pounds; 1900, 381,000. Eggs, 1890, 280,000 dozen; 1900, 840,000 dozen. Hay, census of 1900, 1,427,317. Cereals, 1900, $979,903. Vegetables, 1900, $278,413. Acres under irrigation, 326,873. Improved farms, 1900, 12,311. Farms under irrigation, 9,128. Value of irrigated farms, $13,551,592. Value of nonirrigated farms, $3,773,177.

The above statistics do not take into consideration the lands cultivated by the Indians, the Pueblos being farmers and great producers of crops; nor of crops raised on farms of less than 3 acres, of which there are many thousands in New Mexico.

PUBLIC LANDS.

Subject to entry under the Federal land laws on June 30, 1903, 52,000,000 acres. Included in the four forest reserves, 5,125,000 acres; in land grants approved by Congress, 9,963,200 acres; by the Court of Private Land Claims, 1,900,945 acres. The land grants approved by Congress include 549,065 acres to the Indians.

Public lands entered from June 30, 1900, to June 30, 1903, 2,179,738 acres; from June 30, 1900, to June 30, 1901, 655,739.54 acres; June 30, 1901, to June 30, 1902, 441,871; June 30, 1902, to June 30, 1903, 1,082,128.

Homesteads entered from June 30, 1900, to June 30, 1903, 1,120,477 acres; from June 30, 1900, to June 30, 1901, 265,524 acres; from June 30, 1901, to June 30, 1902, 396,757 acres; from June 30, 1902, to June 30, 1903, 458,196 acres.

Desert-land entries, June 30, 1900, to June 30, 1903, 129,595 acres; from June 30, 1900, to June 30, 1901, 8,472; from June 30, 1901, to June 30, 1902, 46,596; from June 30, 1902, to June 30, 1903, 74,585 acres.

MINERAL PRODUCTION.

From 1880 to 1900 New Mexico produced $17,600,000 worth of gold. In 1903 New Mexico produced: Gold, $384,685; silver, $148,659; copper, $980,737; lead, $94,936; a total of $1,489,016. This does not include the production by individual placer miners or by prospectors not mining in a systematic manner. In addition, New Mexico produced a vast quantity of coal, iron, turquoise, gypsum, building material, and a number of other useful minerals and precious stones. The Colorado Fuel and Iron Company during the fiscal year hauled 138,152 long tons of iron ore out of New Mexico. The Director of the Mint gives the gold production of New Mexico for 1902 at $581,000, and of silver at $586,000.

COAL.

Area of prospected coal lands, 1,493,480 acres; amount of coal in sight, 8,813,840,000 tons, valued at $10,000,000,000. Coal produced from June 30, 1900, to June 30, 1903, 3,710,604 tons, valued at $5,011,281.70. Coke produced in those three years, 94,097 tons, valued at $252,642. There were 28 coal mines worked during the past year, 3 new mines were opened, 1 resumed, and 2 abandoned. Coal produced from June 30, 1900, to June 30, 1901, 1,217,530 tons, valued at $1,606,174; from June 30, 1901, to June 30, 1902, 1,132,944 tons, valued at $1,60[illegible],848.90; from June 30, 1902, to June 30, 1903, 1,559,534 tons, valued at $1,795,208.80. Coke was produced as follows: From June 30, 1900, to June 30, 1901, 42,732 tons, valued at $117,516.25; from June 30, 1901, to June 30, 1902, 25,012 tons, valued at $58,207; from June 30, 1902, to June 30, 1903, 26,353 tons, valued at $76,919. Men employed in the coal mines June 30, 1901, 1,870; June 30, 1902, 1,682; June 30, 1903, 2,341.

RAILROADS.

There were 1,679 miles of railroad in New Mexico on June 30, 1900; 1,981 miles on June 30, 1901; 2,263 miles on June 30, 1902; 2,520 miles on June 30, 1903; a total increase in three years of 841 miles.

STOCK.

New Mexico has 1,123,000 head of cattle, 5,674,000 head of sheep, 113,000 head of goats, 97,500 head of horses. Its wool crop in 1902 was 22,000,000 pounds. During the fiscal year there were shipped out of the Territory 184,602 head of cattle, 5,526 horses, 17,275 hides, and 422,252 head of sheep.

INTERNAL REVENUE.

From June 30, 1900, to June 30, 1903, New Mexico paid $130,375.11 in internal revenue; for the year ending June 30, 1903, $63,918; for the year ending June 30, 1902, $37,847.80; for the year ending June 30, 1901, $59,609.31.

INCORPORATIONS.

In the past three fiscal years 553 companies filed incorporation papers, with a capitalization of $39,711,966, with the Territorial secretary. In the fiscal year ending June 30, 1901, 149 companies incorporated, with a stock of $39,735,925. In the fiscal year ending June 30, 1902, 204 companies incorporated, with a capitalization of $119,446,500. In the year ending June 30, 1903, 200 companies incorporated, with a capitalization of $100,529,541.

ASSESSMENT.

In 1900 the Territorial assessment subject to taxation was $36,364,716.16. In 1901 the Territorial assessment was $36,977,047.94. In 1902 the assessment was $38,633,993.27. In 1903 the assessment was $41,832,566.79, including exemptions amounting to $2,235,615, leaving an assessment subject to taxation of $39,596,951.79. Property in New Mexico is assessed at an average of only 20 per cent of its real value.

TAXES COLLECTED.

Revenue of the Territory the past three years, $1,545,241.37, of which $1,127,689.18 came from direct taxation; $419,622.06 collected during the fiscal year ending June 30, 1903; $332,328.85 collected during the fiscal year ending June 30, 1902, and $375,738.27 for the fiscal year ending June 30, 1901. From other sources Territorial revenue was derived to the amount of $407,542.19, $142,758.22 being received during the fiscal year ending June 30, 1901; $118,005.17 during the year ending June 30, 1902, and $156,788.80 during the year ending June 30, 1903.

Federal appropriations for disbursement in New Mexico during the year ending June 30, 1903, $423,070.

Territorial tax rate, 1900, 14.05 mills; 1901, 14.29 mills; 1902, 13.90 mills.

INSURANCE COMPANIES.

During the past three fiscal years insurance companies authorized to do business in New Mexico collected in premiums $1,998,441.87 and paid out for losses $672,415.50. Life insurance companies wrote in those three years policies amounting to $6,552,669.61; fire insurance companies, $39,233,614.19, and miscellaneous companies, $5,246,885.12; a total of $51,033,168.92. During the fiscal year ending June 30, 1903, there were written in New Mexico life insurance policies amounting to $3,095,854, fire insurance policies to the amount of $15,549,968, miscellaneous policies to the amount of $2,916,414.06, and premiums collected to the amount of $766,389.44, while the year previous $655,015.27 was collected in premiums and the year previous to that $577,039.66; losses paid during the last fiscal year, $251,342.43; the year previous, $234,236.36, and the year previous to that $186,836.71.

WELLS-FARGO EXPRESS COMPANY.

Revenue on interstate business during the fiscal year ending June 30, 1903, $32,971.55; the year ending June 30, 1901, $27,313.63; the year ending June 30, 1902, $30,884.28.

PUBLIC BUILDINGS AND GROUNDS.

The Territory maintains fifteen Territorial institutions, the value of whose buildings and grounds is $2,000,000 without the grants of land made to them by Congress. In addition, the Territory grants subsidies to seven hospitals and an orphan asylum maintained by religious and charitable organizations. The value of the public school property of the Territory is $690,697.91, not counting the school sections in each township. The value of the public property of counties and towns, not counting grants to towns like Santa Fe, Las Vegas, Socorro, etc., is $495,000, making a total value of public property, not including lands, of $3,185,697.91.

EDUCATIONAL.

School population: 1903, 68,152; 1902, 62,864; 1901, 53,008. The school population includes all children between the ages of 5 and 21 years, and the census is taken annually.

Enrollment in the public schools: 1903, 37,646; 1902, 35,227; 1901, 31,510; 1900, 21,761.

Average daily attendance: 1903, 24,856; 1902, 22,573; 1901, 19,451.

Public schools: 1903, 665; 1902, 603; 1901, 559.

Teachers: 1903, 757; 1902, 712; 1901, 671.

Expenditures: 1903, $287,545.02; 1902, $324,784.91; 1901, $202,882.53.

Receipts from all sources: 1903, $454,342.38; 1902, $424,365.42.

Average school term, four months; average salary paid teachers, $56 per month; total value of all school property in the Territory, $2,071,702.25; enrollment of pupils in all of the schools, 42,925; annual expenditures for all of the schools, $723,048.52; total expended for the public schools the past three years, $815,212.46.

CHURCHES.

The Roman Catholic Church in New Mexico has 1 archbishop, 1 bishop, 1 vicar-general, 16 regular priests, and 43 secular priests. It has 42 churches with resident priests, 325 mission churches, 6 academies for young ladies, 1 college, 8 parochial schools, 2 boarding schools for Indians with 300 pupils, 2 day schools for Indians with 200 pupils, 2 academies for boys.

Baptist churches, 36, of which 4 became self-supporting during the past year, 1 college, and a number of mission schools.

Lutheran churches, 3.

Methodist Episcopal, 17 English-speaking congregations, a number of Spanish-speaking churches, and a number of mission schools.

Presbyterian, 45 congregations, 30 preaching stations, 25 mission schools taught by 45 teachers, and an enrollment of 1,562 pupils.

Mormons, 2 churches with 277 souls. A few scattered members in addition at Bloomfield.

The Christian Church and other Protestant denominations have about 20 congregations in the Territory.

The Hebrews have a synagogue at Las Vegas and Albuquerque and have church organizations in two or three of the larger towns.

NEWSPAPERS.

On September 15, 1903, there were 70 newspapers published in New Mexico, 5 of them daily, 60 weekly, and 5 monthly; in 1902, 65; in 1901, 67. Of late years many of the old newspapers have consolidated with newer papers, giving better news service, having larger subscription lists, and wielding greater influence than ever before. Each of the 5 daily papers has a complete Associated Press service.

BANKS.

On June 30, 1903, there were 19 national banks and 11 State banks; June 30, 1902, 15 national banks and 11 State banks; June 30, 1901, 11 national bank and 9 State banks.

Resources: June 30, 1903, $10,606,449.31; June 30, 1902, $9,677,165.82; June 30, 1901, $7,990,238.67.

Capital stock: June 30, 1903, $1,439,200; June 30, 1902, $1,314,450; June 30, 1901, $1,103,919.16.

Deposits: June 9, 1903, in State banks, $1,764,815.21; in national banks, $5,675,594.78; total, $7,440,409.99; June 30, 1902, $7,455,530.08; June 30, 1901, $6,073,641.34. Loans and discounts: June 9, 1903, $5,803,697.64; June 30, 1902, $5,062,294.05; June 30, 1901, $4,110,772.57. At this time of year considerable money is withdrawn from the banks to move the wool crops and stock.

OKLAHOMA.

AREA.

The area of Oklahoma is 39,030 square miles.

POPULATION.

The population of Oklahoma in 1890 was 61,834. In 1900 it was 398,331, and by the last estimate of the report of the governor of Oklahoma for 1903 it was 650,000, and, allowing a reasonable increase, would now be about 725,000 people.

RESOURCES.

The governor of Oklahoma in his annual report of 1903 estimated the taxable property in Oklahoma at $400,000,000.

The banking facilities of Oklahoma consisted of 79 national banks and 247 Territorial banks, with deposits on the 1st day of January, 1904, of $22,456,510.

There are 250 weekly newspapers, 28 daily papers, and a number of monthly and semimonthly publications, representing every phase of political, social, religious, educational, and industrial life.

Oklahoma has 2,192 district schoolhouses, and 180,000 children enrolled. Nearly 3,000 students are attending the university, agricultural and mechanical college, and normal schools.

There are over 3,000 miles of railroad, penetrating all of the twenty-six counties in the Territory and giving close connection with the great trunk lines of the surrounding States. More miles of railroad were constructed in Oklahoma last year than in any State or Territory.

The rolling prairie makes an easy grade and cheap construction of railroad lines. Many other roads are projected and under construction, and it can safely be said that that section will speedily have very highly developed transportation facilities.

In Oklahoma are 280 grain elevators and 66 flouring mills, marketing over 10,000 barrels of flour per day. There are 233 cotton gins; over 1,600,000 live stock. Over 35,000 carloads of products were shipped out of the Territory and 27,000 carloads of freight shipped in.

Oklahoma has a splendid climate, good water, a health-giving section, and its development has been the astonishment of the West. It is capable of sustaining a population as dense as any part of the United States.

By area, by population, by resources, and by virtue of the tremendous development to be expected of the immediate future of Oklahoma, it is entitled to statehood—a right which should not be withheld on any pretext whatever.

Certainly there is no reason why Oklahoma should be denied statehood in order to compel the formation of one State out of Indian Territory and Oklahoma. The representative of Oklahoma in Congress has vigorously demanded the rights of that magnificent country. No good reason exists for denying the right of statehood to the people of Oklahoma, and none such has been offered.

INDIAN TERRITORY.

AREA.

The area of Indian Territory, excluding water areas, is 31,000 square miles of actual land surface.

POPULATION.

The population of Indian Territory for 1890 was..... 180,182
The population for 1900 was..... 392,060

an average increase per annum of 21.76 per cent. At this rate of annual increase, the population of Indian Territory in 1901 was 467,372; for 1902, 544,509; for 1903, 657,855, and will be for 1904, 796,004.

The rate of increase has been greater since 1900 than before.

POST-OFFICES.

The Presidential post-offices number 45; gross receipts for year ending September 30, 1903, $220,000. There are 630 fourth-class post-offices, making a total of 675, which is greater than the number of post-offices in one-third of the States of the Union. There have been established since the census of 1900, 250 new post-offices.

BANKS.

The last report of the Comptroller of the Currency gives the number of national banks in Indian Territory at 95. There were organized in Indian Territory, from March 14, 1900, to October 31, 1903, in two years and seven months, 75 national banks. During the same period there were organized in Maine, 5; New Hampshire, 3; Vermont, 1; Massachusetts, 6; Rhode Island, 1; Connecticut 3; or a total of 19, thus exhibiting the remarkable fact that Indian Territory established five times as many national banks as all of the States of New England combined.

RAILROADS.

By the census of 1900 there were over 2,500 miles of railroad, and over a thousand miles have been constructed since the census was taken. The following was the mileage by the census of 1900:

St. Louis and San Francisco Company	600
Missouri, Kansas and Texas Railroad	275
Choctaw, Oklahoma and Gulf Railroad Company	200
Missouri Pacific Railroad Company, and St. Louis, Iron Mountain and Southern	190
Chicago, Rock Island and Pacific Railroad	150
Gulf, Colorado and Sante Fe	120
Kansas, Oklahoma Central and Southwestern Railroad	80
Atchison, Topeka and Sante Fe Railroad	20

There are thousands of miles of telegraph and telephone lines, local and long distance. There are sixty fire, life, accident, and other insurance companies over which there is no official supervision, and who contribute nothing in taxes.

NEWSPAPERS.

There are 200 newspapers, including 20 dailies, 175 weeklies, and 5 monthlies.

The number of persons to the family, by the census of 1900, in Indian Territory was greater than in any State or Territory in the Union, except Texas and North Carolina, and is therefore not subject to the charge of the great Republican leader of "race suicide."

The percentage of native white of native parents in Indian Territory is only exceeded by West Virginia, Oklahoma, Kentucky, Indiana, and New Mexico.

The percentage of native white male population of militia age is only exceeded by West Virginia and Oklahoma.

The percentage of foreign born is the least in the United States except North Carolina.

The per cent engaged in agriculture is only exceeded by three States—Mississippi, Oklahoma, and Arkansas.

GENERAL RESOURCES.

The available farm lands in Indian Territory would probably reach 15,000,000 acres, of which probably 15 or 20 per cent is under cultivation. Probably three-fourths of the land of Indian Territory are woodlands. There is probably 2,000,000 acres of commercial pine lands and a large quantity of hardwood timber, including various varieties of oak, ash, hickory, etc. The larger part of the woodland is of no commercial value, but suitable for fuel and fencing. The farm animals are worth probably $55,000,000; other farm products about $35,000,000. There were about 250,000 bales of cotton produced in 1902 and nearly 35,000,000 bushels of corn. The lands of Indian Territory at a fair estimate are worth not less than $300,000,000. There are probably 2,000,000 acres of land bearing coal in commercial quantity. There are very large deposits of asphalt.

Petroleum of a good quality, worth from $1.10 to $1.60 a barrel, has been discovered over an area 100 miles long by 40 miles wide, with splendid commercial natural gas in the same area. A large number of wells have been sunk at Bartlesville, at Tulsa, at Redfork, at Muscogee, and at numerous other points between Muscogee and the Kansas line. The values which this field is capable of producing are estimated by a competent man to be enormous.

SCHOOLS.

There is no school system for the people of Indian Territory except the Indian schools. There are about 85,000 Indian citizens, all of whom are now citizens of the United States; 22,000 of these are full-blood Indians, or may be properly classed as such. There are probably 20,000 negroes, 5,000 whites, and the remainder, 38,000, are Indian crossed on white to an extent that they are not distinguishable from white. These are the only people who have proper school privileges, except such limited opportunities as the town affords where they have the right of self-taxation.

MANUFACTURERS.

The number of manufacturers in 1890 was only 20; the number of manufacturers in 1900 was 789, a remarkable increase of 3,800 per cent, and the increase during the past three years has been at a greatly increased ratio.

In view of these facts, it can not reasonably be contended that each of the four Territories is not now entitled to statehood by reason of sufficiency of area, population, and resources. The resources of each are more that sufficient to support a State government, and much greater than those of a majority of the States now in the Union at the time of their admission, and greater than many of them now.

The area of each of these Territories is greater than that of many of the States, and that of Arizona and New Mexico is greater than any of them except five.

Each Territory has now a greater population than four-fifths of the States when admitted, as is shown by the following statistics:

State.	Date of admission.	Population.
Vermont	Mar. 4, 1791	85,425
Kentucky	Mar. 4, 1794	73,677
Tennessee	May —, 1796	60,000
Ohio	Nov. 29, 1802	42,366
Louisiana	Apr. 12, 1812	76,506
Indiana	Dec. 11, 1816	24,520
Mississippi	Dec. 10, 1817	75,448
Illinois	Dec. 3, 1818	53,211
Alabama	Dec. 14, 1819	127,901
Maine	Mar. 15, 1820	298,335
Missouri	Aug. 10, 1821	66,586
Arkansas	June 15, 1836	52,240
Michigan	Jan. 26, 1837	160,000
Florida	Mar. 3, 1845	72,000
Iowa	Dec. 28, 1846	153,000
Wisconsin	Mar. 3, 1848	300,000
California	Sept. 9, 1850	92,527
Minnesota	May 11, 1858	172,053
Texas	Mar. 1, 1845	150,000
Oregon	Feb. 12, 1859	52,465
Kansas	Apr. 13, 1859	107,206
West Virginia	Jan. 19, 1863	440,000
Nevada	Oct. 31, 1864	42,491
Nebraska	Mar. 1, 1867	122,993
Colorado	July 4, 1876	135,000
North Dakota	June 2, 1889	182,719
South Dakota	....do....	328,808
Montana	Nov. 8, 1889	132,159
Washington	Nov. 11, 1889	340,990
Idaho	July 3, 1890	82,385
Wyoming	July 11, 1890	60,703
Utah	July 4, 1896	276,746

The United States, in order to induce the Five Civilized Indian Tribes to sell their lands east of the Mississippi River and remove to the land now embracing the Indian Territory, entered into a number of treaties with the Five Civilized Tribes, in which the United States bound themselves with great formality, and upon a formal vote of the Senate of the United States, with the approval of the President, contracting that they would not at any future time establish over the Indians of Indian Territory any State or Territorial government without their consent, as follows:

"CHEROKEES.

"ART. 5. The United States hereby covenants and agrees that the lands ceded to the Cherokee Nation in the foregoing article shall in no future time, without their consent, be included within the territorial limits or jurisdiction of any State or Territory." (Rev. Ind. Treaties, p. 63.)

Similar treaties with the other four tribes were also made.

Again:

"The United States agrees to maintain strict laws in the Seminole country against the introduction, sale, barter, or giving away of intoxicants of any kind or quality."

Similar agreements were made with the other four tribes.

In this connection the minority feel constrained to point out that no effort whatsoever has been made to secure the consent of the Five Civilized Tribes to the union of Oklahoma with the Indian Territory into one State, which must be done unless it be determined to ignore all treaty obligations and agreements with these Indians, and reverse the policy of the Government in its treatment of them for nearly a hundred years.

If the policy advanced by the majority for making two States out of the four Territories were accepted, the bill itself is objectionable because of the inequality and injustice in representation at the constitutional convention. By the provisions of the bill Oklahoma is given sixty delegates and Indian Territory only fifty. The census of 1900 gives the population of Oklahoma 398,331. The population of Indian Territory, according to the same census, was 392,060. There has been a large increase in population in each Territory since that time, but it is doubtful as to which has had the greater increase.

The hearings indicated that the present population is purely conjectural, ranging in estimate in each from 500,000 to 800,000 inhabitants. Every advocate of joint statehood from either Territory favored the proposition that the Territories should be admitted with equal rights and privileges. No valid excuse can be offered for giving such extraordinary advantages to Oklahoma. The representation, in our judgment, should be equal; but if not equal, Indian Territory should have at least 54 of the 110 delegates.

In Arizona and New Mexico a similar condition is presented by the bill. Arizona is given forty delegates and New Mexico seventy, when, from any standpoint, Arizona should have much larger representation in the convention. Another objection to the bill as it is framed is in the election management provided for Indian Territory. Authority is given to Federal officials to fix the various districts which are to select delegates to the constitutional convention and then to define the election precincts and appoint the judges who are to hold the elections. Returns are made to these Federal officials to

be canvassed, and their action is final. There is nowhere any provision for any minority representation, excepting only that one of the judges at each election precinct must belong to a different political party to the others. In our judgment, nonpartisan commissions should have charge of the elections, and the districts should be proportioned among the various recording districts as nearly according to the population as may be.

There should be no restriction on either of the new States with reference to their capitals, because the State when admitted is to be admitted upon the same terms and enjoy the same privileges as any other State.

Other objections may be urged to the bill, which we do not embody in this report.

We can not understand how the majority can disregard their party obligations and violate the specific pledges of their national platform on the question of statehood. The Republican party in 1896 had this plank in its platform:

"We favor the admission of the remaining Territories at the earliest practicable date, having due regard for the interest of the people of the Territories and of the United States."

The same party in 1900 had this declaration:

"We favor home rule for, and the early admission to, statehood of the Territories of New Mexico, Arizona, and Oklahoma."

These pledges are plainly violated in the failure to report a bill in favor of statehood for each of these Territories. Such a bill passed the House of Representatives in the last Congress, and each of them certainly has a much stronger claim for recognition now than it had in 1902 when that statehood bill passed. The Delegate from Arizona, near the beginning of this session, presented a bill for the admission of Arizona as a State. The Delegate from New Mexico presented a similar bill for the admission of New Mexico, and the Delegate from Oklahoma likewise presented a bill asking for the admission of Oklahoma to statehood, and in the hearings before the committee each of them insisted that the bill presented by him reflected the wishes of his people and insisted upon a favorable report thereon.

The people of Arizona and New Mexico especially have repudiated the action of the committee in trying to make joint statehood for their Territories. Why should the Committee on the Territories change its base with reference to this matter? What excuse can be given to the country for this utter disregard of party pledges and failure to consider the wishes of the people?

Under this bill Arizona, being numerically the weaker, could be forced into a union with New Mexico, even though every vote in Arizona were cast against the consolidation, and this applies with equal force to the proposed union of Oklahoma and Indian Territory. The stronger of the two Territories can mercilessly coerce the other into union.

It has long been a settled doctrine of American polity, founded in wisdom and justice, that a Territory of the Union is, upon organization, clothed with the inchoate right of ultimate statehood—a right to be exercised in the discretion of Congress when the Territory is capable, by reason of its resources and population, to assume the duties and obligations of a free State.

The denial of this right, the reversal of this policy by an arbitrary exercise of power by Congress in forcing an unnatural union of Territories against the will of their people, the forcible union of peoples distinct in customs, habits, manners, and religion, is ultraradical and revolutionary. It is a pitiful illustration of the degradation to which a party may fall when violating for party purposes its plighted faith made to the people in the national platform.

Should the Republican party pass this bill, wicked as it is in the denial of equal rights in representation and partisan in all of its material details, it will but afford another indecent example of the suppression of individual, Territorial, and national rights to subserve partisan ends. Even more than that, it is the surrender of the power that four sovereign States would exercise in the Union if constitutional methods were orderly followed in the admission of States. It is the last effort to minimize the influence of the West and Southwest in the citadel of Federal power—the United States Senate.

We are of the opinion that it will ultimately be better for the Union that the Territories opposed to consolidation shall be denied statehood under the theory of this bill indefinitely than that the conditions that will be forced by an unnatural union should exist.

JOHN A. MOON.
JAMES T. LLOYD.
JAMES M. ROBINSON.
JOHN R. THAYER.
GORDON RUSSELL.
CHAS. C. REID.
J. F. WILSON,
Delegate from Arizona.

Mr. WILLIAMS of Mississippi. Mr. Speaker, how much time was consumed by the gentleman from Tennessee?

The SPEAKER. There are thirty-two minutes remaining of the hour.

Mr. DALZELL. Mr. Speaker, I have no intention or desire to occupy the attention of the House in the discussion of the merits of this proposition, and I should be willing to give all my time to some member of the committee to address the House upon the merits did I not think I should say something in reply to the gentleman from Mississippi [Mr. WILLIAMS].

The gentleman from Mississippi has seen fit to charge this side of the House with bad faith. I do not know whence he derives his information. It must be from some source which is not accessible to me. We expect that this bill will take its course as a party measure. It is before the House to-day as a party measure, carefully considered by the Republican majority of the Committee on the Territories, submitted to a party caucus, and brought into this House to-day pursuant to a rule recommended by that party caucus.

Whatever any other legislative body may see fit to do, we expect to do our duty in the expectation that that body will do its duty.

Now, I can not agree with the gentleman from Mississippi [Mr. WILLIAMS] in his argument as to what should constitute statehood. I do not agree with him that the paramount question is as to how many square miles of territory there are, without respect to the character of that territory, without respect to its population, without respect to its possibilities.

We justify our action on this bill on the high ground that we are endeavoring to sustain the proper relative power of the Senate and the House of Representatives in legislation. It was never contemplated by the men who made the Constitution that any State in this Union should have more Senators than it had Representatives, outside of those mentioned at the foundation of the Government.

I desire to call the attention of the House to some very significant figures.

The following States, to wit, Delaware, Idaho, Montana, Nevada, Utah, Wyoming, have each two Senators and only one Representative.

The following States, to wit, North Dakota, Oregon, Rhode Island, South Dakota, and Vermont, have each two Senators and only two Representatives.

The following States, to wit, Colorado, New Hampshire, and Washington, have each two Senators and only three Representatives.

It thus appears that there are in the United States to-day fourteen States with twenty-eight Senators and only twenty-five Representatives; there are six States with twelve Senators and six Representatives; there are five States with ten Senators and ten Representatives. When you come to add Oklahoma and Arizona upon the basis of this bill, you will have sixteen States with thirty-two Senators and thirty-two Representatives.

I do not agree with the gentleman from Tennessee [Mr. MOON] that the fathers of the Republic intended that the Senate should be the citadel of Federal power. On the contrary, the fathers, the men who made the Constitution, intended that the power of the people should rest in this House, this House that comes directly from the people. [Loud applause on the Republican side.] And the concession that was made when the Constitution was framed that there should be two Senators from the small States was made upon the express terms that the power to originate revenue legislation should rest with the people's representatives. [Renewed applause.] So that we are here to-day endeavoring to sustain the true power of this House with respect to legislation, the House's proper relation to the Senate. We are here trying to carry out, so far as may be, the original theory of this Government, and not to admit States upon the basis of square miles of arid land without regard to population and without regard to possibilities.

Mr. WILLIAMS of Mississippi. Will the gentleman permit me to ask him a question?

Mr. DALZELL. Certainly.

Mr. WILLIAMS of Mississippi. I wish to ask the gentleman this question: Does he think that we ought to legislate for the present comparative population of States, or whether we ought to legislate for the probable population of the future? Is this legislation for this moment, or is it legislation for all time?

Mr. DALZELL. We ought to legislate upon certainties as nearly as possible. There is very little to be found out respecting New Mexico and Arizona that we have not already discovered. Thirty years ago New Mexico was knocking at the door of the Union for admission as a State. We know from the past what we may expect with respect to that Territory in the future; we know likewise what we may expect as to Arizona, and we have before us always, and will always have before us, unfortunately because of our system, the example of Nevada.

How much time have I remaining, Mr. Speaker, of the hour?

The SPEAKER. The gentleman has twenty-seven minutes.

Mr. DALZELL. I yield the remainder of my time to the gentleman from Maine [Mr. POWERS].

Mr. POWERS of Maine. Mr. Speaker, I concur in the statement of the gentleman from Mississippi [Mr. WILLIAMS] that this is not only a question of privilege, but it is one of great moment and importance to the people of the whole country; and especially is it important to people living in the several Territories which it is proposed to organize into sovereign States. To-day they are under the jurisdiction of the Congress of the United States, which controls their legislation and defines their rights and privileges. By the passage of this bill, if accepted by them, they become sovereign States. They then elect their own governors, their own judges, and have all the rights, powers, and duties that citizens of other States may have.

Like the gentleman from Pennsylvania, who preceded me, I can not understand the force of the argument of the gentleman from Mississippi [Mr. WILLIAMS], which is based upon the principle that the total number of square miles in certain States or Territories should have a controlling influence and bearing upon the question of representation either in this body or any other. I believe it is population and not square miles; it is the people and not arid, desert acres that are and should be represented here. [Applause on the Republican side.]

Mr. WILLIAMS of Mississippi. Will the gentleman permit me?

Mr. POWERS of Maine. Certainly.

Mr. WILLIAMS of Mississippi. Mr. Speaker, does not the

gentleman admit that upon the average the square mile is the basis upon which to reckon future population?

Mr. POWERS of Maine. I do not admit it.

Mr. WILLIAMS of Mississippi. Now, one word more. And does not the gentleman admit that all histories of the world show that where irrigation is introduced and becomes the practice and custom population is more dense than in countries where it is unnecessary?

Mr. POWERS of Maine. I do not admit either of these propositions. I think the growth of most states in the history of the world and of the nations of the world will show that square miles have had but very little to do with population.

The number of square miles in the isles of Great Britain, compared to the square miles in Siberia, is very small, while the population of the former is far in excess of that of the latter territory. And Holland, the most densely populated of any nation on the globe, I think, has not been dependent upon irrigation for its many millions. [Laughter.] Therefore I do not admit that either proposition of the gentleman is correct.

Mr. BURLESON. I would like to ask the gentleman just one question.

Mr. POWERS of Maine. I yield to the gentleman.

Mr. BURLESON. Is it not a fact that you voted in the Fifty-seventh Congress to admit Oklahoma, Arizona, and New Mexico as separate States?

Mr. POWERS of Maine. I will answer the gentleman that question. A bill was brought in here to admit them as States. I did not myself personally believe in the bill, but, being new upon the floor of this House, knowing that it was certain to pass, and not desiring to fight a hopeless case, I sat quietly in my seat.

Mr. BURLESON. If the gentleman wants to excuse himself on the ground that he is a new Member, he can do so.

Mr. POWERS of Maine. I did not yield to the gentleman to make a speech in my time or for him to give me a lecture. Now, I was indeed sorry to hear the distinguished gentleman from Tennessee, for whom I have unbounded respect and admiration, attempt covertly at least to appeal to sectional prejudice and refer to what might happen because there was not sufficient representation on the far Pacific coast or States verging that way. We have had enough in years past of appeals to sectional prejudice. We are one people and one country and we should have fair representation of all the people everywhere in this grand Republic. The political rights and power of one citizen, no matter where he may live, should, as far as may be, be equal to that of any other.

Mr. MOON of Tennessee. Mr. Speaker, will the gentleman permit an interruption?

Mr. POWERS of Maine. Yes.

Mr. MOON of Tennessee. You are mistaken; I did not appeal to any section. I appealed to you not to consider that question.

Mr. POWERS of Maine. Well, that is one and a very good way to really appeal to it by referring to it in the way the gentleman did. Now, let us see what the real facts are. Here is a proposition to make one State from Oklahoma and what is termed the Indian Territory. Now, the Indian Territory is not an organized Territory in the common sense or acceptation of the term. It is simply a strip of land or tract of land upon which certain tribes were settled in 1832 and after. Oklahoma has been carved out of it, and it was undoubtedly intended by Congress that it should include all of it as soon as tribal relations were extinguished. When the gentleman was talking about violating the treaties, all of which have been abrogated, when he was talking about that he must have known that every particle of the Territory of Oklahoma, with the exception of a small strip called "No Man's Land," has been taken from the Indian Territory, or, in other words, the lands ceded to the Five Civilized Tribes.

Mr. MOON of Tennessee. Do you mean to say all of those treaties have been abrogated?

Mr. POWERS of Maine. Substantially, or will be in 1906, when this State will be created.

Mr. MOON of Tennessee. They will be if we pass this bill, but not before.

Mr. POWERS of Maine. They were abrogated and are abrogated, and nearly everything that was originally contemplated by the treaties has been blotted out. I admit that those treaties originally contemplated tribal government and tribal autonomy, but the Curtis Act and other acts have taken all that away. They are now a judge-governed country. They have no longer tribal courts, and in 1906 all tribal relations are to cease; and this bill does not take effect until 1906, when those relations do cease. They are now under the Arkansas code administered by United States judges, and their lands are rapidly being alloted and assigned to them in severalty. Now, I wish to call the gentleman's attention to some facts.

I will venture the assertion—and I do this because he is very solicitous that nothing shall be done in reference to the other Territories in creating the State of Arizona that the people do not want—I will venture the assertion, from what has appeared before the Committee on Territories and from what I have seen in both Oklahoma and the Indian Territory, and know, having been there several times myself, that more than three-fourths of the people of those two Territories, if they may be called two, desire to be made into one State, and I want to say to him one thing more, that while I have seen there and heard before the committee prominent Republicans desiring that there be two States I do not recall of ever seeing in that Territory a single Democrat who was not earnest and active in his desire for one State, or, as they call it, single statehood. [Applause on the Republican side.]

The chairman of the Democratic committee of Oklahoma, Mr. Doyle, as all know, who is one of the ablest lawyers in Oklahoma Territory, came before the Territorial committee and in a very able and lengthy argument, which is printed in the hearings, urged that we have one State from those two sections of Territories, and presented reasons and arguments which seem to me unanswerable and convincing to any unprejudiced mind.

Mr. MOON of Tennessee. Will the gentleman permit an interruption?

Mr. DALZELL. Mr. Speaker, I ask now for the previous question on the adoption of the rule.

Mr. MOON of Tennessee. I ask that the gentleman will permit me to correct him there.

The SPEAKER. The time of the gentleman has not yet expired.

Mr. DALZELL. I beg pardon; I thought the gentleman's time had expired.

The SPEAKER. Does the gentleman yield to the gentleman from Tennessee?

Mr. POWERS of Maine. For a question, not for an argument.

Mr. MOON of Tennessee. I do not desire to make an argument. I desire to ask the gentleman, inasmuch as there is a great difference of facts between us, whether these Territories are separately favorable to this bill, is not the better way to determine that to let the people vote separately on it? That will test the question.

Mr. POWERS of Maine. That involves a great deal of difficulty and trouble, so much so that it is impracticable.

Mr. MOON of Tennessee. Does it?

Mr. POWERS of Maine. Mr. Speaker, these Territories have been knocking at our doors for admission as States for a long time, and we are desirous of presenting some measure that has some prospect of passing this Congress. New Mexico especially has been asking statehood for, lo, these many years. Oklahoma has been asking it more recently, and I believe that the only practicable and equitable solution of this question which has any fair chance of passing this Congress is the one now before it in the pending statehood bill. We submit to the people of those Territories whether or not they will accept the organic acts and accept the provisions in these bills. And it will be the first time any statehood proposition has been submitted to them.

Mr. LITTLEFIELD. And they can vote those down if they want to.

Mr. POWERS of Maine. If they see fit, they can vote them down, and if the gentlemen of the minority are correct in their report, in which they state that both are opposed to this bill, they will vote them down in New Mexico and Arizona. If they do so, that is an end of the matter, as we are not forcing statehood upon them—simply giving them an opportunity to enjoy it.

Now, it is said that Arizona will have a territorial area much too large for a State. It will have something over 30,000 square miles of area less than the State of Texas. It will be more compact than Texas—I have heard a Texan complain of the size of that State—and it is so situated with those great trunk lines of railway running across it in the northern and southern portions or parts of the Territory where there are settlements, so that the residents can easily assemble at any given point. It is not so difficult for the people of Arizona to-day to go to a place where they may finally locate their capital as it was not very long ago for the people of some of our smaller States to do the same. By the railroad, the telegraph, and the telephone we have annihilated distance. When Arizona was carved out of New Mexico—of which it had been a part for some fifteen or sixteen years—conditions were different. There were no railroads in that country and none were expected. That was in 1863. When there was a need or desire to cross from one section to the other, it took some ten or twelve days. Therefore, on account of its being too far from settlements in that part where Arizona now is to the then capital, Santa Fe, it was deemed wise, for the time being at least, to make two Territories. Had the same conditions existed then that exist now, I do not believe two Territories would have been made or considered.

Considering the question of population, the gentleman from

Mississippi asks, if I understood him correctly, if we should not take into consideration future prospects, as well as the past. Certainly we should, and that has been done in admitting States in the past. New Mexico was settled before the landing at Jamestown. They will show you a church in Santa Fe built before any Englishman had settled on this continent. It developed very slowly until these railroads were constructed, because they had to go to St. Joe, Mo., I think a distance of some 1,500 miles, to have any intercourse with what you might call the outside world. For the last decade, however, and more there have been railroads in that country. Mining has been developed. Access has been comparatively easy. Does the gentleman know exactly what has been the growth in those two Territories in the last ten years, according to the census, under the most favorable circumstances? According to the census of 1890 the population of Arizona was 88,243, of which 29,981 were Indians. The population of New Mexico in 1890 was 160,282, and in 1900 195,310. The Indian population in 1900 was 13,144 and in 1890 it was 15,044.

So that we find that the increase in the white population in that decade, with all of these railroads going through there, with the mining developed, was 38,169 in Arizona, according to the census, and the decrease in the Indian population was 3,501. The white population in New Mexico in the meantime increased 30,928, and the Indian population decreased 1,900. Now, any man who has studied the geography of that country, any man who has visited it, knowing as he must that there are energetic people living there, and there are people living there who are worthy of being citizens, must also know that a very large proportion, especially of Arizona, is not only arid, but that it is an arid, rocky desert, which can never, never be brought under cultivation. Hence its increase in population has been slow.

I have no unkind things to say of those Territories or their people, but I have not found the conditions of things as glowing there as some others who have gone there have; neither have I found them as bad as others have reported. On the whole I believe they are fit for statehood. There is, it is true, a large system of irrigation contemplated to irrigate the Salt River Valley. It is, however, yet in its tentative period. I presume that will add to the population. I hope it will largely increase the population, but when you take the population of both of those Territories and add them together, and also add any reasonable future increase, you will find that, taking into consideration the population of our country today and its probable increase, it will be evident that in making one State from these two Territories and assigning them two Representatives, though they were hardly entitled to them, basing it upon the population, we have done all that in fairness could be done.

Mr. STEPHENS of Texas. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Maine yield to the gentleman from Texas?

Mr. POWERS of Maine. Certainly.

Mr. STEPHENS of Texas. Mr. Speaker, I desire to ask the gentleman if he has considered this point, that the southern boundary of the United States, extending from the Gulf of Mexico to the Gulf of California, has within it only two States—Texas and the proposed State of Arizona? Has the gentleman also considered that extending from the Mississippi River to the Pacific Ocean along the northern boundary of the United States there are four States, and only four? Now, stretching from Iowa across to the Pacific coast there are six. Does the gentleman think that that is fair and just to the southern portion of the United States, and has he further considered that we have the same kind of country stretching from the Gulf of Mexico to the Gulf of California, through the State of Texas and through the proposed State of Arizona, that they have farther north, where there are six States?

Mr. POWERS of Maine. I do not understand the question of the gentleman from Texas. I have only a few moments, and I must therefore decline to yield further. I understand the gentleman to say that the northern boundary of this country extending from the Mississippi to the Atlantic has four States.

Mr. STEPHENS of Texas. No, to the Pacific; and that has four States, I say.

Mr. POWERS of Maine. I do not see what that has to do with this bill, and I must ask the gentleman not to interrupt me further.

The SPEAKER. The gentleman declines to yield further.

Mr. POWERS of Maine. Again, we are called upon to make four States down there, or three at least, because the gentleman says that the Republican party in its platform has pledged itself to make that number of States.

I take issue with the gentleman on that. The Republican party stands by its platforms. It does not have to change them every four years and ask the charity of oblivion and forgetfulness for something that it would have forgotten—like "sixteen to one." As a party we have nothing of that kind to do. I will read the three planks of the Republican party in three successive platforms—its declarations in reference to this statehood matter—and I will submit to the judgment of this House whether I am right or wrong on this question. In 1892 this was the declaration of the platform of the Republican party:

> We favor the admission of the remaining Territories at the earliest practicable day, having due regard to the interests of the people of the Territories and of the United States.

We stand upon that now. [Applause on the Republican side.] In 1896 this was the declaration of the Republican platform:

> We favor the admission of the remaining Territories at the earliest practicable date, having due regard to the interests of the people of the Territories and of the United States. All the Federal officers appointed for the Territories should be selected from bona fide residents thereof, and the right of self-government should be accorded as far as practicable.

In 1900 this was the declaration of the Republican platform:

> We favor home rule for, and the early admission to statehood of, the Territories of New Mexico, Arizona, and Oklahoma.

The bill which we propose to pass accomplishes the admission of the Territories of New Mexico, Arizona, and Oklahama—New Mexico and Arizona in one State, Oklahoma in another. By the admission of Oklahoma we take into this Union the last part of that splendid empire that we purchased from France one century ago——

Mr. GILBERT. Against the protest of New England.

Mr. POWERS of Maine. The protest of New England I know nothing about. New England may have protested against some things. You gentlemen of the South have protested against others; and we may both have found that we ought not to have protested, as the logic of events very effectually proved. [Laughter and applause on the Republican side.]

At this time, when we are celebrating the centennial of the Louisiana purchase, it seems to me a perfectly proper and good thing to admit what remains of that territory to statehood. Speaking from personal knowledge, I say it is my deliberate judgment that Oklahoma, composed as it ought to be and as it will be of what is now Oklahoma and the Indian Territory, will make one of the most splendid States west of the Mississippi. [Applause on the Republican side.] It has a large, rapidly increasing population, it has a splendid soil, it has mineral wealth, it has everything necessary to make a grand State.

When we come to New Mexico and Arizona, I can not say, as I did of Oklahoma and the Indian Territory, that the desire of three-fourths of the people is for single statehood. I am of the opinion that if New Mexico could have its way, and if Arizona could have its way, each would prefer to be a State by itself, each to have two Senators, each to have a capital and all that constitutes two State governments, because they have down in that country a great many able men and a great many able politicians and Senatorial aspirants. But when it comes to this question, which I think the good of the whole country requires to be submitted to the people, when you submit to them the question, Will you unite, will you come into this Union on equal terms with us as one State, or will you stay out? I predict that they will vote to come in.

Mr. Speaker, there are many things I might say, but I will not go into the details of this bill; my time forbids. We have attempted, for the time being, at least, to insist that certain conditions be adopted by the constitutional convention as a part of the State constitution, conditions which we believe will start the States right. Whether it will or will not be in the power of those communities to change those provisions when they become States I do not intend to discuss, for I do not believe they will want to change them. We have provided for proper courts; we have provided for the protection of the Indians; we are endeavoring as soon as we can to provide for the more than 100,000 white children in the Indian Territory that are crying aloud to us for schools in which to get an education and at present have no schools whatever, and with that view we have provided in this bill that in 1906, as soon as the last remnant of these treaties expire, as soon as these tribal relations are dissolved, Oklahoma may, upon the adoption of these conditions, be admitted as a State in the Union, and I know she will adopt them. Let us then give them an opportunity. [Applause on the Republican side.]

Mr. DALZELL. Mr. Speaker, I ask the previous question on the adoption of the proposed rule.

The previous question was ordered; there being on a division (called for by Mr. WILLIAMS of Mississippi)—ayes 137, noes 123.

The SPEAKER. The question is now on agreeing to the resolution.

Mr. WILLIAMS of Mississippi. In order to save time we may as well have the yeas and nays at once.

The yeas and nays were ordered.

The question was taken; and there were—yeas 151, nays 111, answered "present" 15, not voting 104, as follows:

YEAS—151.

Acheson,	Dayton,	Jenkins,	Overstreet,
Adams, Pa.	Deemer,	Jones, Wash.	Palmer,
Adams, Wis	Dixon,	Kennedy,	Parker,
Alexander,	Douglas,	Ketcham,	Payne,
Ames,	Draper,	Kinkaid,	Perkins,
Bartholdt,	Driscoll,	Knapp,	Porter,
Bates,	Dunwell,	Kyle,	Powers, Me.
Bingham,	Dwight,	Lacey,	Reeder,
Birdsall,	Esch,	Landis, Frederick	Rodenberg,
Bishop,	Evans,	Lanning,	Scott,
Bonynge,	Foss,	Lawrence,	Shiras,
Boutell,	French,	Lilley,	Slemp,
Bowersock,	Gaines, W. Va.	Littauer,	Smith, Ill.
Bradley,	Gardner, N. J.	Littlefield,	Smith, Iowa
Brandegee,	Gibson,	Longworth,	Smith, Pa.
Brick,	Gillet, N. Y.	Loud,	Smith, Samuel W.
Brooks,	Gillett, Cal.	Loudenslager,	Southard,
Brown, Pa.	Gillett, Mass.	Lovering,	Southwick,
Brown, Wis	Goebel,	McCarthy,	Spalding,
Buckman,	Graff,	McCleary, Minn.	Sperry,
Burkett,	Greene,	McCreary, Pa.	Stafford,
Burton,	Hamilton,	McMorran,	Steenerson,
Butler, Pa.	Haskins,	Mahon,	Sterling,
Calderhead,	Haugen,	Mann,	Stevens, Minn.
Campbell,	Hedge,	Marsh,	Sulloway,
Capron,	Hemenway,	Marshall,	Tawney,
Conner,	Henry, Conn.	Martin,	Thomas, Iowa
Cooper, Pa.	Hepburn,	Miller,	Townsend,
Cooper, Wis.	Hermann,	Minor,	Van Voorhis,
Cousins,	Hill, Conn.	Mondell,	Volstead,
Cromer,	Hinshaw,	Morgan,	Vreeland,
Crumpacker,	Hitt,	Morrell,	Wanger,
Currier,	Hogg,	Mudd,	Weems,
Curtis,	Howell, N. J.	Murdock,	Williamson,
Dalzell,	Huff,	Nevin,	Wilson, Ill.
Daniels,	Hughes, W. Va.	Olmsted,	Wright,
Davidson,	Hull,	Otis,	Young.
Davis, Minn.	Humphrey, Wash.	Otjen,	

NAYS—111.

Adamson,	Emerich,	Legare,	Robertson, La.
Badger,	Field,	Lever,	Robinson, Ark.
Baker,	Finley,	Lewis,	Robinson, Ind.
Bankhead,	Flood,	Lind,	Rucker,
Bartlett,	Gaines, Tenn.	Little,	Russell,
Bassett,	Garner,	Livingston,	Scarborough,
Beall, Tex.	Gilbert,	Lloyd,	Shackleford,
Bell, Cal.	Goulden,	Lucking,	Sheppard,
Benny,	Granger,	McDermott,	Sherley,
Bowers,	Gregg,	McLain,	Sims,
Brantley,	Gudger,	Macon,	Slayden,
Breazeale,	Hamlin,	Maddox,	Smith, Ky.
Brundidge,	Hardwick,	Maynard,	Smith, Tex.
Burleson,	Hay,	Meyer, La.	Spight,
Burnett,	Henry, Tex.	Moon, Tenn.	Stanley,
Byrd,	Hill, Miss.	Needham,	Stephens, Tex.
Caldwell,	Hitchcock,	Padgett,	Sulzer,
Candler,	Houston,	Page,	Swanson,
Cassingham,	Hughes, N. J.	Patterson, N. C.	Thomas, N. C.
Clark,	Humphreys, Miss.	Pierce,	Underwood,
Clayton,	James,	Pujo,	Van Duzer,
Cochran, Mo.	Johnson,	Rainey,	Wade,
Crowley,	Jones, Va.	Randell, Tex.	Webb,
Cushman,	Kehoe,	Ransdell, La.	Wiley, Ala.
De Armond,	Keliher,	Reid,	Williams, Ill.
Denny,	Kitchin, Claude	Richardson, Tenn.	Williams, Miss.
Dinsmore,	Lamar, Mo.	Rider,	Wynn.
Dougherty,	Lamb,	Rixey,	

ANSWERED PRESENT—15.

Allen,	Cowherd,	Knopf,	Richardson, Ala.
Beidler,	Dovener,	Miers, Ind.	Sibley,
Benton,	Dresser,	Patterson, Pa.	Zenor.
Cassel,	Grosvenor,	Pou,	

NOT VOTING—104.

Aiken,	Garber,	Lester,	Small,
Babcock,	Gardner, Mass.	Lindsay,	Smith, Wm. Alden
Bede,	Gardner, Mich.	Livernash,	Smith, N. Y.
Bowie,	Gillespie,	Lorimer,	Snapp,
Broussard,	Glass,	McAndrews,	Snook,
Brownlow,	Goldfogle,	McCall,	Southall,
Burgess,	Gooch,	McLachlan,	Sparkman,
Burke,	Griffith,	McNary,	Sullivan, Mass.
Burleigh,	Griggs,	Mahoney,	Sullivan, N. Y.
Butler, Mo.	Harrison,	Metcalf,	Talbott,
Castor,	Hearst,	Moon, Pa.	Tate,
Cockran, N. Y.	Hildebrant,	Norris,	Taylor,
Connell,	Holliday,	Patterson, Tenn.	Thayer,
Cooper, Tex.	Hopkins,	Pearre,	Tirrell,
Darragh,	Howard,	Pinckney,	Trimble,
Davey, La.	Howell, Utah	Powers, Mass.	Vandiver,
Davis, Fla.	Hunt,	Prince,	Wachter,
Dickerman,	Hunter,	Rhea,	Wadsworth,
Fitzgerald,	Jackson, Md.	Robb,	Wallace,
Fitzpatrick,	Jackson, Ohio	Roberts,	Warner,
Flack,	Kitchin, Wm. W.	Ruppert,	Warnock,
Fordney,	Kline,	Ryan,	Watson,
Foster, Ill.	Kluttz,	Scudder,	Weisse,
Foster, Vt.	Lafean,	Sherman,	Wiley, N. J.
Fowler,	Lamar, Fla.	Shober,	Wilson, N. Y.
Fuller,	Landis, Chas. B.	Shull,	Woodyard.

So the resolution was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SHERMAN with Mr. RUPPERT.

Mr. SNAPP with Mr. FOSTER of Illinois.

Mr. CASSEL with Mr. GOOCH.

Mr. CHARLES B. LANDIS with Mr. TATE.

Mr. PATTERSON of Pennsylvania with Mr. DICKERMAN.

Mr. HUNTER with Mr. RHEA.

Mr. SIBLEY with Mr. DAVEY of Louisiana.

Until further notice:

Mr. BEDE with Mr. BURGESS.

Mr. WACHTER with Mr. TALBOTT.

Mr. JACKSON of Ohio with Mr. GARBER.

Mr. WM. ALDEN SMITH with Mr. MCNARY.

Mr. GARDNER of Michigan with Mr. TAYLOR.

Mr. WARNOCK with Mr. ROBB.

Mr. FORDNEY with Mr. GRIFFITH.

Mr. METCALF with Mr. LIVERNASH.

Mr. BEIDLER with Mr. HOWARD.

Mr. KNOPF with Mr. WEISSE.

Mr. ALLEN with Mr. SMALL.

Mr. LORIMER with Mr. MAHONEY.

Mr. HOLLIDAY with Mr. MIERS of Indiana.

Mr. WATSON with Mr. ZENOR.

Mr. DOVENER with Mr. TRIMBLE (except river and harbor).

Mr. DARRAGH with Mr. DAVIS of Florida.

Mr. CONNELL with Mr. BUTLER of Missouri.

Mr. WARNER with Mr. MCANDREWS.

For April 19 and 20:

Mr. DRESSER with Mr. RYAN.

Mr. FOSTER of Vermont with Mr. POU.

Until April 21:

Mr. ROBERTS with Mr. THAYER.

Until April 23:

Mr. TIRRELL with Mr. SULLIVAN of Massachusetts.

Until April 25:

Mr. BURLEIGH with Mr. HUNT.

For this day:

Mr. BABCOCK with Mr. COWHERD.

Mr. CASTOR with Mr. PATTERSON of Tennessee.

Mr. BROWNLOW with Mr. BENTON.

Mr. HILDEBRANT with Mr. SPARKMAN.

Mr. GARDNER of Massachusetts with Mr. KLINE.

Mr. PEARRE with Mr. GRIGGS.

Mr. FLACK with Mr. FITZPATRICK.

Mr. FOWLER with Mr. AIKEN.

Mr. HOWELL of Utah with Mr. BOWIE.

Mr. JACKSON of Maryland with Mr. GILLESPIE.

Mr. LAFEAN with Mr. GLASS.

Mr. MCCALL with Mr. KLUTTZ.

Mr. MCLACHLAN with Mr. WILLIAM W. KITCHIN.

Mr. NORRIS with Mr. LESTER.

Mr. POWERS of Massachusetts with Mr. SCUDDER.

Mr. PRINCE with Mr. LINDSAY.

Mr. WADSWORTH with Mr. SHULL.

Mr. WILEY of New Jersey with Mr. WALLACE.

Mr. WOODYARD with Mr. FITZGERALD.

Mr. MOON of Pennsylvania with Mr. VANDIVER.

Mr. SMITH of New York with Mr. SNOOK.

Mr. FULLER with Mr. HARRISON.

Mr. GROSVENOR with Mr. COCKRAN of New York.

On this vote:

Mr. BURKE with Mr. RICHARDSON of Alabama.

Mr. COWHERD. Mr. Speaker, I voted "nay." I notice that I am paired with the gentleman from Wisconsin, Mr. BABCOCK. I would like to withdraw my vote and be marked "present."

The name of Mr. COWHERD was called, and he voted "present."

Mr. SIBLEY. Mr. Speaker, I would like to ascertain if the gentleman from Louisiana, Mr. DAVEY, voted.

The SPEAKER. He did not.

Mr. SIBLEY. Then I desire to be recorded as "present."

The name of Mr. SIBLEY was called, and he voted "present."

The result of the vote was then announced as above recorded.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 14749) to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States, and to enable the people of New Mexico and Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States.

Mr. HAMILTON. Mr. Speaker, I ask unanimous consent that the second reading of the bill be dispensed with.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the second reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. HAMILTON. Mr. Speaker, I ask that one-half of the time for debate be controlled by the gentleman from Tennessee [Mr. MOON] and the other half by myself.

The SPEAKER. The gentleman from Michigan asks unanimous consent that one-half of the time shall be controlled by him-

self and one-half by the gentleman from Tennessee [Mr. MOON]. Is there objection? [After a pause.] The Chair hears none.

Mr. HAMILTON. Mr. Speaker, I yield fifteen minutes to the gentleman from North Dakota [Mr. SPALDING].

[Mr. SPALDING addressed the House. See Appendix.]

Mr. HAMILTON. Mr. Speaker, I will ask the gentleman from Tennessee [Mr. MOON] to consume some of his time now.

Mr. MOON of Tennessee. Very well; I will yield one hour to the gentleman from Arizona [Mr. WILSON].

Mr. HAMILTON. Mr. Speaker, inasmuch as the gentleman from Arizona will consume one hour, perhaps it would be more advisable for us to use, say, fifteen or twenty minutes more before proceeding.

Mr. MOON of Tennessee. If the gentleman prefers that, very well.

Mr. WILSON of Arizona. Mr. Speaker, I would like to hear one of the Delegates speak before I address myself to the subject.

Mr. HAMILTON. Mr. Speaker, I yield fifteen minutes to the gentleman from Illinois [Mr. STERLING].

Mr. STERLING. Mr. Speaker, so far as this discussion has proceeded it seems that the main question is whether or not these Territories shall be admitted as four States or as two. It is generally conceded, I think, that they are entitled to admission into the Union as States, and I shall confine my remarks mainly to the question as to whether it is wise to create four sovereign States out of these Territories or whether we would better make them into two States. If the gentlemen on the other side of this House proceed on the theory that States are composed simply of area, that square miles and broad acres constitute a State, then it were better, perhaps, that these Territories be made into four States instead of two; but if, as I believe, the proper basis for creating a State is the number and character of the people, then there ought not to be but two States made out of the four Territories. The gentleman from Mississippi [Mr. WILLIAMS] asked a question when he was on the floor as to whether or not this Congress was legislating for the immediate present or whether it was legislating for the future.

I submit that this Congress now is legislating for the future. It is legislating for all time to come. It is therefore important that we consider the future possibilities of these States. If the natural resources of that part of our domain will justify a great population, then New Mexico and Arizona have sufficient area for two States. Population will always be limited by the opportunities. But I submit to the gentlemen on the other side of the House that it is absolutely impossible for Arizona and New Mexico ever to have a dense population. They will never have any great centers of commerce. They will never have any great cities through which commerce from the East to the West will pass. The only cities that can possibly grow up in these Territories will be simply such as are made by agricultural communities and such as are supported by agricultural communities. This is not newly settled territory. The white man entered there and founded settlements more than three centuries ago.

All of the States of the Union have been settled, organized, and developed since the first white settlements there. Yet there are but four cities that by the last census contain more than 5,000 people. Tucson has a population of 7,000, Albuquerque a population of 6,000, and then comes Phoenix and Santa Fe with 5,000 each. There is nothing beyond Arizona. There is nobody to whom to carry the commerce of the North and East through these Territories. There is no trade, no commerce, no production beyond Arizona that must come through these Territories to the East and North, and therefore it is impossible that any great cities should ever grow up in those Territories. The population will be along the streams. The permanent population will be sustained mainly by the country and on the land that it is possible to irrigate, and there can never be any great scope of that country subject to irrigation, though enough, perhaps, to sustain a State. It has been said by the gentlemen representing those two Territories here in the House that there are 20,000,000 of acres that can and will some time be irrigated. This, then, will be the limit of agricultural development. When this limit is reached this new State of Arizona will have less than one-seventh of its area devoted to agriculture. Twenty million acres is but little more than one-half the area of Illinois. It is but little more than one-half the area of Iowa.

Its mineral resources are valuable, but that of itself can not constitute a State. The population drawn to this new State by reason of its mineral resources will be largely transient. It will build a city to-day and to-morrow will be gone. The mining population will not be a permanent factor in the future growth and development of the State.

The enduring civilization of this new State will depend on its agriculture, and that is dependent wholly upon the success of irrigation. Six-sevenths of the State can never be reached by irrigation, so that it can not be hoped for the new State that it will ever contain a dense population.

There are almost 1,000,000 persons now to each United States Senator. The new State must have 2,000,000 people before it reaches the average of the States. With a population of only 318,000 in 1900, it must be many years, if ever, before it will average with the other States of the Union.

This new State now has 1½ persons to the square mile. New York has 146 persons to the square mile; Illinois has 85, and Iowa has 40 persons to the square mile. The entire nation has 26.11 persons to the square mile, and in all reasonable probability the time will never come when Arizona will have a population to equal this average density of population of the whole nation. Then, if it does, the other States will have increased far beyond their present population, so that this State will still be lacking much to entitle it to the representation which this bill gives it in the Senate, if computed on the basis of population.

Of course representation in the Senate is not based on population. It is the single exception, so far as I know, among all our institutions, State and national, where the number of people is not the basis of representation. The membership of this House is apportioned equally among the people. Representation in the State legislatures of every State in the Union is according to population. County and city government everywhere is so formed as to give to each person an equal voice and equal influence in affairs. That is the true principle of all representative government, and it is the rule in all our republican institutions except the United States Senate.

This necessarily creates inequality of representation in the Senate. But this House has it in its power now to mitigate the evil of this inequality to a small extent. By creating one State we give the people of this section two Senators instead of four. I submit the question: Is it wise or just to give to that Territory, with 318,000 people, four Senators, while New York, with more than 7,000,000 people, has but two? Pennsylvania, with more than 6,000,000, and Illinois, with nearly 5,000,000, together have a representation in the United States Senate of four members. On what ground can gentlemen justify an equal representation in that body for Arizona and New Mexico, which together have a population of only 318,000? The present situation does not justify it, and the possibility of the future can not.

Representation in government must be based on population and not on land. It must be based on humanity and not on space; otherwise our whole system might degenerate into a rule of the minority. We are here to legislate for men and women and not for square miles or acres. We are here to legislate for the whole people and not for any section of our common country. This claim that square miles constitute a State is a miserable makeshift, and its fallacy ought to be corrected so far as possible. The authors of this bill think that by a union of Arizona and New Mexico into one State and Oklahoma and Indian Territory into one State they have to a slight extent remedied the evil.

Gentlemen say that in making these Territories into two States instead of four is a discrimination against the West and in favor of the East; that the Atlantic seacoast has a greater representation in the Senate than the Pacific seacoast; that it gives to one section more power than to another in the citadel of Government. I believe that if the Congress of the United States loses sight of the people and keeps in view the interest of one section, regardless of population, then there is a danger of discrimination. If there is discrimination in this bill it is certainly in favor of the West. The States on the Atlantic coast are represented by 28 Senators, and these 28 Senators represent 28,000,000 of people. The Pacific coast is represented by six Senators, and these six Senators represent two and one-half millions of people.

I repeat, it is not a question of sectionalism, nor is it a question of area, nor is it a question of miles of seacoast, but it is purely a question of humanity and of equal rights, so far as possible, to every man in the land.

It is argued here, and was argued before the committee, that the people of Arizona and New Mexico do not want to be joined into a single State. It is said that Congress has no right to compel these two Territories, against the will of their people, to join in one State government. It is not the purpose of Congress and it is not the purpose of this bill to compel them to unite into one State. This bill simply gives to the people of these two Territories the privilege and opportunity of coming into the Union as a State if they desire to do so. Congress has the unquestionable right to prescribe the conditions, just as it has prescribed the conditions for the admission of every State since the formation of the Constitution, and if the people desire statehood they can have it by complying with the conditions prescribed.

But I insist that the people of these Territories are not alone concerned in the question as to whether they will be admitted as one State or two. It is a question that affects every citizen of the United States, and it affects them equally with the citizens of

these two Territories. It all reverts to a question of equal representation, and the people of my State and the people of every State are interested in giving to the people of these two Territories just and equal representation and no more. The power that is given this new State in the Senate must come from the power which all the other States now have. In the degree that the influence of the citizens of Arizona is increased in the Senate, in the same degree the influence of the citizens elsewhere is diminished.

What I have said about the conditions and possibilities in these two Territories is not said for the purpose of minimizing their importance or detracting from their real merit, nor is it said to derogate their rights, but it is a plain practical situation which must be taken into account in arriving at the merits of this question.

I believe that the people of these two Territories are entitled to statehood. They are an enlightened, intelligent, and Christian people. They are qualified for statehood as well as the people of the States from which they came. They are the sturdy, honest pioneers of a country new in its development, and State government will give them an opportunity to grow, and to improve their local conditions.

Nothing need be said with reference to the admission of Oklahoma and Indian Territory. Their fitness and their right to statehood can not be questioned. In my judgment, based on my information as a member of the Committee on Territories, the people of these two Territories are favorable to a union in one State. The statement that this bill abrogates the treaties between the Government and Indians is a mistake. These treaties were with Indian tribes, and these tribes have been dissolved. Tribal relations have been abandoned voluntarily. Individual Indians have agreed to take their lands in severalty, and to absolve their allegiance to tribes, and to stand as common citizens before the law of the land.

There are no treaties in conflict with the purposes of this bill. It confers upon the Indians all the blessings that it confers upon the white people of that Territory. It will make a splendid State, containing now more than a million and a quarter of inhabitants, and from the start must rank among the leading States of the West.

I hope this bill will pass. It takes into the Union as a State the last foot of our nation's contiguous territory, solidifying the American nation into a union of States, and giving to every citizen within its boundaries all the rights and privileges of a citizen of the Republic. [Loud applause.]

Mr. MOON of Tennessee. Mr. Speaker, I ask permission to incorporate in the RECORD the report of the minority of the committee.

There was no objection.

The minority report is as follows:

The minority of the Committee on the Territories do not agree with the conclusion of the majority, and dissent from the provisions of the bill presented by them in its material details and the general policy of the consolidation of the four Territories involved into two States. On the question of fact as to the ability of the four Territories to maintain separate and distinct organization and statehood we present separately the facts as to the condition, population, and resources of each Territory:

ARIZONA.

Area, 113,929 square miles, or 72,792,500 square acres.

Its vast area is distributed as follows: 42,000,000 acres grazing land; 30,000,000 acres mineral land, the grazing and mineral lands blending; 10,000,000 acres agricultural land. One million acres of this agricultural land has already been reclaimed and 9,000,000 acres more may be.

The grazing belt extends from the line of New Mexico on the east to the timber belt 140 miles west. The timber belt is a vast area of great pine forests containing nearly 10,000 square miles of as fine timber as there is in the world.

MINERAL LANDS.

The mineral belt of this Territory is one of the largest in the world. It reaches from Nevada and Utah in the northwest, passing diagonally through the Territory into the State of Sonora, Mexico, in the southeast, a distance in length of 437 miles by about 100 miles in width. There are now 1,840 patented mines in operation in said Territory, and thousands of mining claims are being operated and developed which are not patented. Out of these mines is taken annually, in round numbers, $43,000,000, and the development of this great mineral belt is very fast growing. The output of these mines consists of the precious metals—gold and silver—and copper, and the testimony is that this great mineral belt is scarcely yet prospected, notwithstanding that it takes out $43,000,000 per year.

AGRICULTURAL LANDS.

The great portion of the agricultural lands lie south of the mineral belt just referred to, and are known as the Salt, Gila, and Colorado River valleys. Agriculture there is maintained by irrigation, and they have, all told, over 800 miles of irrigating canals and laterals for that use. In the Salt River Valley alone there are 152,000 acres in cultivation by means of irrigation. The receipts for the products sold last year are given below:

Hay	$1,200,000
Fruits	80,000
Stock fattened and sold from pastures and hay not otherwise sold.	1,500,000
Honey	80,000
Butter and cheese	76,000
Poultry and eggs	50,000
Total	2,906,000

In the Graham Valley on the Upper Gila about 40 per cent of that amount was produced. The agricultural products of the balance of the agricultural portion of the Territory are not known, but they are vast.

PRODUCTIVE POWER OF THE SOIL.

The soil of this agricultural country is very deep and has wonderful productive power. They produce all the tropical fruits, as well as cereals, cantaloupes, alfalfa, hay, etc. It has been shown that the soil yields an annual return per acre, as follows: Almonds, $75 to $150 net; cantaloupes, from $75 to $110 net; alfalfa, from $36 to $53 net, and so on, showing the productive power of the soil to be wonderfully great.

The Salt River and Gila valleys converge and come together and have a length of about 368 miles in extent, making an area of country susceptible of reclamation and cultivation greater than the valley of the Nile.

PRODUCTION OF LUMBER.

This is a great industry in Arizona. There are three great lumber companies there whose plants will each cut 200,000 feet of lumber per day. Their returns are about 200,000,000 feet annually.

RAILROAD FACILITIES.

There are over 1,400 miles of railroads in the Territory and others fast building.

There are two great trunk lines passing through Arizona from east to west. The Santa Fe Pacific through the northern portion and the Southern Pacific through the southern part. The Santa Fe, Prescott and Phoenix runs north and south, connecting with the Maricopa and Phoenix Railroad, which connects with the Southern Pacific. There are feeder lines of railroad branching out in all directions and aiding in the development of the mineral section. The El Paso and Southwestern, owned by Phelps-Dodge & Co., is built in the southeastern part of the Territory, reaching from the grazing land in the south to the great mines at Bisbee and other places. The Arizona and New Mexico is another eastern railroad, built by a Scotch corporation for the purpose of handling the copper in the Clifton and Morenci country and the interstate commerce passing into Mexico from that line. The United Verde and Pacific in the north, connecting the Black Hills mineral section with the Santa Fe, Prescott and Phoenix, is another system for developing the heavy mineral country. All of these railroads are in a prosperous condition and their business increasing about 33 per cent annually, and that is about the per cent of their annual increase for the last five years.

TAXABLE PROPERTY.

The railroad property cost not less than $60,000,000, and its assessed valuation is $6,000,000.

Mines and realty, value more than $200,000,000; taxed, improvements and all, $2,724,238. So the taxable property is assessed at $43,880,041 when it is really worth $400,000,000.

POPULATION.

The census gives Arizona 122,921. As given by counties last fall it was 178,600, and the immense increase to-day has no doubt reached the 200,000 limit. The population is almost entirely American, not 700 of it having been born in Mexico, and only about 4,400, all told, of the population were born in foreign countries. It is an intelligent population. Outside of 27,500 Indians, not taxed, who belong to the illiterate class, there is not 1 per cent of the population illiterate. All do their own reading and writing in the transaction of their affairs.

LAW AND SCHOOLS.

Law.—The Territory of Arizona has as fine a code of laws as any of the older sections of the Union, and they are as well enforced as anywhere in the land. Therefore life and property rights are as well protected there as anywhere from the Atlantic coast to the Rocky Mountains. She has her own capitol and other public buildings—up-to-date and new, paid for by herself—and is thus ready prepared for housekeeping as a State as well as any State in the Union.

School facilities.—Arizona has its own university, with mining and agricultural schools connected therewith. Normal schools 2; 10 high schools; 278 common schools.

The number of pupils from 6 to 21 years attending public schools are 25,951; from 8 to 14 years in other schools, 13,311.

SCHOOL PROPERTY AND VALUE.

Common school buildings and furniture	$727,182
Value of apparatus	21,802
Value of school libraries	9,144

Number of male teachers, 115; female, 359.

Average wages paid males, $80.33 per month; females, $67.53 per month.

The school fund collected for 1903	$515,633.49
Amount expended, 1903	415,243.15
Balance cash on hand for the present year	100,390.04

POSTAL RECEIPTS.

From the first and second class offices alone, 1903, $138,302—16 per cent more than any previous year.

NEW MEXICO.

From official sources we find the Territory of New Mexico to have:

Area, 122,469 square miles.

Population, 250,000; census of 1900, 195,310; 1890, 153,593; 1880, 119,565; 1870 91,874; 1860, 87,054; 1850, including Arizona and southern Colorado, 61,547, which area now has over 400,000 inhabitants. Of the present population 144,000 came from the States or are children of parents from the States; 127,000 are of native descent; 13,000 are Indians. Of the 66,395 wage-earners in the census year of 1900, 40 per cent, or 27,214, were engaged in agricultural pursuits, 19,478 in domestic service, 10,378 in manufacturing, mining, and mechanics, 7,208 in trade, and 2,118 in professional service.

FARMS AND FARM PRODUCTS.

Number of farms, 1890, 4,458; in 1900, 11,834. Acres in farms in 1890, 787,882; in 1900, 5,130,878. Value of farms in 1890, $3,543,141; in 1900, $53,737,824. Value of farm lands, 1890, $8,140,800; 1900, $20,888,824. Value of farm implements, 1890, $291,240; 1900, $1,151,610. Value of live stock, 1890, $25,111,201; 1900, $31,727,400. Value of farm products, 1890, $2,000,000; 1900, $10,000,000. Acres in alfalfa, 1890, 12,139; 1900, 55,467. Acres under culture, 1890, 91,745; 1900, 203,893. Butter, 1890, 105,000 pounds; 1900, 381,000. Eggs, 1890, 280,000 dozen; 1900, 840,000 dozen; Hay, census of 1900, $1,427,317. Cereals, 1900, $979,903. Vegetables, 1900, $278,413. Acres under irrigation, 326,873. Improved farms, 1900, 12,311. Farms under irrigation, 9,128. Value of irrigated farms, $13,551,592. Value of non-irrigated farms, $3,773,177.

The above statistics do not take into consideration the lands cultivated by the Indians, the Pueblos being farmers and great producers of crops; nor of crops raised on farms of less than 3 acres, of which there are many thousands in New Mexico.

PUBLIC LANDS.

Subject to entry under the Federal land laws on June 30, 1903, 52,000,000 acres. Included in the four forest reserves, 5,125,000 acres; in land grants approved by Congress, 9,963,200 acres; by the Court of Private Land Claims, 1,900,945 acres. The land grants approved by Congress include 549,065 acres to the Indians.

Public lands entered from June 30, 1900, to June 30, 1903, 2,179,738 acres; from June 30, 1900, to June 30, 1901, 655,730.54 acres; June 30, 1901, to June 30, 1902, 441,871; June 30, 1902, to June 30, 1903, 1,082,128.

Homesteads entered from June 30, 1900, to June 30, 1903, 1,120,487 acres; from June 30, 1900, to June 30, 1901, 265,524 acres; from June 30, 1901, to June 30, 1902, 386,757 acres; from June 30, 1902, to June 30, 1903, 468,196 acres.

Desert-land entries, June 30, 1900, to June 30, 1903, 129,595 acres; from June 30, 1900, to June 30, 1901, 8,472; from June 30, 1901, to June 30, 1902, 46,596; from June 30, 1902, to June 30, 1903, 74,585 acres.

MINERAL PRODUCTION.

From 1860 to 1900 New Mexico produced $17,600,000 worth of gold. In 1903 New Mexico produced: Gold, $364,685; silver, $148,652; copper, $360,737; lead, $94,936; a total of $1,489,016. This does not include the production by individual placer miners or by prospectors not mining in a systematic manner. In addition, New Mexico produced a vast quantity of coal, iron, turquoise, gypsum, building material, and a number of other useful minerals and precious stones. The Colorado Fuel and Iron Company during the fiscal year hauled 138,152 long tons of iron ore out of New Mexico. The Director of the Mint gives the gold production of New Mexico for 1902 at $531,000 and of silver at $586,000.

COAL.

Area of prospected coal lands, 1,493,480 acres; amount of coal in sight, 8,813,840,000 tons, valued at $10,000,000,000. Coal produced from June 30, 1900, to June 30, 1903, 3,710,004 tons, valued at $5,011,281.70. Coke produced in those three years, 94,097 tons, valued at $252,642. There were 28 coal mines worked during the past year, 3 new mines were opened, 1 resumed, and 2 abandoned. Coal produced from June 30, 1900, to June 30, 1901, 1,217,530 tons, valued at $1,606,174; from June 30, 1901, to June 30, 1902, 1,132,944 tons, valued at $1,609,848.90; from June 30, 1902, to June 30, 1903, 1,559,534 tons, valued at $1,795,208.80. Coke was produced as follows: From June 30, 1900, to June 30, 1901, 42,732 tons, valued at $117,516.25; from June 30, 1901, to June 30, 1902, 25,012 tons, valued at $58,207; from June 30, 1902, to June 30, 1903, 26,353 tons, valued at $76,919. Men employed in the coal mines June 30, 1901, 1,870; June 30, 1902, 1,682; June 30, 1903, 2,341.

RAILROADS.

There were 1,679 miles of railroad in New Mexico on June 30, 1900; 1,961 miles on June 30, 1901; 2,263 miles on June 30, 1902; 2,520 miles on June 30, 1903, a total increase in three years of 841 miles.

STOCK.

New Mexico has 1,123,000 head of cattle, 5,674,000 head of sheep, 113,000 head of goats, 97,500 head of horses. Its wool crop in 1902 was 22,000,000 pounds. During the fiscal year there were shipped out of the Territory 184,602 head of cattle, 5,526 horses, 17,275 hides, and 422,252 head of sheep.

INTERNAL REVENUE.

From June 30, 1900, to June 30, 1903, New Mexico paid $130,375.11 in internal revenue; for the year ending June 30, 1903, $33,918; for the year ending June 30, 1902, $37,847.80; for the year ending June 30, 1901, $59,609.31.

INCORPORATIONS.

In the past three fiscal years 553 companies filed incorporation papers, with a capitalization of $309,711,966, with the Territorial secretary. In the fiscal year ending June 30, 1901, 149 companies incorporated, with a stock of $89,735,925. In the fiscal year ending June 30, 1902, 204 companies incorporated, with a capitalization of $119,446,500. In the year ending June 30, 1903, 200 companies incorporated, with a capitalization of $100,529,541.

ASSESSMENT.

In 1900 the Territorial assessment subject to taxation was $36,364,716.16. In 1901 the Territorial assessment was $36,977,047.94. In 1902 the assessment was $38,033,993.27. In 1903 the assessment was $41,832,566.79, including exemptions amounting to $2,235,615, leaving an assessment subject to taxation of $39,596,951.79. Property in New Mexico is assessed at an average of only 20 per cent of its real value.

TAXES COLLECTED.

Revenue of the Territory the past three years, $1,545,241.37, of which $1,127,689.18 came from direct taxation; $419,622.06 collected during the fiscal year ending June 30, 1903; $352,328.85 collected during the fiscal year ending June 30, 1902, and $375,738.27 for the fiscal year ending June 30, 1901. From other sources Territorial revenue was derived to the amount of $407,542.19, $142,758.22 being received during the fiscal year ending June 30, 1901; $118,005.17 during the year ending June 30, 1902, and $156,788.80 during the year ending June 30, 1903.

Federal appropriations for disbursement in New Mexico during the year ending June 30, 1903, $423,070.

Territorial tax rate, 1900, 14.05 mills; 1901, 14.29 mills; 1902, 13.99 mills.

INSURANCE COMPANIES.

During the past three fiscal years insurance companies authorized to do business in New Mexico collected in premiums $1,996,441.87 and paid out for losses $672,415.50. Life-insurance companies wrote in those three years policies amounting to $6,552,669.61; fire-insurance companies, $39,233,614.19, and miscellaneous companies, $5,246,885.12; a total of $51,033,168.92. During the fiscal year ending June 30, 1903, there were written in New Mexico life-insurance policies amounting to $3,095,854, fire-insurance policies to the amount of $15,549,968, miscellaneous policies to the amount of $2,916,414.08, and premiums collected to the amount of $766,389.44, while the year previous $555,015.27 was collected in premiums and the year previous to that $577,039.66; losses paid during the last fiscal year, $251,342.43; the year previous, $234,236.36, and the year previous to that $186,836.71.

WELLS-FARGO EXPRESS COMPANY.

Revenue on interstate business during the fiscal year ending June 30, 1903, $32,971.55; the year ending June 30, 1901, $27,313.63; the year ending June 30, 1902, $30,884.28.

PUBLIC BUILDINGS AND GROUNDS.

The Territory maintains fifteen Territorial institutions, the value of whose buildings and grounds is $2,000,000 without the grants of land made to them by Congress. In addition the Territory grants subsidies to seven hospitals and an orphan asylum maintained by religious and charitable organizations. The value of the public school property of the Territory is $360,697.91, not counting the school sections in each township. The value of the public property of counties and towns, not counting grants to towns like Santa Fe, Las Vegas, Socorro, etc., is $495,000, making a total value of public property, not including lands, of $3,185,697.91.

EDUCATIONAL.

School population: 1903, 68,152; 1902, 62,864; 1901, 53,006. The school population includes all children between the ages of 5 and 21 years, and the census is taken annually.

Enrollment in the public schools: 1903, 37,646; 1902, 35,227; 1901, 31,510; 1900, 21,761.

Average daily attendance: 1903, 24,856; 1902, 22,573; 1901, 19,451.

Public schools: 1903, 665; 1902, 603; 1901, 559.

Teachers: 1903, 757; 1902, 712; 1901, 671.

Expenditures: 1903, $287,545.02; 1902, $324,784.91; 1901, $202,882.53.

Receipts from all sources: 1903, $454,342.38; 1902, $424,365.42.

Average school term, four months; average salary paid teachers, $56 per month; total value of all school property in the Territory, $2,071,702.25; enrollment of pupils in all of the schools, 42,925; annual expenditures for all of the schools, $723,048.32; total expended for the public schools the past three years, $815,212.46.

CHURCHES.

The Roman Catholic Church in New Mexico has 1 archbishop, 1 bishop, 1 vicar-general, 16 regular priests, and 43 secular priests. It has 42 churches with resident priests, 325 mission churches, 6 academies for young ladies, 1 college, 8 parochial schools, 2 boarding schools for Indians, with 300 pupils; 2 day schools for Indians, with 200 pupils; 2 academies for boys.

Baptist churches, 36, of which 4 became self-supporting during the past year, 1 college, and a number of mission schools.

Lutheran churches, 3.

Methodist Episcopal, 17 English-speaking congregations, a number of Spanish-speaking churches, and a number of mission schools.

Presbyterian, 45 congregations, 30 preaching stations, 25 mission schools taught by 45 teachers, and an enrollment of 1,562 pupils.

Mormons, 2 churches, with 277 souls. A few scattered members in addition at Bloomfield.

The Christian Church and other Protestant denominations have about 20 congregations in the Territory.

The Hebrews have a synagogue at Las Vegas and Albuquerque, and have church organizations in two or three of the larger towns.

NEWSPAPERS.

On September 15, 1903, there were 70 newspapers published in New Mexico, 5 of them daily, 60 weekly, and 5 monthly; in 1902, 65; in 1901, 67. Of late years many of the old newspapers have consolidated with newer papers, giving better news service, having larger subscription lists, and wielding greater influence that ever before. Each of the five daily papers has a complete Associated Press service.

BANKS.

On June 30, 1903, there were 19 national banks and 11 State banks; June 30, 1902, 15 national banks and 11 State banks; June 30, 1901, 11 national banks and 9 State banks.

Resources: June 30, 1903, $10,696,449.31; June 30, 1902, $9,677,165.82; June 30, 1901, $7,990,238.67.

Capital stock: June 30, 1903, $1,439,200; June 30, 1902, $1,314,450; June 30, 1901, $1,103,919.16.

Deposits: June 9, 1903, in State banks, $1,764,815.21; in national banks, $5,675,594.78; total, $7,440,409.99; June 30, 1902, $7,455,530.08; June 30, 1901, $6,073,641.34.

Loans and discounts: June 9, 1903, $5,803,697.64; June 30, 1902, $5,062,294.05; June 30, 1901, $4,110,772.57. At this time of year considerable money is withdrawn from the banks to move the wool crops and stock.

OKLAHOMA.

AREA.

The area of Oklahoma is 39,030 square miles.

POPULATION.

The population of Oklahoma in 1890 was 61,834. In 1900 it was 398,331, and by the last estimate of the report of the governor of Oklahoma for 1903 it was 650,000, and allowing a reasonable increase would now be about 725,000 people.

RESOURCES.

The governor of Oklahoma in his annual report of 1893 estimated the taxable property in Oklahoma at $400,000,000.

The banking facilities of Oklahoma consisted of 79 national banks and 247 Territorial banks, with deposits on the 1st day of January, 1904, of $22,456,510.

There are 250 weekly newspapers, 28 daily papers, and a number of monthly and semimonthly publications, representing every phase of political, social, religious, educational, and industrial life.

Oklahoma has 2,192 district schoolhouses, and 180,000 children enrolled. Nearly 3,000 students are attending the university, agricultural and mechanical college, and normal schools.

There are over 3,000 miles of railroad, penetrating all of the 26 counties in the Territory and giving close connection with the great trunk lines of the surrounding States. More miles of railroad were constructed in Oklahoma last year than in any State or Territory.

The rolling prairie makes an easy grade and cheap construction of railroad lines. Many other roads are projected and under construction, and it can safely be said that that section will speedily have very highly developed transportation facilities.

In Oklahoma are 280 grain elevators and 66 flouring mills, marketing over 10,000 barrels of flour per day. There are 232 cotton gins, over 1,000,000 live stock. Over 35,000 carloads of products were shipped out of the Territory and 27,000 carloads of freight shipped in.

Oklahoma has a splendid climate, good water, a health-giving section, and its development has been the astonishment of the West. It is capable of sustaining a population as dense as any part of the United States.

By area, by population, by resources, and by virtue of the tremendous development to be expected of the immediate future of Oklahoma, it is entitled to statehood—a right which should not be withheld on any pretext whatever.

Certainly there is no reason why Oklahoma should be denied statehood in order to compel the formation of one State out of Indian Territory and Oklahoma. The representative of Oklahoma in Congress has vigorously demanded the rights of that magnificent country. No good reason exists for denying the right of statehood to the people of Oklahoma, and none such has been offered.

INDIAN TERRITORY.

AREA.

The area of Indian Territory, excluding water areas, is 31,000 square miles of actual land surface.

POPULATION.

The population of Indian Territory for 1890 was	180,182
The population for 1900 was	392,060

an average increase per annum of 21.76 per cent. At this rate of annual increase the population of Indian Territory in 1901 was 467,372; for 1902, 544,509; for 1903, 657,855, and will be for 1904, 796,004.

The rate of increase has been greater since 1900 than before.

POST-OFFICES.

The Presidential post-offices number 45; gross receipts for year ending September 30, 1903, $220,000. There are 630 fourth-class post-offices, making a total of 675, which is greater than the number of post-offices in one-third of the States of the Union. There have been established since the census of 1900 250 new post-offices.

BANKS.

The last report of the Comptroller of the Currency gives the number of national banks in Indian Territory at 95. There were organized in Indian Territory, from March 14, 1900, to October 31, 1903, in two years and seven months, 75 national banks. During the same period there were organized in Maine, 5; New Hampshire, 3; Vermont, 1; Massachusetts, 6; Rhode Island, 1; Connecticut, 3; or a total of 19, thus exhibiting the remarkable fact that Indian Territory established five times as many national banks as all of the States of New England combined.

RAILROADS.

By the census of 1900 there were over 2,500 miles of railroad and over a thousand miles have been constructed since the census was taken. The following was the mileage by the census of 1900:

St. Louis and San Francisco Company	600
Missouri, Kansas and Texas Railroad	275
Choctaw, Oklahoma and Gulf Railroad Company	200
Missouri Pacific Railroad Company, and St. Louis, Iron Mountain and Southern	190
Chicago, Rock Island and Pacific Railroad	130
Gulf, Colorado and Santa Fe	120
Kansas, Oklahoma Central and Southwestern Railroad	80
Atchison, Topeka and Santa Fe Railroad	20

There are thousands of miles of telegraph and telephone lines, local and long distance. There are 60 fire, life, accident, and other insurance companies over which there is no official supervision, and who contribute nothing in taxes.

NEWSPAPERS.

There are 200 newspapers, including 20 dailies, 175 weeklies, and 5 monthlies.

The number of persons to the family, by the census of 1900, in Indian Territory was greater than in any State or Territory in the Union except Texas and North Carolina, and is therefore not subject to the charge of the great Republican leader of "race suicide."

The percentage of native white of native parents in Indian Territory is only exceeded by West Virginia, Oklahoma, Kentucky, Indiana, and New Mexico.

The percentage of native white male population of militia age is only exceeded by West Virginia and Oklahoma.

The percentage of foreign born is the least in the United States, except North Carolina.

The per cent engaged in agriculture is only exceeded by three States—Mississippi, Oklahoma, and Arkansas.

GENERAL RESOURCES.

The available farm lands in Indian Territory would probably reach 15,000,000 acres, of which probably 15 or 20 per cent is under cultivation. Probably three-fourths of the land of Indian Territory are woodlands. There is probably 2,000,000 acres of commercial pine lands and a large quantity of hardwood timber, including various varieties of oak, ash, hickory, etc. The larger part of the woodland is of no commercial value, but suitable for fuel and fencing. The farm animals are worth probably $55,000,000; other farm products about $35,000,000. There were about 250,000 bales of cotton produced in 1902 and nearly 35,000,000 bushels of corn. The lands of Indian Territory at a fair estimate are worth not less than $500,000,000. There are probably 2,000,000 acres of land bearing coal in commercial quantity. There are very large deposits of asphalt.

Petroleum of a good quality, worth from $1.10 to $1.60 a barrel, has been discovered over an area 100 miles long by 40 miles wide, with splendid commercial natural gas in the same area. A large number of wells have been sunk at Bartlesville, at Tulsa, at Redfork, at Muscogee, and at numerous other points between Muscogee and the Kansas line. The values which this field is capable of producing is estimated by a competent man to be enormous.

SCHOOLS.

There is no school system for the people of Indian Territory except the Indian schools. There are about 85,000 Indian citizens, all of whom are now citizens of the United States; 22,000 of these are full-blood Indians, or may be properly classed as such. There are probably 20,000 negroes, 5,000 whites, and the remainder, 38,000, are Indian crossed on white to an extent that they are not distinguishable from white. These are the only people who have proper school privileges, except such limited opportunities as the town afford where they have the right of self-taxation.

MANUFACTURERS.

The number of manufacturers in 1890 was only 20; the number of manufacturers in 1900 was 789, a remarkable increase of 3,800 per cent, and the increase during the past three years has been at a greatly increased ratio.

In view of these facts, it can not reasonably be contended that each of the four Territories is not now entitled to statehood by reason of sufficiency of area, population, and resources. The resources of each are more than sufficient to support a State government, and much greater than those of a majority of the States now in the Union at the time of their admission, and greater than many of them now.

The area of each of these Territories is greater than that of many of the States, and that of Arizona and New Mexico is greater than any of them except five.

Each Territory has now a greater population than four-fifths of the States when admitted, as is shown by the following statistics:

State.	Date of admission.	Population.
Vermont	Mar. 4, 1791	85,425
Kentucky	Mar. 4, 1794	73,677
Tennessee	May —, 1796	60,000
Ohio	Nov. 29, 1802	42,366
Louisiana	Apr. 12, 1812	76,506
Indiana	Dec. 11, 1816	24,520
Mississippi	Dec. 10, 1817	75,448
Illinois	Dec. 3, 1818	53,211
Alabama	Dec. 14, 1819	127,901
Maine	Mar. 15, 1820	298,335
Missouri	Aug. 10, 1821	66,586
Arkansas	June 15, 1836	52,240
Michigan	Jan. 26, 1837	160,000
Florida	Mar. 3, 1845	72,000
Iowa	Dec. 28, 1846	153,000
Wisconsin	Mar. 3, 1848	300,000
California	Sept. 9, 1850	92,597
Minnesota	May 11, 1858	172,053
Texas	Mar. 1, 1845	150,000
Oregon	Feb. 12, 1859	52,465
Kansas	Apr. 13, 1859	107,206
West Virginia	Jan. 19, 1863	440,000
Nevada	Oct. 31, 1864	42,491
Nebraska	Mar. 1, 1867	122,993
Colorado	July 4, 1876	135,000
North Dakota	June 2, 1889	182,719
South Dakota	....do	328,808
Montana	Nov. 8, 1889	132,159
Washington	Nov. 11, 1889	340,330
Idaho	July 3, 1890	82,385
Wyoming	July 11, 1890	60,703
Utah	July 4, 1896	276,746

The United States, in order to induce the Five Civilized Indian Tribes to sell their lands east of the Mississippi River and remove to the land now embracing the Indian Territory, entered into a number of treaties with the Five Civilized Tribes, in which the United States bound themselves with great formality, and upon a formal vote of the Senate of the United States, with the approval of the President, contracting that they would not at any future time establish over the Indians of Indian Territory any State or Territorial government without their consent, as follows:

"CHEROKEES.

"ART. 5. The United States hereby covenants and agrees that the lands ceded to the Cherokee Nation in the foregoing article shall in no future time, without their consent, be included within the territorial limits or jurisdiction of any State or Territory. (Rev. Ind. Treaties, p. 69.)"

Similar treaties with the other four tribes were also made.

Again:

"The United States agrees to maintain strict laws in the Seminole country against the introduction, sale, barter, or giving away of intoxicants of any kind or quality."

Similar agreements were made with the other four tribes.

In this connection the minority feel constrained to point out that no effort whatsoever has been made to secure the consent of the Five Civilized Tribes to the union of Oklahoma with the Indian Territory into one State, which must be done unless it be determined to ignore all treaty obligations and agreements with these Indians, and reverse the policy of the Government in its treatment of them for nearly a hundred years.

If the policy advanced by the majority for making two States out of the four Territories were accepted, the bill itself is objectionable because of the inequality and injustice in representation at the constitutional convention. By the provisions of the bill Oklahoma is given 60 delegates and Indian Territory only 50. The census of 1900 gives the population of Oklahoma 398,331. The population of Indian Territory, according to the same census, was 392,060. There has been a large increase in population in each Territory since that time, but it is doubtful as to which has had the greater increase.

The hearings indicated that the present population is purely conjectural, ranging in estimate in each from 500,000 to 800,000 inhabitants. Every advocate of joint statehood from either Territory favored the proposition that the Territories should be admitted with equal rights and privileges. No valid excuse can be offered for giving such extraordinary advantages to Oklahoma. The representation, in our judgment, should be equal; but if not equal, Indian Territory should have at least 54 of the 110 delegates.

In Arizona and New Mexico a similar condition is presented by the bill. Arizona is given 40 delegates and New Mexico 70, when, from any standpoint, Arizona should have much larger representation in the convention. Another objection to the bill as it is framed is in the election management provided for Indian Territory. Authority is given to Federal officials to fix the various districts which are to select delegates to the constitutional convention and then to define the election precincts and appoint the judges who are to hold the elections. Returns are made to these Federal officials to be canvassed, and their action is final.

There is nowhere any provision for any minority representation, excepting only that one of the judges at each election precinct must belong to a different political party from the others. In our judgment, nonpartisan commissions should have charge of the elections, and the districts should be proportioned among the various recording districts as nearly according to the population as may be.

There should be no restriction on either of the new States with reference to their capitals, because the State when admitted is to be admitted upon the same terms and enjoy the same privileges as any other State.

Other objections may be urged to the bill, which we do not embody in this report.

We can not understand how the majority can disregard their party obligations and violate the specific pledges of their national platform on the question of statehood. The Republican party in 1896 had this plank in its platform:

"We favor the admission of the remaining Territories at the earliest practicable date, having due regard for the interest of the people of the Territories and of the United States."

The same party in 1900 had this declaration:

"We favor home rule for and the early admission to statehood of the Territories of New Mexico, Arizona, and Oklahoma."

These pledges are plainly violated in the failure to report a bill in favor of statehood for each of these Territories. Such a bill passed the House of Representatives in the last Congress, and each of them certainly has a much stronger claim for recognition now than it had in 1902, when that statehood bill passed. The Delegate from Arizona, near the beginning of this session, presented a bill for the admission of Arizona as a State, the Delegate from New Mexico presented a similar bill for the admission of New Mexico, and the Delegate from Oklahoma likewise presented a bill asking for the admission of Oklahoma to statehood, and in the hearings before the committee each of them insisted that the bill presented by him reflected the wishes of his people and insisted upon a favorable report thereon.

The people of Arizona and New Mexico especially have repudiated the action of the committee in trying to make joint statehood for their Territories. Why should the Committee on the Territories change its base with reference to this matter? What excuse can be given to the country for this utter disregard of party pledges and failure to consider the wishes of the people?

Under this bill Arizona, being numerically the weaker, could be forced into a union with New Mexico, even though every vote in Arizona were cast against the consolidation, and this applies with equal force to the proposed

union of Oklahoma and Indian Territory. The stronger of the two Territories can mercilessly coerce the other into union.

It has long been a settled doctrine of American polity, founded in wisdom and justice, that a Territory of the Union is, upon organization, clothed with the inchoate right of ultimate statehood—a right to be exercised in the discretion of Congress when the Territory is capable, by reason of its resources and population, to assume the duties and obligations of a free State.

The denial of this right, the reversal of this policy by an arbitrary exercise of power by Congress in forcing an unnatural union of Territories against the will of their people, the forcible union of peoples distinct in customs, habits, manners, and religion, is ultraradical and revolutionary. It is a pitiful illustration of the degradation to which a party may fall when violating, for party purposes, its plighted faith made to the people in the national platform.

Should the Republican party pass this bill, wicked as it is in the denial of equal rights in representation and partisan in all of its material details, it will but afford another indecent example of the suppression of individual, Territorial, and national rights to subserve partisan ends. Even more than that, it is the surrender of the power that four sovereign States would exercise in the Union if constitutional methods were orderly followed in the admission of States. It is the last effort to minimize the influence of the West and Southwest in the citadel of Federal power, the United States Senate.

We are of the opinion that it will ultimately be better for the Union that the Territories opposed to consolidation shall be denied statehood under the theory of this bill indefinitely than that the conditions that will be forced by an unnatural union should exist.

JOHN A. MOON.
JAMES T. LLOYD.
JAMES M. ROBINSON.
JOHN R. THAYER.
GORDON RUSSELL.
CHAS. C. REID.
J. F. WILSON,
Delegate from Arizona.

Mr. MOON of Tennessee. I now yield to the gentleman from Arizona [Mr. WILSON] one hour, or so much thereof as he may desire.

Mr. WILSON of Arizona. Mr. Speaker, it is always embarrassing to me to undertake to argue a case against time. It is more embarrassing to undertake to meet predictions, suggestions, and mere assertions substituted by an opponent for facts.

I have listened to the arguments offered on the other side to sustain the majority report in favor of this bill, yet I must say that these suggestions and predictions and statements that have been offered instead of facts I have listened to with much astonishment. It only confirms me in a view which I have heretofore been inclined to adopt—that the less a man knows about the West the more he talks about it when he is away from there. [Laughter.]

I presume such arguments are presented in lieu of fact because the facts are not at hand.

In the limited time I have I shall attempt to present a historical statement of facts to sustain the assertions that I shall make—facts that are of record and have been strung out over the course of the nation's action for more than a hundred years. When these facts are known, when they have been seen and studied, no fair-minded man, be he layman or Congressman or anything else, can help but conclude that this course of uniting these Territories against their will is ultraradical—revolutionary in legislation and policy. Not only these, but it is downright rebellion against the platform pledges the Republican party in convention made to these Territories and to the country in 1900. I say we will establish these facts.

In the beginning there were thirteen colonies that obtained independence from Great Britain. They were organized into thirteen States. Their population at the time of admission was as follows:

Connecticut	237,946
Delaware	59,096
Georgia	82,548
Maryland	319,728
Massachusetts	378,787
New Hampshire	141,885
New Jersey	184,139
New York	340,120
North Carolina	393,751
Pennsylvania	434,373
Rhode Island	68,825
South Carolina	24,073
Virginia	747,610

These were the populations of the original parent States which organized the Government into a family of States called the United States of America. They formed a Constitution. They conferred upon the Congress of the United States, after the departments had been established, the power to create States out of territory belonging to the United States. That was simply power conferred. No manner of its enforcement was placed in the Constitution, only a power was given to the legislative department of the Government to create, and to them was left the power to put in motion by legislative action the manner of such creation. Therefore, the colonies in Congress assembled, before the Constitution was made, did provide a rule of action by means of which States might be created and the minimum limit of a State population was fixed. I give that in exact language. I now have reference to the ordinance of 1787. Mark you, after the power was conferred by the Constitution, by rule of action by means of which States were to be created, Congress ordained as follows:

When any of the said States shall have 60,000 free inhabitants therein such State shall be admitted, by its Delegates, into the Congress of the United States on an equal footing with the original States in all respects whatsoever, and shall be at liberty to form a permanent constitution and State government.

This, I say, gave the Territories the absolute right of admission. This is the only law in force that would ripen Territorial government into statehood, the power being conferred upon Congress to do it. That is the rule of action by means of which it was to be done. A further provision was made:

And so far as it can be consistent with the general interests of the confederacy, such admission shall be allowed at an earlier time, and when there may be a less number of free inhabitants in the States than 60,000.

Sixty thousand free inhabitants gave the right of admission. Congress had the discretion to admit them earlier. That was the only act ever enacted by the Congress of the United States, before or after the Constitution, providing for the admission of Territories into States.

At that time the Government had ceded to it by the States al of that land lying east of the Mississippi River and west of the Ohio, known as the "Northwest Territory." It was agreed and understood that this Territory should be admitted into States, not less than three nor more than five, and this was the rule by which it was to be done. That is the ordinance of 1787. A little more than fourteen months later the Constitution was formed. By act of Congress under the Constitution this ordinance was extended over all of that territory lying to the south of the original States and down the Mississippi. This then was made the rule of action applying to that. Thereafter we acquired other territory. In 1803 the Louisiana purchase was obtained from France. In 1819 the Floridas were obtained from Spain. In 1848 all of that country west of the Rocky Mountains was obtained from Mexico. In every one of these treaty provisions were made for the admission of the Territories then, and thereafter to be, inhabited, as States. I will give you what that is. Now, for that country in all of this territory lying east of the Rocky Mountains and west of the Mississippi, all of that obtained from France, part of it populated and part of it expected to be, a provision was made for cutting that up into Territories and admitting it into States, and this provision was made by solemn treaty, which is the highest law of the land:

The inhabitants of the ceded territory shall be incorporated into the Union of the United States, and admitted, as soon as possible, according to the principles of the Federal Constitution.

That was a provision made for the protection and admission of the people inhabiting that territory which was obtained from France in 1803. The obligation has been faithfully carried out, and twelve great States were made out of the ceded territory.

Later on, in 1819, the Floridas were obtained from Spain, and for the admission of those people into the United States this provision was made by treaty:

The inhabitants of the territory which His Catholic Majesty cedes to the United States by this treaty shall be incorporated into the Union of the United States as soon as may be consistent with the principles of the Federal Constitution, and admitted to the enjoyment of all the privileges, rights, and immunities of the citizens of the United States.

That obligation was also strictly observed by its early enforcement by this Government.

Time passed on, national disputes arose, the Mexican war came and went, the treaty of 1848 was framed with reference to the admission of all that territory which we are now considering, or a part of it, known as the "Treaty of Guadalupe Hidalgo." This is the provision made there by solemn treaty:

The Mexicans who, in the Territories aforesaid, shall not preserve the character of citizens of the Mexican Republic, conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States and be admitted, at the proper time, to be judged of by the Congress of the United States, to the enjoyment of all of the rights of citizens of the United States, according to the principles of the Constitution.

These are the only laws that were ever passed and contracted for the admission of Federal territory of American citizens into the Union. Now, Congress having the power to create States, they have enacted a rule of action by means of which it shall be done for all territory not obtained by treaty. This Government has contracted with the contracting powers from which we obtained ceded territory how they should bring in the people in the territory ceded to the Federal Government. In every instance it was to be according to the principles of the Federal Constitution, and as early as possible according to those principles. The question is, What are these principles? Necessarily it can not be denied by any lawyer who ever studied it that one of the principles of the Federal Constitution is the due enforcement of Federal law. The power is a vested power in the Federal Departments of the Government (for it can not be done otherwise) for its due enforcement. The ordinance of 1787 is the only enacted law providing a direct rule of action for the admission of Territories.

Now, I say, that is the basis upon which we start. The number of inhabitants of the original States ran from 24,000 to 741,000 and gave what was understood by the fathers of this country as the legal definition of a State. Under that ordinance they believed that a Territory that should be settled by people when it had a population of 60,000 free inhabitants should as a right be admitted. Be admitted how? To the enjoyment of all the liberties, etc., of all the original States; on the same footing, with the enjoyment of all the rights of the original States. Now, that was the emphatic provision of that clause. Permit me to comment at this point on what was said by the gentleman from Pennsylvania [Mr. DALZELL] this morning; saying that this bill is not revolutionary, that this bill is not revolutionary because the fathers intended that the equal enjoyment, etc., of Senatorial representation. etc., was intended to remain, rest in, belong to the original States and none other.

Now, I say, according to this law, ever since its enactment—and it is yet unrepealed—and according to the practice and policy of this country for more than a hundred years, it seems to me that any lawyer who is not blind can not read this law without observing that they—the Territories—were to be admitted upon the same footing, with all the rights and all the privileges of the original States; that we should come in upon the same basis and stand upon the same platform, and under the same principles, and live under the same Constitution, and breathe the same national air that the original States did. The Government has so construed it from that time up to this good hour. No other effort was ever made but to carry out that principle and live upon this line from the admission of Vermont in 1791 to the admission of Utah in 1896. The same policy has been carried out that was enacted even with the ceded territory, even to the admission of California.

Now, in order to establish that fact, sir, let us go and see what is the history on that particular line.

Mr. Speaker, I stated at the beginning that this is revolutionary. It is a revolution against a national policy. It is a revolution against the law for the admission of States. It is a revolution against American right. The policy has been to make smaller States because of the growth of large ones. On March 4, 1791, when Vermont belonged to New York, thinking that the whole State was too large, desired to be made into a separate State. New York consented and the National Congress admitted it, and it has been a State ever since. It came in with 85,425 people. Kentucky came in three years later with 73,627; Tennessee, in 1796, with 60,000; Ohio, in November, 1803, with 42,366. Ohio at that time had not the right of admission, but Congress had the discretion to admit her and Congress did. No mistake was made over the case of Ohio, which grew to be a great State. Louisiana was admitted April 12, 1812, with 76,000 people. Indiana was admitted on December 11, 1816, with 24,530. Indiana belonged to the Northwest Territory. She came under that rule of action prescribed by Congress; she was admitted by the discretion of Congress before she had the right to demand it, a State just being carved out of the wilderness, a Territory without a bank or school within her dominion was made a State, and no mistake was made. How can such a case be compared to ours now? The question itself furnishes its own emphatic answer.

Mississippi was admitted December 11, 1816. She had 75,448 population. Now, Mississippi was part of the territory over which the ordinance of 1787 had been extended in 1791. Mississippi at that time, as we all know, included all of that territory now included in the States of Alabama and Mississippi. The States of Alabama and Mississippi to-day together will not equal one of these Territories represented by myself and the gentleman from New Mexico. You can lay the whole bosom of one of these Territories over both and hide them all. But then the Congress of the United States said that the admission of that great territory into one State would be monstrous—it was too large—therefore it was divided. The west side was made into the State of Mississippi and the east side was left as the Territory of Alabama. That was but following the fixed national policy. They were following up the policy that was made when Vermont was cut away from the State of New York and made a State because it was too large, and coming down to the State of Mississippi, where that State as a Territory applied for admission as a whole, it was chopped in two by the will of Congress because it was also too large, and the national policy was fixed.

The same thing is followed up in the admission of other States. Therefore, I say the action here is a change. It is a revolutionary policy and it is wrong, and therefore this bill should be defeated upon that ground. Alabama came in later, in 1817, with 127,000 people. Maine came in. Way up in the northeast corner of the continent there is the State of Maine. It belonged to Massachusetts. All of New England there, you see, looks almost like the boot of a prospector, with some injuries inflicted at the top, and it was too large, and Maine was cut off and made a State, leaving Massachusetts still a great State. That was still carrying out the national policy, making small States out of great Territories, and it was followed down to this good hour until now revolution begins. Say it is not revolutionary? Who can deny it? Say that it does not revolutionize the national policy? No one can deny. Well, Missouri came in later, in 1821, with 66,000 people. Arkansas came in later, with 52,000 people. Michigan came in with but 58,000 people. It had 300,000 in the census which followed later. Florida was admitted with 72,000. Iowa was admitted with but 61,000 and with only $23,000,000 of taxable property, and so on down until there were thirty-two States admitted from the admission of Vermont, in 1791, to the admission of Utah, in 1896. Here I append a list of States admitted, with dates and populations:

State.	Date of admission.	Population.
Vermont	Mar. 4, 1791	85,425
Kentucky	Mar. 4, 1794	73,677
Tennessee	May —, 1796	60,000
Ohio	Nov. 29, 1802	42,366
Louisiana	Apr. 12, 1812	76,506
Indiana	Dec. 11, 1816	24,520
Mississippi	Dec. 10, 1817	75,448
Illinois	Dec. 3, 1818	53,211
Alabama	Dec. 14, 1819	127,901
Maine	Mar. 15, 1820	298,335
Missouri	Aug. 10, 1821	66,586
Arkansas	June 15, 1836	52,240
Michigan	Jan. 26, 1837	160,000
Florida	Mar. 3, 1845	72,000
Iowa	Dec. 28, 1846	153,000
Wisconsin	Mar. 3, 1848	300,000
California	Sept. 9, 1850	92,527
Minnesota	May 11, 1858	172,053
Texas	Mar. 1, 1845	150,000
Oregon	Feb. 12, 1859	52,465
Kansas	Apr. 13, 1859	107,206
West Virginia	Jan. 19, 1863	440,000
Nevada	Oct. 31, 1864	42,491
Nebraska	Mar. 1, 1867	122,993
Colorado	July 4, 1876	135,000
North Dakota	June 2, 1889	182,719
South Dakota	....do.....	328,808
Montana	Nov. 8, 1889	132,159
Washington	Nov. 11, 1889	349,390
Idaho	July 3, 1890	82,385
Wyoming	July 11, 1890	60,703
Utah	July 4, 1896	276,749

Out of thirty-two States that have been admitted into this Union, only five of the whole of them have ever been admitted with more people than the Territory of Arizona has to-day. There are only two of them with more people than the Territory of New Mexico, and not one of them had the people that the Territory of Oklahoma has or that the Indian Territory has; and always, when a Territory was to be admitted with great breadth and great scope, from Vermont, West Virginia, Mississippi, on to the division of the Dakotas, the policy has always been to make small States that would be compact, easily governed, and economically maintained. That was the policy that endured for one hundred and seventeen years without a break, without interruption, without division. But now, when it comes down to the admission of these Territories, at the last hour we find objections made, and the objection is based upon Senatorial representation. To a student of Story on the Constitution, to him who has studied the proceedings and debates in the Constitutional Convention when forming the Federal Constitution, it does seem, unless I am extremely biased, and I may be—it does seem shocking to hear such an argument made.

When this Government was being formed, after the smoke of Revolutionary battle had passed from the field, a government that should be safe and enduring forever was being framed—a government of checks and balances, of equal coordinate powers; and when the legislative department was reached two branches were considered, a Senate, reflecting something like the House of Lords from the mother country, and a House of Representatives, representing the people. It occurred to the fathers of this country that sovereignties and sovereignties alone should be represented by Senators, and that population and population alone should be represented only by Representatives coming directly from the people of the different districts. In that discussion, when that proposition was being considered, we find that there were in one State 24,000 population, another 89,000, another 93,000, another 741,000, another 368,000, and another something over 400,000, and so on, all different in size, different in population, different in resources, and so on; and the same argument was made there that has been attempted to be made here to-day, that there is an inequality in Senatorial representation.

The theory was, Mr. Speaker, and no constitutional lawyer can deny it, while the Senators represented nothing but sovereignties, did not come directly from the people, that therefore, representing a sovereignty and nothing but a sovereignty, each sovereignty had a right to equal representation in the United States

Senate. That argument was carried so strongly in the Constitutional Convention that George Washington, the Father of his Country, being in that convention, was convinced that the argument was sound; that it was creating the body that should hold the cool rein of government; that it represented sovereign States and not populations, and he changed his vote in favor of the proposition. He announced it there, and announced it for the reasons, first, that it was sound; and secondly, that if this sound policy should not prevail the States would not adopt the Constitution. So that, Mr. Speaker, he who objects to this sovereign equalization ought to remember that when he does so he objects to the principle upon which the nation was founded.

When he does it he objects to the basic principle underlying the Constitution itself, and makes an enemy of himself to the principles that underlie the great fabric of this nation. Was it done wrong? Who says it was? If it was right then, is it not right now? You tell us it was a compromise. Our reply is: It was made, it was agreed to, it is the law of the land, it is the organic basis of this country, and it is as strong, therefore, as if it had been passed by every "yea" in that convention, as it almost was. So I say, in respect to that argument, that it needs no further reply. It falls of its own weight. I am reminded by my friend on my left, the gentleman from Missouri [Mr. CLARK], that that part of the Constitution which I have been discussing and that is now being objected to as a reason for this legislation is the only part of the Constitution of the United States that can not be changed by a two-thirds vote of the States. It can not be done.

Mr. Speaker, when I began this argument with the list of States and how they were admitted, my point was to show the establishment of a national policy first—that States are admitted when they are competent to take care of themselves. The basic rule of action was when they had 60,000 free inhabitants they should be admitted. They have been admitted with that rule in observance always every time. Remember California, when she was admitted in 1852, never had to go through the Territorial existence. She never was a Territory. After the Mexican war the boundary lines between the Governments were settled by the Gadsden Purchase. California elected her Senators, she had her Delegates, and she organized her State government, as was provided might be done under the ordinance of 1787. They went straight to Washington and knocked at the door of their father's house for admission, as we are doing to-day. They were admitted. Why? Because they had more than 60,000 free inhabitants and had a right to admission.

Now, I say that was the policy fixed upon then, and there is not a single one of these Northwest States that has been admitted with as many people as the Territories now individually knocking have. They were admitted upon those lines, and when they were too large they were cut in two. So that two lines of national policy have been followed from 1791 down to 1896. The first is that when a people had domain enough and population enough and resources enough to take care of themselves they were admitted as a matter of right. That is the first policy. The second is that when a Territory was so large that it would be a cumbersome State, too large for practical administration, another State was carved out of it, as they did in the Northeast and as they did in the South and as they have done in the Northwest and as they ought to be doing now. These are the policies that have lasted for more than one hundred years. This bill now does what? This bill comes and proposes to weld together two States large enough to make half of the entire Eastern States, to violate a policy, to absolutely destroy a policy which has been inaugurated so long and so long followed to a degree that so far as legislative construction is concerned it is stare decisis, and we are to violate it, revolutionize it, destroy it, and against the sovereign will of the people who live there.

Not only do we do this, but we do it with a union of Territories that will make a State so large, so expansive, that practical government can not be administered. That must be done, too, under this bill, and thus another rule of national policy is to be violated, walked over, and ground under the heel of political arbitrary power. Mr. Speaker, it is to the American manhood of this House we appeal that this should not be done. Who here can deny that these things are being done? If you deny it, upon what ground? If you dispute it, upon what facts, upon what law? We defy the presentation of either.

This proceeding is revolutionary in another respect. In 1863, when one of the greatest men that ever lived or died was President of the United States, long after the settlement of the question with reference to the acquisition of territory and the establishment of boundary lines as the result of our conflict with Mexico, Abraham Lincoln, then President of the United States, recommended that because of the vast size of these two Territories—New Mexico, including Arizona—each lying on either side of a great continental divide, covering so much territory, being so far from the center of administration and the executive head of their legal system, they should be divided and the continental divide should be made the dividing line. Arizona was created out of the western portion of New Mexico and the continental divide was made the line. It is understood, I apprehend, that there is a great range lying between the two Territories, from 4,800 to 8,000 feet high, which can be passed only at certain places, making impracticable a passage from one State to the other at certain points. For these reasons President Lincoln recommended this division. That division was made, and an act was passed declaring that Arizona should remain a separate Territory, with an organized Territorial government, with a view to its ultimate admission as a State. In other words, that it should remain a Territory with a Territorial government until such time as it—Arizona—should be admitted as a State.

That was the language of the law which established the Territory of Arizona. That law was never repealed. This is no effort to repeal that law—not even by implication. It is only an effort to disregard and override it.

But that act guaranteed to that Territory the right of Territorial government until such time as it should be suited for admission as a State. The people believed that the faith of the Government of the United States by that law was pledged to admit the Territory as a State when it reached its majority. That being so, they went forward. The people who went to that Territory had to meet butchery and the red-handed savagery of the Indians. People from all the States went there. They braved the savagery of the red man. Through their efforts the uncivilized tribes were finally transformed from roaming warriors to tillers of the soil; they were induced to give up the arts of butchery and bloodshed and devote themselves to the pursuits of civilized men and to learn to hate carnage and love the peaceful joys of quiet homes. These things have been done by the people there until to-day there are no wild Indian tribes remaining.

There are Indian tribes, of course; but they are civilized. They till the soil; they are being educated upon their reservations. This has been done by the industry, nerve, and energy of American manhood going there from all the States. That policy has continued until now those people have in cultivation 1,000,000 acres of land—not embraced within three or four settlements merely, as some men seem to suppose who never saw the sun shine on that soil. On the contrary, all over the Territory those people have erected their own public buildings. We are to-day as ready for housekeeping as a State as any State in the Union. Our statehouse would do credit to any of your communities. Our public institutions are as good as yours. We have one institution in my own city, the city of Prescott, that is not equaled, so far as its appointments or arrangements are concerned, by a single school building in any State of this Union excepting two buildings—one in New York and the other in San Francisco. We have carried our society to these high grades, relying upon the faith of the Government couched in the law that in due course of time this Territory should be admitted as a State.

Are you now going to force down our throats a policy which contradicts all the pledges, made in the face of the law, on which we have relied? Can this Congress afford to do that? Can this, the proudest nation under the sun—this great Government whose sun is shining around the world to-day—can this great Government afford to violate its own plighted faith in that way with its people, who have so much aided in making this country so great?

One word in regard to the people who are there. There is not a State in the Union that has not sent numerous people there who have aided in accomplishing such things as I have recited.

Here I append the list by States:

Extracts from census of 1900 showing nativity of population of Arizona from States only.

Alabama	501	Nebraska	314
Arkansas	814	Nevada	386
California	5,099	New Hampshire	98
Colorado	742	New Jersey	278
Connecticut	142	New York	2,524
Delaware	30	North Carolina	254
Florida	69	North Dakota	82
Georgia	512	Ohio	2,100
Idaho	255	Oregon	405
Illinois	2,659	Pennsylvania	1,672
Indiana	1,248	Rhode Island	48
Iowa	1,453	South Carolina	150
Kansas	1,481	South Dakota	66
Kentucky	1,189	Tennessee	783
Louisiana	278	Texas	4,510
Maine	493	Utah	3,152
Maryland	299	Vermont	262
Massachusetts	538	Virginia	646
Michigan	964	Washington	134
Minnesota	401	West Virginia	157
Mississippi	467	Wisconsin	796
Missouri	3,187	Wyoming	61
Montana	109		

And the foreign element is as follows:

Mexico	719	Syria	4
England	660	Persia	3
Germany	660	New Zealand	2
Ireland	632	Ecuador	2
Canada	600	South Africa	2
Italy	208	Greece	2
Sweden	197	India	2
Scotland	186	West Indies	2
Austria	153	Peru	1
France	114	Chile	1
Switzerland	109	Asia	1
Denmark	102	Egypt	1
Wales	68	Tasmania	1
Russia	63	Tyrol	1
Spain	11	Iceland	1
Holland	11	Algeria	1
Cuba	3	Costa Rica	1
Finland	1	Floris Islands	1
Japan	2	Slavonia	1
Azores	2	Servia	1
Australia	14	Hindustan	1
Belgium	16	Montevideo	1
Poland	10	Argentina	1
Portugal	8	On the sea	4
Turkey	8		
South Wales	5	Total foreign born	4,455

The balance are native born.

There is not one of you on this floor, either on that side or on this, some of whose people—energetic, nervy, American manhood—do not live there; people who have helped to build up this Territory as it is, expecting some day, when they knocked at the door of their father's house, that they would be admitted as was pledged them by the law that made them a Territory. Is it going to be violated all the way through?

When they heard that this bill was being prepared in the dark by the majority, when they heard that it had been prepared, they were not only surprised and alarmed, but they were shocked, and they trembled for their own safety. I began to receive protests, coming in day after day, and here they are: Protests from the Bankers' Union, protests from the citizen in the valley, the tiller of the soil, the miner with his pick, all protesting against what they feel to be an outrage threatened to be committed upon them. I now ask unanimous consent to print with my remarks these protests.

The SPEAKER pro tempore. The gentleman from Arizona asks unanimous consent to print certain documents in the RECORD. Is there objection?

There was no objection.

The documents referred to are as follows:

PRESCOTT, ARIZ., *January 24, 1904.*

Col. J. F. WILSON,
Delegate in Congress, Washington, D. C.:

Over 100 members of the Yavapai Club, representing the principal business interest in Prescott and Yavapai County, last night at an informal meeting unanimously adopted the following resolution:

"*Resolved*, That the people of Arizona are unalterably opposed to New Mexico and Arizona being consolidated and made one State; that they prefer to remain as citizens of a Territory than enter the sisterhood of States under these conditions. That the president of the club is directed to telegraph this resolution to the chairmen of the Senate and House Committees on Territories and Colonel WILSON, Delegate in Congress."

RICHARD E. SLOAN,
President Yavapai Club.

GLENDALE, ARIZ., *January 30, 1904.*

Hon. J. F. WILSON,
Arizona Congressional Delegate, Washington, D. C.:

The citizens of Glendale, Ariz., in mass meeting most earnestly protest against the union of Arizona and New Mexico. Rather than joint statehood prefer to remain a Territory.

E. C. BURCH, *President.*
E. E. JACK, *Secretary.*

MORENCI, ARIZ., *January 27, 1904.*

Hon. J. F. WILSON,
The Capitol, Washington, D. C.

To the Senate and House of Representatives of the United States of America:

Your memorialists, citizens of Morenci, Ariz., irrespective of party affiliations, in mass meeting assembled, respectfully represent that—

Whereas it has come to our knowledge that your honorable bodies may without full knowledge of the wishes of the people, residents of Arizona, enact a measure whereby Arizona and New Mexico may be admitted to the Union as one State:

Resolved, That joint statehood with New Mexico is at utter variance from the spirit offered and independence handed down to us and inculcated in us by our forefathers and so abhorrent that we would that the great Congress of the United States would irrevocably for as long as our glorious Union exists and forever declare Arizona a Territory than that a union so incompatible, so irreconcilable, so discrepant should come to pass.

Resolved, That a copy of this memorial be telegraphed to our Delegate to Congress in Washington, requesting him to transmit a copy to each House of Congress.

H. B. RICE,
J. H. PUCKETT,
J. F. CLEVELAND,
A. VALJEAN,
Committee.

Memorial unanimously adopted to-day.

H. B. RICE.

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the people of the town of Williams and vicinity, in Coconino County, Territory of Arizona, in mass meeting assembled, pursuant to a call of the board of supervisors of said county, most respectfully represent and show unto your honorable bodies that—

Whereas the people of Arizona have long been and they still are very desirous of admission to the Union as one of the sovereign States thereof, and they have persistently urged, and they still do so urge, their rights and claims for such admission; and

Whereas it has come to the notice of our people that it is contemplated by your honorable bodies to join in single statehood the present two Territories of Arizona and New Mexico: Now, therefore,

Be it resolved, That whilst we are all earnestly in favor of statehood for Arizona, yet it is the unanimous sentiment of our people that we are unalterably opposed to joint statehood with the Territory of New Mexico; and rather than incur the disaster of joint statehood with that Territory we prefer Arizona to remain a Territory indefinitely.

Be it further resolved, That we fully appreciate the earnest efforts of our Delegates to Congress in our behalf, and that a copy of these resolutions be sent to Colonel WILSON, our present Delegate.

Adopted at public mass meeting, January 25, 1904.

GEO. W. MARTIN, *Chairman.*
C. A. NEAL, *Secretary.*

RINGING RESOLUTIONS AGAINST STATE MERGER—ROUSING MEETING AT LIBRARY HALL—PEOPLE UNANIMOUS AGAINST MERGING WITH NEW MEXICO.

In pursuance to the recommendations of Governor Brodie, and in compliance with the request of the board of supervisors, a monster mass meeting of the citizens of Clifton was held at Library Hall Tuesday night. Hon. Dan. Lynch, in forcible and eloquent language, stated the object of the meeting. Col. Ben. M. Crawford was elected chairman and W. A. Leonard secretary. The following committee was then appointed on resolutions: Hon. Wiley E. Jones, Dan. Lynch, James Smith, Robert Dunagan, and W. A. Leonard. After a short intermission the committee reported the following resolutions:

Whereas information has come to us from numerous reliable sources that an intention exists upon the part of various Senators and Members of the House of Representatives in Congress to urge strenuously the merging of the Territory of Arizona and the Territory of New Mexico as one in the enabling act providing for their admission into the Union as a single State; and

Whereas it is of the utmost importance that the great mass of people who make up the citizenship of Arizona should have a hearing upon said proposition while the statehood measure is still pending before Congress, and that their emphatic protest thereof should be recorded: and

Whereas each of said Territories, separate and alone, as constituted by act of Congress forty-one years ago under the Administration of Abraham Lincoln, and as they now exist have an area exceeding that of all the New England States and the Empire State of New York combined, which seven States have their area now divided into 127 counties in the aggregate created therein for the proper, convenient, and economical administration of their public affairs, as illustrative of the wisdom of our protest herein expressed: and

Whereas the merging of the vast area of said Territories of Arizona and New Mexico into one State would render such State much too unwieldy for the convenience of government and prove an insurmountable obstacle to the economical administration of its affairs as a Commonwealth; and

Whereas the legislative statutes, both civil and criminal, of the Territories of Arizona and New Mexico have a vast difference throughout, and the judicial procedure of each Territory, in every respect, is as an unknown quantity to the other, and any act merging them into one State would precipitate our people into such indescribable chaos that the sagacity of sages could not extricate us for generations; and

Whereas since the wise act of division creating us into separate Territories forty-one years ago our populations have increased and our resources have been developed under conditions peculiar to each Territory, and thereunder our political and social habits are now as widely different and as inharmonious as those of Pennsylvania and South Carolina; and

Whereas necessary public institutions have been erected at great expense by each Territory within the limits of each, and an act of merger would cause vexatious questions and controversies over these institutions which would inevitably engender bitterness and feelings of retaliation, thereby resulting in extravagance, against which all public servants should strive with their best endeavors; and

Whereas each of these Territories at the last census had a population greater than the aggregate and combined population of 113,000 that the present great States of Ohio, Illinois, Indiana, and Michigan had at the last census preceding the admission of each as a State of the American Union, since which time each of these Commonwealths has grown into its present power, might, and magnificence; and

Whereas the population of Arizona is made up of the good citizenship of other States who have come from populous localities attracted by the varied inducements offered by her boundless resources, and by the untiring application of energy, toil, and capital have made her proudly worthy of the boon of statehood, singly and alone, the voice of her people is the voice of American manhood and womanhood, urging the unwavering demand of right before the Tribune of the Just: Therefore

Be it resolved, That we, the people of the progressive town of Clifton, Ariz., urge hereby the early admission of Arizona as a State of the Union, and that we do hereby protest with a united voice against our admission as a State jointly as one with the Territory of New Mexico.

Resolved further, That all people are entitled to self-government, and, in the language of the immortal Lincoln, "No man is good enough to govern another without his consent," and we earnestly assert that no people are good enough to govern Arizona but the patriotic citizens within her own borders.

Resolved further, That we prefer to remain in our present condition, as a Territory, rather than be admitted as a joint State with New Mexico, and thereby encounter the intolerable conditions rendered inevitable by our admission under such circumstances. The platforms of both the great political parties have solemnly pledged the American people to bestow upon us that which we herein demand. Under that pledge, under our inalienable rights of liberty and the pursuit of happiness, our motto is, and ever must be, "Give to Arizona and her people, for themselves, statehood and a shining star in the Union or permit her to continue her travels indefinitely in the tortuous paths of a Territory."

Resolved, That a transcript of these resolutions be transmitted to our Delegate in Congress, with the request that he place them before both Houses of Congress.

Speeches supporting the resolutions were made by Dan Lynch, Wiley E. Jones, Henry Collins, Editor Bennett, Bob Dunnagan, Adam Smith, and many other prominent citizens, which were received with vociferous applause by the large audience. There can be no question as to the sentiment of the people in regard to this proposed merger of the two Territories. They are a little sore on mergers anyway, and this one they will have none of. The Era regrets that its limited space will not permit it to reproduce them in full. When the question was put it was carried by a whoop and a hurrah, there not being a single dissenting voice from the several hundred present.

CLIFTON, GRAHAM COUNTY, ARIZ., *January 23, 1904.*

This is to certify that at a public mass meeting, after due notice given thereof, held in Clifton, Ariz., on the night of January, 1904, the undersigned were elected chairman and secretary, respectively, of said meeting, and the foregoing resolutions were unanimously adopted.

BEN M. CRAWFORD,
Chairman of said Mass Meeting.

Attest:

W. A. LEONARD, *Secretary.*

Joint resolutions passed by the board of supervisors of Pima County, Ariz., and the mayor and common council of the city of Tucson, Pima County, Ariz., protesting against the union of Arizona and New Mexico as one State.

To the Senate and House of Representatives, Washington, D. C.:

The board of supervisors representing the interests of the county of Pima, in the Territory of Arizona, and the mayor and common council of the city of Tucson, being the county seat of the said Pima County, most emphatically protest againt the passage of any bill providing for the union of Arizona and New Mexico into one State, and join with the citizens of the other counties and cities of Arizona in appealing to the Congress to defeat such a measure so obnoxious and unjust to the people of this Territory.

The board of supervisors of Pima County and the mayor and common council of Tucson here enumerate only the most potent and most manifest of the many reasons why the two Territories should not be joined into one State:

First. The Territories of Arizona and New Mexico have different codes, different laws, different forms of county and municipal government, and different histories. They have different universities, asylums, penitentiaries and other public institutions, and each has its separate debt. An attempt to reconcile their laws or to unite their institutions would result in unparalleled chaos.

Second. United into one State the two Territories would make a Commonwealth unwieldy in size. Such a State could neither be practically nor economically governed. The distance between the present capitals, Santa Fe and Phoenix, is nearly 700 miles.

Third. In New Mexico the present industries are agriculture and stock raising, while in Arizona mining is of first importance, although the agricultural and live-stock industries are of no small moment.

Wherefore be it resolved, That these two bodies speaking for the people of Tucson and Pima County petition the Congress of the United States, praying that no bill shall pass providing for the union of Arizona and New Mexico into a single State; and

Be it further resolved, That copies of these joint resolutions be sent to the President of the Senate, the Speaker of the House, and to Hon. J. F. WILSON, Delegate from Arizona, with the request that he should present the same to the Committee on Territories in the Senate and House of Representatives.

Passed and adopted by the board of supervisors of the county of Pima, Territory of Arizona, this —— day of January, 1904.

[SEAL.]

E. L. VAIL,
Chairman of the Board of Supervisors, Pima County, Ariz.
JOHN METS,
Clerk of the Board of Supervisors, Pima County, Ariz.

Passed and adopted by the mayor and common council of the city of Tucson, Pima County, Ariz., this —— day of January, 1904.

[SEAL.]

C. F. WHIMACHER,
Mayor City of Tucson, Pima County, Ariz.
FRANK S. TREAT,
Recorder City of Tucson, Pima County, Ariz.

To the Senate and House of Representatives, Washington, D. C.:

We, the citizens of Douglas, at a mass meeting representing the business men and people of Douglas, Cochise County, Territory of Arizona, and her tributary country, file and enter our solemn protest against the enactment of any bill which in the slightest degree favors in any manner the annexing of our gallant Territory of Arizona with New Mexico, for the following reasons, viz:

I. The area of the country covered by such a measure, considering the means of traffic and access from different points, would be too large to insure a practical and economic government.

II. The population of our beloved Arizona is an English-speaking people, while the language of New Mexico is largely Spanish.

III. The population of New Mexico being greater than that of Arizona would be uniting an English-speaking people with that of a Spanish race, placing the Spanish race in power, and by the ballot the gallant sons of our land would be subjected to government by an inferior class of people and would impose upon the people of Arizona a government against their will and consent, and a condition which would be by far more intolerable than the one which we have so long endured.

IV. The Territory of Arizona has a different government, different codes, different laws, different language, different history, different capitol, different university, asylums, penitentiary, school system, and different institutions from our sister Territory, all of which have cost large sums of money and of which her people are proud, and which a union would cause the disbandment of all to adopt laws, capitol, schools, etc., which would be far from as beneficial as the present; divided they stand, united they fall.

V. That we heartily indorse the intelligent, firm, and unswerving attitude taken in opposition to joint statehood by Arizona's sons, Governor Alexander O. Brodie and our loyal representative, the Hon. JOHN F. WILSON, Delegate to Congress, which meets with our unqualified approval.

We believe it is the universal sentiment of the people of Arizona and pray that no bill shall pass the Congress uniting these Territories into a single State.

While we believe we are entitled to statehood, we would rather submit to our present condition for years to come than to be united into statehood under such unfavorable conditions.

Resolved, That a copy of this petition be sent to the President of the Senate, Speaker of the House, and two copies to the Hon. John F. WILSON, Delegate to Congress from Arizona, with the request that he present the same to the Committee on Territories in Senate and House, and use his best efforts to avert the threatened calamity which is now about to be thrust upon us.

N. E. MCNEILL,
A. C. STELLMAN,
ALBERT STACEY,
A. K. MICHEY,
R. O. JOHNS,
Committee on Resolutions.

Attest:

GEO. H. KELLY, *Chairman.*
C. T. NICHOLS, *Secretary.*

DOUGLAS, ARIZ., *January 23, 1904.*

To the Senate and House of Representatives
of the United States of America in Congress assembled:

Your memorialists, the citizens of Holbrook, the capital of the county of Navajo, Territory of Arizona, in mass meeting assembled, upon call of the chairman of the board of supervisors of said county, and in compliance with the proclamation of the governor of said Territory of Arizona, respectfully represent and show unto your honorable bodies that,

Whereas the people of Arizona having full faith and confidence in their ability and their right under the Constitution of the United States to support and maintain a State government, for which they have in many years past been desirous and have persistently urged upon your honorable bodies; and

Whereas we are informed that it is contemplated and intended by you to join in statehood the Territories of Arizona and New Mexico; and

Whereas on account of the diversified interests of the people of the said Territories and the immense area of said proposed State, a very large majority of its citizens will be practically debarred from active participation and such familiarity, by personal contact, with the affairs of their State as intelligent citizens should enjoy; all of which is contrary to the best interests of a sovereign State; and

Whereas it will be destructive of the present Territorial organizations of church, fraternal, social, and political organizations, which are so deeply embedded in the hearts of our devotees.

Now, therefore, we do most respectfully represent that we are well acquainted with the sentiment of the people of this Territory in this particular and know that they are unalterably opposed to the joining of said Territories of Arizona and New Mexico as one State, and to be thus admitted to the Union of States, and if statehood is to be gained by such a sacrifice of their interests and rights, as guaranteed by the Constitution under which you officially act, they would prefer to remain inhabitants of Arizona, under their present Territorial form of government, rather than to be subjects of such an unholy alliance and citizens of such an unwieldy, cumbersome, and expensive State as this contemplated action would force upon them. That such sentiment is unanimous against that form of government and an outrage on their patriotism, loyalty, and love for the chief authorities of our nation we do most confidently believe.

The customs, laws, and methods of the two Territories are at such variance that it would be impossible to reconcile the differences which would continually arise. In so far as a Territory may legislate, our system of law and procedure, which we infinitely prefer to that prevailing in New Mexico, and to which we would tenaciously cling, while the people of New Mexico would undoubtedly be as unyielding in their preferences, would bring upon us an irreconcilable conflict, which would create dissensions, turmoil, and difficulties to the destruction of that peace, harmony, and good will which should prevail in every Commenwealth, and the same would be true of our church, fraternal, social, and political organizations holding a Territorial form of government.

Our public buildings, in every way competent for the administration of the affairs of a State, would be rendered useless and a great burden upon our people to meet the demands due and maturing against them, while the expense of government would be multiplied indefinitely, on account of the vast area and almost impracticable distances of the majority of the people from their seat of government, for which reason Congress nearly one-half century ago segregated Arizona from New Mexico, and which we now urge as a good and sufficient reason why these Territories should not be reunited as a sovereign State.

For deliverance from this outrage upon our God-given rights to self-government, upon our liberties as free and independent citizens of our great Republic, upon the freedom that has been granted to other Territories to select their own form of government under the Constitution of these United States, we shall ever pray.

L. E. DIVELBESS, *Chairman.*

Attest:

A. F. MCALLISTER, *Secretary.*

To the Senate and House of Representatives
of the United States of America in Congress assembled:

Your memorialists, the people of Flagstaff and vicinity, in mass meeting assembled at the call of the board of supervisors of Coconino County, Ariz., respectfully represent and show unto your most honorable bodies:

Whereas the people of Arizona have long been desirous of admission to the Union as a sovereign State and have persistently urged their claims for such admission; and

Whereas it has come to our notice that it is contemplated by your honorable bodies to join in single statehood the present Territories of Arizona and New Mexico;

Now, therefore, we do respectfully represent that, without a dissenting voice, we know it to be the sentiment of our people that, if statehood be not accorded their Territory separate and apart from New Mexico, they prefer to remain inhabitants of Arizona as a Territory during the remainder of their lives rather than be citizens of a State composed of the two Territories above named; that we are conversant with the sentiment of the people of this Territory in this regard, and that such sentiment is unanimous to the effect that admission in such form would be most obnoxious to their feelings and injurious to their best interests.

Among our objections to admission in such form are the following:

That the customs, laws, and methods of legal procedure which obtain in New Mexico are radically different from and foreign to ours.

That, in so far as a Territory may legislate, we have a system of law and procedure which we infinitely prefer to that prevailing in the Territory of New Mexico. The people of New Mexico, on the other hand, are no doubt as strongly attached to their system and methods. It would, therefore, unquestionably result that in the formation of the legal system and enactment of statutes for the proposed State by its first legislature, through the numerical superiority which they would have over us, the people of Arizona would be compelled to accept a system which they would regard as inferior and undesirable.

That we now possess all the public buildings and institutions demanded by our present population either as a Territory or a State.

That, owing to the immense area and almost impracticable distances by usually traveled routes, the expenses of government would be multiplied for the present population of Arizona; and the reasons of convenient and economical administration which originally induced Congress to segregate Arizona from New Mexico should prevail with multiplied force against their union under conditions where the expense of government would fall entirely upon the people within the limits of the two Territories.

GEO. BABBITT,
Chairman of Mass Meeting.
H. C. HIBBEN,
Secretary of Mass Meeting.

We, the undersigned, comprising all the county officers of Coconino County, Ariz., hereby certify that the foregoing memorial expresses the unanimous sentiment of the people of this county.

George Babbitt, chairman board of supervisors, Democrat; A. F. Cornish, member board of supervisors, Democrat; George W. Martin, member board of supervisors, Democrat; Thos. A. Flynn, clerk board of supervisors, Democrat; Edward M. Doe, district attorney, Republican; H. C. Hibben, recorder, Republican; Tho. Devine, treasurer, Democrat; J. H. Lind, assessor, Democrat; A. E. Douglass, probate judge, Republican; Hamion Conraid, county school superintendent, Democrat; C. M. Funston, clerk district court, Republican; J. E. Ruffin, chairman Democratic county central committee; T. J. Coalter, chairman Republican county central committee; James H. Johnson, sheriff, Democrat.

OFFICE OF THE COUNTY RECORDER OF GILA COUNTY,
Globe, Ariz., January 21, 1904.

Hon. J. F. WILSON,
Delegate to Congress for Arizona, Washington, D. C.

DEAR SIR: This indenture is to show you that the people of Gila County, Ariz., as a whole, are united against the passage of any bill in Congress uniting the Territories of Arizona and New Mexico as one State, and that we, the people of Gila County, Arizona Territory, would prefer Arizona to remain as a Territory rather than to consent to any merger of the two Territories mentioned.

Very respectfully,

THE BOARD OF SUPERVISORS OF GILA COUNTY,
By LYMAN C. WOODS, *Chairman.*

Resolutions protesting against the joint admission to statehood of the Territories of Arizona and New Mexico, unanimously adopted at a mass meeting of the citizens of Bisbee, Ariz., called by the mayor and which convened in the Bisbee Opera House on Saturday evening, January 23, 1904.

To the Senate and House of Representatives of the United States of America in Congress assembled:

Whereas it has come to our notice that there is a likelihood of the passage by Congress at this session of a bill having for its purpose the joining of Arizona with New Mexico and their admission to the Union as one State; and

Whereas Arizona, as shown by the last census, possesses the required amount of population and taxable wealth which entitles her to single statehood and, according to statistics, possesses even more population and taxable wealth than thirteen States of the Union at the time they were admitted to the Union; and

Whereas for the past eight years the national conventions of both parties have declared in favor of single statehood for the remaining Territories; and

Whereas the people of this Territory of Arizona are unalterably opposed to the proposed consolidation of Arizona and New Mexico, and would rather remain in Territorial bondage indefinitely rather than accept statehood at such a sacrifice: Therefore, be it

Resolved, That the citizens of Bisbee, in regular mass meeting assembled, do hereby most earnestly protest against the proposed bill having for its object the admission of Arizona to statehood linked with New Mexico, and recite the following reasons in support of our protest:

First. That nowhere in the glorious history of these United States is there a precedent for any such action.

Second. That such proposed jointure would be in direct opposition to the wishes of 150,000 free American citizens.

Third. The creation of a State composed of Arizona and New Mexico would be unwieldy and expensive in administering the government, owing to the long distances to be traveled and the immense area of territory to be covered.

Fourth. That although Arizona and New Mexico geographically are situated side by side, the customs, language, habits, and ambitions of a vast majority of the inhabitants of New Mexico are entirely different from those of Arizona, and such a jointure would result in endless strife and unnecessary burdens in the administration of State affairs.

Respectfully submitted for your consideration.

W. B. KELLY, *Chairman.*
I. W. WALLACE, *Secretary.*
J. J. MUIRHEAD,
JAMES LETSON,
W. D. BROPHY,
MAJ. BURTON,
W. H. KRAMER,
Committee on Resolutions.

At a mass meeting held at the city of Tucson, Ariz., on the 21st day of January, 1904, pursuant to a call issued by the chairman of the board of supervisors of Pima County and the mayor of said city, the following preamble and resolution were unanimously adopted after a full and free discussion:

Whereas it appears from press reports and other information that certain Members of Congress will make a determined effort to enact a law whereby the Territories of New Mexico and Arizona will be admitted to the Union as a single State; and

Whereas in our opinion the union of these two Territories as a single State would be one of the greatest calamities that could happen to the people of this Territory, for the following reasons, among others:

First. That each of the Territories already contains an area more than sufficient for a single State, and their combined area would be too great for convenient and economical government and administration.

Second. The inhabitants of this Territory differ from those of New Mexico in race, political habits, and otherwise to such an extent that it would be impossible for them to join in the harmonious conduct of a State government.

Third. That each Territory has already acquired, by great sacrifices and expenditure, a capitol building, university, normal schools, penitentiary, insane asylum, and reform school, and the joining of the two Territories in a single State would render many of these buildings and institutions useless; that a contest would inevitably take place between the people of New Mexico and of this Territory over the future location of such institutions, resulting in bitterness, strife, and hatred; and owing to the greater population of New Mexico the people of this Territory would in all probability lose all of said institutions, the appropriations for their support would cease, and they would be dismantled and abandoned.

Fourth. Each of said Territories has incurred a large bonded debt from which the other has received no benefit, and which it would be unjust to require the other to assist in paying: Therefore, be it

Resolved by the people of Pima County, Territory of Arizona, in a mass meeting assembled, That while we are in favor of statehood for Arizona, and believe that we are entitled to separate statehood, yet, rather than to incur the disaster of joint statehood with New Mexico, we prefer that Arizona should remain a Territory indefinitely.

Resolved, That we appeal to every friend of Arizona in Congress, or elsewhere, to resist to the uttermost any attempt to force such joint statehood upon this Territory; and

Resolved, That, as the Democratic and Republican national platforms pledge their respective parties to the admission of the Territories to statehood and not to the merger of two or more Territories into one State, we appeal to the Members of Congress of both parties to adhere to the pledges of their respective national conventions and oppose the bill to merge New Mexico and Arizona into one State, and to the President of the United States, should the bill pass Congress, to stand by the platform upon which he was elected and veto the bill; and

Resolved, That a copy of these resolutions be transmitted by the chairman of this meeting to our Delegate in Congress, with the request that he bring it to the attention of the Senate and House of Representatives.

C. THUMACHER, *Chairman.*
JOS. B. BRACHMAN, *Secretary.*

Resolutions of citizens of Tombstone, Ariz.

Whereas it appears from certain press reports and from other reliable sources that there is a strong probability that an effort will be made at the present session of Congress to unite the Territories of Arizona and New Mexico and admit them into the Union as one State; and

Whereas in our opinion the admission of these two Territories as one State would be one of the greatest calamities that could befall the people of Arizona, for the following reasons:

1. That each of the Territories contains an area far more than sufficient for one State.

2. That each of the Territories contains a population more than sufficient for one State.

3. That the distance between the principal cities of the two Territories would be too great to admit of an economical administration of the public affairs of one State should they be united.

4. That the difference between the customs of the people and their habits, and the settled laws, and the manner of their adminstration is so great that it would be almost impossible to harmonize the several interests and adopt a uniform constitution for the just government of both.

5. That each of the Territories has already established, at a very large expense to its taxpayers, capitol buildings, universities, normal schools, penetentiaries, industrial schools, and asylums, and the uniting of these Territories would inevitably result in confusion, political strife, and the ultimate abandonment of such institutions in one of the Territories.

6. That each of the Territories has incurred a large bonded indebtedness for which the other has received no benefit, and which it would be unjust to require the other to assist in paying: Therefore, be it

Resolved by the people of the city of Tombstone, Territory of Arizona, in mass meeting assembled, That while we are in favor of statehood for Arizona, we believe we are entitled to a separate State;

Resolved, That it is the sense of this meeting that Arizona is entitled to separate statehood, and looks to her friends to do her citizens the justice of granting them their rights in their struggle for admission into the Union as a separate State;

Resolved, That we earnestly appeal to every friend of Arizona, in Congress or elsewhere, to resist any attempt to enforce joint statehood upon us;

Resolved, That should such a bill pass Congress we make a personal appeal to the President of the United States to stand by the platform upon which he was elected and veto the bill; and

Resolved, That a copy of these resolutions be transmitted by the chairman of this meeting to our Delegate in Congress, with the request that he bring it to the attention of the Senate and House of Representatives.

CHARLES BOWMAN, *Chairman.*
O. GIBSON,
A. T. SCHUSTER,
B. HATTICH,
J. N. GAINES,
Committeemen.

I do hereby certify that the foregoing is a full, true, and correct copy of the resolutions which were introduced and adopted by a mass meeting of the citizens of the city of Tombstone, Cochise County, Territory of Arizona, held in the city hall of said city, on the 25th day of January, A. D. 1904, at the hour of 8 o'clock p. m.

PERRY WILDMAN,
Chairman of the Mass Meeting.

Attest:
WM. HATTICH, *Secretary.*

FORTUNA, YUMA COUNTY, ARIZ.

The GOVERNOR OF THE TERRITORY OF ARIZONA:

We, the undersigned, residents of the Territory of Arizona, do respectfully beg to be allowed to add our protest to the general protest now being raised by the people of the Territory of Arizona against the bill uniting Arizona and New Mexico as one State.

F. J. Martin, M. D. Stiles, John Robinson, Ed Rowberry, H. C. Haupt, George E. Duff, D. M. True, T. D. Eberhart, Jose Moreno, Joe Lyons, Ed Bradbury, T. H. Ryan Jones, Robert Maggetti, J. E. Anderson, Wm. Goreham, J. W. Giles, Tom Johnson, Thos. Hawkey, Pablo Herrera, Frank P. Proser, G. G. Craig, jr., Amos Adams, Barlow Hinds, Ivan Pedrin, Francisco Lopez, Percy St. Clair, John Ortega, T. Carabajal, Manuel Excobeda, F. Bustamantz, Franco Velasquez, Feodoro Barboza, Ramon Sierras, A. C. Wilson, F. S. Weimer, D. M. Devere, J. A. Valder, Joe Guldin, Wm. C. Hibsch, Angel Almanzo, J. J. Craig, John Noble, Jim Robles, Ramon Martinez, J. S. Hinds.

HARRISBURG, ARIZ., *January 27, 1904.*

S. B. HINDS,
Chairman Board of Supervisors.

DEAR SIR: We, the undersigned, citizens of Harrisburg, Ariz., wish to record our protest against the uniting of New Mexico and Arizona for the purpose of having them admitted into the Union as a single State, thinking that such an alliance would be inimical to the best interests of Arizona.

B. J. Quinn, Albert C. Scales, John B. Martin, Joseph Raobe, Chas. H. Bond, John Rarick, W. C. Beckman, H. B. Hanna, R. W. Kimball, Thos. Blair, Richard Shea, B. L. Quinn, Frank Van Nerr, P. Fitzsimmons, J. A. Reid, John Cuff, Albert Algier, William Bear, O. E. Rumer, H. S. Griffin, W. T. Griffin.

Resolution against merger adopted at the town of Metcalf, Ariz., at a general mass meeting of citizens, held January 29, 1904.

Whereas information has come to us from numerous reliable sources that an intention exists upon the part of various Senators and Members of the House of Representatives in Congress to urge strenuously the merging of the Territory of Arizona and the Territory of New Mexico as one in the enabling act providing for their admission into the Union as a single State; and

Whereas it is of the utmost importance that the great mass of people who make up the citizenship of Arizona should have a hearing upon said proposition while the statehood measure is still pending before Congress, and that their emphatic protest thereof should be recorded; and

Whereas each of said Territories, separate and alone, as constituted by act of Congress forty-one years ago under the Administration of Abraham Lincoln, and as they now exist, have an area exceeding that of all the six New England States and the Empire State of New York combined, which seven States have their area now divided into 127 counties for the proper, convenient, and economical administration of their public affairs, as illustrative of the wisdom of our protest herein expressed; and

Whereas the merging of the vast area of said Territories of Arizona and New Mexico into one State would render such State much too unwieldy for the convenience of government and prove an insurmountable obstacle to the economical administration of its affairs as a Commonwealth; and

Whereas the population of Arizona is made up of the good citizenship of other States who have come from populous localities attracted by the varied inducements offered by her boundless resources, and by the untiring application of energy, toil, and capital have made her proudly worthy of the boon of statehood, singly and alone, the voice of her people is the voice of American manhood and womanhood, urging the unwavering demand of right before the tribune of justice: Therefore, be it

Resolved, That we, the people of the progressive town of Metcalf, Ariz., urge hereby the early admission of Arizona as a State of the Union, and that we do hereby protest with a united voice against our admission as a State jointly as one with the Territory of New Mexico.

Resolved further, That we prefer to remain in our present condition as a Territory, rather than be admitted as a joint State with New Mexico and thereby encounter the intolerable conditions rendered inevitable by our admission under such circumstances. The platforms of both the great political parties have solemnly pledged the American people to bestow upon us that which we herein demand. Under that pledge and under our inalienable rights of life, liberty, and the pursuit of happiness, our motto is and must be: Give to Arizona and her people, for themselves, statehood and a shining star in the Union, or permit her to continue her travels indefinitely in the paths of a Territory.

Resolved, That a transcript of these resolutions be transmitted to our Delegate in Congress, with the request that he place them before both Houses of Congress.

THEO. SHIRLEY, *Chairman.*
J. W. PAYNE, *Secretary.*

WINSLOW, ARIZ., *February 1, 1904.*

CHAIRMAN SENATE COMMITTEE ON TERRITORIES,
UNITED STATES SENATE,
Washington, D. C.

SIR: At a mass meeting of the citizens of the town of Winslow, Navajo County, Ariz., held in the opera house in said town this date, the following resolutions were unanimously adopted, after the unanimous sentiment of the town had been expressed in a number of short talks by the leading business men and residents of the town, in which the sentiment was in favor of statehood for Arizona alone or to remain a Territory indefinitely rather than a union with New Mexico, it being the sentiment of the meeting that both Territories were entitled to separate admission as States.

The following were the resolutions adopted without a dissenting vote:

Whereas it has been reported to the citizens of the town of Winslow, Navajo County, Ariz., that a bill has been or is about to be submitted to Congress whereby the Territories of Arizona and New Mexico are to be joined and admitted into the Union as one State; and

Whereas the people of the town of Winslow are unalterably opposed to statehood under such conditions; and

Whereas in such opposition the people of the town of Winslow voice the sentiment of Navajo County, and, as they believe, the sentiment of the people of the entire Territory of Arizona; and

Whereas, although we are in favor of statehood, we prefer to remain a Territory indefinitely rather than to become a State under such conditions: Therefore, be it

Resolved, That our Delegate in Congress and all other friends of this Territory be hereby requested to use their utmost efforts to defeat the abovementioned bill, should such a bill be introduced in Congress, and that they work solely for the admission of Arizona as a separate State; and be it further

Resolved, That a copy of these resolutions be forwarded to our Delegate in Congress, a copy sent to the chairman of the House Committee on Territories, a copy to the chairman of the same committee of the Senate, one to the governor of Arizona, and that a copy be published in the Winslow Mail.

W. H. BURBOG, *Chairman.*

Correct. Attest:

HORACE H. HERR, *Secretary.*

WINSLOW, ARIZ., *February 1, 1904.*

CHAIRMAN COMMITTEE ON TERRITORIES,
HOUSE OF REPRESENTATIVES,
Washington, D. C.

SIR: At a mass meeting of the citizens of the town of Winslow, Navajo County, Ariz., held in the opera house in said town this date, the following resolutions were unanimously adopted, after the unanimous sentiment of the town had been expressed in a number of short talks by the leading business men and residents of the town in which the sentiment was in favor of statehood for Arizona alone or to remain a Territory indefinitely rather than a union with New Mexico, it being the sentiment of the meeting that both Territories were entitled to separate admission as States.

The following were the resolutions adopted without a dissenting vote:

Whereas it has been reported to the citizens of the town of Winslow, Navajo County, Ariz., that a bill has been or is about to be submitted to Congress whereby the Territories of Arizona and New Mexico are to be joined and admitted into the Union as one State; and

Whereas the people of the town of Winslow are unalterably opposed to statehood under such conditions; and

Whereas in such opposition the people of the town of Winslow voice the sentiment of Navajo County and, as they believe, the sentiment of the people of the entire Territory of Arizona; and

Whereas although we are in favor of statehood, we prefer to remain a Territory indefinitely rather than to become a State under such conditions: Therefore be it

Resolved, That our Delegate in Congress and all other friends of this Territory be hereby requested to use their utmost efforts to defeat the abovementioned bill, should such a bill be introduced in Congress, and that they work solely for the admission of Arizona as a separate State; and be it further

Resolved, That a copy of these resolutions be forwarded to our Delegate in Congress, a copy sent to the chairman of the House Committee on Territories, a copy sent to the chairman of the same committee of the Senate, one to the governor of Arizona, and that a copy be published in the Winslow Mail.

W. H. BURBOG, *Chairman.*

Correct. Attest:

HORACE H. HERR, *Secretary.*

NACO, ARIZ., *February 10, 1904.*

To the Congress of the United States, Washington. D. C.:

We, the citizens of Naco, Cochise County, Ariz., in mass meeting assembled, view with solicitude the illogical purpose of combining the Territories of Arizona and New Mexico for admission into the Union as one State.

We believe that the Territory of Arizona is far ahead of her sister Territory in all save physical size, and that a combination would serve to lower the standard of her government by injecting into it a greater average of other than English-speaking people.

We believe that Arizona, in point of population, wealth, and learning, should be eligible for admission alone, and until such time as Congress may see fit to grant that request we prefer the Territorial government.

We believe that a combination of the two Territories would form a State too unwieldy for proper government.

We believe, with the past as a criterion of the future, that Arizona will make such strides in the next ten years as to place her far ahead of many of the present States in population and material progress.

We submit that Arizona compares favorably with many of the old States from every constitutional view point; that to longer deny her self-government is an abridgment of her constitutional rights, and we earnestly petition the Congress of the United States to lay aside all political prejudices and pass the bill to create a State out of the present Territory of Arizona, and, furthermore, we most earnestly protest against the proposed attempt to create a State of the two Territories and thus retard the progress of both.

N. E. BAILEY, *Chairman.*
H. R. HANNA, *Secretary.*

FIRST NATIONAL BANK,
Nogales, Ariz., February 19, 1904.

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

FIRST NATIONAL BANK OF NOGALES.
BRACEY CURTIS, *Cashier.*
WM. SCHUCKMANN, *Vice-President.*

Be it remembered that at a mass meeting of the citizens of Phoenix and vicinity, held in the city of Phoenix on the 30th day of January, 1904, for the purpose of giving expression to the views of citizens upon the proposition soon to be presented to the Congress of the United States to unite the Territories of New Mexico and Arizona and admit these two Territories as one State, the following resolution was unanimously adopted:

Whereas grave dangers exist that the Senate and the House of Representatives of the United States of America in Congress assembled will enact a law uniting the Territories of Arizona and New Mexico and admit the two Territories into the Union as one State: Now, therefore, be it

Resolved, That we, the citizens of the city of Phoenix, county of Maricopa, Territory of Arizona, in mass convention assembled, do hereby earnestly protest against any forced political union of the two Territories as the greatest calamity that could befall either Territory, for the following reasons:

1. For forty years each one of the Territories has dealt with the particular conditions existing within its limits, resulting in the adoption and growth of different local customs, separate codes of law, different methods of taxation of property, and separate political subdivisions, and during this time the people of the two Territories have at great expense and sacrifice established and maintained appropriate educational, penal, charitable, and other public institutions. Under these conditions, to unite these Territories in one State will produce the greatest confusion and expense in local government and will result in retarding and hampering the material advancement and progress of each one of the Territories.

2. The population of the two Territories is unequal in numbers, that of New Mexico being the greater, and a union of the two Territories in one State with this numerically unequal population would place this Territory at a great disadvantage in protecting its rights and compelling the performance of duties owed by the majority population to it.

3. The union of the two Territories into one State would make local government unwieldy and exceedingly expensive on account of the great area covered.

4. That the people of this Territory are homogeneous, withsimilar ideals and ambitions; they have already laid here, broad and deep, the foundations of a truly American commonwealth; and they earnestly desire the opportunity to develop their own material and intellectual resources and to work out their own destiny in accordance with their own ideas of local government; and that the proposed political union of the two Territories, with different laws and traditions (and even language in part), would be disastrous to our material advancement, contrary to our earnest desires, and against the united voice and wishes of the people of this Territory.

5. That the reasons which caused Congress to separate Arizona from New Mexico in 1863, when the territory embraced within her boundaries was sparsely settled and wholly undeveloped, apply with manifold cogency against any enforced reunion of the two Territories in 1904, when for forty years last past their interests have more widely diverged with each year.

Finally, the citizens of Arizona have been and now are a unit in their desire for statehood and in the belief that they are entitled to it as a matter of right and justice; and they look with the greatest confidence to the American Congress to relieve them from a state of Territorial vassalage and give them a place in the sisterhood of States under the name of "Arizona." But rather than incur the impending disaster of joint statehood with New Mexico we request Congress to allow us to remain as a Territory of the United States.

Be it further resolved, That copies of these resolutions be forwarded to the President of the United States, to the President of the Senate, to the Speaker of the House of Representatives, to the Committee on Territories of the Sen-

ate, to the Committee on Territories of the House of Representatives, and to Hon. J. F. WILSON, our Delegate to Congress.

Dated this 30th day of January, 1904.

WALTER BENNETT, *Chairman.*

Attest:

WINFIELD SCOTT, *Secretary.*

Petition from the people of the Gila Valley, Graham County, Ariz., against the consolidation of New Mexico and Arizona.

To the Senate and House of Representatives:

At a mass meeting of the citizens of the Gila Valley, in Graham County, Ariz., held at Safford, representing the business, commercial, and agricultural interests of one of the most populous and progressive counties within the Territory, the following resolutions were unanimously adopted, emphatically remonstrating against the consolidation of New Mexico and Arizona and their admission into the Union as one State for the following convincing reasons:

First. The people of Arizona have the same love and veneration for their beautiful land as did the founders of our older Commonwealths, and the obliteration of her name from the glorious constellation comprising the American Union would be nothing short of sacrilege.

The Anglo-Saxon devotion to free, local self-government prompted the pathfinders and pioneers of our western country, many of whom yet dwell among us, respected for their courage and industry and venerated as the founders of a State, to reclaim our land from savagery and unproductiveness and transmit it as a heritage to us, their sons and daughters, that we might preserve, improve, and in turn bequeath it unimpaired to our children. Against the possibility of her name passing into oblivion and our fair land becoming an appendage to another State, we most earnestly protest.

Second. The proposed union, if effected, would result in the formation of a State too large and unwieldy for economical local government.

Third. For more than forty years the two peoples have traveled separate roads toward the same goal—statehood. The reasons which in wisdom separated them are not less cogent on the eve of their admission to the sisterhood of States. During this time each Territory has dealt with the particular conditions existing within its borders, resulting in the growth of separate local customs, separate codes of laws, separate political subdivisions, separate methods of taxation, etc. The equitable adjustment of the debts of the respective Territories is likely to present a problem difficult of amicable solution.

Fourth. Each Territory conducts its educational and other public enterprises and institutions, none of which are in excess of what our people require; should the proposed consolidation be effected, some of them would be abolished upon a false theory of economy.

Fifth. In numbers the population of the two Territories is unequal, that of Arizona being the smaller. In a union of States thus unequal the minority can not protect its rights or compel the performance of duties owed by the majority. From the evils of such an enforced partnership we look with confidence to the American Congress for protection.

Sixth. The idea of the union of these Territories, we are convinced, did not originate within our boundaries, but came from persons outside who desire to use us for their advantage. This statement, we think, is borne out by the fact that the Congress has received many petitions opposing the union: but, so far as we are aware, not a single petition favoring the proposed consolidation has come from our people. The idea originated, grew, and has its entire support from without.

For the foregoing and other reasons, all of which have been ably urged, we respectfully petition that no bill having for its object the consolidation of these Territories be passed by the Congress.

The people of Arizona are entitled to statehood in their own right; they are members of the same great race that governs our common country. For more than forty years they have waited and looked forward to the day when their great Territory shall take her rightful place as a member of our Union; no greater injustice could be done our people than to compel her to enter as a nameless fraction. To the Congress we look with abiding confidence for the early recognition of her right to statehood.

Resolved, That the secretary of this mass meeting transmit a copy of this petition to the President of the United States; to the President of the Senate, requesting him to refer it to the Senate Committee on Territories; and a copy to Hon. J. F. WILSON, our Delegate in Congress, with a like request that he move its reference to the House Committee on Territories, and that he use his utmost endeavors to divert this threatened disaster from our Territory; also, a copy to the governor of Arizona.

JNO. J. BIRDICO, *Chairman.*

Attest:

W. T. WEBB, *Secretary.*

Resolutions adopted at a mass meeting of the people of Pima County, Ariz., held in the city of Tucson, January 21, 1904, protesting against joint statehood for Arizona and New Mexico.

At a mass meeting held at the court-house in the city of Tucson, Ariz., on the 21st day of January, 1904, pursuant to a call issued by the chairman of the board of supervisors and the mayor of said city, the following preamble and resolutions were, after many speeches, unanimously adopted:

Whereas it appears from press reports and other information that certain Members of Congress will make a determined effort to enact a law whereby the Territories of New Mexico and Arizona will be admitted to the Union as a single State; and

Whereas in our opinion the union of these two Territories as a single State would be one of the greatest calamities that could happen to the people of this Territory, for the following reasons, among others:

First. That each of the Territories already contains an area more than sufficient for a single State, and their combined area would be too great for convenient and economical government and administration.

Second. The inhabitants of this Territory differ from those of New Mexico in race, political habits, and otherwise, to such an extent that it would be impossible for them to join in the harmonious conduct of a State government.

Third. That each Territory has already acquired, by great sacrifices and expenditure, a capitol building, university, normal schools, penitentiary, insane asylum, and reform school; and the joining of the two Territories in a single State would render many of these buildings and institutions useless; that a contest would inevitably take place between the people of New Mexico and of this Territory over the future location of such institutions, resulting in bitterness, strife, and hatred; and, owing to the greater population of New Mexico the people of this Territory would in all probability lose all of said institutions, the appropriations for their support would cease, and they would be dismantled and abandoned.

Fourth. Each of said Territories has incurred a large bonded debt from which the other has received no benefit and which it would be unjust to require the other to assist in paying: Therefore, be it

Resolved by the people of Pima County, Territory of Arizona, in a mass meeting assembled, That while we are in favor of statehood for Arizona and believe that we are entitled to separate statehood, yet rather than to incur the disaster of joint statehood with New Mexico we prefer that Arizona should remain a Territory indefinitely;

Resolved, That we appeal to every friend of ARIZONA, in Congress or elsewhere, to resist to the uttermost any attempt to force such joint statehood upon this Territory; and

Resolved, That, as the Democratic and Republican national platforms pledge their respective parties to the admission of the Territories to statehood, and not to the merger of two or more Territories into one State, we appeal to the Members of Congress of both parties to adhere to the pledges of their respective national conventions and oppose the bill to merge New Mexico and Arizona into one State, and to the President of the United States, should the bill pass Congress, to stand by the platform upon which he was elected, and veto the bill; and

Resolved, That a copy of these resolutions be transmitted by the chairman of this meeting to our Delegate in Congress, with the request that he bring it to the attention of the Senate and House of Representatives.

C. T. SCHUMACHER, *Chairman.*

SOL. B. PRACHMAN, *Secretary.*

Resolutions adopted at a mass meeting of the people of Pima County, Ariz., held in the city of Tucson on January 21, 1904, protesting against joint statehood for Arizona and New Mexico.

At a mass meeting held at the court-house in the city of Tucson, Ariz., on the 21st day of January, 1904, pursuant to a call issued by the chairman of the board of supervisors of Pima County and the mayor of said city, the following preamble and resolutions were, after full discussion, unanimously adopted:

Whereas it appears from press reports and other information that certain Members of Congress will make a determined effort to enact a law whereby the Territories of New Mexico and Arizona will be admitted to the Union as a single State; and

Whereas, in our opinion, the union of these two Territories as a single State would be one of the greatest calamities that could happen to the people of this Territory, for the following reasons, among others:

First. That each of the Territories already contains an area more than sufficient for a single State, and their combined area would be too great for convenient and economical government and administration.

Second. The inhabitants of this Territory differ from those of New Mexico in race, political habits, and otherwise, to such an extent that it would be impossible for them to join in the harmonious conduct of a State government.

Third. That each Territory has already acquired, by great sacrifices and expenditure, a capitol building, university, normal schools, penitentiary, insane asylum, and reform school; and the joining of the two Territories in a single State would render many of these buildings and institutions useless; that a contest would inevitably take place between the people of New Mexico and of this Territory over the future location of such institutions, resulting in bitterness, strife, and hatred; and, owing to the greater population of New Mexico, the people of this Territory would, in all probability, lose all of said institutions, the appropriations for their support would cease and they would be dismantled and abandoned.

Fourth. Each of said Territories has incurred a large bonded debt from which the other has received no benefit and which it would be unjust to require the other to assist in paying: Therefore, be it

Resolved by the people of Pima County, Territory of Arizona, in a mass meeting assembled, That while we are in favor of statehood for Arizona, and believe that we are entitled to separate statehood, yet rather than to incur the disaster of joint statehood with New Mexico, we prefer that Arizona should remain a Territory indefinitely;

Resolved, That we appeal to every friend of Arizona, in Congress or elsewhere, to resist to the uttermost any attempt to force such joint statehood upon this Territory;

Resolved, That as the Democratic and Republican national platforms pledge their respective parties to the admission of the Territories to statehood, and not to the merger of two or more Territories into one State, we appeal to the Members of Congress of both parties to adhere to the pledges of their respective national conventions and oppose the bill to merge New Mexico and Arizona into one State, and to the President of the United States, should the bill pass Congress, to stand by the platform upon which he was elected and veto the bill; and

Resolved, That a copy of these resolutions be transmitted by the chairman of this meeting to our Delegate in Congress, with the request that he bring it to the attention of the Senate and House of Representatives.

C. T. SHUMACHER, *Chairman.*

SOL B. PRACHMAN, *Secretary.*

INDIVIDUAL PETITIONS FROM ARIZONA.

ASH FORK, *February 15, 1904.*

To the honorable board of supervisors of Yavapai County.

GENTLEMEN: Responding to your request for an expression of the sentiment of the people of this precinct respecting the proposed admission to statehood of Arizona and New Mexico jointly, we, the undersigned residents and taxpayers of Ash Fork precinct, Arizona, hereby assert that we are unqualifiedly and unalterably opposed to the union of New Mexico and Arizona as one State, believing that such a measure would result disastrously to the interest of both Territories, and especially to Arizona.

Any action that may be taken by your honorable body in opposition to the proposed measure will meet our hearty approval, and we urge that through you our representative in Congress be instructed to use all honorable means to defeat any statehood measure for Arizona excepting one admitting this Territory as a separate State.

J. A. Pitts, merchant; P. E. Hollihan, labor inspector; J. E. Potts, miner; Chas. Schrall, clerk; Chas. E. O'Neill, merchant; J. H. Thompson, miner; Paul Leholbzy, clerk; Harry Paige, hostler; J. O. Landers, stockman; G. S. Dunbar, railroad man; C. H. Clark, engineer; C. B. Dimick, clerk; F. L. Noble, clerk; F. A. Champous, clerk; D. McLean, railroad man; Frank Curry, cook; Frank Hall, waiter; W. B. Sheivley, saloon keeper; O. D. Levengood, railroad man; Lewis Ketner, carpenter; Thos. G. Hedrich, bartender; L. B. Miller, railroad man; Fred. Schuitz, lumberman; R. C. Thorton, barber; J. H. Foley, merchant; J. S. Mack, barber; T. E. Foley, stockman; Dave Yarbrough, stockman; James Stewart, railroad man; R. G. Gilbert, railroad man; B. B. Michener, railroad machinist; Thos. Starks, switchman; J. D. Bishop, stockman; Harry Van Alen, saloon keeper; Frank Burr, Walter Brown, O. O. Smith, railroad man; J. C. Palacio, workman.

SIMMONS, ARIZ., *February 12, 1904.*

We, the undersigned citizens of Williamson Valley and vicinity, do hereby declare that we are strictly opposed to joint statehood with New Mexico:

J. B. Caldwell, W. H. Clark, I. S. Defin, W. E. Allen, Wm. P. Ellison, J. W. Koontz, P. H. Wright, J. F. Hamilton, Jno. Branconi, W. F. Simmons, Geo. E. Ainsworth, E. A. Marlowe, J. W. Cook, Lester Johnson, S. C. Rogers.

To the Senate and House of Representatives of the United States of America:

We, the citizens of Jersey precinct, county of Yavapai, Territory of Arizona, irrespective of party affiliations, in mass meeting assembled, do respectfully enter our earnest protest against any union of Arizona with New Mexico as one State into our glorious Union of States: Therefore, be it

Resolved, That joint statehood with New Mexico is at utter variance from the spirit of freedom and independence handed down to us by our forefathers, and is so abhorrent, unjust, and un-American that we regard said proposed union of Arizona with New Mexico as the greatest calamity that could possibly befall our fair Arizona and her people, and rather than incur such disaster we prefer to remain Arizona Territory forever.

Resolved, That a copy of these resolutions be sent to our honorable Delegate to Congress, Gen. J. F. WILSON.

Done at Jersey, the 12th day of February, 1904.

JASPER PHILLIPS, *Chairman.*
FRED J. SMITH, *Secretary.*

JERSEY, ARIZ., *February 13, 1904.*

To the honorable board of supervisors of Yavapai County, Ariz.

DEAR SIRS: In accordance with your request, we held a meeting yesterday at this precinct, and it was attended by about fifteen. Inclosed find resolutions which are the result of said meeting.

Yours, very respectfully,

FRED J. SMITH.

GROOM CREEK, *February 15, 1904.*

Resolved, That we, the citizens of Groom Creek, Yavapai County, Territory of Arizona, in convention assembled, protest the merging of the Territories of Arizona and New Mexico into one State, and ask the honorable board of supervisors of Yavapai County to use their influence to defeat said merger.

H. H. Keays, chairman; Wood M. Gibbany, secretary; John O'Connell, C. C. Carter, David Rees, J. J. Buckman, G. S. Ferguson, J. D. Sanford, Frank Robertson, Ed Larson, Peter Echberg, James McLinden, Chas. C. Walker, Wm. McWhorter, Chas. Dorr, John Myrdal, J. C. Sheefer, W. D. Capleo.

OFFICE OF BOARD OF SUPERVISORS OF YAVAPAI COUNTY,
Prescott, Ariz., February 5, 1904.

Whereas this board is in receipt of a communication from Hon. Alexander O. Brodie, governor of Arizona, earnestly recommending and requesting that the citizens of this county take action in reference to the proposed merger of the Territories of Arizona and New Mexico in one State; and

Whereas we are desirous of complying with the request of Governor Brodie, and to also have the people of this county express their views upon this important subject: Now, therefore,

Resolved, That the citizens of this county are earnestly requested to meet in mass meeting, convention, or otherwise in their respective precincts and adopt such resolutions in respect to their feelings upon this matter and have them signed by the residents of their precincts on the 15th day of February, 1904, and to forward the result thereof to this board as soon thereafter as possible.

By order of the board of supervisors.

G. H. SCHUERMAN, *Chairman.*
J. H. ROBINSON, *Clerk.*

There is no one in this precinct that is in favor of joint statehood.

Respectfully,

A. DUFF.
W. T. BAKER.
J. T. SHIVERS.

HOOPER, ARIZ., *February 15, 1904.*

Pursuant to a request of the Hon. A. O. Brodie, governor of the Territory, and a notification of the same by the board of supervisors of Yavapai County, Ariz., the citizens of Hooper precinct, Yavapai County, Ariz., in mass meeting assembled, after electing Edwin T. Leigh as president and James Roach secretary, unanimously passed the following preamble and resolution:

"Whereas certain people in authority wish to force on us, against our will and consent, joint statehood with the Territory of New Mexico:

"*Resolved*, That we, as citizens of Arizona and the United States, ask as our right statehood for Arizona, and we repudiate joint statehood with New Mexico, it being unjust, unfair (and to us) disreputable to the citizens of Arizona.

"*Resolved*, That rather than joint statehood with New Mexico we remain as we are, a Territory, indefinitely."

EDWIN T. LEIGH, *President.*
JAMES ROACH, *Secretary.*

To the honorable board of supervisors, Yavapai County.

GENTLEMEN: Complying with your request for the citizens of the various precincts to meet on February 15, 1904, for the purpose of expressing their feeling in regard to the disposition of the present Congress of the United States of merging this Territory with New Mexico and admitting the same into the Federal Union as one State, the citizens of Bumble Bee precinct, irrespective of political affiliations, beg to state that they are as a unit opposed to be admitted as a State jointly with New Mexico.

Believing that the Territory of Arizona, by her population, taxable property, her unsurpassed school system, and civilization, is justly entitled to single statehood, without being merged or joined to New Mexico, any measure coming before us having for its object joint statehood will meet our entire and emphatic disapprobation.

A. J. MCPHEE, *President.*

Resolutions passed by Humbug voting precinct.

COLUMBIA, ARIZ., *February 15, 1904.*

Pursuant to public announcement, a mass meeting of the citizens of Humbug voting precinct, Yavapai County, Ariz., was held at Columbia on the 15th day of February, 1904, to express the wishes of the citizens on the question of the admission of Arizona to statehood. A. H. Hibbard was chosen chairman and M. J. Nolan secretary.

The following preamble and resolutions were unanimously adopted:

Whereas public attention has been called to a movement in the Congress of the United States to make of the Territories of Arizona and New Mexico a single State, and whereas Governor A. O. Brodie, of Arizona, has called upon the board of supervisors of the various counties in the Territory to request the citizens of their respective voting precincts to assemble in mass meetings and express their opinions on the said proposed admission of the two Territories as one State: Now, therefore, be it

Resolved, That we, the citizens of Humbug voting precinct, of all political parties, are unalterably opposed to the joint admission of Arizona and New Mexico as one State.

That we consider such a measure would be foolish, unjust, and the source of unnecessary expense, unavoidable hardships, and endless contentions between the diverse interests of the two Territories.

That while we earnestly desire statehood, we would immeasurably prefer our Territorial conditicn continued indefinitely than to become a part of an unwieldy and discordant Commonwealth.

We solemnly protest against this Territory being used as a picturesque puppet of political expediency, implied probation, or fantastic folly. We do not wish to be united to New Mexico for State purposes, nor to Alaska for judicial purposes, nor to Porto Rico for educational purposes, nor to any other community or section for any purpose except to be admitted to our rightful place—into the Union as a single promising State. We seek this not as a favor, but as a right. We not only believe, but we know, that we are big enough, old enough, strong enough, and enlightened enough to assume the responsibilities, fulfill the duties, and work out the destinies of a progressive State to the mutual advantage of Arizona and of the American Union.

A. H. HIBBARD, *Chairman.*
M. J. NOLAN, *Secretary.*

FEBRUARY 15, 1904.

Cherry precinct, county of Yavapai, Ariz., at a mass meeting of the legal voters and citizens of this place, respectfully present this our feelings in regards to the question of the admission of the Territory of Arizona, together with the Territory of New Mexico, as one State. We feel that if the Territory of Arizona is not entitled to admission without the sisterhood of some other Territory, then we do sincerely wish to remain a Territory. And we hereby affix our signatures to this our unanimous decision.

G. W. Sessions; Richard Brown; J. S. Sessions; W. C. Metzger; Richard De Kuhn; R. H. Barrett; Hugh Allen; Albert Brockman; Floyd Burmaster; O. E. Stewart; J. E. Allen; C. E. Frice; J. E. Brockman; J. H. Mder; C. C. Fischer; J. R. Boyer; J. S. Boyer; S. N. Wombacher; Y. G. Allen; M. V. Morrell; C. De Kuhn; T. L. Blandy; J. De Kuhn; M. Martin; F. T. Blandy; A. R. De Kuhn; Anton Godec; Fred Allen; W. R. Allen; George Wilson; John L. Miller; J. A. Rice; James Boles; Jas. Stevens; Blake Baker; J. M. Holmes; J. T. Farley; C. V. Smith; Conrad Lewis; W. H. Taylor; Wm. Chrisman; J. A. Ireland; W. W. Ireland.

We, the undersigned citizens of Hot Springs, Yavapai County, Ariz., are unalterably opposed to being joined with New Mexico as one State in the Union of States.

We much prefer to remain a Territory than to be forced into an unnatural alliance and statehood.

O. A. Ensign, Fred. Starks, Geo. C. Cary, Norman N. Odell, Mike Moreno, W. M. Sell, F. L. Joslyn, J. W. Searles, Chas. N. Wilkins, Egbert K. Dutcher, F. Hutchinson Galloney, A. G. Keane, Hancock Griffin, G. E. Crosby, A. H. Esau, Geo. L. Harris, W. D. McClellan, Frank Heller, Frank Crimm, John F. Bradley, J. F. Donahue.

OFFICE OF BOARD OF SUPERVISORS OF YAVAPAI COUNTY,
Prescott, Ariz., February 5, 1904.

Whereas this board is in receipt of a communication from Hon. Alexander O. Brodie, governor of Arizona, earnestly recommending and requesting that the citizens of this county take action in reference to the proposed merger of the Territories of Arizona and New Mexico in one State; and

Whereas we are desirous of complying with the request of Governor Brodie, and to also have the people of this county express their views upon this important subject: Now, therefore,

Resolved, That the citizens of this county are earnestly requested to meet in mass meeting, convention, or otherwise in their respective precincts and adopt such resolutions in respect to their feelings upon this matter and have them signed by the residents of their precincts on the 15th day of February, 1904, and to forward the result thereof to this board as soon thereafter as possible.

By order of the board of supervisors.

G. H. SCHUERMAN, *Chairman.*
J. H. ROBINSON, *Clerk.*

Joint statehood, yes or no: Henry Schuerman, no; Henry Vesoar, no; Oscar Rush, no; Frank Owenly, no; D. E. James, no; M. A. James, no; Manuel Chavez, no; E. Silvar, no; Jose Famallo, no; Tomas Cazanoa, no; Juan Silvar, no; Ambrocio Armijo, no; Juan Armijo, no; A. B. Martinez, no; Senon Castillo, no; Louis Palmer, no.

MCCABE, YAVAPAI COUNTY, ARIZ.,
February 14, 1904.

Hon. JOHN F. WILSON:

We, the citizens of McCabe, at a mass meeting, do wish to enter a protest against the joint statehood of the Territories of Arizona and New Mexico for the following reasons, viz: We wish to draw special attention to a careful comparison of our public schools and school system with those of the States; And we further wish to draw attention to a careful analysis of what the personnel of our citizens is composed, and further of our public spirit.

Therefore we, the representatives of all parties, are further resolved to rather remain as a Territory in preference to joint statehood with our sister Territory, New Mexico.

T. J. ARNOLD, *Chairman,*
And 168 others.

We, the undersigned voters of Placereta precinct, in response as to how we stand on Arizona and New Mexico being admitted together as one State, are strictly against it first, last, and always. We think that Arizona is large enough and has population enough and wealth enough to be entitled to be admitted alone, and we prefer remaining a Territory than to be admitted with New Mexico as one State.

Geo. Mahard, James Lamb, T. A. Ray, J. A. Jackson, C. C. McKeever, Wm. Roberts, S. A. L. Jackson, Chas. E. Wild, G. Gordon Green, R. E. McGillen, J. W. Cool, Frederick J. Van Moll, Chas. L. Lannier, S. J. Hodgdon, H. Horneman, O. Zungquist, Will Bates, Setro Saravio, John Watterson, C. H. McKenzie.

PETITIONS FROM BANKERS IN ARIZONA.

PRESCOTT, ARIZ., *February 15, 1904.*

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

THE BANK OF ARIZONA,
M. C. HAZELTON, *Cashier.*
THE PRESCOTT NATIONAL BANK,
By P. H. FRANCIS, *Cashier.*
COMMERCIAL TRUST COMPANY,
By L. B. LARIMER,
Secretary and Cashier.

PHOENIX, ARIZ., *February 16, 1904.*

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

THE PHOENIX NATIONAL BANK,
By H. J. MCCLUNG, *Cashier.*

PHOENIX, *February 15, 1904.*

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

THE NATIONAL BANK OF ARIZONA,
S. OBERFELDER.

FEBRUARY 15, 1904.

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

THE VALLEY BANK, PHOENIX, ARIZ.
E. J. BENNETT, *Vice-President.*
EZRA W. THAYER, *Director.*
W. D. FULWILER, *Second Vice-President.*
J. C. WASSON, *Director.*
LLOYD B. CHRISTY, *Cashier.*

CONSOLIDATED NATIONAL BANK,
Tucson, Ariz., February 15, 1904.

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

CONSOLIDATED NATIONAL BANK OF TUCSON,
By M. P. FREEMAN, *President.*
H. B. FEENEY, *Cashier.*

TUCSON, ARIZ., *February 15, 1904.*

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committee on Territories.

Very respectfully,

THE ARIZONA NATIONAL BANK OF TUCSON,
By L. M. JACOBS, *Cashier.*

TUCSON, ARIZ., *February 15, 1904.*

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

SOUTHERN ARIZONA BANK AND TRUST CO.,
By FRED J. STEWARD, *Secretary.*

DOUGLAS, ARIZ., *February 15, 1904.*

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

THE FIRST NATIONAL BANK, DOUGLAS, ARIZ.
L. C. HANKS, *Cashier.*

TEMPE, ARIZ., *February 15, 1904.*

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

FARMERS AND MERCHANTS' BANK,
By W. J. KINGSBURY, *President.*

WINSLOW, ARIZ., *February 15, 1904.*

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

W. H. BURROD,
President Navajo County Bank, Winslow, Ariz.

FLAGSTAFF, ARIZ., *February 15, 1904.*

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

The sentiment against joint statehood is very strong in this community and unanimous; founded, too, on the best of reasons.

Very respectfully,

GOSNEY & PERKINS BANK,
By E. S. GOSNEY, *Manager.*

MESA, ARIZ., *February 15, 1904.*

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

THE MESA CITY BANK,
JOHN L. WARING, *President.*
JOHN G. SPANGLER, *Cashier.*

FEBRUARY 15, 1904.

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

ARIZONA CENTRAL BANK,
Flagstaff, Ariz.
J. E. POLLOCK, *President.*
C. E. ROBINSON, *Cashier.*

JEROME, ARIZ., *February 15, 1904.*

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

BRANCH OF THE BANK OF ARIZONA,
R. A. SMITH, *Assistant Manager.*

KINGMAN, ARIZ., *February 15, 1904.*

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

ARIZONA CENTRAL BANK BRANCH,
H. H. WATKINS, *Manager.*

SAFFORD, ARIZ., *February 15, 1904.*

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

BANK OF SAFFORD,
By M. C. TAYLOR, *Cashier.*

THE BANK OF DOUGLAS,
Douglas, Ariz., February 15, 1904.

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully.

THE BANK OF DOUGLAS,
By A. B. CLEIN, *Cashier.*

FEBRUARY 15, 1904.

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

FIRST NATIONAL BANK, TOMBSTONE ARIZ.,
T. R. BRANDT, *Cashier.*

FEBRUARY 15, 1904.

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

THE TEMPLE NATIONAL BANK,
C. G. JONES, *President.*

NACO, ARIZ., *February 15, 1904.*

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

BRANCH OF THE BANK OF BISBEE,
EDW. BLAKE, *Manager.*

BISBEE, ARIZ., *February 15, 1904.*

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

MINERS AND MERCHANTS' BANK, BISBEE, ARIZ.,
By J. T. HOOD, *Cashier.*

BISBEE, ARIZ., *February 15, 1904.*

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

THE BANK OF BISBEE,
N. J. CUNNINGHAM,
Cashier.

FIRST NATIONAL BANK,
Globe, Ariz., February 15, 1904.

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

FIRST NATIONAL BANK, GLOBE, ARIZONA.
J. N. PORTER, *President.*
S. T. SULLENBERGER, *Cashier.*
C. M. CUSHMAN, *Assistant Cashier.*

SOLOMONVILLE, ARIZ., *February 16, 1904.*

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State,

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

THE GILA VALLEY BANK AND TRUST CO.
CHAS. F. SOLMAN, *Assistant Cashier.*

CLIFTON, ARIZ., *February 15, 1904.*

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

THE GILA VALLEY BANK AND TRUST CO., CLIFTON, ARIZ.,
—— ——, *Cashier.*

FEBRUARY 16, 1904.

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

HOME SAVINGS BANK AND TRUST COMPANY,
FRANK AINSWORTH, *Cashier.*

GLOBE, ARIZ., *February 16, 1904.*

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

T. A. PASCOE,
President of Miners' and Merchants' Bank.
GEO. W. P. HERICH,
Vice-President of Miners and Merchants' Bank,
J. H. PASCOE, *Cashier.*

THE GILA VALLEY BANK AND TRUST COMPANY,
Morenci, Ariz., February 17, 1904.

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

J. M. HURD, *Assistant Cashier.*

FEBRUARY 15, 1904.

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

BANK OF YUMA,
By R. S. PATTERSON, *Cashier.*

FEBRUARY 18, 1904.

Hon. J. F. WILSON,
Delegate in Congress from Arizona, Washington, D. C.

DEAR SIR: In view of the proposed joint statehood bill, whereby Arizona and New Mexico are to be admitted as one State, we, the undersigned bankers, comprising the Arizona Bankers' Association, hereby protest against any and all Congressional legislation having as its aim the joining of Arizona and New Mexico as one State.

We request that you submit this protest to the Senate and House Committees on Territories.

Very respectfully,

FIRST NATIONAL BANK OF CLIFTON, ARIZ.,
By P. P. GREER, *Cashier.*

Mr. GILBERT. Will the gentleman tell us something about the future of that Territory?

Mr. WILSON of Arizona. I can not say anything further about the national policy. I take it that all of you know it. So far as the revolution is concerned I take that as a conclusion, a deduction from which you can not escape. If you establish a policy and carry it on for a hundred years without a break, and now propose to turn around and overthrow it, that is revolution, is it not?

This bill does it in two different ways. It changes the policy of admission. It changes the policy of making States upon fair bases. I can not go any further on that line.

Now, Mr. Speaker, it has been said that we all live in two or three valleys. The man who said that never saw that country, and he has not read much about it. It has been said that there are millions and millions of acres in that Territory which can be converted to no use on earth. The man who said that does not know what he is talking about. He never saw that country. He never studied it. If he had done these things he would never have said that. Some of it is high, rocky land, of course, as much so as any in Maine—land that will never be tilled except in what we call "the parks," which are tilled; but it is the finest range and grazing land in the world. On these lands, upon which the gentleman says a home can never be made, millions of dollars are being made every year from the grass that grows upon the soil. On the high ranges, where they say a home can never be made, we are taking out of the bowels of the earth, from a few mines, more than $43,000,000 every year. This is a mining country, but its resources are scarcely scratch.

Now, if you believe statistics, I will give you the statistics here that you may draw your own conclusions. Without comment I am going to call your attention to the reported official statistics of the Territory.

Arizona has an area of 113,939 square miles, or 72,792,500 acres.

Its vast area is distributed as follows: Forty-two million acres grazing land; 30,000,000 acres mineral land, the grazing and mineral lands blending; 10,000,000 acres agricultural land. One million acres of this agricultural land has already been reclaimed, and 9,000,000 acres more may be.

The grazing belt extends from the line of New Mexico on the east to the timber belt 140 miles west. The timber belt is a vast area of great pine forests, containing nearly 10,000 square miles of as fine timber as there is in the world.

MINERAL LANDS.

The mineral belt of this Territory is one of the largest in the world. It reaches from Nevada and Utah in the northwest, passing diagonally through the Territory into the State of Sonora, Mexico, in the southeast, a distance in length of 437 miles by about 100 miles in width. There are now 1,840 patented mines in operation in said Territory, and thousands of mining claims are being operated and developed which are not patented. Out of these mines is taken annually, in round numbers, $43,000,000, and the development of this great mineral belt is very fast growing. The output of these mines consists of the precious metals—gold and silver—and copper, and the testimony is that this great mineral belt is scarcely yet prospected, notwithstanding that it takes out $43,000,000 per year.

AGRICULTURAL LANDS.

The great portion of the agricultural lands lie south of the mineral belt just referred to, and are known as the Salt, Gila, and Colorado river valleys. Agriculture there is maintained by irrigation, and they have, all told, over 800 miles of irrigating canals and laterals for that use. In the Salt River Valley alone there are 152,000 acres in cultivation by means of irrigation. The receipts for the products sold last year are given below:

Hay	$1,200,000
Fruits	80,000
Stock fattened and sold from pastures and hay not otherwise sold.	1,500,000
Honey	80,000
Butter and cheese	76,000
Poultry and eggs	50,000
Total	2,906,000

In the Graham Valley on the upper Gila about 40 per cent of that amount was produced. The agricultural products of the balance of the agricultural portion of the Territory are not known, but they are vast.

PRODUCTIVE POWER OF THE SOIL.

The soil of this agricultural country is very deep and has wonderful productive power. They produce here all the tropical fruits, as well as cereals, cantaloupes, alfalfa, hay, etc. It has been shown that the soil yields an annual return per acre as follows: Almonds, $75 to $150 net; cantaloupes, from $75 to $110 net; alfalfa, from $36 to $56 net, and so on, showing the productive power of the soil to be wonderfully great.

The Salt River and Gila valleys converge and come together and have a length of about 368 miles in extent, making an area of country susceptible of reclamation and cultivation greater than the valley of the Nile.

PRODUCTION OF LUMBER.

This is a great industry in Arizona. There are three great lumber companies there whose plants will each cut 200,000 feet of lumber per day. Their returns are about 200,000,000 feet annually.

RAILROAD FACILITIES.

There are over 1,400 miles of railroad in the Territory and others fast building.

There are two great trunk lines passing through Arizona from east to west—the Santa Fe Pacific through the northern portion and the Southern Pacific through the southern part. The Santa Fe, Prescott and Phoenix runs north and south, connecting with the Maricopa and Phoenix Railroad, which connects with the Southern Pacific. There are feeder lines of railroad branching out in all directions and aiding in the development of the mineral section.

The El Paso and Southwestern, owned by Phelps, Dodge & Co., is built in the southeastern part of the Territory, reaching from the grazing land in the south to the great mines at Bisbee and other places. The Arizona and New Mexico is another eastern railroad, built by a Scotch corporation for the purpose of handling the copper in the Clifton and Morenci country and the interstate commerce passing into Mexico from that line. The United Verde and Pacific in the north, connecting the Black Hills mineral section with the Santa Fe, Prescott and Phoenix, is another system for developing the heavy mineral country. All of these railroads are in a prosperous condition and their business is increasing about 33 per cent annually, and that is about the per cent of their annual increase for the last five years.

TAXABLE PROPERTY.

The railroad property costs not less than $60,000,000, and its assessed valuation is $6,000,000.

Mines and realty, value more than $200,000,000; taxed, improvements and all, $2,724,238. So the taxable property is assessed at $43,880,041 when it is really worth $400,000,000.

POPULATION.

The census gives Arizona 122,921. As given by counties last fall it was 178,600, and the immense increase to-day has no doubt reached the 200,000 limit. The population is almost entirely American, not 700 of it having been born in Mexico, and only about 4,400, all told, of the population were born in foreign countries. It is an intelligent population. Outside of 27,500 Indians, not taxed, who belong to the illiterate class, there is not 1 per cent of the population illiterate. All do their own reading and writing in the transaction of their affairs.

LAW AND SCHOOL.

Law.—The Territory of Arizona has as fine a code of laws as any of the older sections of the Union, and they are as well enforced as anywhere in the land. Therefore life and property rights are as well protected there as anywhere from the Atlantic coast to the Rocky Mountains. She has her own capitol and other public buildings—up-to-date and new, paid for by herself—and is thus ready prepared for housekeeping as a State as well as any State in the Union.

School facilities.—Arizona has its own university, with mining and agricultural schools connected therewith. Two normal schools, 10 high schools, 278 common schools.

The number of pupils from 6 to 21 years attending public schools are 25,951; from 8 to 14 years in other schools, 13,311.

SCHOOL PROPERTY AND VALUE.

Common school buildings and furniture	$727,182
Value of apparatus	21,802
Value of school libraries	9,144

Number of male teachers, 115; female, 359.

Average wages paid males, $80.33 per month; females, $67.53 per month.

The school fund collected for 1903	$515,633.49
Amount expended, 1903	415,243.15
Balance cash on hand for the present year	100,390.04

POSTAL RECEIPTS.

The postal receipts from the first and second class offices alone, 1903, were $138,302—16 per cent more than in any previous year.

The great proportion of the agricultural lands lie south of the mineral belt just referred to, and are known as the Salt River, Gila, and Colorado River valleys, but outside of these there are about twenty-three smaller river valleys—and also draws, etc., which are not termed streams at all—all well populated; large voting precincts, and all read and register their own ballots without either advice or direction. The gentleman from North Dakota never heard this.

Mr. SPALDING. I have been hearing that all winter.

Mr. WILSON of Arizona. The gentleman has heard it from Tom Dick Story. I have seen it. I did not get it from the "Arizona Kicker" on the outside or from the "red-blanket man" from the mountains.

Now, there is another thing I desire to call your attention to, something that is certainly not without merit, and that is the productive power of the soil. I want to tell you gentlemen that

you do not have to put the seed in the ground with a hypodermic syringe and bring them up with a mustard plaster, as is almost necessary on the sterile hills of New England. There is nothing that can be grown on the Nile as strong or stronger than it can be grown there.

LITERACY.

Now, I want to say to you further, my friends, we have been represented heretofore as standing 29 in percentage to illiteracy. I want to show to you gentlemen how unfair that statement was. We have 27,500 blanket Indians in that country that are not educated. They are illiterate, and they made about 29 per cent of the country at the time the census was taken in 1900. This is charged to us as illiteracy, and the man that had it done did not have the fairness to say to the country where he got it. I want to say to you now not a single adult in that Territory can you find, and you may search for a year, that will not sign his own contract, do his own dealings, read his own agreements, conclude for himself his own business. There is not 1 per cent, not three-fourths of 1 per cent, of the population of that Territory that would stand upon the illiterate side.

I was over East the other day in a great city and I did not find one man in twenty who could tell me who his Congressman was. You can not find it so with us. We have more graduates of universities and first-class colleges in that Territory per capita than any State in this Union. We have greater school facilities per capita than any State of the Union. There is no question at all about that, and anyone that inspects it will see. That statement, therefore, has been made without any justification.

Now, I have given these facts to you, Mr. Speaker and gentlemen of the House, in order to show our ability to take care of ourselves. [Loud applause.]

LOYALTY.

Now, our people are as loyal as your people or anybody else. They answer to the long roll as quickly as any people on earth. When the declaration of war was made against Spain for inhumanity and for sinking the *Maine*, our people were the first to enlist. They were first to fill their quota of troops, and demanded to enter more. They were first upon the field. They were first on foreign soil. They were first to face death, and to face it with a smile. They were first to bleed for national honor and the glory of the flag. They were first to lay down their lives for these, and they were first to show you how well they remembered the *Maine*.

I now notice an error in the majority report and an objection or two to our admission as reasons for these hard, heartless, revolutionary proceedings, and shall conclude.

The majority states that the admission has been on the unit of representation in Congress. This is a radical error, for such has never been the case. That has never been considered and urged as a basis for action at any time in the admission of any State, except in the Arkansas case, and that was finally waived and surrendered. Take, for instance, the admission of Oregon, against which there was a great cry that it was sterile, that it was barren, that it was valueless, that it was too far away, that its domain was too great, and that therefore it could never be or become a valuable State in the Commonwealth.

It was urged that the very name condemned it—"oregona," the name of a stinking weed on the seashore. It was said that it could never be applied to a State. But after the basis had been gone over, the rule of action and the conduct of a government on it through the course of almost a century thoroughly understood, that State was admitted with a population of 52,466 people, when the basis of representation at that time was 93,423. It was not considered in that case, and that is a part of the country obtained by treaty.

Take, for instance, the State of Nevada, when it was admitted with 42,491 inhabitants. At that time the basis of representation was over 107,000. It certainly was not urged, and if urged, it was not followed out then. As a matter of fact, it was not urged.

Take the State of Idaho. It was admitted with a population of 82,585. The ratio at that time was 173,901. It was not urged or considered then. Idaho was admitted with less population, and has less now than we have, and no one can deny that it is a growing Commonwealth. It is a prosperous country. It is a valuable State; and no one would now say for a minute that it was not admitted properly.

Take Wyoming, with 60,705 people, admitted at a time when the ratio was 173,901. It was not urged then. The admission of Kansas was brought about in the same way. When Kansas was admitted the ratio was 93,422. She had at that time less than 77,000 people, according to her census. At the census following her admission she had 107,000. All of these new States have been admitted without reference to the unit of representation or the ratio; and if the point was ever raised it was brushed aside by the policy of the country.

Every one of these States having been admitted without reference to this question, and nearly every one of them with less population and less taxable property than we, they were all admitted upon the theory that they were able to take care of themselves then, and that they would subsequently grow up to be powerful and prosperous States, which they have done.

So I say that for all these years—for the century and a quarter behind us—it has never been urged against the admission of a Territory that it did not contain more people or as many as the ratio or unit of representation in the House of Representatives.

THE MORMON QUESTION.

It has been stated as an objection that the Mormon people live there and that the practice of polygamy is rife. To this I must on this occasion, as I have on others, enter an emphatic denial.

So far as the practice of polygamy is concerned, I can say that it is not practiced there, because when practices of that kind are carried on evidence will necessarily exist—just as that when you travel through sand you make tracks—but you see no signs of it there. For eighteen years I have been in every settlement among them, and have yet to see any signs of polygamy, and I looked for it with a good deal of interest when I first went there. But when I learned those people, I learned them to be as true Americans as live under the sun. I know that is a fact. When the time came that tried men's nerves and their hearts, when the long roll was sounded and the battle flag was raised in 1898, they rushed to the country's aid as quickly as the nerviest of men.

They are people who attend strictly to their own business; they stay at home, they till the soil, they worship God according to the dictates of their own conscience, they pay their debts, and they tell the truth. They do not practice polygamy. Among other things they figure in politics. They send legislators to our legislature, and never have I yet seen, nay, for the first time I have to see, a time come when there was legislation pending for the elevation of the moral mind, that was for the education of the young, the promotion of the morals of the country, but what they were for it to a man, and I have for the first time to see an effort to enact a law that might reflect against the morals of the country or against the elevation of the young mind but what they were opposed to it to a man. These things, gentlemen, I know to be true. They have their schools, more numerous than any other people in the Territory, and they have children and they send them to school, and they adopt rules of school government that are models for the most fastidious.

I say that I have reached my conclusion about the Mormon people because I could not help myself. I did not want to. I believed the other way. I was as thin skinned as some of these people who are here in the East howling against them. But since I have known the reverse of what I first thought about them to be true, I must admit it. I have found in favor of those people the facts I have stated, and these are the reasons I have for defending them here and elsewhere, and I shall do it though the sun shall cease to shine.

PLATFORM PLEDGES.

I say now, in conclusion, that these revolutionary proceedings, harsh and compassionless as they are, are not without political significance and perhaps forebodings. The great Republican party in its last convention in Philadelphia, in 1900, the party whose commission you of the majority hold and whose pledges you should carry out, solemnly declared in its platform, in the form of a pledge to the Territories and a promise to the country, that the Territories of New Mexico, Arizona, and Oklahoma should be admitted into the sisterhood of States. The language of that pledge and promise is short, concise, and strong. It is in the following language:

> We favor home rule for and the early admission to statehood of the Territories of New Mexico, Arizona, and Oklahoma.

This pledge was made to the country and declared as a principle, and because of it appeals were made for the suffrage of the country.

You of the majority, by your actions in this proceeding, revolutionary as it is, are writing across the face of that platform pledge insincerity, broken pledge, violated promise, and bad faith to the country who believed the great party who made the pledge. We have witnessed with astonishment the manner in which you have done these things—seeing in the beginning that you, the leaders of that side, were not able to control the rank and file of the majority in this House by persuasion and argument, therefore by degrees you gathered enough force to drive the whole representation of the Republican party, except two brave and noble souls, into line by forced party caucus. I say "drive," because that is the plain English of it—for this you have done by forced party caucus. And then, in order to prevent its disclosure and free discussion

of the merits of the measure, you have brought in a gag rule limiting the time of debate to such a minimum that complete exposure of your revolutionary policies can not be made upon this floor, all in order to carry out this policy of bad faith and broken pledges.

I know it has been said by some of you, "Darn the platform; it amounts to nothing but to get in on." That may be so as to you, but of these things the country has a right to be informed, in order that the country may make up its mind on the question as to whether or not when you have violated your pledges in one respect and on one great question, and overturned and destroyed a nation's policy, a policy over one hundred years old, that you will not, when it may suit your convenience, do the same thing on other great questions. The maxim "Falsum in uno, falsum in omnibus," may in the minds of the country apply. True, the Democratic party made the same sort of a pledge, and the Democracy is here attempting with all its power to execute it. Not because of being forced by a forced party caucus or a gag rule, but because of the good faith they owe to the country, which can only be demonstrated by the execution of that promise. We are here in line, without a nay on this side, in obedience to a party pledge, and not in obedience to the forced party caucus or a gag rule, attempting to carry out the pledges of the party to the Territories and the promises made to the country.

We have made these statements because we feel that our duty would not be fully done unless notes of warning should be sounded calling the attention of the country to the danger that confronts it when the great interests of the country are placed in the hands of the party which violates its pledges and by revolutionary proceedings destroys the policy of the nation.

In order that these revolutionary proceedings shall not be carried into final effect, whatever may happen here, we appeal to the great honest American heart and American manhood, both in power and out, to intervene and prevent it. Shall it be done? We wait with solicitude, and look for the final end.

Mr. LLOYD. Mr. Speaker, is not there a mistake in the time? Did the gentleman not begin at 3.10?

The SPEAKER pro tempore. The gentleman was recognized for one hour.

Mr. LLOYD. And he has spoken for fifty-two minutes.

The SPEAKER pro tempore (Mr. CRUMPACKER). Sixty minutes.

Mr. WILSON of Arizona. Then, Mr. Speaker, I shall ask unanimous consent to extend my remarks further in the RECORD.

The SPEAKER pro tempore. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none. [Applause.]

Mr. HAMILTON. Mr. Speaker, I yield seven minutes to the gentleman from Kansas [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, I am very sorry it is impossible for me to agree with the gentleman from Tennessee [Mr. MOON] in reference to the present condition of the Indian tribes in the Indian Territory. I can not agree with him that in passing this measure we are violating existing treaties or agreements with them. It is true, as he said, that in the former treaties it was understood and agreed between this Government and the Indian tribes that their lands should not be included within the bounds of any State or Territory without their consent, but the gentleman must remember there were certain other conditions in those treaties. The Government of the United States promised certain protection and granted certain rights, and the tribes agreed to do certain things, but if the gentleman has read the history of the Indian Territory he can come to but one conclusion, and that is that the Government of the United States failed to keep its promises to those Indians, and the Indians failed to keep their part of the contract with the Government of the United States.

Both parties agreed to keep the white man out of the Territory, and yet the Indians, having governments of their own, enacted laws and invited white people to the Indian Territory. The Indians also agreed that each Indian member of the tribe should have an equal right with every other Indian in each and every portion of the Territory.

By reason of the laws enacted by the tribes the conditions became so bad that it was necessary to adopt a new policy in regard to the Five Tribes, and a few years ago there was a change of policy. There was great necessity for that change, but you must remember that the change was not made without the consent of the tribes. People have been attracted there—some by the allurements of the soil, some by the spirit of speculation, and some by the desire for adventure.

In 1893 a commission was appointed to negotiate with the Indians of the Territory for a change. The chairman was the late Senator Dawes, than whom the Indian never had a better friend. [Applause.]

The Dawes Commission reported in 1894 as follows:

These treaties, however, embraced stipulations equally clear, that these tribes were to hold this Territory for the use and enjoyment of all Indians belonging to their respective tribes, so that every Indian, as is expressed in some of the treaties, "shall have an equal right with every other Indian in each and every portion of the Territory," and the further stipulation that their laws should not conflict with the Constitution of the United States.

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The executory conditions contained in the treaties have become impossible of execution. It is no longer possible for the Indians to secure to each individual Indian his full enjoyment, in common with other Indians, of the common property of the Territory.

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It has been made clear that under its operations, imperfectly as it has been carried out, its effect has been to retard rather than to promote civilization, to impair rather than strengthen the observance of law and order and regard for human life and human rights or the protection or promotion of a virtuous life. To such a degree has this sad deterioration become evident that today a most deplorable and dangerous condition of affairs exist in the Territory, causing widespread alarm and demanding most serious consideration.

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In every respect the present condition of affairs demonstrates that the permission to govern themselves under the Constitution of the United States, which was originally embraced in the treaty, has proved a failure.

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Besides these, they have, by their laws, invited men from the border States to become their employees in the Territory, receiving into their treasuries a monthly tax for the privilege of such employment. They have also provided by law for the intermarriage of white persons with their citizens and adopted them into their tribes. By operation of these laws large numbers of white people have become adopted citizens, participating in the benefits of citizenship. A single instance of such marriage has enabled one white man under the laws to appropriate to his exclusive use 50,000 acres of valuable land.

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Corruption of the grossest kind, openly and unblushingly practiced, has found its way into every branch of the service of the tribal governments. All branches of the governments are reeking with it, and so common has it become that no attempt at concealment is thought necessary. The governments have fallen into the hands of a few able and energetic Indian citizens, nearly all mixed blood, and adopted whites, who have so administered their affairs and have enacted such laws that they are enabled to appropriate to their own exclusive use almost the entire property of the Territory of any kind that can be rendered profitable and available.

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The original idea of a community of property has been entirely lost sight of and disregarded in every branch of the administration of their affairs by the governments which have been permitted to control this Territory under the treaty stipulations, which are now being invoked by those who are in this manner administering them, as a protection for their personal holdings and enterprises.

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Justice has been utterly perverted in the hands of those who have thus laid hold of the forms of its administration in this Territory, and who have inflicted irreparable wrongs and outrages upon a helpless people for their own gain. The United States put the title to a domain of countless wealth and unmeasured resources in these several tribes or nationalities, but it was a conveyance in trust for specific uses, clearly indicated in the treaties themselves, and for no other purpose. It was for the use and enjoyment in common by each and every citizen of this tribe of each and every part of the Territory, thus tersely expressed in one of the treaties: "To be held in common, so that each and every member of either tribe shall have an equal undivided interest in the whole." The tribes can make no other use of it. They have no power to grant it to anyone, or to grant to anyone exclusively any portion of it. These tribal governments have wholly perverted their high trusts, and it is the plain duty of the United States to enforce the trust it has so created and recover for its original uses the domain and all the gains derived from the perversions of the trust or discharge the trustee.

The United States also granted to these tribes the power of self-government, not to conflict with the Constitution. They have demonstrated their incapacity to so govern themselves, and no higher duty can rest upon the Government that granted this authority than to revoke it when it has so lamentably failed.

This report was signed by Henry L. Dawes, a Republican, and Meredith H. Kidd and Archibald S. McKennon, both Democrats.

In the report for 1895 the commission says:

More than a third of the whole territory of one of the nations is exclusively appropriated and fenced in by barbed wire to the sole use of a few citizens for pasturage. In other of these nations, under similar legislation, vast and rich deposits of coal of incalculable value have been appropriated by a few to the exclusion of the rest of the tribe and to the great profit of those who operate them and appropriate their products to their individual use. Similar legislation has enabled private individuals to appropriate the timber of vast pine forests and denude the public domain of this essential element of future development and growth. In short, almost everything of tribal property in which every citizen Indian has of right an equal share has, if of any value, been appropriated to the use and gain of the few, while the real full blood has been left destitute and crowded out upon the mountains and unproductive land to take care of himself as best he can.

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If the end of government and the administration of justice is the protection of the life and liberty and property of the citizen, then the governments and courts of these nations are a failure, for they afford that protection to neither. They are powerless to these ends, and the victims of this misrule are helpless sufferers at the mercy of the malign influences which dominate every department and branch of the governments as administered here. It matters little, except as to the character of the remedy, whether this failure and misrule arises from the impotence or willful and corrupt purpose, the evil consequences are incalculable and its continuance unjustifiable. It is no less true now than when the commission reported last year that "all of the functions of the so-called governments of these five tribes have become utterly unable to protect the life or property rights of the citizen. Their courts of justice have become powerless and paralyzed. Violence, robbery, and murder have become almost of daily occurrence, and no effective measures of restraint or punishment are put forth by these governments and courts to suppress crime. Railroad trains continue to be stopped and their passengers robbed in the very presence of those in authority. A reign of terror exists, and barbarous outrages almost impossible of belief are enacted, and the perpetrators hardly find it necessary to shun daily intercourse with their victims."

This report was signed by Henry L. Dawes, Republican, and Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss, and Alexander B. Montgomery, all Democrats. These reports show the great necessity for the enactment, of the legislation which has been passed in recent years. Members of the commission appeared before the Committee on Indian Affairs and really recommended, as every member of the Indian Committee will tell you, the abolishment of the tribal government and that no attention whatever be paid to the treaties; and I want to say to the gentleman from Tennessee that the very bill I introduced in 1898 was introduced to prevent the passage of the bill that had been recommended by the Dawes Commission, and that bill would have wiped the Five Civilized Tribes off the face of the earth without their consent.

I introduced what was known as an "Act to protect the people of the Indian Territory" in 1898, which became a law and was voted for by every member of the committee, Democrats and Republicans alike. That measure was passed. After it became a law the various tribes entered into agreements with this Government. What were the agreements? The first was made with the Chickasaws and Choctaws, in which they stated that it was agreed that the tribal government should continue for eight years from March 4, 1898, and contained the following:

This stipulation is made in the belief that a tribal government so modified will prove so satisfactory that there will be no need or desire for further changes until the lands now occupied by the Five Tribes shall, in the opinion of Congress, be prepared for admission as a State to the Union.

There is nothing said in that about the consent of the Indians, and when they voted and adopted that treaty a majority of the tribes virtually said to this Government, "We will be ready for statehood in 1906." More than that, there was a provision in that treaty in which they agreed that their tribal government should expire in 1906.

The SPEAKER pro tempore. The time of the gentleman from Kansas has expired.

Mr. HAMILTON. How much more time would the gentleman desire?

Mr. CURTIS. I would like to have about five minutes more.

Mr. HAMILTON. I yield to the gentleman five minutes more.

The SPEAKER pro tempore. The gentleman from Kansas is recognized for five minutes more.

Mr. CURTIS. I see, gentlemen, it will be impossible to go into detail in reference to these treaties, but I want to say the same kind of agreement was made with the Cherokees, Creeks, and Seminoles, and in those agreements a provision was contained, and a majority of the members of each tribe consented to it, that their tribal government should expire in 1906.

And so each tribe has virtually said: "We propose to be ready for statehood in 1906."

Mr. MOON of Tennessee. There is nothing in that, however, that suggested that they would be ready in conjunction with Oklahoma.

Mr. CURTIS. Oh, no; but I will touch on that a little later. In 1901, to show you that these Indians were preparing themselves for statehood, upon their request, every member of the Five Civilized Tribes was made a citizen of the United States. Why? Because they wanted to prepare for statehood. I believe I know the people of the Indian Territory as well as does any man upon this floor, and I say that 90 per cent of the people of the Indian Territory—Indians, I mean—are in favor of single statehood and not double statehood, and I believe that 90 per cent of the people of Oklahoma and the Indian Territory are in favor of single statehood and not double statehood. [Applause on the Republican side.]

Mr. MOON of Tennessee. Mr. Speaker, I will ask the gentleman if he does not know that the chairman of this committee received a protest from one of the chiefs of the Indian tribes?

Mr. CURTIS. I am not surprised, Mr. Speaker, that he received it from some of the chiefs and leading members of some of the tribes, and I want to tell you the kind of men in the Territory that are anxious for double statehood are some of the chiefs, the leading men who have been controlling the affairs of those people and living fat off them for the last fifty years, men who hope, if double statehood is given, that they may secure some office at the hands of the Government. [Applause on the Republican side.]

Mr. MOON of Tennessee. If the gentleman believes that he is correct in respect to that and that our impression is wrong, is it not just and proper to submit to the people of the Indian Territory the question as to whether they shall be forced into a union with Oklahoma or not?

Mr. CURTIS. They shall have the right to vote on this proposition. It is to be submitted to them.

Mr. MOON of Tennessee. But if every one of them were to vote against it and Oklahoma were to vote for it, the latter is so strong numerically that the propostion would be carried.

Mr. CURTIS. But the gentleman assumes that Oklahoma will vote solidly for it. I believe that 90 per cent of both Oklahoma and the Indian Territory will vote for it.

Mr. MOON of Tennessee. Then submit it to them separately and let us see what they will do.

Mr. CURTIS. As I say, in 1901 they were all made citizens of the United States at their request, and by passing this bill we are not violating a single treaty with the Indian tribes, not one. The tribal governments expire in 1906.

There will be no tribes after 1906, and to-day they are citizens of the United States. There are between five and six hundred thousand white people in the Indian Territory. I am in favor of the passage of this bill because I believe that the Indian Territory and Oklahoma will make one of the grandest States of this Union. [Applause on the Republican side.] I believe that they are ready for statehood now, and I hope the gentlemen on the other side will vote for this measure. I can not agree with gentlemen that any man on this side of the Chamber is advocating this measure because he believes that it will give us a Republican State.

I say now to my colleagues on this side of the Chamber that if they are laboring under the impression that we are going to get a Republican State down there they are mistaken, for Oklahoma and the Indian Territory together will be Democratic: New Mexico and Arizona will be Democratic. But I believe those people are ready for statehood, and I am ready to vote for it, whether they are Democrats or Republicans. [Applause on the Republican side.]

Mr. Speaker, I ask unanimous consent to print in the RECORD some extracts from the report of the Dawes Commission, which I did not have time to read.

The SPEAKER pro tempore. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MCGUIRE. Mr. Speaker, during the few minutes allotted to me I shall address my remarks to that part of this bill which provides statehood for what are at this time Oklahoma and the Indian Territory. There will be, as I take it, no contention as to whether the people of these Territories are entitled to statehood. There would be no question as to their being ready at this time if it were not for the landed conditions existing in the Indian Territory. Those twin Territories at this time have, in my judgment, about a million and a half of people, a greater population by four times than any other Territory has ever had at the time of its admission into the Union. It has been said by the gentleman from Tennessee [Mr. MOON] that the people of Oklahoma and the Indian Territory ought to say whether or not they are to be united into one State.

I desire to make the observation here and now that there is not to-day a political organization in those Territories which has not declared for the union of those two Territories into one State. [Applause on the Republican side.] This bill does not exactly conform to my idea of what we wanted at the time of the convening of this body. I at that time introduced a bill providing for the admission of Oklahoma, with the further provision that if in the wisdom of Congress the Indian Territory should come later, let it come, and that has always been the position of the people of Oklahoma, not only of the Republican party but of the Democratic party; and I undertake to say here and now that if this bill passes the House of Representatives and the Senate of the United States there will not be one single vote against it in Oklahoma or the Indian Territory. [Applause on the Republican side.]

I think I know the position of my people upon this proposition. I know the record of the political organizations of that country. I know the desires of the people of those two Territories. I have lived in Oklahoma ten years and in the adjacent country about twenty-two years.

What is the history of the Democratic party in Oklahoma upon this proposition? Two years ago that organization declared for the union of Oklahoma and the Indian Territory—exactly the opposite of the position of the gentleman on the other side of the House at this time. They made the campaign upon the proposition that Oklahoma should wait for statehood until the landed conditions in the Indian Territory were such as to justify the admission of that Territory. That was the position of the Democratic party in the Indian Territory at that time, and it is the position of that party at this time upon the question of statehood.

Not only that. While the declaration of the Republican party was slightly different, declaring in favor of the bill which passed this body during the Fifty-seventh Congress, that declaration provided that if, in the wisdom of this body, the Indian Territory should subsequently be attached to Oklahoma, let it come. That is the position of the Republican party in Oklahoma. And within the last two weeks the Republican party of my Territory has indorsed the Hamilton bill, as has the Republican party of the Indian Territory. So there is no division of sentiment in those Territories as to whether we should have statehood according to the provisions of the bill now before us.

The argument of the gentleman on the other side, that the peo-

ple of these two Territories should have the right to express themselves upon the question of this union, need not worry any Member of this House for a single moment, because when those people have an opportunity to vote they will unanimously stand shoulder to shoulder, both the Republicans and the Democrats, for every provision of this bill. [Applause.]

One other observation with reference to the minority report on this bill. In that report I find the following language:

Another objection to the bill as it is framed is in the election management provided for Indian Territory. Authority is given to Federal officials to fix the various districts which are to select delegates to the constitutional convention and then to define the election precincts and appoint the judges who are to hold the elections. Returns are made to these Federal officials to be canvassed, and their action is final. There is nowhere any provision for any minority representation, excepting only that one of the judges at each election precinct must belong to a different political party to the others. In our judgment, nonpartisan commissions should have charge of the elections, and the districts should be proportioned among the various recording districts as nearly according to the population as may be.

Mr. Speaker, in this case we found that they had no machinery for elections in the Indian Territory. The machinery had to be builded by the provisions of this bill. It seems to me that those provisions are absolutely fair. They provide that each political organization may have representation upon the election board. I can not for the life of me see why this provision should be assailed or called "partisan." I could not understand by what method it could be made any fairer.

Mr. STEPHENS of Texas. I should like to ask the gentleman from Oklahoma whether it is not the fact that these Federal judges are Republicans and have in their charge the formation of all the Congressional districts in both the Indian Territory and Oklahoma?

Mr. McGUIRE. That is not a fact.

Mr. STEPHENS of Texas. Then does not the gentleman think that that is partisanship and would result in gerrymandering that Territory in order to get control of the representation on this floor? And does not the gentleman think it would have been fairer that both parties should have been represented in laying out these districts?

Mr. POWERS of Maine. Allow me to say that it is only in the Indian Territory where the elections are to be conducted under the management of the judges. In Oklahoma the elections will be conducted according to the laws prevailing there.

Mr. STEPHENS of Texas. But you would have no trouble in the Indian Territory in finding some rock-ribbed Democrats.

Mr. POWERS of Maine. Yes; we shall find some there; and not only that, but we shall find a majority of Democrats in the convention that is to be held.

Mr. STEPHENS of Texas. Then why not give us a fair deal?

Mr. POWERS of Maine. We have done so.

Mr. McGUIRE. It seems to me it is to be presumed that the judges of the Indian Territory will do their duty. It seems to me it is to be presumed that they are going to provide districts in that Territory which are fair to all alike. I suppose it might be possible, if those gentlemen were not honest, if they were not fair, if they wanted to take advantage, they could do so; but I can not understand how we could provide for a condition here that would make it different. Those gentlemen are Federal judges, and it is presumed they will do their duty. I presume it was the understanding and the purpose of this committee that those people should have this Territory districted as fairly as possible, fair to all alike without regard to political organization.

Mr. LLOYD. Do I understand the gentleman to say that there is any minority representation anywhere, except in the appointment of one judge in each precinct, in the holding of the election?

Mr. McGUIRE. No, sir; at least I did not intend to make any other statement.

Mr. LLOYD. Then it is true that the whole election machinery, as stated in the views of the minority, is in the hands of the dominant party, excepting only one judge in each election precinct.

Mr. McGUIRE. Yes; and that is true to-day in Oklahoma Territory and true in every State in the Union where they have general elections, excepting some sections I might mention, where there is no minority representation at all. In my own Territory there are some counties where one political organization has a majority upon the election board. In another county where there is a majority of the other political organization, that organization has a majority upon the election board. The condition will exist in the Indian Territory, and I can not understand how it could be avoided.

Mr. ROBINSON of Indiana. The gentleman could appoint an election commission composed of reputable members of the respective political parties. That is the way it could be avoided.

Mr. McGUIRE. I suppose it might be done by appointing an even number, but that is not usually done in the different States.

Mr. ROBINSON of Indiana. You would have a majority representation all right, but that would give us some minority representation, which is not now given by this bill.

Mr. McGUIRE. There is now a minority representation under the provisions of this bill.

Mr. SMITH of Kentucky. I should like to ask the gentleman one question just upon that point.

Mr. McGUIRE. Yes.

Mr. SMITH of Kentucky. How are these commissioners of election selected?

Mr. McGUIRE. I will read the provision of the bill.

Mr. SMITH of Kentucky. I will not ask you to do that, but are they to be nominated by the chairmen of their respective committees in the counties? If not, why not?

Mr. McGUIRE. It is left for the Federal judges to provide the machinery, and it provides for one election judge different in politics or political convictions from the other members of the board.

Mr. SMITH of Kentucky. It looks to me as though it would be fairer to let each party select its own representatives.

Mr. McGUIRE. I presume that may be done. There is nothing in this bill to prevent that.

Mr. SMITH of Kentucky. We do that in Kentucky. It has been the law there now for several years.

Mr. LACEY. I call attention to the fact that this is only for this one election, and it is a nonpartisan election.

Mr. McGUIRE. Why, certainly, it is presumed, I should think, to be a nonpartisan election. This is only for the purpose of electing delegates to the constitutional convention. And inasmuch as the election machinery had to be made by the parties preparing this bill, I do not see where any improvement could be made upon this provision.

Mr. ROBINSON of Indiana. How can the gentleman say it is a nonpartisan measure for election when the bill is pressed through the House without sufficient discussion or any opportunity for amendment, and when the enabling act goes there and clothes the Federal authorities with the precincting, the districting, and the canvassing of the returns—the Federal officers now there clothed with all these powers in Indian Territory?

Mr. McGUIRE. I will ask the gentleman whether he did not at this session of Congress himself introduce into this body a bill for the union of the Indian Territory and Oklahoma Territory into one State?

Mr. ROBINSON of Indiana. Yes, a fair bill; and after the majority members upon the Committee on Territories had brought to the committee this partisan measure I managed to get a few words of the Robinson bill into it, providing for one judge upon the election boards, the only nonpartisan feature in the whole election and convention features.

Mr. McGUIRE. I submit that a number of the provisions of the bill were taken from the bill introduced by the gentleman at this session of Congress. The provision of the bill referred to is as follows:

That the judges of the United States courts in Indian Territory shall, for the purpose of said election, establish and define the necessary election precincts and appoint three judges of election for each precinct, not more than two of whom shall be of the same political party, which judges may appoint the necessary clerk or clerks; that the said judges of election so appointed shall supervise the election in their respective precincts and canvass and make due return of the vote cast to the judges of the United States courts in said Indian Territory, who shall constitute the ultimate and final canvassing board of said election and whose certificates of election shall be prima facie evidence as to the election of delegates, and the election for delegates in the Territory of Oklahoma shall be conducted, the returns made, the result ascertained, and the certificates of all persons elected to such convention issued in the same manner as is prescribed by the laws of said Territory regulating elections for Delegates to Congress.

Now, Mr. Speaker, there are some conditions in the Indian Territory to which I desire to invite the attention of this body. There are at this time about 200,000 school children in the rural districts in the Indian Territory that are absolutely without any school privileges. They have no schoolhouses; they have no school-district organizations; they can vote no bonds for school purposes; they can do nothing toward the organization of school districts, and they have no opportunity for school advantages.

I want to make an observation here which will indicate to you the result of a condition of this kind. The census of 1900 shows about 5 per cent of illiteracy in Oklahoma Territory. Just over the line, in the Indian Territory, with the same kind and character of people, people coming from the same States which had populated Oklahoma, we find that there was about 16 per cent of illiteracy. In Oklahoma we had district schools. In Oklahoma we had had school-district organization from the first settlement of that Territory. In the Indian Territory they had none.

I say, Mr. Speaker, that we can improve, and that we ought to improve, this condition; we ought to do something for those people; we ought to give them statehood; and I say without fear of contradiction that at this time the people of Oklahoma and of the Indian Territory are praying that this bill will pass this body. We are unanimous upon the proposition. There is no dissension at home. There is no negative voice in the Indian Territory. There is no one in Oklahoma who would defeat this bill; and it

seems to me, Mr. Speaker, that it is the duty of the American Congress to see that this bill is passed and that a million and a half of people in that Territory get statehood. We are better entitled to statehood than the people of any other Territory ever admitted at the time of its admission into the Union. I desire to call your attention to some of the conditions that exist in those Territories and some of the natural conditions at this time.

There are in Oklahoma and the Indian Territory 1,500 churches; 3,000 Sunday schools, with 18,000 officers and teachers and 150,000 pupils. There are 50 daily newspapers, nearly 500 weekly papers, besides many quarterly, monthly, and semiweekly publications. In Oklahoma there are 2,200 district schoolhouses, worth a million and a half of dollars. There are but few of this class of buildings in the Indian Territory outside of the cities, for the reason that there is no organized government in that Territory. The total amount of land reserved for common schools, universities, and public buildings for the future State of Oklahoma is 2,052,000 acres, a large part of which is leased and at the present time brings an income to the educational interests of the Territory of $1,000 per day. Within the next year and before Oklahoma can be admitted as a State this enormous sum will be increased to more than half a million dollars per annum.

The $5,000,000 appropriated in this bill to offset the school lands in Oklahoma at 3 per cent interest would produce $150,000 annually. This added to the sum provided in Oklahoma would amount to about three-quarters of a million dollars per year, a sum sufficient to maintain our educational institutions, and equal, if not greater, than the income of any State in the Union for a similar purpose.

Every city and town of these twin Territories has its women's clubs, and musical, social, literary, and Chautauqua societies. This is the meeting ground of many progressive and intelligent people from every State in the Union. It is there that the civilization of the North, the South, the East, and the West are blending and uniting to form the most progressive and most enterprising people in the world. We are fast becoming an ideal Commonwealth. Our climatic conditions are superb, and we are one of the most healthful countries to be found anywhere. The average annual temperature for the last ten years range from 52.2° in the north to 62 in the south. We escape the rigors of the northern winters and the extreme sultriness and heat of the Southern States.

Not only is our climate unsurpassed for heathfulness, but we have soil which produces more abundantly than is found in the latitude of North Carolina and Tennessee, and yet the maximum temperature is seldom greater than that in Nebraska, Iowa, and the Dakotas, due presumably to our altitude. These Territories produce nearly every article produced by the people of every other State in the Union. Of the three great staples—cotton, wheat, and corn—we are unexcelled both in quantity and quality in proportion to the number of acres planted. We are developing into one of the richest oil and gas fields in the world, covering an area in Oklahoma and the Indian Territory of a hundred miles in length and from 40 to 60 miles in width. Coal is found in great abundance in almost every part of Indian Territory, as well as in eastern Oklahoma, and the output of coal of those Territories at this time is greater than any of the Mississippi States. We produced during the year 1902 in Oklahoma alone 36,000,000 bushels of wheat, 65,000,000 bushels of corn, 10,000,000 bushels of oats, 3,000,000 bushels of Kaffir corn, 7,000,000 pounds of broom corn, and 220,000 bales of cotton. For the same year the Indian Territory produced greater quantities of cotton and corn than Oklahoma.

The quantity has been greatly multiplied in both the Territories; and since that date and for the year 1904 it has been estimated that the two Territories will produce 60,000,000 bushels of wheat, 100,000,000 bushels of corn, 20,000,000 bushels of oats, 5,000,000 bushels of Kaffir corn, 10,000,000 pounds of broom corn, and 500,000 bales of cotton. In no State in the Union is such a variety of products produced in such enormous quantities. Corn, oats, and wheat are the staples in the northern portion and cotton and corn in the southern half of these Territories. Stock of all kinds, including cattle and horses, are raised at perhaps half the expense that it costs in the Northern and Eastern States. The census for 1903 showed for Oklahoma 400,000 horses, 100,000 mules, 50,000 sheep, 250,000 swine, and 1,500,000 cattle, the cattle alone of Oklahoma being worth $30,000,000. It is safe to say that the Indian Territory will average an equal number, and these figures will indicate the possibilities of this future State as a stock-raising country. Fruit flourishes in almost every section, almost every kind and quality growing in great abundance.

There were more than 1,000 miles of railroad completed in Oklahoma in 1903, twice as much as was built in any State in the Union, and one-sixth as much as was built in the United States for the same period. For the same year the Indian Territory ranked second for railroad building, and it will be seen that these twin Territories for the year 1903 built about one-fourth of all the railroads built in the United States. The two Territories at this time have more than 7,000 miles of railroad in operation, with no abatement in railroad construction from what it was in 1902 and 1903.

There are in these Territories more than 500 Territorial and national banks, with a combined capital of nearly $10,000,000 and a deposit of nearly fifty millions.

In Oklahoma there was no white settlement prior to April 22, 1889. The only inhabitant of that country up to that date was the Indian and the cowboy. April 22, 1889, 3,000,000 acres of land, known as original Oklahoma, were thrown open to settlement. The Sac and Fox and Pottawatomie reservations, in the eastern part of the Territory, were opened to settlement September, 1891. These reservations contained 1,282,434 acres. The Cheyenne and Arapaho reservations, embracing 4,297,771 acres, were opened in April, 1892. The Cherokee Strip, containing 6,014,239 acres, was opened on September 16, 1893.

The Kickapoo Reservation was opened in 1895, and contained 206,662 acres. The Kiowa, Comanche, Apache, and Wichita reservations, comprising some 4,000,000 acres of land, were opened to settlement in August, 1901. In 1890 No Man's Land, now known as Beaver County, containing 3,681,000 acres, was attached to the Territory. Greer County, formerly a part of the State of Texas, was also attached to the Territory.

The above-described sections, with the Osage, Ponca, and Otoe Indian reservations, comprise what is now the Territory of Oklahoma—38,830 square miles. This, added to the Indian Territory, will make a State of about 70,000 square miles.

Outside of the coal mines in the Indian Territory the mineral resources of this country are comparatively undeveloped. The Wichita Mountains, in southwestern Oklahoma, are rich in iron ore, and various other minerals have been discovered in paying quantities. This mineral district has recently been added to Oklahoma, being comprised in what was known as the Kiowa, Comanche, and Apache Indian reservations, and opened to settlement in 1901. The late date of its opening accounts for the undeveloped natural resources of that mineral section.

Large quantities of oil and gas have also been discovered in that part of the Territory, and from present indications it is destined to be one of the richest mineral-producing countries in the United States. The mineral-bearing mountains have been divided into five mining districts. It is reported at this time that about 3,000 people have recorded claims in the various districts. From this mining section there are no shipping mines yet, though single carloads have been recently sent to the smelters to ascertain the value of the ore. The oil, gas, coal, and other mineral fields of Oklahoma comprise a section of country estimated at about 7,500,000 acres. And there is, perhaps, no State in the Union which excels those Territories in natural resources, and for the length of time which that country has been settled the development of those resources has been remarkable.

Manufacturing is among the various industries which engage our population, and has made great advancement in the past few years. While we are not so fortunate as other localities in our supply of cheap fuel or water power, the former owing to a lack of railroad facilities, yet those who have been the pioneers in this enterprise have prospered. With several new lines of railroad coming direct through the coal fields on the east and with the discovery of oil and gas in Oklahoma Territory as well as the Indian Territory, the prospect is much brighter for a cheaper fuel and the consequent success of other institutions now in contemplation.

The raw material is at hand on every side, and the increasing number of flouring mills, cotton seed-oil mills, plaster and cement mills, broom factories, shoe factories, foundries, gas plants, cracker and candy manufactories, etc., all of which are in a flourishing condition, indicate that the State of Oklahoma in the near future may be classed among the manufacturing States of this country.

The immense amount of wheat straw that is burned, or allowed to waste, would seem to make this an inviting place for paper mills. The vast quantity of farm machinery shipped into these Territories would suggest a possible lucrative industry in its manufacture. Ice factories, creameries, cheese factories, canning factories, brick plants, and many other manufacturing industries have found an excellent field here in which to locate.

At the present time there are about 100 flouring mills in operation in Oklahoma alone and one-half that number in the Indian Territory, owned and controlled by our own people, with a total capitalization of 3,000,000. These corporations represent the investments of from fifty thousand to two hundred and fifty thousand dollars each. The output of the flouring mills in these Territories during the past few years has been enormous, and the products are distributed from the British Provinces on the north to the Gulf States on the south, and the vast amount of the Oklahoma and Indian Territory flour has been going into the export trade, and is no small factor in the ports of Galveston, New York,

and other cities. Yet it is a fact that the milling business of these Territories is yet in its infancy.

A large number of mills were erected during the last year, and the capacity of nearly all was increased, so that the increase in per cent during the past year amounts to about one-fourth of their original capacity. The flour manufacturing in Oklahoma and Indian Territory has proven very successful, and but few lines of enterprise offer a better profit. It is said there never has been a failure in the flouring business in these Territories, and of the 150 mills now in operation there is probably not one which is not paying a fair dividend.

According to the 1900 census there were 15,774 illiterate persons in Oklahoma. In Georgia there were 480,420; in Arkansas, 190,655; in Illinois, 158,000; Kentucky has 262,000. Louisiana has 381,000, Mississippi has 352,000. North Carolina has 386,000, and Tennessee has 306,930 illiterates. These figures comprise persons of all nationalities. The illiterate white population of Oklahoma according to the census of 1900 was 6,279. In Alabama the illiterate white population was 104,507; of Georgia, 100,431; of North Carolina, 175,645; of Tennessee, 157,396. Some of the States mentioned have scarcely a greater population than the Territory of Oklahoma.

Oklahoma and the Indian Territory have enough salt to supply the markets of the world. The great salt reserve in the western part of Oklahoma Territory contains approximately 400 square miles. This great bed of solid rock salt is of illimitable depth and inexhaustible supply. Saline deposits are found in various parts of western Oklahoma, and the manufacture of salt is destined to be one of the great industries of that State.

The union of Oklahoma and Indian Territory would make a State larger in area than more than half of the States of the Union. Oklahoma alone is larger than either of the States of Connecticut, Delaware, Indiana, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Rhode Island, South Carolina, Vermont, West Virginia, and the union of these two Territories would be very much larger in area than either Kentucky, Louisiana, Mississippi, New York, North Carolina, Ohio, Pennsylvania, Tennessee, or Virginia, being more than 20,000 square miles larger than either of the last-mentioned States. In point of population and wealth either of these two Territories is far better prepared for statehood than any Territory which heretofore has been admitted to the Union. The following States when admitted had the following population:

State.	Population when admitted.	State.	Population when admitted.
Vermont	85,425	Florida	64,000
Kentucky	73,077	Texas	143,000
Tennessee	67,000	Iowa	78,819
Ohio	45,365	Wisconsin	180,000
Louisiana	76,556	California	92,597
Indiana	63,897	Minnesota	120,000
Mississippi	75,512	Oregon	50,000
Alabama		Kansas	107,206
Illinois	34,620	West Virginia	350,000
Maine	298,269	Nevada	40,000
Missouri	66,557	Nebraska	100,000
Arkansas	52,240	Colorado	100,000
Michigan	65,000		

These Territories combined have at this time a population of about one million and one-half of people. We have as much push and energy and perseverance as are found anywhere in the land. In these Territories are represented, and creditably represented, every State and Territory in the Union. It is there that the vigor of the North has met the love of ease and hospitality of the South. Whatever of excellence was possessed by those who came from the East has been absorbed and appropriated by the energy of the West. While it is perhaps true that no prerequisite has been established for admission of States to the Union, is it not enough when we come with from five to seven times the population other Territories have had when they were admitted? In all of the history of the American Republic no Territory has had one-fourth the population which these Territories have to-day, and the great majority have been admitted with less than one-tenth of our present population.

But you tell us we are well governed. You say, "Are your officers not proficient and honest?" Such interrogatories are only propounded by those who, as a last extremity, can offer nothing better. It is not sufficient to say we are well governed. It is not enough to say our officers are honest and capable. It is unnecessary for me to spend time in a feeble effort to portray the kind of government we have in these Territories. All these interrogatories are abundantly answered when I say to you that Oklahoma and the Indian Territory are the dwelling places of patriotic and liberty-loving American citizens. The history of our American Republic since its earliest infancy has been written by acts of loyalty of the American people wherever they are found, and I am constrained to observe that if you will tell me where the Stars and Stripes are found I will tell you the kind of government the people have. No people in the world have been more inspired to American sentiment and patriotic impulses than those whom I have the honor to feebly represent. We are not complaining of our laws nor the manner in which those laws have been administered by our public officers. We are not complaining of our government, neither local nor national. We are of the kind who believe we have the best government ever devised by the wit of man.

We are persistently but respectfully demanding admission to the Union, because it is our sacred right, guaranteed by the Constitution, the fundamental law of the land. In this we are asking nothing except that to which we are equitably and lawfully entitled. The American Republic has expanded by the acquisition of territory and the admission of States to the Union, and at no time has that policy been more in favor with the American people than now.

It is a remarkable coincidence that during the prolonged debate in the United States Senate, at the last session of the Fifty-seventh Congress, when that body was considering the proposed admission of Territories into the Union, not one word was spoken in derogation of Oklahoma or her claims to statehood. We are entitled to admission and entitled to it now.

To bring us into the Union is the natural and instinctive thing for the American Congress to do. To reject us is the unnatural and almost vicious thing to do. Fourteen years ago Oklahoma, the favorite child of the Republic, was born, and its growth has been unparalleled at any epoch of our national history, but commensurate with that growth has been her benign influence for good.

Commercially, educationally, and morally she is in the front of the procession of the States and Territories of the Union. We ask admission for the reason and upon the ground which has always met with popular response from the American people, and that is because we merit it. We have met every requirement in heaped and rounded measure, and when you accord statehood to Oklahoma and the Indian Territory you have given us no greater prize than we bring to you. With the natural and acquired resources of that country within our borders, and peopled by persons of our own blood, no more meritorious measure will be checked upon the records of the Fifty-eighth Congress than the admission of these Territories to the Union, and it is the desire of fifteen hundred thousand liberty-loving people, whose hearts beat with patriotic impulses, that Oklahoma and the Indian Territory be permitted to add another star to the azure of Old Glory. [Loud applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. McGUIRE. Mr. Speaker, I ask leave to extend my remarks in the RECORD, and also ask leave to print the majority report of the committee in the RECORD in connection with my remarks.

The SPEAKER pro tempore. The gentleman asks leave to extend his remarks in the RECORD as indicated. Is there objection? [After a pause.] The Chair hears none.

The report of the committee is as follows:

The Committee on the Territories, to whom was referred H. R. 14749, to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States, and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States, report same back to the House of Representatives, and recommend that it do pass.

ANALYSIS OF BILL.

This bill, under a single title and enacting clause, enables two States to be admitted into the Union.

It consists of thirty-seven sections, the first eighteen of which relate to the proposed State of Oklahoma, the area of which is to comprise the present Territory of Oklahoma and the Indian Territory; and the remaining nineteen sections relate to the proposed State of Arizona, the area of which is to comprise the present Territories of New Mexico and Arizona.

The whole bill is drawn to conform as nearly as may be to the language of previous enabling acts, and contains such provisions as may in their nature be common to all, besides such additional provisions as are made necessary by existing laws, Indian treaties, and local conditions.

The sections framed to provide similar objects for each of the proposed new States are made to conform as nearly as may be to each other.

Under the terms of the bill the State of Oklahoma can be admitted into the Union not earlier than March 4, 1905. This date of admission is thus postponed nearly two years to avoid interfering with any rights of the Indians in the Indian Territory under existing laws or agreements, all of which have been preserved.

The State of Arizona can be admitted into the Union not earlier than about seven and a half months and not later than about eleven months after the approval of this act.

Each State is to be admitted into the Union by a proclamation of the President of the United States, in the usual manner, after compliance with certain requirements.

An election which is equitably and properly safeguarded is provided for delegates to a constitutional convention for each proposed State. Each convention is to consist of 110 delegates.

The constitution framed must in each case conform to the usual require-

ments and be submitted to the people of each proposed State, respectively, for ratification at an election to be held for that purpose.

Each State is divided into two judicial districts, and the proper officials are provided therefor. The Federal courts of the proposed State of Oklahoma are attached to the eighth judicial circuit, and the Federal courts of the proposed State of Arizona are attached to the ninth judicial circuit.

Proper provision is made in the usual way for pending causes in the Territorial courts during the transition.

Oklahoma is allowed five and Arizona two Members of the House of Representatives, representation being based on the last census, and each State is divided into Congressional districts.

Proper provision is made in each State for nonsectarian common schools and the teaching of English therein.

Suffrage is well guarded, and strong antipolygamy clauses are in the bill.

The new States are to assume and pay the debts of the Territories, respectively.

The capital of Oklahoma is fixed at Guthrie until 1910 and that of Arizona at Santa Fe until the same year, at which time it is expected that conditions will have so shaped themselves that State capitals may be established by elections provided for that purpose, with entire fairness to all parts of the States concerned.

Oklahoma is given two sections of nonmineral land in each township within the present Territory of Oklahoma for the support and maintenance of a system of public nonsectarian common schools, besides certain specific donations of land for its educational and other institutions. Oklahoma is also given the sum of $5,000,000 in lieu of lands which can not be set apart for school purposes within the present limits of Indian Territory, because such lands are owned by the Indians and because of the great expense to which the new State will be put in establishing a system of common schools where none now exist.

The State of Arizona, as in the case of Utah, because of the arid character of the land, is given four sections of nonmineral land in each township for the support of common schools. It is also given, as is usual, certain specific donations of land for its educational and other institutions.

Each State, as is usual, after admission is to receive 5 per cent of the cash realized from the sale of public lands within the State, to form a permanent fund, the interest of which only can be used for the maintenance of its common schools, and the usual restrictions, requirements, and safeguards are thrown around all of these donations to each of the States.

An appropriation of $75,000 for the State of Oklahoma and of $100,000 for the State of Arizona, or so much thereof in each case as may be necessary, is made for defraying the expenses of the conventions provided for in the bill, to be expended under the direction of the Secretary of the Interior.

It is provided that until the admission of the proposed States, the Territorial officers shall continue to perform their duties as at present in the respective Territories.

QUALIFICATIONS FOR STATEHOOD.

Article IV, section 3, of the Constitution of the United States provides that "new States may be admitted by Congress into the Union," but the Constitution nowhere defines the qualifications of Territories for statehood. Congress therefore has discretion as to what conditions shall be required of Territories seeking admission as States.

When the Constitution was adopted this Republic had a population of less than 4,000,000 and comprehended the thirteen original States as then bounded, together with the Northwest Territory.

The ordinance of 1787 provided for the temporary government and future division of the Northwest Territory into States, to be admitted "whenever any of said States shall have 60,000 free inhabitants therein."

This rule of 60,000 population for Territories seeking admission as States was for some time observed more or less closely.

Subsequently, in the case of Kansas, another rule was adopted requiring a population equal to the unit of representation in the House of Representatives, which was not thereafter adhered to.

Nevada, which was admitted with an area of 109,901 square miles and a population of 42,491 in 1864, by the census of 1900 had a population of 42,335, about one-fifth of the population of a Congressional district under the last apportionment.

Of course area alone can not be considered as a controlling qualification. A vast area might never be capable of sustaining a sufficient population.

This nation now has a population of 80,000,000, and undoubtedly, without attempting to make any hard and fast rule as to population of Territories seeking admission as States, the population of such Territories should bear some reasonable relation in number and character to the great body of the population of the Republic.

ARIZONA.

Arizona was a part of the territory acquired from the Republic of Mexico by the treaty of Guadalupe-Hidalgo, February 2, 1848, and by the Gadsden purchase of December 30, 1853, and was a part of the original Territory of New Mexico, from which it was separated and organized into a Territory in 1863.

It is 378 miles long by 339 miles wide and contains 113,929 square miles, or 73,000,000 acres. By the census of 1900 it has a population of 122,931, of whom 26,480 are Indians, being 1.1 persons to the square mile.

It is true that the census of 1900 is claimed to be inaccurate in that it does not give Arizona as many people as are claimed were there, and the Delegate from Arizona claims a population of not less than 175,000, but this committee does not feel warranted in adopting speculative estimates; besides, the highest estimates do not change the situation upon which the committee bases its decision.

Of the population other than Indians, about 80 per cent are estimated by Governor Brodie to be Americans, as contradistinguished from inhabitants of Mexican derivation; and of all the population, not counting Indians, Governor Brodie estimates only about 1 per cent of illiteracy. The character of the population is of such high order that it stands above detraction and needs no commendation.

The Territory has a university, two normal schools, and an excellent common school system.

Its newspapers are ably managed and edited.

It has a total assessed valuation of taxable property of $43,088,141, but it is probable that its property is returned for taxation at a comparatively small percentage of its market value.

Its lands are valuable for agriculture only as irrigated, and its irrigable lands are chiefly in the valleys of the Salt River, the Gila, the Colorado, the Little Colorado, and their tributaries. If irrigation, under the national irrigation law, shall prove successful, soil of wonderful fertility, otherwise of little value, will attract immigration, but irrigation under that law is in the experimental stage.

In arid regions the rainfall is torrential and runs rapidly off the baked surface of the earth into channels, through which it comes down in floods of no value unless impounded for irrigation purposes.

Months and sometimes years intervene between heavy rains, and it is the purpose of the Government to impound the water from rainfall and from snow on the mountains and distribute it systematically.

The average annual rainfall in Arizona varies from 5.86 inches at Gila Bend to 22.24 inches at Flagstaff, the increased precipitation at Flagstaff being due to the proximity of the mountains.

Stock raising is at present a more important industry in Arizona than agriculture.

The forest area in Arizona is the largest in the United States and covers 6,400,000 acres.

Its chief industry is mining, and while great mineral wealth has already been developed, it is asserted that its mineral resources so far as developed are small as compared with its possibilities.

The Territory has within its limits about 1,400 miles of railroad.

NEW MEXICO.

New Mexico was acquired from the Republic of Mexico by the treaty of Guadalupe-Hidalgo, February 2, 1848, and by the Gadsden purchase of December 30, 1853.

It is 360 miles north and south by 346 miles east and west and contains 122,580 square miles, or 78,451,200 acres, on which, by the census of 1900, live a population of 195,310, being 1.6 persons to the square mile.

As in the case of Arizona the census is claimed to be inaccurate, and the Delegate from New Mexico claims a population of not less than 350,000, but here again the committee does not feel warranted in accepting speculative estimates.

This committee consider the criticism as ill informed which finds fault with New Mexico because of its alleged foreign population.

Out of a population of 195,310 New Mexico has only 13,625 foreign-born inhabitants, a smaller foreign-born percentage than most of the States in the Union.

New Mexico was made a Territory in 1850, and ever since that time the people of that Territory have been electing their own legislatures, making their own laws, conducting their own local government, and contributing revenue to the Federal Treasury.

Were it not that the two-fifths of its population which are native born but of Spanish descent have been heretofore erroneously referred to as foreign, it would be an aspersion upon a patriotic people even to refer to their loyalty. The remaining three-fifths of its population are of the same character as the people of Arizona.

During the civil war out of a total population of 93,557 New Mexico sent 6,561 men to fight for the Union, and in our war with Spain 1,089 men enlisted, of whom 500 were "Rough Riders."

The assessed valuation of property within the Territory is $43,000,000, but it is asserted by the governor of New Mexico that for purposes of taxation property is not returned at much more than 20 per cent of its market value.

Its indebtedness is $1,098,300, and its cash on hand to meet its obligations is $282,517.86.

The Territory has a capitol building erected at a cost of $200,000, a penitentiary valued at $500,000, a college of agricultural and mechanical arts valued at $150,000, an asylum for the insane valued at $180,000, a school of mines valued at $65,000, a university valued at $60,000; two normal schools, each valued at $60,000; a military institute valued at $50,000, and other institutions for which large appropriations have been made.

It has an excellent common school system, the buildings alone being worth $2,000,000, and the enrollment of pupils being 72,000; and besides its common schools and Territorial institutions it has over fifty sectarian schools, conducted by various religious denominations, with an enrollment of over 4,000 pupils.

All these institutions and the public school system of New Mexico have been built and sustained by the Territory without the aid of the Federal Government, except by the usual grant of sections 16 and 36 for school purposes, made in 1898, from which rentals have only recently commenced to be received.

New Mexico has seventy-five weekly newspapers and six dailies.

Agriculture in New Mexico is conducted by irrigation along the river valleys of the San Juan, Rio Grande, the Mimbres, the Canadian, the Cimarron, the Gila, the Pecos, their tributaries, and some smaller valleys.

Stock raising is the principal industry.

What has been said of the rainfall of Arizona applies to New Mexico, except that the average annual rainfall of New Mexico is a trifle more than that of Arizona.

The mining industry of New Mexico is said to be rapidly developing, and it has about 2,600 miles of railroad.

After giving full consideration to conditions in both Territories, this committee recommends the admission of Arizona and New Mexico joined in a single State to be known as "Arizona."

The name "Arizona" is retained as the better name in the choice between the names of the two Territories, one of which the committee feels ought to be given to the proposed State.

The area of the proposed State, though vast, will be about 30,000 square miles less than that of Texas.

If national irrigation shall succeed and mining industry shall fulfill its flattering promise, the proposed State may become great in population, wealth, and resources; but at present the population on the vast area proposed to be admitted as a State is only a little more than one person to the square mile, and is settled in river valleys, with mountains and vast arid wastes between which can never support a population.

The population of the proposed State, in the opinion of this committee, has the educational, moral, and other elements to entitle it to citizenship of a State and of the United States.

The people of Arizona and New Mexico have developed the resources of their Territories to the best of their ability under present conditions, and as a State, with the aid of Federal irrigation, they will undoubtedly develop to the utmost the latent resources of their vast domain.

OKLAHOMA AND INDIAN TERRITORY.

As to Oklahoma and the Indian Territory, this committee favor their joinder in one State.

Oklahoma has an area of 38,830 square miles, or 24,979,200 acres, and by the census of 1900 a population of 398,331.

Indian Territory, which for convenience we shall refer to as a Territory, although it has no Territorial organization, has an area of 31,000 square miles, or 19,840,000 acres, and by the census of 1900 a population of 392,060.

It is conceded by everyone who has had opportunity for observation that since the census of 1900 the population of both Oklahoma and the Indian Territory has increased with amazing rapidity, until their aggregate population is probably far beyond a million.

There are probably no better farming lands in the United States than those in these Territories, and vast areas which were unoccupied in 1900 have been rapidly settled upon since that time.

Under the so-called "Curtis Act" provision was made for the organization of towns in the Indian Territory, and towns have been organized all over the Territory having populations which are increasing with astonishing rapidity.

The arbitrary and irregular boundary line between Oklahoma and the Indian Territory is in itself an argument in favor of their joinder in one State, and indicates the progress made up to date in the gradual addition of Indian reservations to original Oklahoma, which, at the outset, constituted only about one-eighth of the present Territory of Oklahoma.

Indian Territory, as originally set apart in 1834, practically comprehended what are now known as Oklahoma and Indian Territory, except that Beaver County, formerly known as "No Man's Land," was added to Oklahoma by act of Congress, May 2, 1890.

Original Oklahoma, containing about 3,000,000 acres in the heart of what now constitutes Oklahoma, was opened to settlement April 2, 1889, but no form of government was provided for the country so opened to settlement until May 2, 1890, when the organic act of the Territory of Oklahoma was approved.

By that organic act it is provided "that all that portion of the United States now known as Indian Territory, except so much as is actually occupied by the Five Civilized Tribes and the Indian tribes within the Quapaw Indian Agency, and except the unoccupied part of the Cherokee Outlet, together with that part of the United States known as the 'Public Land Strip,' is hereby erected into a temporary government by the name of the 'Territory of Oklahoma.' * * * Whenever the interests of the Cherokee Indians in the land known as the 'Cherokee Outlet' shall have been extinguished and the President shall make proclamation thereof, said Outlet shall thereupon, and without further legislation, become a part of the Territory of Oklahoma. Any other lands within the Indian Territory not embraced within these boundaries shall hereafter become a part of the Territory of Oklahoma whenever the Indian nation or a tribe owning such lands shall signify to the President of the United States in legal manner its assent that such lands shall so become a part of the Territory of Oklahoma, and the President shall thereupon make proclamation of the same."

By this organic act it is apparent that it was not intended to draw any line of division between Oklahoma and Indian Territory, but that Oklahoma should increase in geographical scope from time to time within the limits of the original Indian Territory, by the addition of "any other lands within the Indian Territory * * * whenever the Indian nation or a tribe owning such lands shall signify to the President of the United States in legal manner its assent."

It is therefore apparent from this organic act that it was the intention of Congress that the original Indian Territory, together with the strip of land running westward to the east line of New Mexico, and formerly known as "No Man's Land," should eventually become one State.

Original Oklahoma has been increased and opened to settlement as follows:

1. In 1890, by the addition of the Sauk and Fox, Iowa, and Potawatomi Indian reservations, containing 1,283,434 acres, in the eastern part of what is now Oklahoma Territory, and the addition of the Cheyenne and Arapaho reservations, containing 4,297,771 acres, in the western part of what is now Oklahoma Territory.

2. In 1893, by the addition of the Cherokee Strip, containing 6,014,239 acres;

3. In 1895, by the addition of the Kickapoo Reservation, containing 206,662 acres;

4. In 1896, by the addition of Greer County by decision of the Supreme Court of the United States; and

5. In 1901, by the addition of the Kiowa, Comanche, Apache, and Wichita reservations.

Within the present limits of Oklahoma there are still reserved from settlement the Osage, Ponca, and Oto reservations, and the Kiowa and Comanche pasture reservations, in all amounting to about 2,000,000 acres.

Oklahoma Territory, so formed, is now divided into twenty-six counties, traversed by not less than 3,000 miles of railroad.

In 1903 the wheat crop of Oklahoma was over 36,000,000 bushels; the corn crop 65,000,000 bushels; the cotton crop over 200,000 bales; and 1,036,662 cattle, 304,713 horses, 234,218 sheep, and 63,452 mules were scheduled for taxation.

It has 280 grain elevators, 66 flouring mills, and 232 cotton gins.

It has 79 national banks and 247 Territorial banks, the aggregate deposits in which on January 1, 1904, amounted to $22,456,510.

It has 250 weekly newspapers, 28 daily newspapers, besides monthly and semimonthly publications.

It has 191,433 children of school age and 2,192 district schoolhouses.

It has a university, an agricultural and mechanical college, normal schools, a university preparatory school, and a colored agricultural and normal university, besides denominational and private educational institutions.

By the provisions of the organic act and by various acts of Congress opening Indian reservations to settlement, 2,055,500 acres of land have been reserved for the benefit of common schools, colleges, normal schools, public buildings, and for charitable and penal institutions.

Mineral deposits are said to have been found in the Wichita Mountains; oil, coal, and gas have been discovered in various parts of the Territory, and salt and gypsum beds cover thousands of acres.

Construing the organic act of Oklahoma according to its obvious intent, that all the lands within the original limits of the Indian Territory should eventually be merged into the Territory of Oklahoma and thereafter into a State, the question to be determined is whether the so-called "Indian Territory" is ready to be joined with Oklahoma in a State, and whether it may be so joined equitably so far as the Indians of Indian Territory are concerned.

The Indian Territory is not an organized Territory, but is an area of land occupied by the Five Civilized Tribes—viz, the Creeks, Choctaws, Chickasaws, Cherokees, and Seminoles, and certain small tribes in the northeast corner of the Indian Territory who hold their lands by patent.

These Five Civilized Tribes moved westward from certain of the Southern States with their slaves and settled upon the lands comprehended within the original limits of the Indian Territory, under various treaties with the Federal Government.

These treaties provided in effect, among other things, that the Five Tribes should have tribal governments of their own.

Having come from the South, their sympathies were naturally with the South in the civil war, although many of the Indians in the northern part of the Territory kept faith with the Federal Government.

In 1865 and 1866 treaties of peace were made with the Indians whereby they acknowledged the sovereignty of the United States and agreed to abide by the Federal laws.

In 1866 certain of the Indians ceded the use of their lands west of the present line of the Indian Territory to the Government for the occupancy of certain tribes of friendly Indians, and in 1889 the Creek and Seminole sold their interest in these lands outright to the United States. Thereupon followed the organization of original Oklahoma and the addition thereto of territory as hereinbefore described.

Meanwhile white people have been emigrating to the Indian Territory in constantly increasing numbers until now, when the Dawes Commission estimates the number of people in the Indian Territory at about 700,000, of whom only about 70,000 are estimated to be Indians.

In 1893 the Commission to the Five Civilized Tribes, commonly called the "Dawes Commission," was created. For the first five years of its existence, down to the passage of the so-called "Curtis law," the commission was given only the power of negotiation, except that under the law of June 10, 1896, they were given limited authority in relation to citizenship rights.

By the Curtis Act, however, its authority was extended so that the Commission to the Five Civilized Tribes now has authority for the "extinguishment of the national or tribal title to any lands within that Territory (the Indian Territory) now held by any or all of such nations or tribes, either by cession of the same, or some part thereof, to the United States, or by the allotment and division of the same in severalty among the Indians of such nations or tribes."

The act of June 10, 1896, empowered the commission to determine applications for citizenship presented within ninety days from the date of the act, and even under that law "applications embracing approximately 75,000 claimants were judicially determined."

The business of the Dawes Commission, as finally defined by various statutes and Indian agreements supplemental thereto, was "to administer upon five great estates," composed of about $10,000,000 of trust funds and 19,511,889.39 acres of land, as follows:

Choctaw Nation	6,950,043.60
Chickasaw Nation	4,703,108.05
Cherokee Nation	4,420,070.13
Creek Nation	3,072,813.16
Seminole Nation	365,854.39

This business did not relate to the disposition of wild lands or lands of uniform value. "It related to vast tracts, covered by the houses and other improvements of a great population, threaded in every direction with railroads, filled with villages and large towns of the most modern character," and without a wigwam or blanket Indian within the limits of the Territory.

It became the duty of the commission to determine—

First. Who were the bona fide citizens entitled to possess these properties; and

Second. To take an inventory of the properties to be divided, and to apportion them equitably in severalty.

THE PEOPLE AND THEIR CONDITION.

Aside from the population which has been attracted to the Territory, there are five distinct classes of people having common property and citizenship rights, but differing widely in racial characteristics, viz:

1. The so-called "full-blood Indians."

2. People of mixed blood, ranging from an almost infinitesimal infusion of Indian blood to nearly full-blood Indians.

3. Intermarried whites.

4. Negroes, called freedmen, who were slaves or are the descendants of former slaves of Indians.

5. Adopted citizens.

According to the recent Bonaparte report, these five classes constitute about one-fifth of the inhabitants of the Territory, and of them "at least three-fourths are Indians in little more than name, with from 75 to 99 per cent of white blood, and in great majority altogether indistinguishable in appearance, language, and manners from white people."

These people of mixed blood are, as a rule, intelligent, educated, and competent to manage their own affairs.

The remaining four-fifths of the inhabitants of the Territory have no connection whatever with the tribes and are white people, with a small percentage of negroes, attracted from the various States of the Union, whose citizenship in the States from which they came has qualified them for statehood.

It therefore appears that of the whole population of the Indian Territory scarcely one-twentieth are full-blood Indians.

By the Curtis Act and various agreements with the Five Nations, tribal courts were abolished July 1, 1898, and all tribal relations and governments of the Five Nations are to cease March 4, 1906.

The government of Indian Territory at present is a government by the Secretary of the Interior, by four Federal judges having jurisdiction in four several districts, and by various commissioners, which courts and commissioners administer the Federal law together with an extension of a part of the Arkansas code. This government is known in Indian Territory as "court government."

Indian Territory is without adequate schools, so far as white people are concerned, and is without asylums for the deaf, dumb, blind, and insane.

The only provision for free schools in the Territory is in the Curtis Act, which provides for free schools in the incorporated towns.

Outside the incorporated towns the various Indian governments maintain schools, but it is asserted that at least 100,000 white children outside incorporated towns are without free educational opportunities and that a large white population is growing up in ignorance.

ALLOTMENT.

As to the inventory of "properties to be divided" by the Dawes Commission. Nothing is owned in common in the Indian Territory except the lands and tribal funds. The act of June 28, 1898, known as the "Curtis Act," provided for "the making of rolls of citizens and the allotment of lands in the five nations in the Indian Territory;" and pursuant to the provisions of that law various agreements and supplemental agreements have been made with the Five Civilized Tribes providing for the allotment of lands, the division of tribal funds, and the abolishment of tribal governments after March 4, 1906.

Under this law "and the agreements with the tribes, and acts of Congress amendatory and supplementary thereof, the commission has proceeded to make rolls of citizens of each of the tribes, appraise the land preparatory to allotment, estimate timber, set apart land for town sites over a large part of the Territory, subdivide the United States Geological Survey sectional survey into quarter sections and in some places quarter-quarter sections, make improvement plats of the land surveyed, and to allot the land to the individual members of the tribes." The commission was also authorized to segregate coal lands in the Choctaw and Cherokee country.

According to the Tenth Annual Report of the Commission to the Five Civilized Tribes, "the survey and appraisement work of the commission is finished."

As to coal and asphalt lands, the Dawes Commission reports that the lands segregated under the provisions of the act approved July 1, 1902, cover an area of 444,863.03 acres. These lands are not subject to allotment.

As to the progress of the commission in the enrollment of citizens and the allotment of lands, the so-called "Bonaparte report," transmitted to Congress by the President March 7, 1904, is as follows:

"In the Seminole Nation the roll has been completed and finally approved by the Secretary of the Interior.

"In the Creek Nation the enrollment work is 97½ per cent completed.

"In the Choctaw, Chickasaw, and Cherokee nations the enrollment work is between 90 and 95 per cent completed.

"All of the land in each nation has been appraised and valued in tracts of 40 acres, and where timber of commercial value was found on the land the timber on each 40 was estimated and valued.

"Approximately 12,000 sectional improvement plats have been made and are now used in the different land offices, and this work has been completed as far as it is deemed necessary to carry it.

"In the Seminole Nation all selections of allotments have been made, and the only work remaining to be done in that nation is the disposing of surplus lands, for which no provision of law exists, and the issuing of deeds.

"In the Creek Nation practically all allotments have been made, and more than 60 per cent of the allottees have received allotment and homestead deeds to their lands. These deeds are prepared by the commission, and, when executed, recorded by it.

"In the Choctaw and Chickasaw nations approximately 45 per cent of allotments have been made.

"In the Cherokee Nation approximately 25 per cent of allotments have been made. Under instructions from the Secretary of the Interior all proceedings looking to the allotment of land in the Cherokee Nation have been suspended since October 7, 1903, in accordance with the act of Congress relative to the segregations of lands, to await the decision of the then pending suit in the United States Supreme Court between the Delawares and Cherokees.

"Allotment-selection contests are being kept well up in the different nations. This involves in each case, of which there are already between 2,000 and 3,000, practically a court trial to determine title to improvements on land.

"No statement is attempted to be made of the incidental work that has arisen in the different nations from time to time, much of which has, however, been of considerable magnitude.

"It will be seen, therefore, at this time that the work for which the commission was created, and which has been its constant aim during its existence, namely, 'the extinguishment of the national or tribal title to any lands within that Territory,' is well advanced toward completion. The work in the Seminole Nation is complete as far as it is possible to complete it under existing legislation. The work in the Creek Nation is substantially finished. It is estimated that the work in the Choctaw and Chickasaw nations will be ended by March 31, 1905, and in the Cherokee Nation by July 1, 1905. And when all tribal title to land in Indian Territory shall have been extinguished, and final disposition made of all of the affairs of the Five Tribes, the work will have cost the Government less than 10 cents per acre."

Memorandum showing condition of work of Commission to the Five Civilized Tribes on December 31, 1903.

1. HOW MUCH LAND HAS BEEN ALLOTTED?

SEMINOLE NATION.

Total acreage subject to allotment		993,573.92
Allotted (allotment completed)		344,948.26
Excess land, for the disposition of which no provision exists		18,630.66
Total acreage subject to allotment		3,093,981.38
Allotted (allotment practically completed)		2,448,793.20
Unallotted land, which under existing law is to be used as far as necessary in equalizing allotments		515,188.18

A provision of pending Indian appropriation bill provides for sale of these surplus lands, the proceeds to be used in equalizing allotments.

CHOCTAW AND CHICKASAW NATIONS.

Total acreage subject to allotment		11,153,356.25
Allotted at Choctaw land office	1,742,804.20	
Allotted at Chickasaw land office	1,664,212.42	
		3,407,016.62
Unallotted		7,746,339.63

Approximately 1,750,000 acres, including coal lands, will not be used in making allotments.

CHEROKEE NATION.

Total acreage subject to allotment	4,400,304.76
Allotted to October 7, 1903	1,055,892.07
Unallotted	3,344,412.69

"2. HOW LONG WILL IT TAKE TO FINISH THE ALLOTMENT?

"*Seminole Nation.*—Allotment is completed.

"*Creek Nation.*—Allotment is substantially completed.

"*Choctaw and Chickasaw nations.*—On December 31, 1903, allotment offices had been in operation seven and a half months, and at that time approximately one-third of the work of allotment had been completed. It is estimated that practically all allotments in those nations will have been made in fifteen months from December 31, 1903, or by March 31, 1905.

"*Cherokee Nation.*—Allotment office had been in operation approximately eight and one-fourth months, when work was suspended on October 7, 1903, under instructions from the Secretary of the Interior, pending an adjudication of the rights of Delaware members of the tribe. No allotments have been made since that date. During the time the office was in operation approximately one-fourth of the work of allotment was completed. It is estimated that with some increase in the allotting force of the office practically all allotment work in the Cherokee Nation can be completed in fifteen months from the date when the office shall be reopened."

CONCLUSION.

Inasmuch, then, as in the opinion of this committee, the Congress intended by the organic act of the Territory of Oklahoma that all of the original Indian Territory, together with what is now Beaver County, should become one State: and

Inasmuch as the present Territory of Oklahoma has for some time been qualified for statehood, which has been deferred until the Indian Territory should be ready to be joined therewith in statehood: and

Inasmuch as conditions in the Indian Territory imperatively demand some better form of government than now exists there; and

Inasmuch as Indian lands will be allotted in severalty before the time when statehood can go into effect as provided for in this bill, and for all the reasons set forth in this report, this committee report in favor of the joinder of the Territory of Oklahoma and the Indian Territory in one State, not, however, before March 4, 1906, such State to be known as the "State of Oklahoma."

To that end, and to the end that the Territories of Arizona and New Mexico may be joined in one State, to be known as the "State of Arizona," this committee recommend that the bill H. R. 14749 do pass.

Mr. HAMILTON. Will the gentleman from Tennessee use some of his time now?

Mr. MOON of Tennessee. Mr. Speaker, I wish you would inform me how much time we have on this side.

The SPEAKER pro tempore. The gentleman has twenty-seven minutes remaining.

Mr. MOON of Tennessee. How much has the other side?

The SPEAKER pro tempore. Twenty-eight minutes.

Mr. MOON of Tennessee. We have twenty-seven minutes and the other side have twenty-eight minutes.

The SPEAKER pro tempore. Yes, sir.

Mr. MOON of Tennessee. I yield five minutes to the gentleman from California [Mr. NEEDHAM].

Mr. NEEDHAM. Mr. Speaker, after long, careful, and conscientious consideration of this measure, I find myself unable to support the bill in its present form. I have no serious objections to that portion of the bill which unites Oklahoma and Indian Territory and provides for their admission into the Union as one State, for the reason that such would make a State compact and regular in form and of medium size. My objection to the bill is confined particularly to that portion which provides for the union of the Territories of New Mexico and Arizona and their admission into the Union as one State.

Mr. Speaker, if two amendments to the bill could be presented and adopted, I am of the opinion that it would remove the objectionable portions which the bill now contains. But the rule under which we are considering the bill prevents the offering or consideration of amendments, except the one named in the rule itself, relating to the selling of liquor to Indians. Every Member of the House, therefore, is compelled to vote for the bill substantially as presented or else be recorded as against it, notwithstanding that the adoption of a few amendments would, in my judgment, remove from the bill its most objectionable features.

Mr. Speaker, since I have been a Member of this House there has been a great deal of criticism, some of it very violent in form, of the rules of the House. I desire to say that the longer I serve in this body the more I am convinced that the rules which have prevailed since I have been a Member seem to me to be essential in order that the majority—the majority charged with the responsibility of legislation—can do business. I believe that there are occasions when a special rule, drastic in its nature, is necessary and justifiable in order that the majority party—the party charged with responsibility—may proceed with its work so as to overcome and defeat the dilatory and oftentimes obstructive tactics of an active and alert minority. I believe that the political party having control of this House should adopt rules through which that party can do the business of the House. We are a government of parties, and I have very little sympathy with the indiscriminate and violent criticism of the House rules which is too often indulged in upon this floor.

I am satisfied in my own mind that much of it—in fact, almost all of it—has been voiced simply and solely for partisan purposes. Neither have I much regard for the charge which is frequently made in the House and elsewhere that this House is retrograding and deteriorating in the character and ability of its Members and in the relative influence of the House itself as a part of the legislative department of the Government. The present size of the House of Representatives, composed as it is of 386 Members, of necessity precludes that thoroughness of debate and consideration of each measure by the Members generally which formerly prevailed when this House was composed of a much smaller membership.

The same extensive debate by the individual Members of the House of Representatives upon various measures presented here as obtains in the Senate of the United States, a body composed of only ninety members, can not, in reason, prevail here. The element of time itself will prevent the same equality of individual discussion. The growth of this House in membership—and that growth will continue from decade to decade—means, whether for the weal or the woe of the Republic, that the committees of the House, and especially the leading committees, will have greater and greater power and influence in the legislation brought before this body. In other words, this body, by reason of its unwieldy membership, by reason of the fact that it is impossible for each and every Member to participate in discussion and debate upon most of the measures brought before it for consideration, must to a greater and greater extent rely upon the judgment of its committees.

Therefore, Mr. Speaker, it seems to me that the rules of the House are simply an evolution and recognize and typify the changed conditions in this body. I am not at all alarmed over the evolution and growth in the power as represented in the rules of the House. I have not that apprehension so frequently disclosed in the debates in this body, whenever a special rule is brought forward, that the pillars of the Republic are rocking upon their foundations.

But, Mr. Speaker, the power lodged in this House by reason of its rules is one thing, and the unnecessary exercise of that power is quite another thing. I would not, therefore—and in this matter I speak only for myself as one humble Representative upon

this floor—bring in a rule providing for the consideration of a measure, cutting off the power of amendment, and limiting debate to an unreasonable degree unless such a rule was clearly necessary. Therefore I feel that the adoption of the rule under which we are now proceeding, and which provides that this measure, which consists of thirty-seven printed pages, shall be voted upon without the right to amend it, except in the one respect heretofore referred to, at half past 4 o'clock this day, and which thereby limits the debate upon the measure to a period of only three and one-half hours, is unnecessary and justly subject to criticism.

I can not believe that the consideration of the present bill creates the necessity or even suggests the advisability of cutting off the right of amendment or of limiting full and free discussion. Upon more than one occasion heretofore this House has considered and passed bills providing for the admission of the very Territories dealt with in the pending measure. So far as I now recall, no suggestion was then made that the right of debate should be curtailed or that the privilege of offering amendments should be prohibited. No greater question can engage the attention of Congress than the consideration of measures providing for the admission of Territories and their creation into sovereign States of the Union. Such a measure, if enacted into law, establishes practically for all time to come a new relationship between the Territory thus made a State and the Union itself, of which it is thereafter a unit. It greatly changes the relationship to the nation of the Territory thus transformed. It enlarges and augments the powers of the citizens residing within the Territory thus affected. What greater question could engage the attention of the Congress of the United States than the creation of a new State of the Federal Union?

But we are told, Mr. Speaker, that the creation of States and their admission into the Union has always been a party question; that the history of our country disclosed the fact that States have been created upon more than one occasion solely with a view to augmenting the strength of the party in power, and with the clearly disclosed purpose and object of furnishing electoral votes to lengthen the term of such party.

The admission of the State of Ohio may be cited as furnishing a typical example of this policy. That State was admitted into the Union without the formality of a ratification of the constitution and with great haste in order that it might furnish three electoral votes to the second election of Mr. Jefferson as President of the United States. A similar policy largely controlled in the admission of Nevada and Colorado.

But these incidents in our history ought not, in my judgment, to be followed as precedents at the present time. I regard these exigencies which lead to these extreme measures as a fact to be deplored in the history of our country rather than as examples to be cited as precedents to control our actions at this time. It is sufficient to say that no such present exigency exists. Neither is there any probability that any action which Congress may take in the near future as to the remaining Territories of the United States will be apt to change the political complexion of the Senate of the United States. However that may be, Mr. Speaker, I decline (and I speak for myself alone) to consider the question of the creation of sovereign States of the Union as a purely political and party question. I have conscientious convictions as to the conditions of admission of the remaining Territories into the Union, and I must respectfully insist upon the right to express such convictions both with voice and by my vote, which right I know will cheerfully be granted me by every Member of this House.

Mr. Speaker, I stated in the outset of my remarks that if two amendments could be presented and adopted to the bill in my judgment they would remove the serious objections to the bill as it now stands. If the rule under which we are now operating would permit, I would offer an amendment which would provide that there should not be a union of the Territories of Arizona and New Mexico as one State, unless a majority of the legally qualified voters of each Territory voted for such jointure. Now, it seems to me that this is eminently a proper and fair amendment, and I believe if it could be presented it would be adopted.

As the bill now stands, if it becomes a law, even though every legally qualified voter within the present limits of the Territory of Arizona votes against the choosing of delegates to form a constitutional convention, as mentioned in the bill, and that vote should be exceeded by a majority of even one, cast by the legally qualified voters within the present limits of the Territory of New Mexico, the jointure of these two Territories would be accomplished. In other words, the unanimous voice of the people of the present Territory of Arizona, expressed through the ballot box, would be powerless, should this bill pass, to prevent her extinction. I contend that there is no such contingency as makes necessary legislation so radical as this. This is the first time in the history of our country that Congress, after having created two Territories, subsequently attempted to join them and admit them as one State.

Indian Territory, which by the provisions of this bill is to be united with Oklahoma, has never been an organized Territory. Her union with Oklahoma is not open to the objections as a matter of principle which obtain against the union of Arizona and New Mexico. This is the first time in the history of our country where a Territory created by the solemn act of Congress has subsequently been denied consideration of her claims for admission into the Union as a separate State. This is the first time in the history of our country where Territories have been given the choice of statehood upon terms which compel the practical extinction of their boundaries, to the great humiliation of their inhabitants, boundaries which have existed for nearly half a century and which the inhabitants that they surround had a right to regard as permanent.

Mr. Speaker, the present Territory of Arizona was separated from the Territory of New Mexico by an act of Congress passed in 1863. It was passed because of the persistent demands of the people then living within the present limits of Arizona, because the then Territory of New Mexico was so large and unwieldy. It is interesting to examine the debates that took place upon this measure when it was before Congress. Let me call your attention to the proceedings of Congress had at that time, and I quote extracts from some of the remarks made by some of the Members of Congress which disclose the reasons why the Territory of Arizona was created.

The bill creating the Territory of Arizona was known as H. R. 357, and was reported on March 24, 1862, by Mr. Ashley, of Ohio, from the Committee on Territories. The bill, after establishing the boundaries of the Territories, provided—

> And that said government shall be maintained and continued until such time as the people residing in said Territory shall, with the consent of Congress, form a State government, republican in form, as prescribed in the Constitution of the United States, and apply for and obtain admission into the Union as a State on an equal footing with the original States. (37th Cong., 2d sess., p. 134.)

Debate was had on the bill May 8, 1862. It was opposed, among others, by Mr. Wheeler, of New York, on the ground of too few population, inadequate resources, transitory population, and the same reasons generally as are now urged against the admission of Arizona alone to statehood.

The Delegate from New Mexico, Mr. Watts, replied to the effect that he had introduced the bill at the earnest request of the people of Arizona; that the creation of the new Territory had been recommended by President Lincoln, and then he continued, and referring to the proposed division of the Territory said:

> But I know and feel that it will not be left undivided. It is a Territory large enough to make four States of the size of New York or Pennsylvania, and I know and feel that it will not be allowed to remain undivided. I know it will be considered too large for one Territory. (37th Cong., 2d sess., p. 2025.)

The bill passed the House May 18, 1862, and was sent to the Senate, where it came up on July 3. It was supported by Senator Wade, of Ohio, who said:

> The organization of the Territory of Arizona has been a matter of constant importunity upon this Government for more than seven years to my certain knowledge, and there has always been an uneasiness among that people about their being attached to New Mexico. When you look at the map you find that this Territory is of vast extent and the settlements wide apart. The principal settlement in Arizona, as I understand it, is 700 miles from Santa Fe, the capital of New Mexico. It is found exceedingly inconvenient for the officers of New Mexico to do business there. (37th Cong., 2d sess., p. 3094.)

Senator McDougal, of California, contributed to the debate, from which I take the following:

> It is perhaps my duty to say something on this question, as I think I am the only Senator who knows anything personally of the country proposed to be organized into a Territory. I have traveled all over that country, and I understand its necessities. The Rio Grande goes down to the Gulf of Mexico; the Gila goes to the Colorado and down to the Gulf of California. They drain different sections of the country.
>
> They are distinct portions of the country. Arizona should be organized; and I say this not by way of argument, but by way of expressing an opinion, an informed opinion, having been all through that country, that it is due to that country and the people who have gone to inhabit it and who have millions invested there that they should have a form of government, and I trust the Senate will concur in passing the bill.

The bill passed the Senate February 20, 1863. Senator Wade again spoke and said:

> The Territory of New Mexico, including Arizona, is an exceedingly large one, altogether too extensive for any municipal business to be transacted in its extreme portions. * * * The principal point of population in Arizona is 700 miles from the seat of justice in New Mexico. (37th Cong., 3d sess., p. 1126.)

The vote in the Senate was as follows:

> Yeas, 25—Anthony, Arnold, Chandler, Cowan, Dixon, Doolittle, Foote, Foster, Harlan, Harris, Hicks, Howard, Howe, Lane of Indiana, Lane of Kansas, Latham, Morrill, Nesmith, Pomeroy, Sumner, Ten Eyck, Wade, Wilkinson, Wilmot, and Wilson of Massachusetts.
>
> Nays, 12—Carlile, Clark, Collamer, Davis, Fessenden, Grimes, Kennedy, Powell, Saulsbury, Trumbull, Turpie, and Wilson of Missouri.

It is pertinent here to quote from the act creating this Territory. The organic act states that it—

Shall be maintained and continued until such time as the people residing in said Territory shall, with the consent of Congress, form a State government, republican in form as prescribed in the Constitution of the United States, and apply for and obtain admission into the Union as a State.

Mr. Speaker, when a Territory is created there is an implied obligation created at the same time that that Territory, when it reaches a certain population and is otherwise qualified, may be admitted into the Union as a State. [Applause.]

Every pioneer who journeyed to this far-off land and made his home within the confines of the present Territory of Arizona had the right to expect that in due time the Territory of Arizona would be admitted into the Union and form a new star upon the flag of our country. Every pioneer who during the last forty years has made his home in this Territory labored under the impression that he was engaged in the glorious work of State building; not the State building obtained by the addition of the Territory in which he was living to another Territory, but the same State building which has at all times been followed in the history of our country up to the present hour. This contemplated union of the Territories of Arizona and New Mexico is opposed by practically the unanimous voice of Arizona and by a large portion, if not a majority, of the people of New Mexico. Those of New Mexico who favor it do so because they fear that they will not obtain statehood within the near future except by the jointure with Arizona.

I have in my desk hundreds of editorial clippings upon this subject taken from the press of Arizona, and almost without exception these editorials are bitter in their denunciation of the present measure. The public sentiment of Arizona is against this bill. This sentiment is shared by the people of both political parties of that Territory. I append to my remarks a few extracts from newspapers which justify my statement upon this phase of the question. I therefore reiterate and declare my firm belief that the passage of this bill without an opportunity to amend, which would make the bill inoperative unless it is indorsed at the polls by a majority vote of the voters of each Territory, is unjust, un-American, and an unnecessary denial of those fundamental rights which should be cheerfully accorded to all citizens of our common country.

The second amendment which I would present, if amendments were allowed, would provide that the State of Arizona, created by this bill by the jointure of the Territories of Arizona and New Mexico, should have the privilege of separating into two States when the population of each Territory as now constituted should reach a certain population—say, 300,000; or, I would be willing to place it even as high as 500,000 each. In view of the tremendous size of the Territories of Arizona and New Mexico, it seems to me that such a provision is in every sense reasonable. The Territories of Arizona and New Mexico comprise an area 10,000 square miles greater than that of the New England States, New York, Pennsylvania, New Jersey, Delaware, Maryland, the District of Columbia, and Virginia, and the latter area is now represented at the other end of the Capitol by twenty-two Senators.

It seems to me only fair and right to the western section of our country, if our population and wealth shall continue to grow at the same rate that it has for the last fifty years, that we should have at least the hope held out to us of greater representation in the Senate of the United States.

Mr. STEPHENS of Texas. Will the gentleman permit an interruption?

Mr. NEEDHAM. Certainly.

Mr. STEPHENS of Texas. I will ask the gentleman if it is not a fact that the States of Nevada, Utah, and Colorado will be adjoining the State of Arizona, and will they not be the same size as the State of Arizona?

Mr. NEEDHAM. I think that is true.

Mr. STEPHENS of Texas. Then, is it fair that Arizona should have only two Senators and be represented in the other body by two men when these other States of equal size have six, when they have the same amount of territory, the same kind of people, and the same kind of conditions?

Mr. NEEDHAM. As I have already stated, Mr. Speaker, I think there should be in this bill a provision by which the people of this State to be created should have the right in the event of reaching a certain population to separate. If they should not make use of this privilege, that is a matter primarily to be considered by the people within the newly created State.

The State of Texas has the right to separate into five States. Some of the Members of the House have stated that Texas will never take advantage of that privilege. Mr. Speaker, it seems to me that the history of Texas in this particular furnishes sufficient reason why there is no danger to be apprehended and why the immense territory of the new State of Arizona, if this bill passes, should have the right to separate into two States.

In 1850 the immense territory of the United States west of the Mississippi River, comprising as it does approximately two-thirds of the area of the United States, exclusive of Alaska and our island possessions, had a population of less than 2,000,000 people, or about 8½ per cent of the then total population of the Union, while in 1900 this same territory had grown to a population of approximately 21,000,000, or about 27 per cent of our total population. And yet, Mr. Speaker, if this bill passes, this immense territory of our country, practically two-thirds of it, no matter what its population may in time reach, must forever be content with wielding a little over one-third of the power of the Union in the United States Senate. The States west of the Mississippi River are practically three times as large in area as the States east of the Mississippi River. I will append to my remarks a letter and some tables furnished me by the Director of the Census which bear upon this question.

Mr. Speaker, I feel that the two changes which I have suggested in the pending bill should be accepted. But under the rule which provides for the consideration of this measure this can not be done. I feel compelled, from a sense of duty and conviction, to vote against the bill the same as I did against the rule providing for its consideration. Upon two former occasions I have voted for bills providing for the admission of the Territories of Arizona and New Mexico into the Union as separate States. I realize that many Members, both of this body and of the Senate of the United States, conscientiously believe that neither of these Territories is now qualified for statehood. Of those holding such an opinion I have no criticism to offer. I am ready to vote for the admission of the Territories of Arizona and New Mexico into the Union as separate States, firmly believing that even conceding their unpreparedness, it would be infinitely less injurious to all sections of our country, in its ultimate effect, than the enactment of the present bill into law providing for the jointure of these Territories and the creation of another immense State in the western section of our country.

Mr. Speaker, my opposition to the present bill is fundamental. I am opposed to the creation of any more large States without some saving clause similar to that contained in the act providing for the admission of the State of Texas. The ideal division of our country would be into States approximately equal in size, in wealth, and in population. A State too large is as objectionable as a State too small. A small State with a comparatively small population is subject to corruption, and the same is true of a large State, because the poor citizen is debarred from that active participation in its political affairs on account of the expense which such participation necessitates.

I believe in the West. I have confidence and faith in her growth and development. I have no patience with the charge, too often indulged in, that certain sections of our country are incapable of sustaining large populations. The same charge was brought against the Northwest Territory at the very beginning of our nation's history, by James Monroe, then a Member of Congress, and subsequently President of the United States. Daniel Webster indulged in the same prophecy and applied it to the State of California. And the same doleful opinion has been expressed here this day in regard to the future of Arizona and New Mexico. Who can foretell the beneficent results which can be obtained under the operation of our national irrigation law? The possibilities capable of attainment under this act in this section of our country, I firmly believe, are beyond calculation. I believe that in the economy of nature all portions of our common country will in time be utilized, their resources developed, and all contain and support reasonably large populations.

Mr. Speaker, I plead for justice to the West. Let no man say that such a plea is the cry of sectionalism. A just repository of political power in all sections of the country is essential to that harmony and contentment so necessary to national greatness. No man should be jealous of the power of the States of New England and of the eastern part of our country. Neither should New England and the East, with its glorious history, which is the heritage of us all, be willing to deny to the western section of our country all hope of an approach to an attainment toward equality of political power. Mr. Speaker, firmly believing that the present bill, if enacted into law, will be unprecedented and unjust, I shall vote against it. [Applause.]

APPENDIX.

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF THE CENSUS,
Washington, April 7, 1904.

Hon. J. C. NEEDHAM,
House of Representatives, Washington, D. C.

SIR: In response to the request made in your favor of April 1, I inclose you herewith two tables, one giving the area in square miles of the States and Territories, arranged in order of size, Arizona and New Mexico being grouped as one; the other showing the square miles and acres in each State and Territory west of the Mississippi River and east of the Mississippi River, as well as the total area of each division. Minnesota and Louisiana have

been added with the States west of the Mississippi, as the greater part of their area lies west of the river.

The average size of the States and Territories west of the Mississippi River is 93,181 square miles, or 59,635,840 acres. The average size of a State east of the Mississippi, including the District of Columbia, is 32,656 square miles, or 20,899,840 acres. The average of the Western States is nearly three times as large as the average of the Eastern States.

Arizona and New Mexico combined would be larger in area by 10,000 square miles than the New England States, New York, New Jersey, Pennsylvania, Delaware, Maryland, the District of Columbia, and Virginia, their area being 225,445 square miles, as against 235,600 square miles for New Mexico and Arizona.

The combined area of Ohio, Indiana, Illinois, Michigan, and Kentucky is less by 2,225 square miles than the territory of New Mexico and Arizona.

The combined area of Nebraska, Kansas, Oklahoma, Indian Territory, and Connecticut is less by 590 square miles than that of Arizona and New Mexico.

Excluding Alaska and Hawaii, Arizona and New Mexico combined, comprize 7.8 per cent of the total area of the United States.

Trusting that this information is what you desire, I am,

Very respectfully,

S. N. D. NORTH, *Director.*

Gross area, in square miles, of States and Territories, in order of size.

Texas		265,780
Arizona	113,020	235,600
New Mexico	122,580	
California		158,360
Montana		146,080
Nevada		110,700
Colorado		103,925
Wyoming		97,890
Oregon		96,030
Utah		84,970
Idaho		84,800
Minnesota		83,365
Kansas		82,080
South Dakota		77,650
Nebraska		77,510
North Dakota		70,795
Missouri		69,415
Washington		69,180
Georgia		59,475
Michigan		58,915
Florida		58,680
Illinois		56,650
Wisconsin		56,040
Iowa		56,025
Arkansas		53,850
Alabama		52,250
North Carolina		52,250
New York		49,170
Louisiana		48,720
Mississippi		46,810
Pennsylvania		45,215
Virginia		42,450
Tennessee		42,050
Ohio		41,060
Kentucky		40,400
Oklahoma		39,030
Indiana		36,350
Maine		33,040
Indian Territory		31,400
South Carolina		30,570
West Virginia		24,780
Maryland		12,210
Vermont		9,565
New Hampshire		9,305
Massachusetts		8,315
New Jersey		7,815
Connecticut		4,990
Delaware		2,050
Rhode Island		1,250
District of Columbia		70
Alaska		590,884
Hawaii		6,449

Areas of States and Territories.

State or Territory.	West of Mississippi River.		East of Mississippi River.	
	Square miles.	Acres.	Square miles.	Acres.
Alabama			52,250	33,440,000
Arizona	113,020	72,332,800		
Arkansas	53,850	34,464,000		
California	158,360	101,350,400		
Colorado	103,925	66,512,000		
Connecticut			4,990	3,193,600
Delaware			2,050	1,312,000
District of Columbia			70	44,800
Florida			58,680	37,555,200
Georgia			59,475	38,064,000
Idaho	84,800	54,272,000		
Illinois			56,650	36,256,000
Indiana			36,350	23,264,000
Indian Territory	31,400	20,096,000		
Iowa	56,025	35,856,000		
Kansas	82,080	52,531,200		
Kentucky			40,400	25,856,000
Louisiana	48,720	31,180,800		
Maine			33,040	21,145,600
Maryland			12,210	7,814,400
Massachusetts			8,315	5,321,600
Michigan			58,915	37,705,600
Minnesota	83,365	53,353,600		
Mississippi			46,810	29,958,400
Missouri	69,415	44,425,600		
Montana	146,080	93,491,200		
Nebraska	77,510	49,606,400		
Nevada	110,700	70,848,000		
New Hampshire			9,305	5,955,200
New Jersey			7,815	5,001,600
New Mexico	122,580	98,451,200		
New York			49,170	31,468,800
North Carolina			52,250	33,440,000
North Dakota	70,795	45,308,800		
Ohio			41,060	26,278,400
Oklahoma	39,030	24,979,200		
Oregon	96,030	61,459,200		
Pennsylvania			45,215	28,937,600
Rhode Island			1,250	800,000
South Carolina			30,570	19,564,800
South Dakota	77,650	49,696,000		
Tennessee			42,050	26,912,000
Texas	265,780	170,099,200		
Utah	84,970	54,380,800		
Vermont			9,565	6,121,600
Virginia			42,450	27,168,000
Washington	69,180	44,275,200		
West Virginia			24,780	15,859,200
Wisconsin			56,040	35,865,600
Wyoming	97,890	62,649,600		
Total	2,143,155	1,371,619,200	881,725	564,304,000

[The Arizona Republican, April 16, 1904.]

QUESTION PROPERLY ANSWERED—MR. FOWLER REFLECTS ARIZONA SENTIMENT VERY ACCURATELY.

Hon. JAMES C. NEEDHAM, a Member of Congress from California, is a warm personal friend of B. A. Fowler, of this city, and on more than one occasion has proved himself a friend of all Arizona by casting his influence in favor of this Territory when vital legislation was pending. He has placed himself on record respecting the statehood question as against the jointure enterprise, unless that measure be the expressed wish of Arizona people, recognizing it himself as a movement designed for no good purpose. Just before Mr. Fowler left Washington, in a private conversation Mr. NEEDHAM told him that he was still firm in his convictions and was anxious at any and all times to further the interests of Arizona, which in many ways are mutual with the interests of California.

This introduction makes clear the following letter, which Mr. Fowler wrote to Congressman NEEDHAM yesterday, and a copy of which the Republican is permitted to publish. It also demonstrates where Arizona is the gainer by having men like Mr. Fowler, who are true to local interests and at the same time hold the confidence of influential legislators, at the capital:

APRIL 15, 1904.

Hon. J. C. NEEDHAM, M. C., *Washington, D. C.*

MY DEAR SIR: Your telegram of this date before me as follows: "Are people of Arizona still opposed to joint statehood with New Mexico? Is there any change of sentiment since you were here?"

I make immediate reply as follows:

Arizona people were never more determined in opposition to joint statehood. Absolutely no change in sentiment since you saw me, except it is more outspoken. Such atrocious jointure will yet be defeated.

I can not picture to you the intensity of bitter opposition on the part of our people and the united press of Arizona to the atrocious proposition of tying us up with New Mexico as one State. In my judgment the Territory of Arizona will cast an overwhelming vote against such a union, and from the best information at my command New Mexico will cast a large if not a majority vote against it.

Wild statements were made in Washington on this subject by men ignorant of the facts, as well as by men who ought to have known better, especially my friend RODEY. The people who are pushing this proposition do not understand existing conditions here. They are trying to unite and amalgamate two heterogeneous elements. The population is radically different, the customs are different, the laws have grown up from different foundations, and there are so many intricate and complex problems arising therefrom in the way of vested rights, water rights, etc., that it will be almost impossible to bring about a union that shall be just and equitable and proper.

The opinion is freely expressed here that if Congress forces us into a constitutional convention wholly and completely against our will, which would be most unfortunate, we will fight it out on the floor of the convention.

Why not let us remain a Territory until the next census, giving us an opportunity to develop our agricultural resources under the magnificent irrigation systems that have already been begun or projected along the Colorado, Salt, and Gila rivers, and giving us more time for the development of our almost limitless mineral resources, which have as yet scarcely been touched? The tide of immigration from the North, East, and South is now full and strong; a few years more and we can point to a civilization, population, wealth, and resources of which any State in the Union may well be proud.

And if in 1912, after the census has been taken and published, and we have had eight years to grow, then if in the wisdom of Congress it is not advisable to adopt us into the sisterhood of States, after having waited patiently fifty years from the Territorial organization, we will wait still longer and go on demonstrating our fitness for association with our brothers and sisters from the Atlantic to the Pacific, whom we have left to come into this section to build up a new empire.

If there is anything further that I can do to assist you in fighting this joint statehood proposition, pray let me know what it is, and give me an opportunity to join you.

I think perhaps it may be of assistance to you for me to send you a few copies of recent issues of our local papers, containing editorials on this subject, which I will attend to at once. Meanwhile hoping to hear from you on the subject.

[The Arizona Gazette, April 6, 1904.]

ON THE WRONG TRACK.

The Denver Republican seems to be carrying on a campaign for the proposed bill to join the Territories of New Mexico and Arizona as one State, with the hope, perhaps, of influencing some of the New Mexico Republicans, who have declared their opposition to such a measure. The Republican ad-

mits that the bill will pass the House, but is rather dubious as to what the Senate will do, believing that rather than put it to a test the bill will be allowed to die. Continuing, the Republican says:

"Although there is considerable opposition in both New Mexico and Arizona to this measure, it would seem good policy to accept it rather than wait for, it might be, many years before statehood could be secured on other terms. There is so little disposition in Congress to admit Arizona and New Mexico as separate States that if they reject joint statehood they will practically vote to remain Territories for probably a decade, or, it may be, two decades longer."

Rather than be tied to New Mexico, Arizona would remain a Territory indefinitely. These are the sentiments expressed at nonpartisan mass meetings throughout the Territory, and when the people go that far they certainly are in earnest. But the Republican can not see the point, and appeals to the pride of the westerners by saying:

"The interests of the far West call for the admission of the new States as soon as possible, not so much because of their influence in Congress as because of their more rapid development under a State rather than under a Territorial government. The sooner New Mexico and Arizona come in the better it will be for them and for the remainder of the West, regardless of whether they enter as one or as two States."

Perhaps no other section of the West and no other section of the world is more interested in this than Arizona, and no other section will be affected so greatly by such an action by Congress as Arizona. The Republican makes a mistake when it says the proposed new State will develop more rapidly than under Territorial form of government. Arizona and New Mexico are so radically different in their pursuits, development, and progress, and their interests so divergent, that an attempt might as well be made to join Hawaii and Cuba, making the same laws apply to both countries, as to force the people into a union that is utterly abhorrent to them.

Arizona does not owe the West such a sacrifice, and she has no intention of making it.

[The Arizona Gazette, March 9, 1904.]

THE INSTRUCTED AND THE INSTRUCTIONS.

The six delegates and six alternates selected by the Republican convention at Tucson to attend the national Republican convention at Chicago in June are men such as any Arizonan might feel proud to honor with such a mission. They are men whose public and private records are such no word of discredit can be said against them. They have proven themselves men that can be trusted to carry out the wishes of the people.

The convention has seen fit to instruct these delegates on certain points that are considered necessary to the welfare of the people. The support of the Republican party of Arizona is pledged to the present Administration, headed by Theodore Roosevelt.

The administration of President Roosevelt's friend and appointee, Governor Brodie, is indorsed as one worthy the admiration and support of the general public. The delegates are instructed further to secure, if possible, a plank in the national platform pledging single and separate statehood to Arizona at an early date. It is the desire of the Republican party of Arizona that Congress right the wrong that has been done Pima County in foisting upon the people of that county nearly half a million dollars worth of bonds, which were pronounced valueless by the Supreme Court of the United States.

These are instructions that the six delegates are expected to obey in so far as it is possible, and that they are willing and anxious to carry out the will of the people has been shown by their attitudes regarding these questions. It is well understood that every Republican in Arizona is unalterably opposed to the joining of New Mexico and Arizona as one State under whatsoever name, and that they will fight such a proposition to the bitter end.

[San Francisco Chronicle, April 4, 1904.]

THE STATEHOOD BILL.

It is plain that the appeals of Arizona, New Mexico, and Oklahoma for separate admission to statehood will be denied by the present Congress, as they were by the last one. The programme is to pass a bill which will not be acceptable to either of the applicants for statehood. At the last session of Congress it was proposed to exclude Arizona and New Mexico and create a new State out of Oklahoma and Indian Territory. The proposition was opposed by the friends of Arizona and New Mexico because of the unfair discrimination, and Oklahoma revolted against being united with Indian Territory. At this session the proposition is to create two new States—one out of Oklahoma and Indian Territory, as was suggested last year, and another out of Arizona and New Mexico combined. The House Committee on Territories has prepared a report favoring this course.

It is not at all probable that the people of Oklahoma are any more willing now than they were last year to be annexed to Indian Territory, and thus be forced to carry its burdens. Arizona and New Mexico can be safely relied upon to indignantly resent the proposition. Each demands separate statehood or nothing at all. The union of the two Territories would make a State as large as and more cumbersome in many respects than Texas. Besides, there are local political differences in the two Territories which it is hopeless to expect to harmonize. Each one is fully qualified to assume separate statehood, and should the bill pass creating one State out of the two, neither will accept a privilege of such doubtful value.

[The Arizona Republican, Phoenix, Ariz., March 27, 1904.]

FORBIDDING THE CEREMONY.

The cartoon which we reproduce this morning from the Denver Republican hits off quite correctly the statehood situation. Congress is determined to join the two Territories in a union which is unwelcome to both bride and groom. Usually, at least one of the parties to a wedding ceremony is anxious to go ahead with the proceedings; hence the situation presented now is unique. The magistrate alone is proposing that there shall be a marriage.

Perhaps, however, the families of the high contracting parties will be able to prevent the union. Certainly the objections are numerous and clamorous. Our latest advices from New Mexico are that joint statehood is quite as unwelcome over there as it is here.

Let us hope that Congress will realize before it is too late that the good of the public morals does not require Arizona and New Mexico to be joined together.

Mr. NEEDHAM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. MOON of Tennessee. Mr. Speaker, I yield to the gentleman from Texas [Mr. RUSSELL].

Mr. RUSSELL. Mr. Speaker, nothing contributes more to a satisfactory discussion of any subject than a clear understanding of its terms. I therefore will begin my remarks by stating as frankly and as succinctly as I can the differences which exist between the Democratic and Republican members of the Committee on the Territories, and shall then make use of such portion of the time as has been assigned to me to state the reasons which impel me to oppose the bill offered by the Republican majority and to support the bill which has been prepared as a substitute by the Democratic minority.

At the beginning of this Congress a number of bills conferring the right of statehood upon the four remaining continental Territories were introduced. These bills were referred to the Committee on the Territories, and elaborate hearings were had before that committee.

At the conclusion of those hearings the committee formulated its judgment. The majority have presented a bill creating two States out of the four Territories—the State of Arizona, composed of the Territories of New Mexico and Arizona, with a capital located at Santa Fe, in the now Territory of New Mexico, and the State of Oklahoma, composed of the Territory of Oklahoma and Indian Territory, with a capital located at Guthrie, in the now Territory of Oklahoma.

The minority have prepared, and if permitted to do so will submit it to a vote of this House, a bill creating four States, one out of each of the four Territories as they now geographically exist.

There are many things connected with the bill offered by the majority which are objectionable. For instance, in the constitutional convention provided for in Oklahoma that Territory is allowed sixty delegates and Indian Territory is allowed only fifty delegates. By the census of 1900 the population of Oklahoma was, in round numbers, 398,000, and of Indian Territory 392,000. Both Territories have increased wonderfully since 1900, but it is altogether probable that the population of Indian Territory is now in excess of that of Oklahoma. But, taking the census of 1900 as a basis, there is no justification in allowing Oklahoma the great preponderance in the constitutional convention provided for in this bill.

Mr. CURTIS. Mr. Speaker, I would state to the gentleman that since that time the Kiowa and Comanche Reservation has been open to settlement.

Mr. RUSSELL. I understand so, and I understand further that the majority of the Committee on Territories, in fixing this division for the delegates in the constitutional convention, proceeded upon the theory that they would eliminate from the population of Indian Territory the Indians in that Territory, and yet you have just declared that they have been made citizens of the United States and should have——

Mr. POWERS of Maine. Will the gentleman permit me?

Mr. RUSSELL. Yes, sir.

Mr. POWERS of Maine. The committee did not proceed upon that theory, but they proceeded upon the theory that they would eliminate the Indians not taxed in both Territories.

Mr. RUSSELL. This injustice is accentuated when we come to the case of Arizona. There the Territory of New Mexico is allowed seventy delegates in the constitutional convention, while Arizona is allowed only forty. Again, in forming the Congressional districts in the proposed new State of Oklahoma the majority have seized without remorse and worn without shame the diadem of Elbridge Gerry. [Applause on the Democratic side.] But I do not propose to spend time in discussing the details of this bill. That may be done by some other gentleman. The line of cleavage between us is: "Shall there be two States made from those four great Territories, or shall there be four States?" And it is to this simple proposition that I shall direct my argument.

Sir, prior to the war between the States there was no subject of national legislation which was more fruitful of acrimonious debate than the admission of new States into this Union. The admission of Louisiana, the admission of Texas, the admission of Missouri, the admission of Kansas, were the storm centers around which raged the tumultuous passions of those days. The whole subject of statehood seems to have been considered with reference to preserving the balance of power between the slave States and the free States, as they were then called. It may serve a useful purpose to digress here for a short while to recall an exciting incident that occurred in the House of Representatives ninety-three years ago.

On the 14th day of January, 1811, the House of Representatives was considering the question of admitting the Territory of Orleans into the Union under the name of the State of Louisiana. Mr. Josiah Quincy, of the State of Massachusetts, took the floor in opposition to the pending bill. He insisted with all the strength of his great intellect that Congress had no power under the Constitution to admit as States into the Union Territories lying outside of the original limits of the United States, and he vehemently

asserted that an attempt to exercise such a power gave just cause for dissolving the Union. Upon the utterance of these dis-Union sentiments Mr. Quincy, of Massachusetts, was called to order by Mr. Poindexter, of Mississippi, and thereupon the record proceeds as follows:

Mr. Quincy repeated and justified the remark he had made, which, to save all misrepresentation, he committed to writing in the following words: "If this bill passes, it is my deliberate opinion that it is virtually a dissolution of this Union; that it will free the States from their moral obligation, and, as it will be the right of all, so it will be the duty of some definitely to prepare for a separation—amicably if they can, violently if they must." (Annals of Congress, vol. 22, p. 525.)

After some discussion, the Speaker held that the language uttered by Mr. Quincy was out of order, and Mr. Quincy appealed to the House from the decision of the Chair, and the House overruled the Speaker by a vote of 56 to 53, and thereupon Mr. Quincy proceeded with his argument.

Among other things, he said:

This Constitution never was and never can be strained to lap over all the wilderness of the West without essentially affecting both the rights and convenience of its real proprietors. It was never constructed to form a covering for the inhabitants of the Missouri and the Red River country. And whenever it is attempted to stretch it over them, it will rend assunder. * * *

The very extravagance of the intended use is a conclusive evidence against the possibility of the grant of such a power as is here proposed. Why, sir, I have already heard of six States, and some say that there will be at no great distance of time, more. I have also heard that the mouth of the Ohio will be far to the east of the center of the contemplated empire. If this bill is passed, the principle is recognized. All the rest are mere questions of expediency. It is impossible such a power could be granted. It was not for these men that our fathers fought. It was not for them this Constitution was adopted. You have no authority to throw the rights and liberties and property of this people into a "hotch pot" with the wild men on the Missouri, nor with the mixed though more respectable race of Anglo-Hispano-Gallo-Americans, who bask on the sands in the mouth of the Mississippi. (Annals of Congress, vol. 22, pp. 537, 538.)

This shortsighted view of treating the West has found utterance more times than in the remarks of Mr. Quincy, and how gloriously have all of them been refuted. More than six States were admitted to the Union out of the Louisiana purchase. Already twelve splendid States carved out of that Territory are in the Union to-day, splendid monuments of the wisdom of Thomas Jefferson. And these States, which so excited the fears of Mr. Quincy in 1811, saved the Union in 1861. Instead of being a savor of death unto death they were a savor of life unto life. It was the courage and valor and determination of the men from Iowa and Nebraska and Wisconsin and Michigan and the States from the great Middle West which crushed and overpowered the ragged battalions in gray. It was to the West that the country looked for the great Secretary of the Treasury to furnish the sinews of war and preserve the credit of the country in the perilous times from 1861 to 1865.

It was from the West came the great President to guide the ship of state amid the most portentous storm that ever threatened to engulf it. And from the West came that great commander who, aided by western soldiers, was finally able to receive the surrender of him whom the President of the United States says was the greatest captain ever produced by the English-speaking people. I congratulate the House, sir, that the questions arising on this bill can be considered in the light of undisturbed reason and disposed of without passion. I make this statement advisedly. Both the great political parties in the last covenants which they made with the people of the United States were in accord with this one question. In the year 1900 the representatives of the Democratic party met in Kansas City and the representatives of the Republican party met at Philadelphia.

Those great conventions announced to the people of the United States the things they stood for and made certain promises which they solemnly agreed to perform if they were intrusted with power. Among those promises was to give statehood to Oklahoma and to New Mexico and to Arizona. The people of the country took you Republicans at your word, and the time is at hand for you to fulfill your promise. This bill is not a compliance of your platform pledge. It is a violation of it.

In the year 1900 the Republican national convention passed this resolution:

We favor home rule for and the early admission to statehood of the Territories of New Mexico, Arizona, and Oklahoma.

It is an insult to the intelligence of the people of the United States to pretend that you are complying with your promise to them by combining New Mexico and Arizona in one State. It is an outrageous betrayal of public confidence to pass this measure—a bill which not only robs the Territory of Arizona of her separate organic existence, but robs her of her very name. For the sake of public decency, if this outrage is to be perpetrated, let it not be done in the name of keeping faith with the people. The only way to comply with that promise contained in the last platform on which the Republican party elected its candidate for the Presidency is to make one State of New Mexico and another State of Arizona and another State of Oklahoma. Let us see if there is authority for this contention. On the 10th day of December, 1902, House bill No. 12543 was pending in the Senate. That bill was to enable the people of each of the three Territories of Arizona, Oklahoma, and New Mexico to form State governments and be admitted into the Union on an equal footing with the original States. Senator M. S. QUAY, a member of the Senate Committee on Territories, filed a report in favor of that bill. After alluding to the promise made in the Republican platform of 1900, he concludes with these words:

For the reason, therefore, that the Republican party in 1900 promised statehood to the Territories of Arizona, New Mexico, and Oklahoma, while no such pledge was made or promised in the national convention for the Indian Territory, which is not now fit for statehood, and that these Territories compare favorably in number and character of population, as well as in resources and territorial extent, with nearly all of the States admitted to the Union for many years past and in accordance with the precedents of our history, I recommend that House bill No. 12543 be passed without amendment.

No one will question the stalwart Republicanism of Senator FORAKER. On the 19th day of January, 1903, in an argument delivered on the floor of the Senate in favor of the bill just mentioned, to admit Arizona and New Mexico and Oklahoma to statehood, he appealed to this promise made by the Republican party. Let me read you a portion of what he said:

It was my fortune to be not only a member of the committee on resolutions in the national Republican convention of 1896, but to be also chairman of that committee, and I was a member of the subcommittee and chairman of the subcommittee that drafted that platform. I knew then exactly what we were putting in that platform. We put it in (speaking of the statehood plank) after giving a hearing to everybody who wanted to be heard; we put it in there, thinking it would strengthen the cause of Republicanism throughout the West. It was not an idle thing; it was not an ill-considered thing on the part of those who did it; it was carefully considered, and it was done after it had been thoroughly discussed. When we came to Philadelphia I was not chairman of the committee, nor the chairman of the subcommittee, but I was a member of the committe and a member of the subcommittee that drafted that platform.

Then, after quoting the statehood plank in the Republican platform of 1896, the Senator proceeds:

In 1900 we dispensed with all qualifications and boldly and unqualifiedly declared as follows:

"We favor home rule for and the early admission to statehood of the Territories of New Mexico, Arizona, and Oklahoma."

Now, Mr. President, if we are to be told that is not binding because it was not under oath, or if we are to be told for any reason whatever we are now to disregard it; if, in other words, insincerity is to be written across that declaration of the Republican national platform, it shall not be written by my hand. * * * That declaration was not put in there to help the opposition; it was put in there to help the Republican party; and we put it there because we thought it was right. I feel to-day just as I did then, and I intend to vote now, when it is not a mere platform proposition, as I voted then, because I am in earnest now, as I was then.

The Democratic party favored statehood for the Territory of Arizona in the platform of 1900, and we are ready to vote for statehood for her now. We favored statehood for New Mexico, and we are ready now to comply with that promise. We pledged statehood to Oklahoma and we stand ready to now redeem that pledge. If you gentlemen of the majority will join with us in an honest effort to carry out in good faith that one proposition upon which both of the great parties agreed in 1900 we will welcome into this "indestructible union of indestructible States" those great Territories. You will then stand acquitted of having written insincerity across the platform of your party.

But I turn to another phase of this great question. I maintain that the passage of this bill of the majority will not only be a violation of party covenants but a violation of national faith.

The bill proposes to join Arizona and New Mexico in one State, to call that State Arizona, and to locate the capital of the new State at Santa Fe. Everyone knows that the people of Arizona are opposed to this union with New Mexico. Everyone knows that its consummation will result in the people of Arizona being completely dominated by New Mexico. Everyone knows that the two Territories have little in common, either in religion, customs, or laws. It is hoped to mollify opposition in Arizona by retaining that name for the new State, but this piece of political legerdemain will deceive no one. There is not an intelligent schoolboy in Arizona who does not thoroughly understand that it will be a case where Arizona will have the pedigree and New Mexico will have the horse. Arizona was organized as a Territory in 1863. Prior to that time this great region had been a county of New Mexico, which was organized as a Territory in 1851. For many years the people of Arizona had been seeking a separate Territorial existence. It was then claimed by them that on account of the vast extent of the country, and on account of geographical conformations, union with New Mexico was inconvenient and undesirable. Many bills had been introduced in Congress looking to their separation. In 1862 President Lincoln recommended the organization of the Territory of Arizona, and in that year the Delegate from New Mexico offered a bill for that purpose, which became a law in 1863.

Now, I assert this proposition of law, that the act of 1863 organizing the Territory of Arizona was tantamount to an obligation on the part of the Government of the United States to grant statehood to the people within the limits of that Territory whenever

they were able to meet the requirements in point of population, wealth, and intelligence.

From what clause in the Constitution is derived the power to create and organize Territories and Territorial governments?

> The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, but nothing in the Constitution shall be so construed as to prejudice any claims of the United States or of any particular State.

No power to organize a Territorial government can be fairly traceable to this clause. Such power is not expressed here, nor is it to be derived by "necessary implication." The Constitution speaks of territory here in the sense of property and not in the sense of governmental entities. The language is:

> To dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

Under this clause the Government may survey its public lands and may fix the terms upon which it will dispose of its property. These public lands or property may exist within the limits of a State, yet it will not be contended that by virtue of this clause the General Government was vested with the power to exercise any control or regulation over any of the domestic affairs of people residing within the limits of such States, even though they may reside upon territory within such States belonging to the Government of the United States. This view is fortified by an examination of the proceedings of the convention which framed the Constitution. I read from Debates in the Federal Convention:

> Mr. Carroll withdrew his motion and moved the following:
> "Nothing in this Constitution shall be construed to alter the claims of the United States or of any of the individual States to the western territory; but all such claims shall be examined into and decided upon by the Supreme Court of the United States."
> Mr. Gouverneur Morris moved to postpone this, in order to take up the following:
> "The legislature shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution contained shall be so construed as to prejudice any claims either of the United States or of any particular State."
> The postponement was agreed to nem. con.
> Mr. L. Martin moved to amend the proposition of Mr. Gouverneur Morris by adding: "But all such claims may be examined into and decided upon by the Supreme Court of the United States."
> Mr. GOUVERNEUR MORRIS. This is unnecessary, as all suits to which the United States are parties are all ready to be decided by the Supreme Court.
> Mr. L. MARTIN. It is proper, in order to remove all doubts on this point. * * *
> The motion of Mr. Gouverneur Morris was agreed to, Maryland alone dissenting. (The Madison Papers, vol. 3, p. 1466.)

The organization of a Territorial government, like that accomplished for Arizona in 1863, is a political act, and no circumstances can be imagined under which it could be made the subject of litigation in the Federal courts. So I take it that it is clear, Mr. Speaker, that the clause of the Constitution which I have read does not confer on Congress the right to organize Territories as political subdivisions, and that the word "Territory," as found in that clause, is used as descriptive of property rather than as descriptive of political entities.

From what source, then, does Congress derive the power to create Territories and to organize them? Certainly it must exist somewhere in the Constitution if such power can be lawfully exercised.

Section 3 of Article IV provides:

> New States may be admitted by the Congress into this Union; but no new States shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned as well as of the Congress.

Section 8 of Article I provides:

> The Congress shall have power * * * to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States or in any department or officer thereof.

Upon these two provisions of the Federal Constitution "hang all the law and the prophets," in so far as the right of Congress to organize Territorial government is concerned. Let me examine this position. The old Articles of Confederation were silent upon the subject of admitting new States. Prepared during the blood and carnage of the Revolutionary war, when the issue of the conflict trembled in doubtful balances, it is not surprising that the statesmen of that day were content to provide for the saving the States that did exist and took no thought for the admission of new ones. But the achievement of independence in 1782 pressed other questions to the front. The extensive territory lying along the then western border gave rise to conflicting claims and mutual jealousies between the States; but better counsel prevailed, and beginning with Virginia in 1784, and followed by the other States, that great body of land known as the "Northwest Territory" was ceded to the General Government. In 1787 Congress adopted the celebrated ordinance known as the "Ordinance of 1787," for the government of that Territory. That ordinance provided that in that great section of this Union there should be created not less than three nor more than five States; that whenever as many as 5,000 inhabitants were found in the district a Territorial form of government should be created; and then article 5 declares:

> When any of the said States have 60,000 free inhabitants therein such State shall be admitted, by its Delegates, into the Congress of the United States, on an equal footing with the original States in all respects whatsoever, and shall be at liberty to form a permanent constitution and State government: *Provided*, The constitution and government so to be formed shall be republican and in conformity to the principles contained in these articles, and so far as it can be consistent with the general interests of the confederacy, such admission shall be allowed at an earlier time, and when there may be a less number of free inhabitants in the State than 60,000.

When this ordinance was passed by the Congress then sitting in New York, the great convention which framed the Constitution was in session in Philadelphia. Many distinguished men were members of both bodies, and the conclusion is irresistible that each body was thoroughly advised as to what was occurring in the other.

So, when the Constitutional Convention declared that "new States may be admitted by the Congress into this Union," that body knew that the vast expanse of country north of the Ohio River would be carved into not less than three nor more than five States, and knew also that the organization of Territorial governments might in every instance be the prelude to the organization of State governments. The fact, therefore, that the Constitution does not specifically grant to Congress the right to create Territories can be accounted for upon no other ground than that the framers of the Constitution were clearly of the opinion that the right to organize Territorial governments was a necessary incident to and plainly implied from the power to admit new States.

Authority for this contention is abundant. In a very elaborate report made to the Senate by Senator Douglas on the 12th day of March, 1856, on Kansas, he said:

> Is not the organization of a Territory eminently necessary and proper as a means of enabling the people thereof to form and mold their local and domestic institutions and establish a State government under the authority of the Constitution preparatory to its admission into the Union? If so, the right of Congress to pass the organic act for the temporary government is clearly included in the provision which authorizes the admission of new States.

In a very exhaustive report made to the Senate on the admission of Dakota, on the 11th of January, 1886, Senator Benjamin Harrison said:

> Territorial governments were always regarded as formative and temporary, to be superseded by State governments as soon as the necessary conditions existed.

I invite the attention of the Republican side of the House to this additional authority. In the Republican platform of 1888 you made this declaration:

> The Government by Congress of the Territories is based upon necessity only to the end that they may become States in the Union.

Now, Mr. Speaker, I therefore contend that when Congress separated Arizona from New Mexico in 1863 and organized it into the Territory of Arizona, it was done in the exercise of that power granted in the Constitution to "admit new States." It was the temporary and formative step to precede statehood for Arizona, and Congress no longer has the right to annihilate the political entity which it thus created by constitutional methods.

When you made Arizona a Territory, you made a political subdivision which you have no right to obliterate. The act of of 1863 organizing the Territory was the creation of a "power coupled with an interest" which you can not in good conscience revoke or reverse.

The Constitution forbids you to form any State "by the junction of two or more States or parts of States without the consent of the legislatures of the States concerned." When you created these Territories you were only authorized to do so because the Constitution gave you the lawful power to endow them with the Promethean fire of immortal statehood, and you have no right now to destroy the life which you have thus created, nor to form one State by the junction of two inchoate States without the consent of the legislatures of the inchoate States concerned.

Let me invite the House, while on this subject, to some of the proceedings which occurred in this body when the Territory of Arizona was created.

On March 24, 1862, Mr. Ashley, of Ohio, from the Committee on Territories, reported House bill No. 357, to provide a temporary government for the Territory of Arizona. The bill established the boundaries of the Territory of Arizona, defined the methods by which it should be governed, and then declared:

> And that said government shall be maintained and continued until such time as the people residing in said Territory shall, with the consent of Congress, form a State government republican in form, as prescribed in the Constitution of the United States, and apply for and obtain admission into the Union as a State on an equal footing with the original States. (37th Cong., 2d sess., p. 134.)

On May 8, 1862, debate was had on the bill. Its passage was resisted by Mr. Wheeler, of New York, on the ground of too few population, too little resources to bear tax burdens, mining popu-

lation, and transitory and other stereotyped arguments, such as the ones now made against the admission of Arizona to statehood.

Mr. Watts, Delegate from New Mexico, replied. He stated that he had introduced the bill at the earnest and persistent requests of people of Arizona; that the President had recommended it; and, continuing, speaking of the proposed division of the Territory of New Mexico, he said:

But I know and feel that it will not be left undivided. It is a Territory large enough to make four States of the size of New York or Pennsylvania, and I know and feel that it will not be allowed to remain undivided. I know it will be considered too large for one Territory. (37th Cong., 2d sess., p. 2025.)

Mr. Ashley, of Ohio, spoke in favor of the bill, showing that New Mexico was too large and ought to be divided; that Arizona had more population than most of the Territories when organized; that its natural advantages and wealth, when developed, would make it one of the greatest of our Territories.

The bill passed the House May 8, 1862.

The bill was debated in the Senate July 3, 1862. Senator Wade supported the bill and argued the justice and necessity of organizing the Territory. He said:

The organization of the Territory of Arizona has been a matter of constant importunity upon this Government for more than seven years to my certain knowledge, and there has always been an uneasiness among that people about their being attached to New Mexico. When you look at the map, you find that this Territory is of vast extent and the settlements wide apart. The principal settlement in Arizona, as I understand it, is 700 miles from Santa Fe, the capital of New Mexico. It is found exceedingly inconvenient for the officers of New Mexico to do business there. (37th Cong., 2d sess., p. 3094.)

Senator McDougal, of California, said:

It is perhaps my duty to say something on this question, as I think I am the only Senator who knows anything personally of the country proposed to be organized into a Territory. I have traveled all over that country, and I understand its necessities. The Rio Grande goes down to the Gulf of Mexico; the Gila goes to the Colorado and down the Gulf of California. They drain different sections of the country.

They—

Meaning New Mexico and Arizona—

are distinct portions of the country. Arizona should be organized; and I say this not by way of argument, but by way of expressing an opinion, an informed opinion, having been all through that country, that it is due to that country and the people who have gone to inhabit it and who have millions invested there that they should have a form of government, and I trust the Senate will concur in passing the bill.

Senator Lane, of Kansas, favored the bill and said in part:

You will never settle up a Territory if you wait to get population. Government should go before. If you expect to settle up these new countries, you must send government as the frontiersman. When we get 100,000 population, we establish a State government. In Kansas, I believe, the population was less than that. The argument with me has no force. I am one of the men who believe that the question of population should not be asked at all, even as to a State government. The only question we should ask is, Are the people of the Territory willing to take upon themselves the burdens of a State government? (37th Cong., 2d sess., p. 3095.)

On February 20, 1863, Senator Wade again urged the passage of the bill and said:

The Territory of New Mexico, including Arizona, is an exceedingly large one, altogether too extensive for any municipal business to be transacted in its extreme portions. * * * The principal point of population in Arizona is 700 miles from the seat of justice in New Mexico. (37th Cong., 3d sess., p. 1126.)

The bill passed February 20, 1863, by the following vote:

Yeas, 25—Anthony, Arnold, Chandler, Cowan, Dixon, Doolittle, Foote, Foster, Harlan, Harris, Hicks, Howard, Howe, Lane of Indiana, Lane of Kansas, Latham, Morrill, Nesmith, Pomeroy, Sumner, Ten Eyck, Wade, Wilkinson, Wilmot, and Wilson of Massachusetts.

Nays, 12—Carlile, Clark, Collamer, Davis, Fessenden, Grimes, Kennedy, Powell, Saulsbury, Trumbull, Turpie, and Wilson of Missouri.

You will observe that the act declared that the government of Arizona Territory—

Shall be maintained and continued until such time as the people residing in said Territory shall, with the consent of Congress, form a State government, republican in form as prescribed in the Constitution of the United States, and apply for and obtain admission into the Union as a State.

This was the legal equivalent of a solemn promise made to the people of that Territory. You were never to destroy that Territorial government. You were to maintain it until statehood should be given that Territory. The people of Arizona took you at your word. They accepted the Territorial organization you thus created. They have expended thousands of dollars in doing their part toward maintaining this Territorial government which Congress had also agreed to maintain. They built a statehouse which cost them $130,000. They erected penitentiaries and universities and schools and asylums, and now you propose in this bill to destroy it all.

I tell you that if the same state of facts could be shown in a case between individuals there is not a court of equity in all the land that would not stop the perpetration of the outrage by the granting of an injunction. I assert that if similar powers to those conferred by the act organizing the Territory of Arizona had been conferred upon a corporation by a State legislature, that the Federal courts have held ever since the Dartmouth College decision, that the State legislative assembly would have no authority to impair these powers, much less to destroy them. I concede that as to this particular case of Arizona this is a political question as distinguished from a judicial one, and that no court can restrain the despoiling hand of this House. But I appeal to that high court of public morals and public faith not to do that which is repugnant to every sentiment of equity and every inspiration of right. In the hearings before the committee each of the Delegates appeared and resisted the making of two States out of these four Territories.

Mr. MACON. How about the gentleman from Oklahoma [Mr. McGUIRE]?

Mr. RUSSELL. It was resisted by the gentleman from Oklahoma [Mr. McGUIRE], and by the gentleman from Arizona [Mr. WILSON], and by the gentleman from New Mexico [Mr. RODEY], every one of them, and the hearings will show it. All of them contended that the bringing in of a bill like this was a grave injustice to the people in each Territory.

Mr. Speaker, if this bill passes and New Mexico and Arizona are joined in one State, it will be over the protest of nearly every citizen of Arizona and against the wishes of a very large element of New Mexico. They were originally divided because the judgment of Congress was that united they were too large for one State and because the God of nature had divided them by a range of mountains. Both of them desire separate statehood and neither of them prefer joint statehood.

In the hearings before the Committee on Territories on this question, Hon. BERNARD S. RODEY, Delegate on this floor from New Mexico, said:

I might say this, that joint statehood for us, I am afraid, to-day is virtually a victory by the enemies of the Territories over us on this proposition. The result would probably be that a constitution would be defeated. I am satisfied of that. Whatever my personal feeling may be, I am satisfied that enough of the people of New Mexico would join Arizona in a negative vote to defeat a constitution. The class of people in Arizona are slightly different. They are a people from the extreme South and East and Northeast. In New Mexico two-fifths of the population are natives of Spanish descent, and, somehow or other, our brethren in Arizona do not particularly care to join us and we are not pining away with desire to join them. Quite a large per cent of the people of New Mexico, as a last resort, rather than remain in the humiliating position we are in any longer, would accept joint statehood, I am sure, but if such a proposition went to a vote in New Mexico to-day it would be overwhelmingly voted down.

I would like to state this: Arizona and New Mexico are virtually a blanket across the backbone of this continent, one on the right-hand side and the other on the left. One is east and the other is west.

The continental divide runs between us. The valleys of Arizona cluster the population largely in a bunch. The valleys of the Rio Grande and the Pecos cluster the population in a bunch east. If we have this joint statehood it will result in an interminable fight over the location of the capital. It would mix our Territorial, city, and county debts.

Recollect that the Territories now have institutions. Arizona has a penitentiary, has an insane asylum, has a fine university, has a capitol, and all the institutions that go to make up a magnificent State, all put there (as in New Mexico) by its own taxation and its own moneys. New Mexico has a capitol, a university, a science hall, two normal universities, an agricultural college, a military institute, a school of mines, a miners' hospital, a penitentiary, a deaf and dumb asylum, and I do not know how many other institutions, including as fine a system of public schools as you ever saw, all located within its own bounds, of course, up and down the Rio Grande Valley and elsewhere. Our laws and our customs are largely different from those of Arizona; and as a State, if we had the power, we would not have quite the same laws as Arizona. We have land grants galore in New Mexico, to which the civil law of Spain largely applies; and we have laws with reference to the distribution of waters that we may change to conform to the general western sentiment on the subject, but they are not changed yet. All those things would conflict, and the result would be, if we had a joint legislature with Arizona, that we might have interminable conflicts and fights.

In the same hearings Hon. JOHN F. WILSON, Delegate in Congress from the Territory of Arizona, addressed himself to the proposition to unite these two Territories in one State, and, stating the objections which the people of Arizona had to such a union, used this language:

Hence we object on another ground. New Mexico is on one side of the Continental Divide and we are on the other; the waters of New Mexico go to the Gulf and ours go to the Pacific. There is a large mountain range, impassable in many places, which lies between us, and that inconvenience makes it objectionable. New Mexico is a highland country, ours is both a highland and a lowland, and therefore our demands are different, our needs are different, and our dispositions are of course different. So far apart would they be, so far away, so adverse would they become to each other that they would become warring enemies, and we could not stand it. Their system of laws is different from ours. Our debts are different, and therefore there would be clash and friction. They have their public institutions that have cost them millions. So have we. One or the other must, in a measure, be abandoned. The power would then resolve itself into legislative power.

The strong arm, for the present, would prevail, and the weak one must necessarily fall. We can not conceive of any greater friction. Therefore I say we must resent it. We would rather remain a Territory until doomsday than to ever consent to any such unification.

The CHAIRMAN. Supposing that you were confronted with the question whether you could be admitted with New Mexico or not at all, would you rather wait or would you rather be joined?

Mr. WILSON. We would wait until the crack of doom before we would ever consent to it, and if stronger language is necessary I will use it.

The CHAIRMAN. I think it is fair to have your statement fully before the committee.

Mr. WILSON. I tell you our people will not vote for it. They are opposed to being raped with a proposition which they do not want. The reasons I have stated to the committee are reasons fair and broad; and rather than have to undergo the hardships that jointure would impose, we will remain a Territory until Congress gets more Americanized than it is, if it refuses us now.

Mr. ROBINSON. Is that the sentiment of your people?

Mr. WILSON. Yes, sir; absolutely.

Mr. ROBINSON. Will that sentiment change?

Mr. WILSON. It never will. It will only grow more violent. The more they are imposed upon the worse opposition they will make to it, because they believe it is wrong, infallibly wrong, and so do I. We believe it is wrong for Congress to reverse the national policy which is a hundred years old. We believe it is wrong for Congress to impose burdens upon an American people that are of their flesh and blood, and to give us something that we do not want, and we do not believe an American Congress is going to do it.

The statements made by these two Delegates have been abundantly corroborated by evidence of the most trustworthy character. In the face of these facts, why should the well-established policy of the Government be reversed in this case? The policy has heretofore been not to unite but to divide. Maine was divided from Massachusetts, Mississippi was divided from Alabama, Vermont was taken from New York, the Territory of Dakota was divided and two States made. But here we are asked to shut our eyes to all the lessons of the past, to disregard all the traditions of American policy, to abrogate the pledges made to these people of Arizona and New Mexico, and unite in one State both these Territories in order to gratify the selfish desire for party advantage. Such an act of gross injustice will recoil upon its authors. Such an act of party perfidy will not be forgotten by the American people. Such a shameless betrayal of public faith will meet with its fitting rebuke.

I turn now, Mr. Speaker, to the proposed union of Indian Territory and Oklahoma as one State to be called "Oklahoma," as provided for in this bill. I assert that this bill can not become a law without a willful and deliberate violation of solemn treaties made by the Government—treaties entered into on our part for valuable considerations received, and therefore the passage of the bill in its present form involves national dishonor. It will not be necessary to tax the patience of this House very long in order to establish the affirmative of this proposition. I first make this statement of facts: According to the census of 1900 there were then about 800,000 people within the limits of the proposed State. There are a great many more now. Of the population of the proposed State about 85,000 are Indians.

Your proposed enabling act provides that the election of delegates to the constitutional convention shall be accomplished by a vote of the people of the two Territories, white and Indian alike. It provides that the constitution when framed shall be submitted to a vote of the people of the two Territories, white and Indian alike. The votes of the white people of Oklahoma can ten times oversilence the voice and render of no force the wishes of the Indians. It can not be disputed that while the Indians are perfectly willing to accept statehood for the Indian Territory, they are unalterably opposed to the creation of the State of Oklahoma by combining the two Territories in one State. This proposition is so abundantly established in the hearings before the committee that I will not cite evidence here to sustain it unless it shall be now called in question.

Let me state the fact again. The evidence shows beyond question that the Indians will gladly welcome statehood for Indian Territory and that they are bitterly opposed to joining their Territory with Oklahoma in a State. Their opposition, I may say in passing, is placed upon grounds not alone of expediency but of morality. They claim that statehood with Oklahoma means that they will be embraced in a State where the alcoholic liquor traffic will be legalized, and that that means the immediate degredation and speedy extinction of the Indian.

The Indian nations who occupy the Indian Territory are the Cherokees, the Chickasaws, the Choctaws, the Creeks, and the Seminoles. Each of these nations or tribes before they were settled upon Indian Territory occupied and held lands east of the Mississippi River. They were in the way of the expanding greatness of the white man, and the Government of the United States negotiated and secured, through a series of treaties with these Indian nations, an exchange of their lands east of the Mississippi for certain defined boundaries within what was called "Indian Territory." There is an element of pathos in the preambles to some of these treaties.

For example, the treaty of 1835, made with the Cherokees, begins with this statement:

Whereas the Cherokees are anxious to make some arrangement with the Government of the United States whereby the difficulties they have experienced by a residence within the settled parts of the United States under the jurisdiction and laws of the State governments may be terminated and adjusted: and with a view of reuniting their people in one body and securing a permanent home for themselves and their posterity in a country selected by their forefathers, without the territorial limits of State sovereignties, and where they can establish and enjoy a government of their choice and perpetuate such a state of society as may be most consonant with their views, habits, and conditions, and as may tend to their individual comfort and their advancement in civilization, etc.

And thereupon follows the treaty which I shall presently allude to very briefly.

The Chickasaw treaty of 1832 begins with this statement:

The Chickasaw Nation find themselves oppressed in their present situation by being subject to the laws of the States in which they reside. Being ignorant of the language and laws of the white man they can not understand or obey them. Rather than submit to this great evil, they prefer to seek a home in the West where they may live and be governed by their own laws.

I might quote, sir, from the other treaties, but this is sufficient to show the reasons and causes which prompted and induced the making of those treaties which resulted in our Government acquiring from the Indians their lands east of the Mississippi.

I now invite the attention of the House to those articles in the treaties with the Indians which are pertinent to the proposition I am discussing. The treaty of New Echota, made with the Cherokees on the 29th day of December, 1835, in Article V contains this stipulation:

ART. 5. The United States hereby covenants and agrees that the lands ceded to the Cherokee Nation in the foregoing article shall in no future time, without their consent, be included within the territorial limits or jurisdiction of any State or Territory. (Rev. Ind. Treaties, p. 69.)

The treaty of 1856 made with the Creeks and Seminoles, in article 4, provides as follows:

ART. 4. The United States do hereby solemnly agree and bind themselves that no State or Territory should ever pass laws for the government of the Creek or Seminole tribes of Indians, and that no portion of either of the tracts of country defined in the first and second articles of this agreement shall ever be embraced or included within or annexed to any Territory or State, nor shall either or any part of either ever be erected into a Territory without the free and full consent of the legislative authority of the tribe owning the same. (Rev. Ind. Treaties, p. 111.)

Article 4 of the Chickasaw and Choctaw treaty contains this provision:

ART. 4. The Government and people of the United States are hereby obliged to secure to the said Choctaw Nation of red people the jurisdiction and government of all the persons and property that may be within their limits west, so that no Territory or State shall ever have a right to pass laws for the government of the Choctaw Nation of red people and their descendants, and that no part of the land granted them shall ever be embraced in any Territory or State. (7 U. S. Stats., 334.)

These stipulations were not abrogated, but were in effect affirmed in the Indian treaties of 1866.

In 1871 the Government of the United States changed its policy of dealing with the Indians by treaty, but in no respect was this change of policy to affect treaties already made. Upon the contrary, all lawful treaties were expressly declared to be entitled to sacred observance. The act of March 3, 1871, provides as follows:

No Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power, with whom the United States may contract by treaty; but no obligation of any treaty lawfully made and ratified with any such nation or tribe prior to March 3, 1871, shall be hereby invalidated or impaired.

So that, Mr. Speaker, I think it is clear that the joining of Indian Territory with Oklahoma in one State, over the protest of the Five Tribes, can not be accomplished without a violation of the solemn treaty obligations of our Government.

Mr. Speaker, I am not without eminent authority for this view. On the 10th day of January, 1877, there was a report filed in this House by a minority of the Committee on Territories, protesting against the organization of the Territory of Oklahoma. That report was signed, among others, by Hon. David B. Culberson, of Texas. The older members of this body will bear cheerful testimony to the statement that Mr. Culberson was not only a man of marvelous clearness of intellectual vision, but he was preeminently great as a lawyer. In that report the whole subject of our treaty obligations with the Indians is reviewed and the conclusion is clearly and strongly stated that the organization of the Territory of Oklahoma without the consent of the Indian nations who might then be occupying it would be a violation of our solemn promises made to the Indians to induce them to surrender their lands east of the Mississippi.

On the 3d day of March, 1879, the same question of organizing Oklahoma was again before the House. A minority of the Committee on the Territories again reported adversely. In that report the Indian treaties which I have read were set out and given as a reason why the Indian country should not be embraced within the limits of any Territory without their consent. The report concludes as follows:

The conclusions arrived at by your committee are: First, that the bill under consideration conflicts with existing treaty stipulations. Second, that while the right to decide in a last resort that a treaty is no longer binding is undoubtedly lodged in Congress, the exercise of that right is a judicial act affecting the honor and dignity of the nation, requiring for its justification reasons which commend themselves to the principles of equity and good conscience, particularly where the parties to the compact with the United States are weak and powerless and depend solely on the good faith of the Government. Third, that no such reasons exist for violating the treaty stipulations which reserve the Indian Territory exclusively for the Indians, and which secures to the Cherokees, Choctaws, Chickasaws, Creeks, and Seminoles the right of self-government under the restrictions of the United States Constitution.

This report was signed, among others, by Hon. Thomas B. Reed, of Maine.

It is a matter of satisfaction to be able to sustain the views I have announced by the authority of two such eminent statemen and superb lawyers as Thomas B. Reed and David B. Culberson.

Mr. Speaker, the Democrats in this House are in favor of granting statehood to each of the four Territories. We do not believe

that any great public interest would suffer by such a course or that the dignity of any department of the National Government would be impaired. Each of them is large enough to make a great State. New Mexico contains 122,469 square miles; Arizona, 113,929 square miles; Oklahoma, 39,030 square miles, and the Indian Territory, 31,000 square miles. The smallest of these Territories is twenty-nine times larger than Rhode Island, sixteen times larger than Delaware, three times larger than Massachusetts, New Hampshire, Vermont, or Maryland.

The Indian Territory is almost as large as Indiana, Ohio, or Kentucky, and is larger than West Virginia, Maine, or South Carolina.

Each of these Territories is possessed of abundant wealth to maintain State and local governments. Arizona has at least four hundred millions of taxable property; New Mexico has at least three hundred millions; Oklahoma, four hundred millions, while the property in the Indian Territory is equally as much. By the census of 1900 Oklahoma had a population of 398,000; Indian Territory, 392,000; New Mexico, 195,000, and Arizona only 122,000. This census was unquestionably incomplete and notably so in Arizona and New Mexico. It is safe to say that the population of New Mexico at the present is at least 250,000, while that of Arizona amounts to more than 178,000.

But two rules have been recognized by Congress in determining the sufficiency of population to authorize admission to statehood. One was that provided by the ordinance of 1787, which made it the duty of Congress to grant statehood to a Territory whenever it contained 60,000 free inhabitants. This ordinance was framed with reference to the territory north of the Ohio River, and by virtue of an act of Congress was extended to the territory south of the Ohio.

Under this ordinance Congress reserved the privilege of admitting a State before it had 60,000 free inhabitants, but it was the right of the State to demand admission when it had 60,000.

The other rule was the one applicable to States formed out of territory ceded to the United States by France, by Spain, and by Mexico. This rule was to grant statehood whenever the Territory had a population equal to the unit of representation, and that, while statehood might be granted sooner, it was considered that the Territory was entitled to admission as a matter of right whenever it had that amount of population.

The following States were admitted into the Union with less than 60,000 population, viz, Tennessee, Ohio, Indiana, Illinois, Arkansas, Oregon, and Nevada, while seventeen States have been admitted into the Union at a time when their respective populations were less than the unit of representation.

We acquired the territory from Mexico out of which was organized Arizona and New Mexico. This territory was acquired by the treaty of Guadalupe-Hidalgo. The ninth article of that treaty contains this provision:

> Mexicans who, in the Territories aforesaid, shall not preserve the character of citizens of the Mexican Republic conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States according to the principles of the Constitution.

It has been contended that the clause embraced in parentheses, "to be judged of by the Congress of the United States," meant that a different rule with reference to admitting States carved out of the territory acquired by that treaty should prevail. But I submit to the House that a more reasonable construction is, not that the law as to the admission of States deducible from the precedents should be changed, but that this treaty simply intended to reserve to Congress the right to determine whether the facts existed which authorized the application of the law.

Arkansas, Michigan, and Tennessee had each adopted their respective constitutions and presented themselves for admission into the Union before any enabling acts in their behalf had been passed by Congress. In the case of Tennessee, that State took her own census, adopted her constitution, and presented herself to the Congress, demanding admission as a State under the 60,000 rule, and on the recommendation of the President was admitted. So, with these examples in mind, the treaty of Guadalupe-Hidalgo declared that the Territories thus ceded should "be admitted at the proper time, to be judged by the Congress," thus reserving to Congress the right to determine the fact as to whether their populations were equal to the unit of representation, as well as reserving the right to admit them sooner if, in the judgment of Congress, it should be thought proper.

The unit of representation, as determined by the census of 1900, is 194,000. Three of these Territories already have populations in excess of the number required by the rule which has heretofore prevailed, and are therefore entitled to admission into the Union. If an exception to this rule was justified in any of the instances of the past, it is certainly to be justified in the case of Arizona. Her population is almost entirely American, and represents as fine an intelligence and as high a type of civic virtue as can be found on the continent. Only 1 per cent of illiteracy exists among her white population. They are a progressive, up-to-date people, and nothing is to be feared from placing the star of Arizona in the constellation of the Union.

But, Mr. Speaker, I bring these remarks to a close. I have attempted in homely phrase and considerate manner to prove that the passage of the bill of the majority means at once the ignoring of our treaty obligations and the violation of the rights of our own citizens. I have called attention to the fact that three of these Territories, in so far as numbers, wealth, and intelligence are concerned, are entitled, under all the precedents, to immediate admission into the Union, and that the third is a more inviting object of Congressional grace than the seventeen other instances where Territories were admitted before their populations equaled the ratio of representation.

What is the real objection to making four States out of these Territories?

Stripped of all disguises, it is because gentlemen wish to limit the extent of representation in the Senate of the United States. I can understand how this is desired by gentlemen from States bordering upon or close to the Atlantic coast, but how gentlemen from the great and growing West and Middle West can be brought to the support of such a policy is beyond my comprehension. If this bill shall become a law, I believe the day will surely come when western and middle western men who vote for it will marvel at the folly which possessed them. But a few years ago the center of population was at Baltimore. It is now at Columbus, Ind., and is rapidly tending westward and southward.

I believe that men now old enough to be inspired by the hope of it will live to see the day when 15,000,000 people will reside within the limits of Texas. The day will come when Chicago will be larger than New York and when the great bulk of the population of these United States will be found in the West. Great as it is in its past history, it will require some dreamer upon a political Patmos to measure the approaching glory and power of this great region.

Before the final die is cast on this bill glance, if you please, on the map of our country. The States lying north of the Ohio and east of the Mississippi, with Virginia added, embrace about one-fifth as much territory as all that great country lying entirely west of the "father of waters." And yet the States of this eastern section possess more power in the Senate than the whole of that great western region. The Constitution of the United States has irrevocably fixed the equality of representation in the Senate.

The day will come when some great measure will be demanded by the people of the West, and you will find this eastern section able to clutch the country by the throat and hold it at bay.

This will lead to friction and bitterness and maybe to strife and bloodshed. I appeal to gentlemen North and South; I appeal in the name of the "indestructible Union of indestructible States," and without regard to whether you be Democrat or Republican, not to turn your backs upon the very last opportunity to secure for the people of the West that representation in the Senate of the United States to which they are justly entitled. [Applause.]

Mr. MOON of Tennessee. Mr. Speaker, I yield to the gentleman from Arkansas [Mr. REID].

Mr. REID. Mr. Speaker, I am perhaps as anxious as any Member of this House for the admission of the great western Territories into this Union at the very earliest possible date. Aside from the natural pride and pleasure which it seems to me every American should feel upon the advent of a new State into the Union, there are reasons that appeal strongly to me from a personal standpoint. Coming as I do from a State that is bounded on the west by the great Indian Territory, hundreds, even thousands, of my fellow-citizens, friends, and kinsmen have crossed the border line and staked their destiny with the people of that section.

They did not go into that country with rifle and blade to wrest the wilderness from bands of howling savages; they were invited there by a civilization and social conditions which were tolerable a quarter of a century ago. They did not go there to become assimilated to the manners, the laws, and the customs of aliens and foreigners, but they met there upon common ground with their fellow-Americans from every State in this Union. There was found the farmer and the artisan ready to fell the forest and till the soil and build homes for their children, along with the eastern capitalist seeking new fields of investment for his surplus millions; sons of New England homes, graduates of New England colleges and universities, with their technical learning and consummate skill in the arts and professions.

The Southerner, with his high ideas of individual and national honor and his love for local institutions; the westerner, with that bold energy and indomitable spirit that has always blazed

out the path and made clear the way for States and empires—these people did not have to learn by slow and gradual process the arts of civil government. They were cradled and schooled in the heart of the greatest civilization and grandest Government the world has ever produced. They do not have to lie dormant in the lifeless and passive condition of a Territory for a decade to gather the wealth and intelligence that elevate to the dignity of a State. They carried with them the greatest patrimony in wealth and culture that any migrating people ever poured into the lap of a new and undeveloped country.

Born and reared in an environment that nurtures and develops the highest order of patriotism and self-reliance and having known and appreciated the inestimable blessings of local self-government, these people, proud of their American citizenship and the history of their country, keenly feel the humiliation involved in denying to them the right to govern themselves and to exercise an influence and voice their convictions in the deliberations of this body. It is not strange that they should feel thus. It was for these inalienable rights and principles that their forefathers took up arms against the British Crown, attained their independence, and established a government of their own.

In many respects they suffer the same ills that were imposed upon the American colonies. They are taxed, but without representation in the taxing power. They are governed by laws in which they were allowed no part in enacting. A horde of petit officers, not of their own choosing and in no way responsible to them, is sent hither to administer laws and execute judgments among them. Hampered upon every side in the development of their business enterprises, without proper facilities for the education of their children and the care of the insane, the blind, and the indigent, it is no wonder that to these high-spirited and self reliant Americans their condition is galling and humiliating in the extreme.

So far as the people in the Indian Territory are concerned, there are many of them who would perhaps be willing to accept statehood upon any terms to rid themselves of these embarrassing conditions, and out of consideration for them I might be brought to support a measure that would admit the Indian Territory and Oklahoma as one State, upon fair and equal terms to each section. But, sir, I am not permitted to do this. Under this bill, which by the rule adopted by this House can neither be amended nor modified, I must either oppose the measure altogether or submit to an unwilling and an unwise union of the four Territories into two States, organized not upon broad lines of national policy, but with an eye single to the political interest of the majority in this House.

A close examination of this bill makes manifest the fact that its whole purpose is not to admit these great Territories as States into the Union upon grounds of their fitness and qualifications for statehood, but to admit them, if at all, in such a way as to place the organizing conventions and early legislation absolutely in the control of the dominant political party and allow them the least possible influence in the Senate of the United States.

Sir, it seems to me that if ever there was a time when the interests of political parties should be discarded and the future safety and equilibrium of the Union alone kept in view, it is when we consider the admission of a new State into the sisterhood.

It is not the policy of the hour that should control and direct our deliberations. It is not the weal or woe of a political organization that should influence our action, but the interest of this broad land and the perpetuation of this Republic for all time to come. We should lay aside all partisan bias and determine in our own minds how we would decide this question, not only to-day, but ten, twenty, fifty years from now. Let us remember that once a State, always a State. When these Territories are admitted their destiny is fixed as long as our political system shall exist. In determining this matter let us bear in mind the fact that there will come a time when there will be no race question to complicate and annoy.

There will come a time when Mason and Dixon's line shall have vanished and the memories of the civil war be perpetuated only in legend and song. That great conflict, now nearly forty years ago, the influence of which sometimes yet asserts itself in the councils of state, will in time become like the civil wars of all other great nations, a mere episode in the history of the world. Political expediency and sectional prejudices can not enter into the determination of this question, if the dream of our fathers is to be realized in the perpetuation of an indissoluble union of indestructible States.

The safety and prosperity of the Union depends, in my judgment, more upon fair and equal representation of every section of our broad land in the Senate of the United States than upon any other principle. We are not congested upon some narrow island of the seas where the rain falls or the sun shines upon all at once. Our national domain is broad and expansive. Our industries are as diversified as the ingenuity of man can invent, and each can find a soil and a season for its fullest growth and development. There is only one way that has yet been conceived by which each section may be kept abreast of the others in the onward march of national progress, and that is by giving to each section equal power and influence in the Halls of State.

It is proposed by this bill that an unwilling union be forced upon Arizona and New Mexico and the Indian Territory and Oklahoma, and thus reduce the rightful representation of that great country in the Senate of the United States. And just here I wish to address my remarks to every Member of the House of Representatives as a Representative. When our forefathers established this Government the whole of its powers were divided into the legislative, the executive, and judicial. Congress was given full legislative power. I say this notwithstanding the veto power given to the President of the United States, because a requisite majority in each House may override that veto.

The Senate was given also executive power in the confirmation of appointments, and shares the treaty-making power with the Executive. It was given judicial power in the trial of impeachments. It was intended in the first instance as a sort of privy council of state, with sufficient power to check the Executive in the making of appointments and in the conclusion of treaties. It was intended to provide a means by which the smallest State in the Union, either in respect to territory or population, should have representation equal to the largest in at least one branch of the National Government. It was intended to restrain sudden and impetuous action upon the part of the more popular body and operate as an "element of stability in the government of the nation."

Hamilton's only fear was that it would not preserve its functions, but become overshadowed by the House of Representatives and subject to its domination and control. Indeed, such has been the history of every other representative government on earth. In the beginning of our constitutional existence the Senate was relatively an unimportant body. It had only twenty-six members, and it was not until 1817 that it appointed standing committees; but now it has reversed the processes of evolution which have taken place in every other representative government. In England, in France, in Germany, Austria-Hungary, Spain, Italy, and in all other countries having a representative government the direct representatives of the people have the controlling power and the functions of the upper house are scarcely more than advisory.

The original theory was that the Senate should represent the States and that there should be a balance of States as States in the Senate and operate as a check upon the encroachment and dangerous tendencies in other departments of Government. To-day it is the one all-absorbing and irresistible power in the Government of the United States. It is the most august, the most influential, and the most aristocratic legislative body on the face of the earth or that ever existed. Until 1840 the House of Representatives was the controlling body in Congress. Since the close of the civil war the House, year by year, has been losing its importance, and the Senate of the United States is in effect the sole legislative body in the Government. Our fiscal, our tariff, and financial legislation is all the work of the Senatorial oligarchy.

The McKinley bill was, after all, the work of a Senator from Rhode Island, a Senator from Iowa, an original free trader, but who has abandoned his early faith and never omits an opportunity to sing pæans of praise of the theoristic principles of protection. The Dingley bill, passed by the House, was amended by the Senate beyond recognition. The House by practically unanimous vote passed the Nicaragua Canal bill. When it reached the Senate, with supreme indifference to the expression of the House, they threw it aside and crammed the Panama Canal down our unwilling throats.

The legislatures of a majority of the States in the Union have passed resolutions requesting Congress to submit an amendment to the Constitution providing for the election of Senators by a direct vote of the people. Platform after platform of each of the political parties has demanded that Senators be so elected. Session after session and time and again the House has passed a constitutional amendment for this purpose, but as soon as it reached the Senate it was consigned to an eternal tomb. Such has been the exaltation of the Senate and such the decline of the House that when men become enormously rich and are possessed of political ambitions they usually ignore the House, and the Senate becomes their goal.

I do not deny that there have been times when these extravagant powers of the Senate have been used to the advantage of the whole country and nefarious legislation prevented thereby, but in the main I contend that the tendency is undemocratic; it is unrepublican and is dangerous. There is only one way possible to guard against these tendencies, and that is in the way contemplated by the Constitution of the United States—preserve the equal representation of every section of this country in the Senate.

The time has even now passed when this could have been accomplished fully and perfectly, and with the admission of these

Territories will be settled the number of Western States for all time to come. Texas is the only one in regard to which there is any provision for dividing, and it is safe to say that local interest, pride in great territorial extent, and memories of her past history will always keep this from being done. At present the representations of different sections in the Senate in proportion to their population may not be exceedingly abnormal, but, sir, it is poor statesmanship indeed that closes its eyes upon the portent of the future simply because the present is sufferable.

The expanding power of the Senate makes it imperative that we take no steps that will tend to destroy in the future the equal representation of every section in that body. Now, let us examine for a few moments the claim of these Territories for admission as separate States.

At the beginning of the last Congress we passed, by an overwhelming majority of the House of Representatives, a bill practically admitting these Territories as separate States. But, sir, there was an element in the Senate, a comparatively insignificant minority, which was not pleased with the bill sent over by the representatives of the people, and the measure, as is generally the case under such circumstances, was filibustered to death.

The House is now asked to surrender, to face about and beat an ignominious retreat. The argument for the admission of these Territories as different States is stronger now, as indeed it will become stronger and stronger as the years go by, than when the statehood bill passed the House last Congress; but an entirely different spirit has now come over the dreams of the majority in this House. Why this sudden change of front? Is there any less reason for the admission of Arizona and New Mexico as separate States to-day than there was two years ago? Is there any less reason why Oklahoma should constitute a State to-day than there was thus many months ago?

The truth is, Mr. Speaker, that your majority in this House are opposed to the admission of these Territories under any circumstances; but if it must be, if the time has come when their right to admission is so clear and just and the demand so loud and strong that you can not trifle with it longer, it is proposed that their demand shall be answered in such a way as to give the least possible political advantage to this section and deny her her just meed of influence in the future progress and destiny of the nation; because, sir, the Republican party is dominated and controlled, soul and body, by northern and eastern influences, ever watchful and farsighted in their own interest, but without the slightest regard for the interest of the country at large.

Upon what do you base your opposition to the proposition to admit these Territories as separate States? Is it because they have not sufficient geographical area that you seek to band them together in unwilling union? Every schoolboy whose eye has fallen upon a map of his country will recognize the injustice and absurdity of this contention. Oklahoma contains 39,030 square miles. She has more area than fourteen States in the Union. She has a larger area than Connecticut, Delaware, Massachusetts, New Hampshire, Rhode Island, and Vermont all put together. She will have an area practically as large as that of one-third of the States of the Union.

And what is true of Oklahoma in this respect is no less true of the Indian Territory. She is greater in extent than Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Rhode Island, South Carolina, Vermont, or West Virginia. Her soil is the richest in the world and could easily support a population of 3,000,000 people. These facts in regard to the area of Oklahoma and Indian Territory make ridiculous in the extreme the suggestion that this is any reason for combining New Mexico and Arizona as one State, either of which would have practically as much territory as all of New England, with the great State of New York thrown in.

If it is not narrowness of territory, then what is it that you base your contentions upon? Is it wealth or population? Let us examine for a moment. There are fifteen States of this Union to-day with less population than either Oklahoma or the Indian Territory. If an accurate and complete census of Arizona was taken to-day there is every reason to believe that she would not fall far short of 200,000 people. If so, she has as many people as the State of Delaware, more population than the State of Idaho, and several times the population of Nevada.

Arizona, the least of these Territories from a standpoint of population, has more people than at least twenty-four States had at the time they were admitted to the Union, and this not including the original thirteen States.

New Mexico can not be far short of 350,000 people; and if so, she has, as was contended by Mr. RODEY, the Delegate from New Mexico, before the Territorial Committee, a larger population than any Territory ever had when it was admitted as a State. In taxable values, in wealth and natural resources of every kind, their claim is equally strong. There were twenty-seven States admitted to the Union with less taxable values than Arizona has to-day. She has more fertile land than all of New England.

New Mexico has over three hundred millions of property subject to taxation. The natural resources of Oklahoma and the Indian Territory make them among the richest countries in the world. In taxable values Oklahoma has demonstrated her qualifications for statehood. The Indian Territory, with her 80 national banks, her 2,500 miles of railroad, her 57 coal mines pouring out over 3,000,000 tons of coal a year, besides her live stock and agricultural products, is lifted in wealth to the dignity of an empire.

The social and intellectual conditions that obtain throughout these Territories, either of them, will compare favorably with any State in the Union, and any argument to the contrary is either insincere or made in ignorance of the facts as they really exist.

People going into those Territories from the intellectual centers of the East have never been known to return on account of any inability to find social relations worthy of their membership. Many of them can testify, after a few years' contact with these people, in society, in church, in the professions, and in business circles, that they are not badly in need of the intellectual culture and business ability to take care of themselves. Their population is almost exclusively made up of people from the States, and their grade of culture and intelligence is practically the same.

I know, sir, that the point is made that certain portions of the population of Oklahoma and the Indian Territory are Indians; in that of New Mexico and Arizona are Mexicans, and are unqualified for good citizenship and incapable of self-government. This very objection was raised in 1845 against the annexation of Texas and against the admission of California in 1851. The Mexican and the Indian in each of these States has long since disappeared, and in his place has grown up the finest type of American citizenship. To-day Texas and California are two of the grandest States of the Union, and are hurrying on to a future of untold possibilities. The great bulk of the population in either of these Territories is composed of typical self-reliant and self-governing Americans.

The American is in the saddle, and the danger from Mexican population in either Arizona or New Mexico is ridiculous. A few years' time is all that is necessary to settle that question in either of the Territories. But, sir, it is strange, passing strange, that this objection should be made by any Representative from New England or any of the Northwestern States. The towns and cities of New England swarm with a foreign-born population.

My friend from Massachusetts, a leading member of the Committee on Territories, stated during the hearings on this question that he had the honor to represent in Congress a district in which there were about 30,000 French Canadians who spoke nothing but French. Add to this the number of Poles, Italians, and other foreigners in his district, and a much larger number of his population will be either of foreign birth or the immediate descendants of foreigners. The difference in the two cases is all in favor of the western Territories.

The foreign population in New England and the Northwestern States will in all probability continue to increase. The objectionable population in the Territories will year by year fade away and disappear.

By the census of 1900 only two of the New England States showed any gain, Massachusetts and Connecticut, and the gain in each of these was in foreign population, which immigrated and settled in their cities. Take Minnesota and Wisconsin and other Northwestern States and see what a menacing population is growing up in each of them. There is far more danger from the objectionable populations which we are trying so hard to restrain with immigration laws in the New England States and in our great cities than these objectionable classes in the Western Territories.

There are more Irish to-day in New York than in Dublin. Chicago is the largest Polish city in the world. Take Massachusetts. I would not speak disparagingly of this great historic State. As an American citizen I am proud of her example and proud of her precepts. She has been called the "Holy Land" of law, of literature, and liberty. But let us be candid. Her population to-day is divided, as stated by a professor in Columbia University, into an insignificant minority, composed largely of ancestor-worshiping Puritans and a few fastidious dilettante on the one side, and an ever growing and increasing horde of foreign-born population on the other. What is true of Massachusetts is true of Connecticut, and is largely true of nearly every New England State.

It can not therefore be urged with any degree of assurance that objectionable population of these Territories is any reason that they should not be admitted as separate States. Another objection is sometimes made—that Arizona and New Mexico are mineral countries, and when the minerals are exhausted they will be abandoned and population will decrease. There are, it is true, in these Territories inexhaustible fields of iron, coal, copper, asphalt,

and large and undeveloped mines of gold and silver. But there is no force in the objection. West Virginia and Colorado, Pennsylvania, Alabama, Georgia, Michigan, and Wisconsin are almost exclusively mineral States, and their resources bring untold wealth to the people and support teeming populations.

I can not believe that gentlemen are serious when they advance such arguments against the admission of Arizona and New Mexico. It is stated that there are vast stretches of arid and unproductive lands in these Territories. As stated before, the fact is that there is more productive land in either Arizona or New Mexico than there is in the whole of New England. These lands that are called the "waste lands" there will ultimately become, under the system of irrigation that has been inaugurated, among the finest agricultural lands in the world. In proof of this proposition we have only to call to mind the case of the Panhandle of Texas. A comparatively few years ago this country was considered a part of the great American desert. Mr. Davis, while he was Secretary of War, bought a herd of camels and sought to introduce them in order that the desert might be traversed by caravans such as are used upon the great Desert of Sahara.

It was then the bourne of the solitary herdsman and the cowboy. To-day it is a land of varied industries, supporting thriving cities and a great and growing population. The city of Amarilla, at one time called the "heart of the staked plains," is to-day a city of 10,000 people, with all the modern improvements, such as street railroads, electric lights, waterworks, and banking and manufacturing industries. What has been accomplished toward making the desert bloom there can be accomplished and will be accomplished on a larger and grander scale in Arizona and New Mexico. But, Mr. Speaker, these arguments have been repeated in this House and on the floor of the Senate until it is pardonable to allude to them only in the most general terms.

They have demonstrated, it seems to me, to the satisfaction of any man who will view the question free from party bias and from a standpoint of fairness and justice to the whole country, to the people who inhabit the Territories, that they are entitled to come in to the Union as separate States, and to come now. There is no justice in the denial. When they were organized as separate Territories and separate Territorial government provided for each, the people there and those who have gone there since assumed, and had a right to assume, that their boundaries would be left at least substantially undisturbed when they were admitted into the Union.

The country demands that they shall come, and come as separate States. You have promised it and reiterated it and emphasized it in your party platform, and when the time came to redeem your promise you met it with some miserable evasion or indefinite delay. When your party meets again in a few weeks you will "point with pride" to the progress you have made in the solution of the question, and proceed to dish out to a long-suffering people the stale old promises you have made over and over again. If you thought these Territories were all safely Republican and would continue for the next fifty years to take their religious and political pabulum from east of the Allegheny Mountains, they would come in as separate States before the next national election.

You were ready and willing enough to divide the great Territory of Dakota and make two States of it because it served your purpose politically, and now, supremely indifferent to the virtue of consistency, you propose to force a union of New Mexico and Arizona because you fear that one of those States would go Democratic if they were admitted as separate States.

But, Mr. Speaker, let me return to the proposition that the day will come when the great Southwest will suffer for it and the safety of the Union be endangered if you deny that section the representation in the United States Senate to which her wealth and population will then, at least, entitle her.

Let us preserve the balance and equilibrium while it is not yet too late. Let us set over against the six States in the Northeast, six States in the Southwest. It is just, it is politic, it is sound, prescient statesmanship to do so. I call upon the Representatives from the great West. Where is Iowa, Nebraska, and Kansas in this contest? Are you content to remain forever in a state of colonial vassalage to New England? The afterglow of the civil war has faded away. The issues that at one time placed you at variance with your sister States a little farther to the south have been settled forever. Your interest and theirs have now become identical. Is it not time for you to rise in your might and assert an individuality of your own?

On academic questions we can afford to divide, but a great question which involves the power and influence of your whole section in the governmental affairs of this Republic for at least many generations to come is now to be determined. Can you afford to permit the petit party policy of the hour to place you in a position where posterity in the years to come will reproach you for making such an abject surrender of the rights and dignities of your country? There is no question as to where the Representatives from the Middle West and the Southwest should stand in this controversy. They should vote with one voice and always against any bill that seeks to band these great Territories into two States, so great in territorial extent as never to be entirely efficient in themselves and without any appreciable influence in the Government of the nation.

Do not believe for one instant that the older States would divide under such circumstances. During the whole of our national existence New England has been politically one, and with her twelve Senators has absolutely dictated the fiscal and financial policy of the United States. She has always maintained a solidarity of interest on these questions. The junior Senator from Maine may favor expansion; the senior Senator may violently oppose it; both are sent back without a show of opposition. The senior Senator from Massachusetts may be strongly opposed to expansion; the junior Senator, by his voice and his vote, may favor it; both are returned to the United States Senate.

The little State of Rhode Island sends her great tariff builder, term after term, to represent her interest in Congress. These States may differ upon minor matters, but upon fiscal and financial questions they are eternally one. Massachusetts marches at the head of the van and leads her sister New England States wherever she will. I repeat, Mr. Speaker, that sound statesmanship would dictate that there should be set off against this solidity of interest in the East a balance of power in the West. To accomplish this we should never consent to the consolidation of these Territories into two States. For that reason and others I have mentioned I am constrained to vote against the bill, much as I would rejoice to see the people of those great sections released from Territorial bondage. [Applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 11968. An act to incorporate the Washington Sanitary Housing Company;

H. R. 13509. An act authorizing the Secretary of War to transfer to the Columbia Military Academy certain property in Maury County, Tenn.;

H. R. 10891. An act for the relief of Julius A. Kaiser;

H. R. 14901. An act to provide for payment of damages on account of changes of grade due to construction of the Union Station, District of Columbia; and

H. R. 12055. An act for the relief of John Bremond.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 4594. An act to incorporate the American National Institute (Prix de Paris) at Paris, France;

S. 4917. An act to amend section 29 of the act of July 24, 1897, entitled "An act to provide revenue for the Government and to encourage the industries of the United States:"

S. 4316. An act providing for the appointment of additional judges in the Indian Territory;

S. 3182. An act to pay certain Choctaw (Indian) warrants held by James M. Shackleford; and

S. 5218. An act granting permission to Capt. C. De W. Wilcox, United States Army, to accept a decoration and diploma tendered to him by the Government of the French Republic.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 2424) to recognize and promote the efficiency of army chaplains.

The message also announced that the Senate had passed with amendment bills of the following titles in which the concurrence of the House of Representatives was requested:

H. R. 11126. An act to authorize the Secretary of the Interior to add to the segregation of coal and asphalt lands in the Choctaw and Chickasaw nations, Ind. T., and for other purposes;

H. R. 11518. An act to authorize the holding of a regular term of the district court of the United States for the western district of Virginia in the city of Bigstone Gap, Va.:

H. R. 10418. An act to ratify and amend an agreement with the Sioux tribe of Indians of the Rosebud Reservation, in South Dakota, and making appropriation and provision to carry the same into effect; and

H. R. 11128. An act to modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect.

The message also announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

H. R. 12446. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the

procurement of heavy ordnance for trial and service, and for other purposes; and

H. R. 10670. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1905, and for other purposes.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 3) to regulate electrical wiring in the District of Columbia.

The message also announced that the Senate had passed the following concurrent resolution: in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution No. 63.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed, at the earliest date practicable, to cause a survey to be made of the Olympia Harbor, State of Washington, and to submit an estimate for the improvement of said harbor to meet the demands of commerce.

STATEHOOD FOR THE TERRITORIES.

Mr. HAMILTON. I yield five minutes to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Speaker, from the foundation of the Government the admission of States into the Union has always been a matter of party policy. It has never been denied, until a discussion which took place in this House in the last Congress, that that statement was absolutely true. Considerations of political policy controlled the action of the Democratic party at the time of the admission of Ohio into the Union. That State was brought into the Union for the avowed purpose of contributing three electoral votes to the second election of Mr. Jefferson as President of the United States; and that State was brought in without the formality of the ratification of the constitution by the people, and with undue and precipitous haste, in order that the electoral college might be reenforced by three Democratic votes. From that time to this, on the recurrence of each application for the admission of a Territory as a State, the whole question practically has been a question of party politics.

Now, this is a Government of party, and parties speak through caucuses and conferences. The Republican party on this floor has spoken to me through the order of a caucus. There is nothing in my action upon this question that involves a matter of conscientious duty, and therefore, while strongly opposing this bill for a number of reasons, I shall certainly vote for it. I think it best perhaps that it shall be thus disposed of.

I regret that some of the minor details of this bill could not have been more carefully considered. I am aware that my own position upon one of the questions to which I shall refer is not in accord perhaps with the views of a large majority of the Members of this House. I would not put a restriction upon any man, so far as his right to vote is concerned, because of illiteracy. I am one of those who believe that the test of literacy or illiteracy is the most fallacious and unreliable that can possibly be applied to an American citizen.

I have not time to elaborate that question here. But I will never vote, upon a final vote that fixes the qualification of an elector of my country, to eliminate from the electoral power a man simply and solely because he can not read and write. According to my observation, the men who have committed the great crimes in this country and those who are to-day furnishing the elements of danger to the Republic have not been and are not illiterate men by any manner of means.

In the next place, I would have guarded this bill and the States to be admitted under it against the insidious poison of polygamy. Unfortunately there has been a most amazing oversight on the part of somebody in drafting this bill. Just at this time this monster of polygamy is insidiously crouching in the new States and Territories to spring at some time upon the best interests of the country.

Mr. CURTIS. Will the gentleman permit an interruption?

Mr. GROSVENOR. Certainly.

Mr. CURTIS. I understand an amendment is provided for in the rule to cover the very thing suggested by the gentleman from Ohio.

Mr. GROSVENOR. There is an attempt already in the bill, and I do not understand the amendment changes it.

Mr. HAMILTON. If the gentleman pleases, it is covered already in the bill.

Mr. GROSVENOR. I beg the gentleman's pardon. It is not covered in the bill. That is the great trouble. And it is not provided for in the amendment, as I understand it.

Mr. DALZELL. The amendment simply relates to the sale of liquor.

Mr. HAMILTON. On page 5 of the bill it is provided that polygamous and plural marriages are forever prohibited.

Mr. GROSVENOR. The gentleman will find that he has made the mistake of his life, if he thinks that is a blow at the real trouble with polygamy to-day. It is not plural marriages that constitute the insidious danger of polygamous Mormonism at this time.

Mr. HAMILTON. This is quoted from the Utah act.

Mr. GROSVENOR. That may be. Then the Utah act is just as fatally defective as this.

Mr. HAMILTON. That may be possible.

Mr. GROSVENOR. And this is just as fatally defective as that.

Mr. HAMILTON. That is possible.

Mr. GROSVENOR. We had just gone through a long hearing before the Senate committee, a public hearing where the champions of polygamy came forward, and while admitting that they had strenuously lived up to the prohibition of the Utah convention and had refrained from further polygamous marriages, yet stated that they were continuing the business of polygamous cohabitation, drawing that distinction.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. GROSVENOR. I should like one minute more.

Mr. HAMILTON. I yield to the gentleman.

Mr. GROSVENOR. So, therefore, as this matter stands now, this new State of New Mexico and Arizona or Arizona and New Mexico, by whatever name it may be called, will be the home and resort and haven of those who have committed polygamous marriages in some other State and who move in under the cover of polygamous cohabitation. [Applause on the Republican side.]

Mr. HAMILTON. Will the gentleman from Tennessee [Mr. MOON] occupy some time now?

Mr. MOON of Tennessee. How much time have I?

The SPEAKER pro tempore. The gentleman has seven minutes remaining.

Mr. MOON of Tennessee. I yield that time to the gentleman from Missouri [Mr. LLOYD].

Mr. LLOYD. Mr. Speaker, there has been no more important bill before this Congress at this session than the one we are now considering, and it seems to me unfortunate that a measure of so great importance, and having such effect upon the future of this great country should have so little consideration.

I am concerned as much for statehood as any individual on this floor, and for statehood for each of the four Territories asking it, singly or separately, as they prefer. I am not ready, however, to admit that 99 per cent of all the people of Oklahoma and the Indian Territory are in favor of single statehood. I do not know what may be the opinion of those two Territories. I know very well that the Delegate from that Territory presented his bill to this Congress on the theory that the people of Oklahoma were in favor of separate statehood—statehood for Oklahoma alone.

Mr. RANDELL of Texas. Was he not elected on that kind of a platform?

Mr. LLOYD. Mr. Speaker, I understand from the gentleman himself, in private conversation, that the issue in the campaign of 1902 in the Territory was the question of statehood and as to whether it should be a single State or a separate one. The Democracy in 1902 announced itself in favor of single statehood—that is, statehood for Oklahoma and the Indian Territory combined. The Republican party asserted itself for statehood for Oklahoma alone. When the gentleman to-day declared himself in favor of uniting these two Territories into one State he does that which the Democracy of 1902 demanded of Congress should be done. [Applause on the Democratic side.]

As far as we are concerned, on the minority, all that we ask is that the question as to whether Oklahoma is in favor of single statehood or not, and whether the Indian Territory is in favor of it, shall be left to the people of each of those Territories. We are opposed, and unalterably so, to forcing Oklahoma and Indian Territory into a union unless both Oklahoma and the Indian Territory are in favor of that union. We are opposed to uniting Arizona and New Mexico into one State without the consent of both Arizona and New Mexico.

Sir, this provision in the bill fixing the capitals at Guthrie and Santa Fe until 1910 is unwise, improper, and a violation of another section of the bill which gives the new States the same rights and privileges as any other State.

If the majority party will permit us to offer an amendment providing that the people of those Territories shall have an opportunity of saying whether they are in favor of joint statehood or separate statehood, whether they are in favor of union, then there is no man on the minority, I am sure, but what will support this bill. But we are opposed to saying to a large body of people, "You can not have a voice excepting in connection with another Territory," when that Territory may have power to override the weaker one. For example, it may be that Arizona would vote against union, and that New Mexico would vote for union, and having a greater majority, the result would be that the two would be combined against the will of Arizona.

I insist that that is in violation of every principle of government;

that it is revolutionary in its character. What has been the policy of this Government heretofore? From time immemorial States have been made smaller, but never in the history of this Republic has the Congress of the United States undertaken to unite two Territories into one. Commencing with the first, Vermont came from New York, Maine from Massachusetts, Kentucky was part of Virginia, Tennessee part of North Carolina, Mississippi a part of Georgia, and after Mississippi was set off to itself it was then divided into two States—Mississippi and Alabama. Dakota was divided at admission, and West Virginia was formerly a part of Virginia. But you will strive in vain to find precedent for the union attempted here to-day.

Why is it that we are asked to vote for this bill in the shape that it is in? Why not permit it to be amended before passing the measure? You know, gentlemen of the majority, that if you submit this to the House upon its merits, without the party lash being applied, that Arizona and New Mexico will not be united together; or if they are, that consent will be given to them to say for themselves whether they are in favor of union or not.

In the last Congress, in some remarks on the question of statehood for Arizona, New Mexico, and Oklahoma, I undertook to give a short and concise history of the questions raised, the area, population, and general conditions of each Territory at the time the enabling act was passed, and I attempted to show that by every method of determination that had theretofore been invoked each of the Territories was entitled to immediate statehood.

To-day these conditions are more favorable in the Territories named than at that time, and the vast domain seeking the privilege of statehood are each more entitled to recognition than it was when the statehood bills were considered in 1902. The same Territories are presenting themselves at this time with the same earnest plea, begging for statehood, but the majority of the Committee on the Territories, instead of pursuing the course of the Fifty-seventh Congress, have voluntarily presented a bill combining the Territories of Arizona and New Mexico into one State and Oklahoma and Indian Territory into another.

In the case of Arizona and New Mexico, which by the pending bill are united, there was not a single demand from any source for such blending. No person appeared before the committee from either Territory who asked such action. No one acting for the people in any capacity even suggested it. The gentleman from Arizona [Mr. WILSON] presented a bill early in the session asking statehood for Arizona alone, and followed it with hearings from leading men of the Territory, including the governor, who insisted on admission at once and showed beyond question that the Territory was entitled to this recognition.

When asked by the members of the committee how the people felt about joining their Territory with New Mexico, in every instance an emphatic expression was made to the effect that they were very much opposed to it, some going so far as to say that they would prefer to remain a Territory indefinitely than to be united in statehood with New Mexico. Ex-Governor Murphy, who has been a citizen of Arizona for over twenty years, has been twice its governor and once its Delegate in Congress, a partisan and active Republican in politics, interested in many ways in its property and development, said to the committee:

> Arizona in 1863 was cut off from New Mexico because of its unwieldiness. The area of the two Territories combined would be as great as all of New England, New York, Pennsylvania, Ohio, and Indiana. The distance from one side to the other would be as far as it is from New York to Chicago. * * * The legal procedure of New Mexico is under common law jurisprudence, while Arizona has a code. Each has its public buildings and indebtedness, which would be difficult to adjust, and there is nothing in common between the people. It would be a very unwieldy and expensive State to govern, and to my mind the proposition would be absurd to any intelligent citizen of the country. * * * I have been over the Territory a great many times, and have written nine statistical reports, in all of which facts have been carefully compiled. I have yet to hear even one citizen favor the joint statehood proposition.

The Delegate from New Mexico [Mr. RODEY] likewise presented a bill for the admission of New Mexico. Various citizens of that Territory appeared before the committee in the interests of statehood and insisted that New Mexico was ready for admission and had all the requisites of a State excepting the enabling act. In an eloquent and forceful plea for the admission of New Mexico Mr. RODEY stated to the committee, among other things:

> Arizona and New Mexico are, indeed, a blanket across the backbone of this continent—one on the right side and the other on the left. One is east and the other is west. The continental divide runs between us. The valleys of Arizona cluster the population largely in a bunch. The valleys of the Rio Grande and Pecos cluster the population in a bunch also.
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> If we have this joint statehood it will result in an interminable fight over the location of the capital. Recollect, also, that the Territories now have their institutions. Arizona has a penitentiary, an insane asylum, a fine university, a capitol, and all the institutions that go to make up a magnificent State; all put there by its own taxation and its own money. New Mexico has a capitol, a university, a science hall, two normal universities, an agricultural college, a military institution, a school of mines, a miners' hospital, a penitentiary, and a deaf and dumb asylum. * * * Our laws and our customs are largely different from those of Arizona, and as a State, if we had the power, we would not have the same laws. We have land grants galore in New Mexico to which the civil law of Spain largely applies.
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> We have laws with reference to the distribution of waters that we may change to conform to the general western scheme on the subject, but they are not changed yet. All these things would conflict; and if we had a joint legislature with Arizona, there might be interminable conflicts and fights.

Now, with these Territories demanding statehood separately, and protesting against their union, why should they be joined? What motive prompts this action? Can it be proposed because they can not separately maintain self-government? This would certainly not be contended, for the resources of either is much more than that of many of the States already admitted at the time of their admission.

The assessed valuation of New Mexico in 1901 was $36,977,047.94; in 1902 it was $38,633,993.27; in 1903 it was $39,596,951.79. The governor states in his report that the property is assessed on an average of only 20 per cent of its real value, so that its property is worth $200,000,000. The assessed valuation of Arizona is slightly more than New Mexico, being in 1903 $43,880,041. Will it be contended that by union its expense of government would bear more lightly upon the individual citizen, and that it would be wise on this account, notwithstanding their protest, to unite these dissimilar people? It might be interesting in this connection to inquire where the burdens of State government are the heaviest and where the lightest. And in doing this one may be surprised to find that, as a rule, the smaller the area within the State the less has been the ad valorem tax which its citizens were required to pay.

From the Statistician and Economist of 1901–2, possibly as accurate information as can be secured from any source, it may be learned that the greatest rate paid for State taxes in any State in 1900 was in Michigan and Minnesota, and that the lowest was in Connecticut, Delaware, and New Jersey. The rate of tax levied in Rhode Island, according to the same authority, is shown to be 18 cents on the $100 valuation, while in New York it was 32 cents. Vermont levied 12 cents, while Kansas demanded 40 cents. Indiana, smaller than Oklahoma, paid 29 cents, while California, larger than any State excepting Texas, paid 55 cents. Now, the question may be raised, why is it that the smaller States maintain themselves so easily while the larger States carry the greater burden?

There are various reasons which in part account for this condition, which it is not my purpose to stop to explain in the short time allotted to me, but it is largely due to the fact that they are compact and accessible. But in convenience to the citizens, aside from the question of expense, how much better to have the smaller State. The proposed new State, composed of Arizona and New Mexico, would be, according to the statement furnished by the majority, 685 miles long and 378 miles wide. It would have the combined area of 236,509 square miles, larger than the territory included in the area which would be included if a line were drawn from Newport News to Cincinnati, then up the Ohio to Pennsylvania, around its western border and the western and northern border of New York and Maine to the Atlantic, and then down the coast to the starting point, including all the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, and parts of the States of Virginia, West Virginia, and Ohio.

This area includes the Appalachian range; the western area referred to is divided by the Rocky Mountains. Should one object to this important area in the west being carved into two States, while the vast eastern mountain district is divided into twelve States? Could it be said that any injury would result to the Government from the admission of two States rather than one in that extensive area?

The underlying objection to statehood, the real foundation of all opposition, though not frequently openly expressed, is in adding to the number of United States Senators.

Gentlemen who love the Union, who are concerned for its future, who know no section in its territory, who rejoice as greatly in the success of Wyoming or Dakota as they would in that of any other section are willing to look beyond the present to the near-by future when the teeming millions shall be found in the West as in the East, when the mountains of coal which have so greatly enriched the East shall find a handmaiden in the developed coal fields of the West, when the mountains of the richest of precious metals shall give subsistence to millions of inhabitants, when the rich valleys shall, under irrigation, surpass the fertility of the Nile and shall furnish attractive homes for its happy citizens, when the mighty forest shall fall before the ax of labor, and the mill and factory shall manufacture their products, and the hills and mountain sides shall be covered with live stock, so necessary for the food and comfort of American homes.

In looking to that propitious period which is the glad hope of every patriotic American, would anyone recommend that the will of the pioneer in that remote region should be trampled under foot and his earnest plea for recognition to statehood be spurned because there will be four more United States Senators? Certainly no one fully in sympathy with American institutions would take this position.

There is a growing sentiment in favor of representation in the Senate according to population. It is argued that it is not right that New York should have the same representation as Connecticut; that the State of Rhode Island should have an equal footing with Pennsylvania; that Delaware should be as potent as Ohio; that Maine should send to the Senate the same number of Senators as Illinois; that Maryland and Missouri should be placed on a par in representation.

If it is right to apply this principle of representation to States to be admitted into the Union, it should with equal propriety be applied to States already admitted. If the sovereignty, as such, is to be no longer considered, then the representation in the States might be changed according to population. It is interesting to note what changes would take place as the result of such a system of selection.

If the same number composed the Senate as at present, namely, ninety members, there would be twenty States with but one Senator, as follows: Colorado, Connecticut, Delaware, Florida, Idaho, Maine, Maryland, Nebraska, Montana, Nevada, New Hampshire, North Dakota, Oregon, Rhode Island, South Dakota, Utah, Vermont, Washington, West Virginia, and Wyoming. The States to be benefited by such change in our legislative system would be the following: Illinois would have 5 Senators; Indiana, Massachusetts, Missouri, and Texas, each 3; Ohio, 4; Pennsylvania, 7, and New York, 8. How many of the twenty States where representation would be reduced would favor such a provision? How many of them would submit to such a system?

Yet it would certainly have as much justice for its basis as would the idea that the Territories must not be admitted because they add to the number of United States Senators. I can not conceive how the individual who wishes justice, who believes in the wisdom of our fathers, who is concerned that each State in the grand galaxy of States should have the same opportunity, could advocate a system which, if carried to its legitimate result, would revolutionize and upturn our legislative system and take from many of the States which have wrought so nobly and around whose brilliant history is entwined the gratitude and affection of every liberty-loving citizen of the great Republic.

Neither Arizona nor New Mexico is equal to New York in population, and never may be, but either one is entitled to the recognition generously extended to every other Territory which has been admitted, and it should not be subjected to an unnatural and unreasonable union simply to protect the United States Senate from the admission of four Senators from the West.

What excuse can be made for the union of Arizona and New Mexico? Is it possible that it is expected that joint statehood will be accepted by the people, notwithstanding their opposition to it, on the theory that such opportunity for statehood is the only one that will ever be presented? It may be conceded that Congress has the power to pass this bill, but I deny its right to do so from an ethical standpoint.

The highwayman has a physical power to hold up the traveler and demand his property under threat of death, but he has no right to do so. The superior government has the power to say to the inferior, "Comply with our request, or you will be humiliated and overcome," but such conduct would be condemned by every principle of international obligation. The strong may oppose the weak and defenseless, but no principle of equity will justify such conduct. So, in this case, no spirit of fairness, no disposition to regard the fraternal cry of patriotic people, would force Arizona into a State with New Mexico against its will, or vice versa. Nor should Indian Territory be compelled to enter into an alliance with Oklahoma without the consent of each to the union.

What would the people of West Virginia say to being forced back into the old State of Virginia against their protest? If this Congress had the power and disposition to do so such conduct would be no more reprehensible than the union of these two Territories into one State without the consent of each.

The majority of the Territorial Committee, in their report on the subject of the union of Arizona and New Mexico, say:

> After giving full consideration to conditions in both Territories this Committee recommends the admission of Arizona and New Mexico joined as a single State, to be known as Arizona.

They assign no reason for this action; they will not contend that the Territories asked for a blending; they can not say it was the wish of the Delegates, and in my judgment they can not show any injury that would result to the United States by admitting them separately. It may be contended that there have been acquiescences by some of the people. This may be conceded, but why would they consent? Is it because they desired the union? Not at all. It is because by telegram, private letter, and every possible means of communication they have been assured that the President and Congress will grant nothing else; that if they have statehood at all it must be joint statehood.

It is surprising that in the face of all this pressure every county and city, all the boards of trade, every newspaper and prominent citizen of Arizona who is really concerned for its future have earnestly protested against the action suggested by this committee, and in numerous instances they have declared that they would prefer to remain a Territory than to be joined in statehood with New Mexico.

In New Mexico the Territorial Republican convention which selected its delegates to the national convention, which is to be held at Chicago in June, which met within the last few days, made declaration against this proposed union in these words:

> We favor and are of right entitled to statehood within the boundary lines of our Territory as they now exist.

A considerable element of the people of New Mexico it may be, if this bill should be enacted and the question of its acceptance submitted to them, would vote for it, because they would prefer such statehood to none all. But I do not understand what can be the motive that would prompt Congress to force upon them such a dilemma.

How can any Republican vote for such a proposition who is loyal to his party, who follows its teachings, who accepts its direction, who stands pat on its platform and undertakes to carry out its pledges to the people, in the face of this declaration of 1896 in the platform:

> We favor the admission of the remaining Territories at the earliest practicable date having due regard to the interests of the people of the Territories and of the United States.

And when it was so forcibly reenforced in 1900 by a declaration in these words:

> We favor home rule for and the early admission to statehood of the Territories of New Mexico, Arizona, and Oklahoma.

The Democratic platform of 1900 made a significant utterance:

> We denounce the failure of the Republican party to carry out its pledge to grant statehood to the Territories of Arizona, New Mexico, and Oklahoma, and we promise the people of these Territories immediate statehood.

The Democrats on this floor commend to the consideration of every Republican the truth of this platform utterance and reinforce it with the declaration that, so far as this Congress is concerned, it seems to be determined to continue to refuse to carry out its platform to the Territories and to go further than a refusal by attempting to drive the people to accept that which has not been asked, under the threat to keep them in Territorial bondage.

The question of statehood for the Territories of Arizona, New Mexico, and Oklahoma should not be a political one, because both parties are committed in positive terms to their admission. This is one proposition on which, if platforms are to be considered, both parties may unite. What rejoicing there would be among the people of these great Territories if the dominant party would meet the minority party on the common ground of their platforms and give statehood to each of these Territories, as all of us are solemnly pledged to do.

It is my purpose now to confine myself for a few moments to a consideration of the interests of Oklahoma and Indian Territory. Either of these Territories presents an anomaly. Never has a Territory asked to be recognized as a State which had so great a population at the time of its demand; each of these has at least three-fifths of a million of faithful, industrious, and enlightened inhabitants. Oklahoma, from every consideration that goes to make up the requisites of statehood, is entitled to admission in 1904 without waiting until 1906, as the pending bill provides.

Indian Territory, the most neglected spot among the possessions of the Government, demands and should receive immediate consideration. Without public schools, highways, or public institutions it has forged its way to the front in a marvelous manner. Indian rights have been protected, but the white man has to a great extent been forgotten. Conditions perplexing are here presented. This is the recognized home of what are known as the Five Civilized Tribes, who own the lands outside of the towns but can not at present alienate them. These Indian people—mostly of mixed blood, some of them white—are only one-eighth of the total population, but they have thus far been protected by reason of their treaty obligations with the Government.

If these treaties are to be observed hereafter, the Indian Territory can not be admitted to statehood without the consent of the Five Civilized Tribes. There seems to be no question that the solemn treaty of the Government has been made to each of these tribes in language similar to that which was made to the Cherokees, which runs as follows:

> The United States hereby covenants and agrees that the lands ceded to the Cherokee Nation in the foregoing article shall in no future time, without their consent, be included within the territorial limits or jurisdiction of any State or Territory.

The Government has also agreed with the several tribes to prevent the sale of intoxicants in that Territory in separate obligations made with each tribe, in language similar in each instance to the agreement made with the Seminoles, namely:

> The United States agrees to maintain strict laws in the Seminole country against the introduction, sale, barter, or giving away of intoxicants of any kind or quality.

What should be done with these agreements? Shall the Government ignore them or stand by them? If the consent of the

Five Civilized Tribes to statehood is obtained, then the first duty referred to has been fully complied with. If these tribes consent to statehood and accept American citizenship, as by all the statehood bills they are expected to do, then it seems to me that the second obligation would be by them abrogated, and they would take their chances of securing prohibition in the new State and abide by the laws thereof, whatever they might be, on that subject.

I can not understand how statehood can be secured under the provisions of the pending bill without violating the policy which has been carried out for nearly one hundred years in the Government's treatment of these Indians. Congress has the power to ignore all agreements and, as I see it, that is the purpose of the majority of the Territorial Committee. But the serious question is, Can such policy be justly pursued in the treatment of these wards of the Government as to their own possessions?

They own the lands of the Indian Territory, and it is certainly just and proper that their rights should be held sacred because of the peculiar position that the Government sustains to them. Two courses seem to be plain, the first and correct one it would seem would be to secure the consent of the Indian tribes, as indicated. The other is to disregard all treaties, to consider them as citizens, and give them the same consideration as would be extended to anyone else in the Territory. In any event I can not see the necessity for awaiting statehood until 1906. Indian Territory needs government and needs it as badly as any people have ever done within the Republic in its history.

I wish now to call attention to some detailed features of the bill, and especially that with reference to the composition of the constitutional convention. The bill provides for the election of 110 delegates, 50 of whom shall be elected from the Indian Territory and 60 from Oklahoma. This, as I see it, is unfair and unjust. These Territories are about equal in population, area, and relative importance, and should have the same representation in the convention. Oklahoma would probably have the advantage with equal representation, because it is well organized and has the place of meeting.

Every person who appeared before the committee from either Territory who insisted upon joint statehood for the two Territories stated that they should be admitted on terms of equality, and this would include, of course, their representation in the constitutional convention. The census of 1900 gave the population of Oklahoma as 398,331; Indian Territory as 392,060. Since that time the population of each has rapidly increased. It is not known at present which is the larger or what is the number of inhabitants in either.

In my judgment no excuse can be given for this great inequality in representation. It can not be defended on either legal or moral grounds. Indian Territory, without organization, with no code of laws, with no precedents or experience in fixing its needs with more difficult questions to be settled, should be favored rather than discriminated against. There should be equal representation; but if not equal, then it should be fixed according to population, and in that event Indian Territory would have 54 of the 110 delegates.

Another objection to the pending bill is the arrangement of districts which are to select delegates to the constitutional convention. Instead of apportioning them amongst the several counties of Oklahoma and recording districts in Indian Territory according to population, as near as may be, power is vested in an election board composed of Federal officers to arrange these districts without reference to existing boundaries. The same power which fixes the election districts names the judges for the various election precincts, who in turn select their own clerks.

The results of the election must be certified to this same board, who are the board of canvassers, and their findings are final. In all this machinery there is provis on for minority representation in only one particular, and that is that in the selection of judges of election one must be named not of the dominant party. I insist that the whole election system should be nonpartisan in order that there may be responsibility on all political parties.

As might be expected, the Congressional districts provided in the bill for Oklahoma and Indian Territory have been gerrymandered in their formation so as to best serve the interests of the Republican party. Of this the minority, it may be, have no specific right to complain, for if they had the arrangement of them they would be so framed as to send as few Republican Congressmen here as possible. The majority is to be congratulated by their colleagues on that side of the Chamber that they have so nearly eliminated Democrats in their arrangement of districts. Of course the minority are not expected to agree to this feature of the bill.

One of the most serious questions that has been met in any attempt to frame a bill for Indian Territory is in the fact that the Indian lands can not be alienated at present, and if treaties are to be observed, many years must elapse before these lands can all be sold. It is argued that because of this condition there should not be statehood at once, and because existing agreements with reference to the termination of tribal government end with March 4, 1906, that that should be the date for the beginning of the new State.

There is no need of this delay; the wealth of Indian Territory in its cities and towns, its corporations and railroads, its live stock and farm products is astounding, and the taxation on these would easily meet the expense of government, and as the Indian lands become subject to taxation the burden would become lighter. There should be no delay on this account, for, if the Indian Territory is to have no statehood until the lands thereof can be taxed under existing treaties, or until a greater part of the same could be taxed, it would be a number of years before it would be entitled to this recognition.

The organized Territories may put off statehood and their governments will progress as heretofore, but the Indian Territory is practically without government, has no system of public instruction, no method of internal improvement, and is struggling under the annoying scandal of Indian-land frauds and public grafters, and needs to be rescued, and that at once, so that they may right their own wrongs and build up and maintain their own State government, either alone or in connection with Oklahoma.

It may be argued with much reason that the Territory has not gone through its probationary period of Territorial government, and that it should do so before it enjoys the blessings of statehood. But no one proposes this course. The people of the Territory are not asking it. Its environments, resources, and population are such that it is practically agreed that no such probation should be required. Unfortunately, however, the pending bill makes an interregnum of two years during which present conditions must be endured and existing hardships be borne. I can see no good reason for not giving it immediate statehood if it is conceded that it should have statehood as early as March, 1906.

There are numerous other objections to this bill, but I have not the time to call special attention to them, and since no opportunity is to be offered for amendments I shall not consume time in further calling attention to them.

I desire, however, before concluding to call attention to some general objections which have been raised elsewhere than in this forum. In my judgment the persons urging the objections are in fact opposed to any kind of statehood.

It is a well-known fact that there are several individuals in the majority party here as well as elsewhere who are opposed to statehood in any form, and if they vote for this bill it will be on the theory that these Territories must be admitted some time, and that fewer States can be made now than later on. It has been argued that the Continental Congress provided that the Northwest Territory should be admitted when they reached a population of 60,000; that the First Congress ratified this act at a time when there was a population in the Union of less than 4,000,000; that the United States now, with a population of nearly 80,000,000, should require each Territory before admission to have a population of 1,650,000 inhabitants before it is admitted to statehood. It seems to be forgotten that in the First Congress the basis of representation was fixed on a population of 60,000, and that the number of Representatives in that Congress was only 66. At present the basis of representation is about 194,000, and the number of Representatives is 386.

Those who make this argument fail to give the full text of the resolution made in 1787 by the Continental Congress. They quote only a part of said act and end their quotation in the middle of a sentence. To make this distortion, they correctly use these words:

> Whenever any of said States shall have 60,000 free white inhabitants, such State shall be admitted by its Delegates into the Congress of the United States on an equal footing with the original States in all respects whatsoever and shall be at liberty to form a permanent constitution and State government—

That quotation should have been completed by adding the remainder of the sentence—

> and so far as it can be consistent with the general interests of the confederacy, such admission shall be allowed at any earlier period and when there may be a less number of free inhabitants in the State than 60,000.

The perfected sentence gives a very different meaning and leaves the question of admission with a less number than 60,000 to the discretion of Congress. That discretion has been repeatedly invoked, and within nearly every decade since that time. There have been thirty-two States admitted to the Union since the original thirteen, and no such standard as the one proposed has ever been required. Why should it be applied to the remaining four Territories? Common justice directs that no such unreasonable standard shall be fixed.

There can be no question that any one of the four Territories has sufficient area to make a State. Any one of them has a much larger population than many of the existing States had at admission. The intelligence, morality, and patriotism of the people are equal to that of any of the States at the time of the passing of

the enabling act. Arizona has more wealth per capita than any State in the Union excepting Montana and Nevada, New Mexico is only surpassed by five States, and Oklahoma has more than Maine or Virginia.

Their business enterprise is most successful, and there are fewer financial failures than in any State east of the Mississippi River. With the exception of Indian Territory, they have good public schools; their resources are boundless, but only slightly developed, sufficient to show their exhaustless supply and extraordinary value. Each of these Territories should be welcomed into our Union, not hereafter, but now. They should be taken immediately from the condition of our forefathers—taxed without representation—and placed on an equal footing with every other State in the rights of freemen.

If this were done, the happy homes of their people would be made to thrill with the glad new song for which our ancestors were willing to give their lives and fortunes, and they, I have no doubt, would ever rejoice that they are an integral part of the world's greatest Republic. In the hereafter, when the records of the lives of the Members of this Congress shall have been fully written, and its page is read by succeeding generations, he who stood for justice and demanded that the rights of these Territories should be considered will be applauded and the sordid timeserver who for some temporary advantage sought to deprive them of their rights and to coerce them into unnatural union will be condemned.

As anxious as I am for statehood and concerned that it shall be given to these Territories as soon as such an act could be passed, yet, when confronted with the pending bill, which makes an unnatural union of the Territories of Arizona and New Mexico and wholly disregards their wishes as individual entities, and, if enforced, might compel one of them to become part of a State against its will and against its vote, I am compelled in the discharge of my duty both to the Territories and to the country to cast my vote against it.

If the iron hand of arbitrary power were removed and an opportunity were given to amend this bill so that each Territory was given proper recognition and was protected in the ratification of a constitution, then I would support it. This union sought is not justified by any precedent in the history of the Republic. It is revolutionary in its tendency. The bill in itself is extremely partisan, and was framed in utter disregard of the minority and, as I believe, without reference to the wishes of the people concerned.

I make my feeble protest in the name of justice and fair treatment, and hope that this measure may never receive the sanction of Congress, but that these Territories, so unjustly dealt with now, will in the near future have friends in control who are willing to live up to the solemn promises of their respective parties and give to them the boon which they have long sought, the greatest blessing that can be received—recognized participation in free government and factors in the greatest Republic, represented by the Stars and Stripes. [Applause.]

Mr. STERLING. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. LLOYD. Mr. Speaker, I desire to make the same request.

The SPEAKER pro tempore. The gentleman from Missouri makes the same request. Is there objection? [After a pause.] The Chair hears none.

Mr. HAMILTON. Mr. Speaker, I understand that the other side have consumed the whole of their time. I now desire to yield to the gentleman from New Mexico, Mr. RODEY. [Loud applause.]

Mr. RODEY. [Applause as Mr. RODEY arose.] Mr. Speaker, it is a pleasant thing to have men on both sides of the House greet one with a reception like this on such an occasion after the battle for statehood, greater or less, that I have made. This question is one of the most momentous before our people at home, and I am here at this time for the purpose of showing our acquiescence in this bill, not that it suits the Territory, but to show that we acquiesce in it. The gentleman from Missouri [Mr. LLOYD] just now said that one Territory might vote down the other, and so on. That would be because one wants to come into the Union and the other does not.

I have my remarks prepared—those that I intended to deliver on this question; but as I have only a short time to address the House, I will ask unanimous consent at the present time to extend my remarks in the RECORD and proceed to make a few general remarks now in reference to the subject.

The SPEAKER pro tempore. The gentleman from New Mexico asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. RODEY. It may be that people not living in a Territory do not think much of this subject and our persistency in trying to get into this Union. We in New Mexico have been fifty-eight years engaged in this battle. There is but a small percentage of men that hear me now that were born when New Mexico was taken in as a part of this nation. It is no wonder that we are willing, then, to submit the question to our people as to whether or not they will accept statehood under these terms.

Statehood under even these terms, as we expect to show the people when we go on the stump this fall at home—if by good luck the bill shall pass the United States Senate—is not an unmixed evil. There are a great many things that may be said in favor of it. While the proposed State is not as large as Texas, being 30,000 square miles less in area, it has many of the same peculiarities. While containing 235,000 square miles, it is rectangular in shape; and, as you see by casting your eyes at the map near the Speaker's desk, the new State is not nearly as wide east and west as Texas. In fact, from El Paso across to Austin, the capital of Texas, it is very much farther than from El Paso up to Denver, in Colorado.

So there are many things we can argue, when we go upon the stump, to convince even our sister Territory, much as we expected, and wished, and would have liked to have had a separate admission. New Mexico has had her bill passed in the House of Representatives for admission to the Union, I think, as many as seventeen times, and once it passed both Houses of Congress, but failed in this House in conference by the merest accident. We have been cut out of every bill that has been before Congress for statehood where more than one State was involved for half a century, so that it has been truly said that New Mexico is the Cinderella of the American sisterhood of Commonwealths.

I do not intend at this time to go into very much detail, save to correct a few impressions which seem to prevail with reference to the Southwest, and seem to be admitted even by the committee out of a cautious conservatism when advocating the passage of this measure. It is said that there are great arid wastes in New Mexico and Arizona. Now, that is true to some extent, but there is not anything so hard to get rid of on the face of this earth as a popular misconception, and there is not a more deep-rooted popular misconception extant in this nation than the conception that is in the minds of the people and of this Congress with reference to New Mexico and Arizona.

There is not a square mile of the surface area of either of those great Territories that has not its use for something, either for pasture, for lumber, for coal, for minerals, or for agriculture. Most people do not stop to think that the area of New Mexico alone is bigger than the area of the State of New York, all the New England States, and New Jersey combined. Now, when you stop to think of that you can really appreciate that we can give up the size of a few ordinary States to the desert and still have a good many others left for the purpose of agriculture. [Applause.] It would be impossible to find 122,000 square miles (which is the area of New Mexico) in this nation that is not fit to support a splendid population.

Most people think we have no resources in those Territories. There are not a dozen men within the sound of my voice who know that Arizona has the greatest forest within this nation, and admittedly so. The greatest forest of white-pine timber which the continental United States affords exists in Arizona; it runs from its northwest corner down to its southeastern corner. The Geological Survey tells you about that, but none of you read it. [Applause.] The second greatest forest in this nation is in New Mexico. Did not any of you know that until I told it to you? [Applause.] The greatest coal field in this nation is in New Mexico. The greatest iron deposit in this nation is in New Mexico. Our Territory has iron enough to gridiron China with steel rails and coal enough to smelt it; and yet we are told by gentlemen that we can never support a great population, and that unless we have vast agricultural resources we never can have people. The city of New York alone has more people than each of three-fourths of the States of this Union and it does not produce a potato. [Applause.] The State of Pennsylvania does not raise enough farm products to support its 6,000,000 splendid people.

Is there nothing but agriculture that will support a population? I deny but what we have sufficient agriculture for that purpose, and we will have a great deal more when our waters are impounded, as they will be under the beneficent reclamation act which you passed two years ago, and which was the greatest law in my estimation since the homestead act itself; and when, under the provisions of that act, New Mexico and Arizona shall have their available waters impounded—the flood waters—that now go down, unused, to the sea, they will have an area of cultivation amounting to at least 20,000,000 acres, and that will be equal to 80,000,000, or a tract almost as big as New Mexico itself, because when once irrigated 1 acre of our land is equal to 4 of any other land in nonirrigated sections, as everybody confesses.

Do you think that with all these resources we will not support a population? Look at the city of Denver. Twenty-five years ago

gentlemen who are now objecting to us would have said that no such city as that could ever have come into being in a place like that. It has no more agricultural resources, as the gentlemen from Colorado will confess, than we have, and yet there is there to-day a city of 150,000 or 200,000 people, showing what can happen. If our coal, our iron, our lumber, to say nothing of our mines and agriculture, do not deceive you in that regard, then we who live there and ought to know will be mistaken. Go back forty years in history and see what there was in this country.

Sometimes I regret that men do not take broader views of things. Fifty years ago Chicago was a small village, or a small city at best. There was nothing between the Missouri River and the Pacific coast in 1845, the time Texas came into the Union. Look at the magnificent States carved out of that country since that time. Look at the way we are going ahead. Let me illustrate for you gentlemen that have fears the possibilities of this country. I tell you that most of you do not appreciate your country. In 1890 we had 62,000,000 people in this nation. Ten years later, in 1900, we had 76,000,000 people, an increase of 14,000,000 people in one decade.

Now, in the next period, the next decade, six years hence, how many people will we have? We will naturally have increased 18,000,000 more, and with the immigration that is coming in we will have 20,000,000 or 24,000,000 people. If we have 24,000,000 people more under the census of this country in 1910, there will be 100,000,000 people in this great nation, and that only a few years away! Think of an increase of 24,000,000 people—more than three times what there is in the present city and State of New York—and then try to appreciate what we are coming to.

You put that enormous multitude down in one place and radiate all the mileage of all the railroads you have in the country from that point with all its equipment, and you could not carry them off fast enough but what a large proportion would starve to death before you could take them to where there was food, if they did not have any to begin with. Where will those people go? They are bound to be here, and they must go somewhere—they will go in the line of least resistance. They will go into New Mexico and Arizona—everywhere else is filled up. [Laughter and applause.] We yet have 52,000,000 acres of public domain in New Mexico alone, and there is a larger amount in Arizona, because Arizona has not the land grants; and all of that acreage is subject to be taken up. More than 2,000,000 of acres were entered as homesteads in New Mexico last year alone. Some one says that we have no resources.

Mr. WILSON of Arizona. Mr. Speaker, does the gentleman not think that we are large enough for two States and ought to be two to-day?

Mr. RODEY. Mr. Speaker, the gentleman knows my opinion on that subject well enough; but we in New Mexico have made up our minds that half a loaf is better than no bread, and if we do not like this bill we have the great American privilege of voting it down, as the election will cost us nothing, for this Government pays for it. [Prolonged laughter and applause.]

Mr. Speaker, there is not an acre of the surplus area in the whole of New Mexico and Arizona that is not good pasture ground. That is the grandest pasture on earth, certainly in this nation. New Mexico grazing lands now support seven millions of sheep, a million and a half cattle, hundreds of thousands of horses, and a vast number of Angora goats. She shipped last year 200,000 head of cattle, 30,000,000 pounds of wool, a vast number of sheep and lambs, and a million and a half tons of bituminous coal. She shipped since the census was taken $5,000,000 worth of dressed lumber, some of it even as far east as New York City. Since the census was taken in New Mexico we have built twelve hundred miles of railroad and equipped it, and it is in operation, a distance equal to that between New York and Omaha. We added 170 new post-offices to our list since the census was taken, and yet you think we are not progressing and that we are stagnant and all that sort of thing. We are going on at that rate. It has been said that we have a very small population.

I have tried for three years to show this Congress, wherever I could speak to its Members and every time that I appeared before a committee, that the census as to New Mexico and Arizona is a positive libel upon those communities. The census did not give us to exceed two-thirds of our population, to start with. It could not be taken in the time nor for the price paid. Not enough was allowed to hire teams to go and take it. We have 350,000 people there in New Mexico now, and that is more than many States now in the Union have, as I will show, but the census gives us only 195,000.

Put our number of people in a territory extending from the Lakes down to the south coast of Long Island, and from the eastern boundary of the State of Maine down to Pennsylvania, over all of that vast area, and then try to find the thousands that are out in the mines prospecting and that are lumbering and sheep herding and cattle herding, and do all that in thirty days, over such a vast country at 2½ cents apiece, and see how much of a census you will get. Well, that is just what happened to us. We saw it when it was too late to correct it, and ever since we have been suffering the consequences.

The Census Bureau did not get to exceed a small two-thirds of the population in either Territory, and then they reckoned all the Indians, that we do not count in our population at all—we have nothing in common with them and nothing to do with them, because the Government takes care of those—and returned the preposterous percentage of 33 per cent of illiteracy; and Arizona they gave 29 per cent of illiteracy. There is not any illiteracy among the population that came from the States, either in New Mexico or Arizona. Three-fifths of the population of New Mexico are your own flesh and blood—people who came from the States. Two-fifths are American citizens of Spanish descent, just as good as you or I—just as good as anybody. They have lived here under the flag for fifty-eight years, and there is not to exceed 10 per cent of illiteracy among them.

I utterly repudiate the charge that those people are not fit to carry on a State government. Why, sir, two or three years ago, after a session of Congress, I went down to Rockaway Beach, adjacent to New York City. I witnessed there the crowds coming down from New York and bathing in the ocean day after day. It takes an ocean to clean such a people. [Laughter.] I went among those people and I talked to them, or tried to talk. [Laughter.] They spoke every language ever dreamed of at the Tower of Babel or anywhere else, except the English language. Those people do not know any place on earth except the particular place in the old country where they came from—Bohemia, Turkey, or somewhere else—and New York City. Yet those jack-legged foreigners become citizens and voters in New York in five years, and some, it is said, do on arrival. [Laughter.]

Our people are even called "foreign." In this grand and glorious country we are all Americans. No matter whether we were born amidst the merry homes of England, on the sunny hills of France, on the banks of the placid Rhine, or down by the Shannon's side, when we come here and lift our hands in lealty to the banner of the free, then, as did the Danes of old in Erin's Isle as to the Irish, we become more American than the Americans themselves and entitled to share in that blessed heritage of liberty that was born of your fathers' blood and sanctified by your mothers' tears and dedicated to the oppressed of all the world. [Applause.]

Compare those people with people like ours—a Christian, patriotic people, who settled this country before Jamestown was settled. There is no comparison possible. Yet people all over this nation talk about our unfitness for statehood. Come down there and see us once, and you will know something about us; see what our resources are; see what we are making of that country. I predict that New Mexico, having nearly 400,000 people now, with the trend of immigration westward, and when the benefits of the splendid irrigation law will have become realized, will in ten years have nearly a million of people.

Mr. WILLIAMS of Mississippi. Will the gentleman allow me one question? What is the acreage of an average farm where irrigation prevails? Is it not about 20 acres?

Mr. RODEY. Ten, twenty, thirty, or forty.

Mr. WILLIAMS of Mississippi. And where irrigation does not prevail it is about 160 acres, is it not?

Mr. RODEY. One hundred and sixty to three hundred.

Now, Mr. Speaker, I sincerely hope that this bill will pass. It injures no one. It gives us the opportunity of contributing our long historical leaf to the history of this country and enjoying the blessings of this Government as you do. [Applause.]

But, Mr. Speaker, let me reason this matter with the House.

The love of liberty is so strong in the human breast, a Territorial form of government when long endured is so intolerable, the prospect of separate statehood for either of these four great Territories is so remote that I stand here to-day reluctantly acquiescing in the inevitable, and on behalf of the long-neglected, good Christian people of the great Territory of New Mexico, whom I have the honor of representing as a voteless Delegate, advocating the passage of this measure. [Applause.]

The desire for self-government springs eternal in the breast of every American citizen. He is never satisfied with less. Taxation without representation was the complaint that resulted in the birth of this Republic, that brought the divine Declaration of Independence into being, and gave to the oppressed of all the world the glorious Constitution of the United States. [Applause.] For more than half a century our people have battled for their rights, as their lights gave them to see them, until now, failing to secure all they were expecting, they accept the only measure of self-government which the powers that be in this nation seem willing to accord them.

In 1848, two years after General Kearny entered grand and historic old Santa Fe, the treaty of Guadalupe-Hidalgo was entered into between this Government and the Republic of Mexico.

By that compact this nation acquired what is now the Territories of New Mexico and Arizona, the States of California, Nevada, Utah, and a part of Colorado—a tract of country quite as vast as all of our domain east of the Father of Waters and the Ohio. Its acquisition at that period, in the light of subsequent events, was a measure so wise as that it now commands the commendation of all our citizens. No grander monument stands to-day to the credit of the Administration of President James K. Polk than the consummation of that treaty. [Applause.]

The territory then acquired was for the most part a vast and practically unknown wilderness. It then contained all told much less than 100,000 inhabitants. The same area to-day, with the small additional area acquired by Gadsden in 1853, furnishes homes for more than two and a half millions of prosperous people, and when its vast resources shall have been more fully developed will, in the not far-distant future, add to the measure of our national prowess even beyond the most ardent dreams of the great man whose splendid genius and foresight brought it to us. [Applause.]

At the time General Kearny raised the flag of the nation over what is now New Mexico and Arizona, in 1846, he issued a proclamation to the people embodying substantially the Bill of Rights of the Constitution of the United States. It was received with joy by the people there as the precursor of greater governmental blessings yet to come, and they at once peaceably turned to the pursuit of their usual avocations. That section of country then remained for nearly two years under a military form of government until the date of the treaty in 1848. The inhabitants, however, when the treaty was being negotiated between the two Governments, fearing that all the promises of liberty might not be observed, secured the insertion in the compact of a clause, now known as Article XIX, of the treaty of Guadalupe-Hidalgo, which reads as follows:

Mexicans who, in the Territories aforesaid, shall not preserve the character of citizens of the Mexican Republic conformably with what is stipulated in the preceding article shall be incorporated into the Union of the United States and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoyment of all the rights of citizens of the United States according to the principles of the Constitution, and in the meantime shall be maintained and protected in the free enjoyment of their liberty and property and secured in the free exercise of their religion without restriction.

It must not be forgotten that at this time and for fifteen years thereafter, until 1863, the present Territory of Arizona was a county of New Mexico, and that the latter country, according to the claims of Texas, was bounded on the east by the upper Rio Grande, until 1850, when Congress paid the latter State $10,000,000 to permit the present eastern boundary of New Mexico to be fixed where it now is.

It has many times been contended on the floor of this House by those opposed to the granting to us of our rights that the phrase in the above-quoted portion of the treaty, "and be admitted at the proper time, to be judged of by the Congress," meant an indefinite period. I confidently submit that a proper construction of it is that we were to be admitted in a short time, within the lives of people then living, and for whose benefit the clause certainly was inserted in the treaty.

Contemporaneous understanding and construction of any instrument in writing is always entitled to great weight. California understood this treaty promise to have the meaning here contended for, and under it two years later—in 1850—passed directly from a military form of government into the Union as a State.

New Mexico, in that same year, after four years of military rule, made a similar effort and erected a State form of government, but was refused admission because of the unsettled condition of its eastern boundary.

The present is the twenty-second Congress before which New Mexico has appeared pleading for the passage of an enabling act under which it might come into the Union. Bills for that purpose, as I stated, have passed one House or the other of this Congress many times, and in 1874 the bill passed both Houses, but failed in conference by the merest accident. The present is the fiftieth bill shown by the CONGRESSIONAL RECORD to have been considered by Congress on the subject. It would weary the House to go into detail as to the defeat of the aspirations of the people of New Mexico through all the long years from 1850 to the present time. Is it any wonder we acquiesce even in the present bill?

In 1863, as above stated, one of the western counties of the great Territory of New Mexico, amounting to nearly one half our area, was cut off and erected into a Territory by itself, under the name of Arizona, the name being an Indian word, said to mean "little brooks," or creeks, a name which the southeastern portion of the present Territory in the great forest country is said to have long previously borne.

In addition to this treaty promise of admission, we contend that we are entitled to admission generally under the Declaration of Independence and under the ordinance of 1787.

There is in the handwriting of Thomas Jefferson in one of the Departments an ordinance that was drawn with reference to the Northwest Territory which reads about like this:

"That whenever any of the said States shall have 60,000 free inhabitants therein, such State shall be admitted by its Delegates into the Congress of the United States on an equal footing with the original States in all respects whatever, and shall be at liberty to form a permanent constitution and State government," and so on.

Senator FORAKER, on the floor of the United States Senate last winter, in an elaborate argument on the subject (great lawyer that he is), contended—and the people in the Territories fully agree with him—that New Mexico and Arizona in particular have not only that legal right to come into the Union (because that ordinance was afterwards applied to all the country southwest of the Ohio River as well as northwest of it), but also have the treaty right contained in the treaty with Mexico. But apart from all that, both political parties have often specifically promised us admission and different Presidents have mentioned us in their messages.

As far back as 1849 President Polk, in his message to Congress, intimated that the people of New Mexico would soon apply to be admitted as a State, and hoped that Congress would settle the question. He referred to the matter two or three different times.

There was a controversy through many years as to the appointment of residents of the Territories to the offices in the Territories, and in 1884 the Republican national convention at Chicago, Ill., resolved upon that subject as follows:

Resolved, That appointments by the President to offices in the Territories should be made from the bona fide citizens and residents of the Territories wherein they are to serve.

The Democratic convention at St. Louis in 1888 also resolved upon the question of statehood in the Territories, and specifically mentioned New Mexico, stating that by virtue of population and development it was entitled to admission into the Union. I submit the resolution, which was as follows:

Resolved, That a just and liberal policy should be pursued in reference to the Territories; that right of self-government is inherent in the people and guaranteed under the Constitution; that the Territories of Washington, Dakota, Montana, and New Mexico are, by virtue of population and development, entitled to admission into the Union of States, and we unqualifiedly condemn the course of the Republican party in refusing statehood and self-government to their people.

In 1888 the Republican convention at Chicago also resolved in favor of statehood for the Territories at some length, and with reference to the appointment of residents of the Territories to the offices therein. I submit the resolution, which was as follows:

The government by Congress of the Territories is based upon necessity only, to the end that they may become States in the Union; therefore, whenever the conditions of population, material resources, public intelligence, and morality are such as to insure a stable local government therein, the people of such Territories should be permitted, as a right inherent in them, the right to form for themselves constitutions and State governments and be admitted into the Union. Pending the preparation for statehood all officers thereof should be selected from the bona fide residents and citizens of the Territory wherein they are to serve.

In 1892 the Democratic convention at Chicago also resolved and approved the action of the then present House in passing the bills for the admission into the Union of the Territories of New Mexico and Arizona. The resolution was as follows:

We approve the action of the present House of Representatives in passing bills for the admission into the Union as States of the Territories of New Mexico and Arizona, and we favor the early admission of all the Territories having necessary population and resources to admit them to statehood; and while they remain Territories, we hold that the officials appointed to administer the government of any Territory, together with the Districts of Columbia and Alaska, should be bona fide residents of the Territory or District in which their duties are to be performed. The Democratic party believes in home rule and the control of their own affairs by the people of the vicinage.

In 1892 the Republican national convention has a plank in its platform stating that it favored the admission of the remaining Territories, which I also submit, as follows:

We favor the admission of the remaining Territories at the earliest practicable day, having due regard to the interests of the people of the Territories and of the United States.

All the Federal officers appointed for the Territories should be selected from bona fide residents thereof, and the right of self-government should be accorded as far as practicable.

In 1896 the Democratic national convention at Chicago emphatically favored the admission of these Territories to the Union. The resolution is as follows:

We favor the admission of the Territories of New Mexico, Arizona, and Oklahoma into the Union as States, and we favor the early admission of all the Territories having the necessary population and resources to entitle them to statehood; and while they remain Territories we hold that the officials appointed to administer the government of any Territory, together with the Districts of Columbia and Alaska, should be bona fide residents of the Territory or District in which their duties are to be performed. The Democratic party believes in home rule, and that all public lands of the United States should be appropriated to the establishment of free homes for American citizens.

In the same year (1896) the Republican party followed suit, as follows:

We favor the admission of the remaining Territories at the earliest practicable date, having due regard to the interests of the people of the Territories and of the United States. All the Federal officers appointed for the

Territories should be selected from bona fide residents thereof, and the right of self-government should be accorded as far as practicable.

In 1900 the Republican convention at Philadelphia used this language:

We favor home rule for, and the early admission to statehood of, the Territories of New Mexico, Arizona, and Oklahoma.

And because of the failure of the Republican party to keep its promise of 1896, the Democratic convention at Kansas City in 1900 used this language in its resolution:

We denounce the failure of the Republican party to carry out its pledges to grant statehood to the Territories of Arizona, New Mexico, and Oklahoma. We promise the people of those Territories immediate statehood, and home rule during their condition as Territories, and we favor home rule and a Territorial form of government for Alaska and Porto Rico.

The people of the Territories, or at least those of the Territories that are now applying, have been looking at these resolutions for many years and wondering when these promises are to be kept. Our people see no issue, no controversy, both parties promise to admit us, and yet we were defeated in the Fifty-seventh Congress—our bills were talked to death.

Since 1846, the date of the raising of the American flag over grand old Santa Fe, seventeen States have been admitted to the Union, every one of which was promoted over the head of poor, illtreated New Mexico.

Those admitted, with the dates of admission, were:

1846	Iowa.
1848	Wisconsin.
1850	California.
1858	Minnesota.
1859	Oregon.
1861	Kansas.
1863	West Virginia.
1864	Nevada.
1867	Nebraska.
1876	Colorado.
1889	North Dakota.
1889	South Dakota.
1889	Montana.
1889	Washington.
1890	Idaho.
1890	Wyoming.
1896	Utah.

None of these States had any promise in any treaty as to the time they should be admitted to the Union; and, as I will presently show you, very few of them were nearly as well qualified at the time of admission as New Mexico then was and has been for many years.

No Territory heretofore admitted as a State was ever equal in population to New Mexico at the present time. It is difficult to fix the exact population that any particular Territory had at the time of its admission to the Union as a State, because it often was admitted between a census period—two or three years after or two or three years before a census, as the case might be.

You have to calculate between the two extremes to ascertain what the census actually was at the time of admission; but, giving the benefit of the doubt to the Territories as they were severally admitted, I have calculated that each Territory when admitted had the population given it in this table. I have also added the date of admission:

1791. Vermont, say	86,000	1848. Wisconsin, say	250,000
1791. Kentucky, say	75,000	1850. California, exactly	92,597
1796. Tennessee, say	52,000	1858. Minnesota, say	150,000
1803. Ohio, say	60,000	1859. Oregon, say	50,000
1812. Louisiana, say	80,000	1860. Kansas, exactly	107,206
1816. Indiana, say	85,000	1863. West Virginia, say	300,000
1817. Mississippi, say	55,000	1864. Nevada, say	16,000
1818. Illinois, say	50,000	1867. Nebraska, say	90,000
1819. Alabama, say	123,000	1876. Colorado, say	140,000
1820. Maine, exactly	298,335	1889. North Dakota, say	160,000
1821. Missouri, say	68,000	1889. South Dakota, say	300,000
1836. Arkansas, say	75,000	1889. Montana, say	130,000
1837. Michigan, say	135,000	1889. Washington, say	325,000
1845. Florida, say	65,000	1890. Idaho, say	85,000
1845. Texas, say	150,000	1890. Wyoming, say	61,000
1846. Iowa, say	150,000	1896. Utah, say	240,000

I claim that the present population of the Territory of New Mexico is not less than 350,000 people, and so it can be seen that if I am right it has a larger population than any Territory ever had when admitted to the Union as a State without any exception whatever. If it has this population, then but four of the thirty-two Territories heretofore admitted even approached it; that is, Maine, West Virginia, South Dakota, and Washington; and New Mexico now surpasses in population, sometimes many fold, the following eight States already in the Union, which had, according to the last census, populations as follows:

Delaware	184,735	North Dakota	319,146
Idaho	161,722	Utah	276,749
Montana	243,329	Vermont	343,641
Nevada	42,335	Wyoming	92,531

I might as well explain that right here. Our population is made up about as follows: Three-fifths of it are people from the States and their descendants, making about 210,000 in number; the other two-fifths of it are native American citizens of New Mexico of Spanish descent, amounting to about 140,000 in number.

If New Mexico and Arizona are joined together, as by this bill proposed, the new State, in addition to being second in the Union in area, will, as to population, in addition to the above, equal or surpass the States of Colorado, Florida, New Hampshire, Oregon, Rhode Island, and Washington.

Referring for a moment to the census again, the census of 1900 is one of the worst libels that was ever cast upon the Territories of New Mexico and Arizona. It gives the former 33 and the latter 29 per cent of illiteracy, because it calculates the Indians, that are not taxable and not counted among our population, in with less than two-thirds of the people of each of the Territories. These percentages of illiteracy are preposterous.

It is well known that there is not to exceed 10 per cent of illiteracy in New Mexico among its native people, and that there is absolutely no illiteracy at all, either in New Mexico or Arizona, as to the people who came there from the States. It has been said that Arizona is the most highly educated community in this nation, having more college graduates, proportionately, among its people than any other Commonwealth. The Director of the Census confesses that the work under his department in New Mexico and Arizona is worse than worthless. It could not be done in the time nor for the money paid for the work on those vast areas.

The people are so spread all over the country as that only those along the river valleys and in the towns were even attempted to be taken; but the nation receives this official count, made by the Census Bureau, as truth, and we have had to suffer and are suffering the consequences. Every argument made on this floor during this debate will give the two Territories combined less than 325,000 people, while, as a matter of fact, they have living within their borders, as is shown by their registration lists and school census, a good deal more than half a million of American citizens. Every native in New Mexico, and they form but two-fifths of our population, who is under 58 years of age is a born citizen of the United States, and they are a good, Christian, patriotic people. There need be no fear of polygamy among them. No constitution can ever be adopted in the new State that does not contain the most stringent provisions against it.

No matter what our treaty, constitutional, legal, or moral rights to admission to this Union may be; no matter how many times we may have applied for admission or how many promises may have been made and broken in platforms with reference to us, it is in my opinion, idle to further talk of them. We are confronted with a condition and not a theory. Liberty is as sweet and dear to us as it is to any other citizens of the United States. We have been for fifty-eight years without a State, and we are willing now to accept, as I said, half a loaf rather than no bread. Unless this bill passes, in my opinion, we will not get into the Union in this generation.

It is useless to point out that New Mexico alone, with its 350,000 people, its manifold and vast resources, and its future prospects, is entitled to admission as and of itself. We can not get into the Union in that way. If Arizona was not on the map we could probably succeed in a week, but it is there. We do not want it and it does not want us, but we can not get our rights without it, and therefore we are acquiescing in the passage of this bill.

I know not what fate this bill will meet in the other branch of this Congress, but let that be as it may, the Territories will have to pursue their only mode of presentation as to it; they will have to follow it as lobbyists to the end. We hope to get it amended there so that we will be given three representatives on this floor for the joint State, as our population entitles us to, and we hope to receive a liberal donation of cash to help us along with our schools. This nation has taken our revenues for half a century and in equity owes us many millions of dollars. If we are good enough to do the work, fight the battles, and pay the freight of this nation, we ought to be good enough to be set up in housekeeping out of what is justly our due.

We are anxious about it, as we want the right to vote. The right to vote has ever been considered the essential element of representation. The Puritans gave their best blood to establish that principle long ago. New Mexico alone is entitled to two Representatives in the House right now, if we could get in. But your Government is not organized so as to permit any but an equal representation between the States in the Senate, and we did not have the pleasure of organizing this splendid Government. Your Senate represents your sovereignties. No sensible man now wants to change that. The fathers builded well. This House represents population. A Senator argued that until we have a population of a million and a half of people we are not entitled to come in, as he claimed that would be the present average among the States.

Do you want to know how New Mexico is now? It is modern and up to date. Its cities and towns maintain all things modern, such as street cars, electric lights, waterworks, gas works, telephones, clubs, postal city delivery, etc. I predict for New Mexico in 1910, at the census, near 1,000,000 of people. Where, then, will be the objection of the gentlemen who object to our coming into the Union because of this "disproportionate representation" we will get in the Senate? Why stop now, when you only have at most three or four States to let into the Union for the present—

the continental Territories—and when letting them in will only raise the representation in the Senate to ninety-six? Are you to stop at this time and keep us out forever? Every other place is progressing, just as we are. We will have to progress tenfold as compared with every other part of the Union in order to get up to where the Senators claim we ought to be before we come into the Union, with a million and a half or two million people.

PRESENT CONDITION, 1904.

New Mexico, as stated, has now a population of 350,000 people, more than 200,000 being people from the States and their descendants, and the balance being native American citizens of Spanish descent.

The area of the Territory is 122,580 square miles, about equal to the combined areas of the State of New York, all the New England States, and the State of New Jersey.

It has been without a State government for fifty-eight years.

There is practically no land in the Territory that can be strictly classed as "desert," nor does the census or the Geological Survey make any such classification of any of its lands. Almost every square mile of the Territory is useful, and has value either as pasture land, timber land, agricultural land, or mineral land. Its coal fields are as large as the entire State of New York. Its timber areas, of white pine and other varieties, are second only to Arizona's in the nation.

It is confessedly the greatest pasture land in the nation. It has mineral deposits of lead, silver, and copper, as well as gold-bearing quartz veins. It has not heretofore obtained due credit in the national records for its output of the precious metals, because nearly all its ores are shipped out of the Territory in bulk to smelters at El Paso, Tex., Kansas City, Mo., Pueblo, Colo., and other places, and are calculated as the output of those States. Probably little mineral output, save what is carried out by the express companies in the shape of bullion, is taken account of. In spite of this, New Mexico shows often as high as $10,000,000 output per annum of the precious metals.

I contend that it has just as rich mineral deposits as the State of Colorado. No one can convince me that the southern State line of Colorado across the Rocky Mountains demarks the southern boundary of the mineral region or the mineral wealth when the same mountains extend on down through New Mexico.

Its iron deposits are the largest in the nation, and with its coal will yet enable the Territory to sustain a population that will surprise some of the pessimists as to the Territory's future.

In the way of precious stones it produces an immense amount of turquoise, garnets, peridots, and onyx. It has tremendous deposits of bicarbonate of soda, gypsum, and kindred minerals, and, of course, it possesses marbles and building stones in great variety.

The Territory produced during the last five years nearly a million and a half tons of bituminous coal per annum, and the product is still increasing. During the same period of time it produced more than $5,000,000 worth of manufactured lumber, and a new plant, capitalized at $8,000,000, has just been erected at my home town of Albuquerque to manufacture lumber from an immense lumber tract on the continental divide that the concern owns, which it purchased from a land-grant railroad.

It has produced and shipped to the steel works at Pueblo, Colo., about a thousand tons of iron ore per day for several years last past, and is still continuing to do so.

It produces annually from twenty-two to twenty-five million pounds of wool and ships some 200,000 head of cattle into the market every year.

New Mexico is covered all through its northern half and its western side with the remains of the habitations of its former inhabitants. There are tens of thousands of these ruined habitations of races long since passed away, or at least of a more numerous race of aborigines than are now inhabiting the Territory. The cliff dwellings alone of New Mexico, if they were all occupied contemporaneously, indicate that the Territory once had a population of more than half a million people. I could elaborate on this subject in a manner that would require the time for an extended lecture, and I think I could entertain the committee, for I have been over the ground and seen these evidences of the former habitations of man.

As heretofore stated, when New Mexico's waters shall have been impounded and put upon the land, the Territory will have not less than twelve, and perhaps as high as fifteen, millions of acres under cultivation. That enormous quantity of land, which is equal to three or four times the same area in the Eastern States, will sustain a population equal to the entire present population of the city and State of New York.

The Territory, as illustrating the richness of its soil, took the first prize for quantity and quality of wheat per acre and second prize for quantity and quality of oats per acre against all the world at the World's Fair at Chicago in 1893.

At the present time the Territory raises immense quantities of the very finest apples, and large quantities of grapes, melons, peaches, and other fruits. It shipped 200 carloads of apples from the Pecos Valley to Chicago in 1902 and an equal quantity from the San Juan Valley, in the northwestern part of the Territory, to Denver and other northern points.

The finest sort of vegetables are raised in the Territory, and its celery is said to surpass any other celery raised in the country.

EDUCATION.

During the last twenty years New Mexico has undoubtedly made the greatest progress of any part of the nation in educational matters. During that time it has erected at its own expense educational institutions worth a good deal more than $2,000,000, and it has to-day the University of New Mexico, at Albuquerque; Hadley Science Hall, at Albuquerque; two great normal schools, one at Las Vegas and the other at Silver City; a fine military institute (as large as a university almost) at Roswell; a splendid, well-equipped school of mines at Socorro; a great agricultural college at Las Cruces.

And then there are denominational institutions and mission schools all over the Territory. The Catholics have a whole village of schools and colleges at Santa Fe, Las Vegas, Albuquerque, and other places.

The Presbyterian Board of Missions has Indian schools at Albuquerque, Tierra Amarilla, and other places, besides many day schools around at the different Indian pueblos. The Government of the United States has an immense Indian school at Santa Fe, an equally large one at Albuquerque, and more than two dozen day schools at the different Indian pueblos. The Methodists and other denominations have schools in different towns and outlying precincts all over the Territory.

The Territory has as fine a system of common schools as there is to be found anywhere supported by an equal population. It spends more than a million dollars annually in their support. The larger towns and cities, and there are twenty or more of them, have each from one to seven fine brick schoolhouses, costing from a few thousand to as high as forty or fifty thousand dollars each, and this without in any manner disparaging the common schools of the villages and outlying precincts all over the Territory.

There are 2 thousand teachers employed by the Territory now. The school children number, according to latest accounts, nearly 75,000.

The Territory supports an educational organization, with a superintendent, who has his office at the capital, at Santa Fe. Every one of the several large institutions has a board of regents, who manage its affairs. Every city and town has a board of education to look after the school interests of the municipality.

There is a teachers' institute in the Territory, which holds annual meetings, and by law the teachers are bound to attend a normal institute every year.

School elections in the Territory are almost nonpartisan, and there is no place where school affairs, school property, and school funds are so economically administered and held so sacred to the purposes of educating the youth of the Territory.

This does not look as though the Territory was backward in any way or was not making progress, as has been claimed. The contrary is really the fact, as anyone can see who will take the time to investigate it.

TERRITORIAL INSTITUTIONS.

Besides the institutions mentioned, the Territory has a fine capitol building, a penitentiary, an insane asylum, a deaf and dumb asylum, a miners' hospital, and many other institutions.

People of the East who have visited these several institutions pronounce them to be as well conducted as those in any State of the Union, and more economically.

CHURCHES.

There is perhaps no part of the nation that has as many churches in proportion to its population as New Mexico. The Catholics have their church headquarters for the Southwest at Santa Fe, and all over the vast Territory, in every city, town, and village, they have churches.

Every Christian denomination known to civilization has churches in many of the cities and towns of the Territory. The larger places have from twelve to fifteen places of worship of different denominations, including, in two or three cases, as in my own town of Albuquerque, a Jewish synagogue.

STORES.

It would surprise members of this committee could they see some of the stocks of goods kept by the merchants of New Mexico. In towns and villages having only a few thousand or a few hundred inhabitants stocks of merchandise will be found as large as those carried in cities of twenty to sixty thousand people in the Eastern States. This, of course, occurs because of the immense stretches of country that are supplied.

BANKS.

There are some twenty national banks in New Mexico and about a dozen Territorial banks, every one of which is doing a prosperous business and has deposits that would astonish Easterners, when compared with the capital stock. One bank in my own town, with $150,000 capital, has a balance sheet of more than $2,500,000. Another bank there, with only $70,000 of its capital paid in, has a balance sheet of more than $1,000,000, and it is almost equally good throughout the Territory.

We have a few trust companies and several prosperous building societies.

CLUBS AND SOCIAL ORGANIZATIONS.

Every town of any size has a commercial and social club, and gentlemen of the committee will testify as to the character and magnificence of the club in my home town of Albuquerque.

TERRITORIAL FAIRS.

Territorial fairs are annually held at Albuquerque, Roswell, Farmington, and other places. Gentlemen of this committee who visited us will, I think, admit that the one held at the city of Albuquerque was a very good one.

EXPORTS.

The exports of the Territory are cattle, horses, hides, sheep, wethers, lambs, wool, Angora goats, Angora goat hair, lumber, coal, iron, gold, silver, lead, copper, precious stones, Navajo blankets, Indian pottery, Indian curios, piñon nuts, red pepper, sulphur, guano, gypsum, salt, fruit, such as apples, grapes, peaches, and melons, also large quantities of vegetables, particularly celery. The Territory raises immense quantities of alfalfa and hay, and wheat, oats, and other cereals, but does not export much.

RAILROADS.

The Territory has now constructed and in operation more than 3,000 miles of fully equipped railroad, with the same mileage of telegraph lines, and often both great companies have wires on the same road and hundreds of additional miles of road and telegraph projected. About 1,200 miles of this railroad has been constructed since the census was taken, and it indicates the tremendous strides forward that the Territory is taking. The Wells, Fargo & Co. Express Company permeates the entire Territory. Every railroad, telegraph company, and other business enterprise is doing a thriving, profitable, and speedily increasing business.

NEWSPAPERS.

I have referred to the fact that we have about seventy-five newspapers in the Territory, five or six of them being modern dailies that class with those of the middle-sized cities of the Eastern States.

I have also shown you that we have 400 post-offices, and they are increasing at the rate sometimes of as high as two or three a week.

TAXABLE WEALTH.

The Territory, for purposes of taxation, does not return its property at more than one-fifth of its real value. The amount returned for purposes of assessment at the present time is $43,000,000, but I might state the reasonable assessable valuation of the Territory to be as follows:

7,000,000 acres of railroad land, with its coal, iron, and timber, at $5	$35,000,000
7,000,000 acres of private patented land grants, with its timber and, in some instances, its minerals, at $5	35,000,000
2,000,000 acres agricultural land, at $10	20,000,000
3,000 miles of railroad and telegraph line, with its franchises, equipment, machinery, shops, etc., at $30,000	90,000,000
Patented mines and plants	25,000,000
7,000,000 sheep and goats, at $2	14,000,000
25,000,000 pounds of wool, at 8 cents	2,000,000
1,700,000 head of cattle, at $20	30,000,000
100,000 head of horses, at $10	1,000,000
1,000,000 Angora goats, at $3	3,000,000
City lots and buildings	25,000,000
Stocks of goods	15,000,000
Household furniture of all kinds	5,000,000
Jewelry	2,000,000
Cash, bonds, stocks, mortgages, etc	10,000,000
Product of mines—coal, iron, gold, silver, copper, lead, etc	7,000,000
Product of farms—alfalfa, wheat, and other crops	5,000,000
All other kinds of property	5,000,000
Total	329,000,000

As it will be seen, this tabulation gives the Territory easily property of the value of $329,000,000 to be taxed after we become a State.

Should the constitution of the new State limit taxation to 1 per cent for all purposes, it would raise, on the above valuation, the sum of $3,290,000, and this is more than twice the amount required to sustain a State government, and so our contention, which we have often made, that the Territory will be the lowest-taxed State in the Union when admitted is bound to be true, and this is counting the wealth and resources of only one of the great Territories you are to join together as one State under this bill. In mines and lumber Arizona's wealth is greater than that of New Mexico, so it can be confidently asserted that the new State will have taxable wealth of at least $700,000,000.

It is proposed by this bill to create two States out of the four remaining continental Territories—one to be known as "Oklahoma," out of that Territory with the Indian Territory added, and the other to be known as "Arizona," out of that Territory with New Mexico added. My remarks have referred almost entirely to New Mexico as a component part of the proposed State of Arizona, as it is the only one which substantially concerns our people.

As to the great State of Oklahoma, I but bid it a fervid godspeed and leave to others more competent than I, and to the Delegate from that jurisdiction, the task of informing the House as to the facts concerning it. It is the grand young giant embryo commonwealth of the Southwest, a credit to itself and its people, and the greatest that Congress has ever yet been called upon to admit to the Union.

Let me ask again: Will this jointure of the two Territories be an unmixed evil? I think not. The great State thus created will still be more than 30,000 square miles less in area than the great State of Texas and much more compact in form. Its different parts will in these modern railroad days be infinitely more accessible to each other than were the different sections of much smaller States in former times. It will, of course, be in size the second State in the Union. They will thereafter run in this order:

	Square miles.
Texas	265,780
The new State of Arizona	235,000
California	158,360
Montana	146,080
Nevada	110,700
Colorado	103,925
Wyoming	97,890
Oregon	96,030

And so on in diminishing order until Rhode Island, with its 1,250 square miles of area, ends the list of sovereignties.

The great State of Texas has the right, under its enabling act, to divide itself so as to make five States, yet such a proposition would meet with no favor. It had but about 150,000 people or less when it was admitted to the Union in 1845, spread out over its immense area.

The bill proposes to call the new great State "Arizona." I am sorry that the committee feels that this must be done. I admit it is a beautiful and euphonious name, and one that will give the new State some advantage, because of the order in which it will be called in all national conventions and published in all census and other governmental reports, and, while I admit that the name "New Mexico," as designating a section of our country so close to the Republic of Mexico, is somewhat inconvenient, still the Territory has become my home, I was married there, my children were born there, and I have learned to love it.

I have read its history with pride. There are many of our citizens who look back with reverence on the record of the conquistadores. It is not pleasant to know that the committee, in its wisdom, should see fit to deprive the land of their forefathers of the name it has so long and so honorably borne and around which clusters so many glorious memories. I can not do better on this subject than to insert here in the RECORD a letter recently addressed to the chairman of the Committee on Territories of this House on this subject, which treats of it in a manner in which only he is capable of treating it. It is as follows:

THE NAME OF NEW MEXICO—TO CHANGE ITS NAME TO ARIZONA WOULD BE NOTHING SHORT OF SACRILEGE—A GLORIOUS HISTORY—THE TRADITIONS, ROMANCE, AND ASSOCIATIONS OF THREE CENTURIES CLUSTER ABOUT IT.

Ex-Governor L. B. Prince, president of the New Mexico Historical Society and a well-known and oft-quoted authority upon the history of New Mexico, has addressed the following letter to the chairman of the Committee on Territories of the House:

SANTA FE, N. MEX., *March 12, 1904.*

To the chairman of the Committee on Territories.

SIR: The proposed change of the name of New Mexico to Arizona is so contrary to precedent and involves such an overturn of history that I think it must have been suggested without consideration, and I therefore take the liberty of drawing your attention to the historic facts involved.

Never before in the naming of a State has an old name, sanctioned by centuries of use and interwoven with the whole history of a country, been ignored or changed. Apart from sentimental considerations, the confusion necessarily caused by blotting from the map a name which would be constantly found in all books on the Southwest would be not only annoying but misleading.

Suppose that the name of New York should suddenly be changed to Montauk, what confusion would arise hereafter in reading the history of the Empire State, when its old name was only a reminiscence and its identity had constantly to be explained. Yet New York is comparatively a new name, dating only from the English occupation in 1606, while the name of New Mexico is almost a century older.

To turn to the exact history involved, New Mexico has the oldest name of any civil division in the United States except one—Florida. It was so named by Antonio de Espejo in the report of his expedition in 1582-1585, and has never been varied since. I have before me a copy of the account of Espejo's discoveries, printed in Paris in 1588, which narrates that "they found fifteen provinces full of cities and villages where the people lived in houses four or five stories in height, and called it New Mexico because in many things it was similar to the other Mexico already discovered."

In the prose account of the conquest and colonization of the country by Onate in 1598, it is called "the kingdoms and provinces of New Mexico;" and the long epic poem of thirty-three cantos, by Captain Villagra, which narrates the story of the conquest in heroic verse, is called "History of New Mexico." The official title of Onate, after the conquest, was "governor and captain-general of the kingdoms and provinces of New Mexico;" and for many years the dignity of a kingdom was always accorded to New Mexico in all official documents. In this respect its position was very different from that of any other parts of the Spanish domain afterwards embraced in the Republic of Mexico. They were provinces of the vice-royalty of Spain, but never aspired to the dignity of being separate kingdoms.

The importance of New Mexico as to territorial extent is well illustrated by the maps of different epochs. In those of the seventeenth century, it divides the width of the continent with Florida, extending from the Pacific Ocean to the western boundary of what are now Arkansas and Missouri; everything else to the Atlantic was embraced in Florida except the English settlements along the coast. This division appears on all the maps of that century, including Sanson's map, published in Paris in 1657, and Sauerman's, published at Bremen in 1689; and continued as late as that of N. de Fer, geographer of the Dauphin, in 1705. In those of the eighteenth century Louisiana takes its place between Florida and New Mexico, occupying the Mississippi Valley, but New Mexico still extended from the Pacific to the present Indian Territory until late in the century, when the strip along the western coast began to be marked "California." It is thus apparent how important a place the name played in the history of the continent in earlier times.

After the Mexican war, the compromise measure of 1850 established the Territory of New Mexico, including all of what is now New Mexico and Arizona, with southern Nevada, and southern Colorado to the thirty-eighth parallel. Subsequently all north of the thirty-seventh parallel was made part of Colorado in 1861, and in 1863 the Territory of Arizona was formed with the one hundred and ninth meridian as its boundary. Thus, even under the United States Government, New Mexico originally embraced nearly all of the Southwest, and it would seem strange to give to it now the name of one of its old counties. For in 1860, after the Gadsden purchase had been added to its territory, with about 8,000 inhabitants, the legislature of New Mexico created the county of Arizona with Tucson as its county seat.

If the name of Arizona had any significance or historic interest, there might be some reason for its adoption. But it has neither. The name itself belongs to Mexico and not to the United States. King's Handbook of the United States says that it comes from Arizonac, the Pima name of a locality near the head of the Rio Altar in Sonora. Bancroft adopts the same derivation, localizing it to a point near Saric in Sonora, where it was applied to a famous mine of that vicinity. When the name was being adopted by Congress as that of a Territory, its orthography was so uncertain that various forms were suggested, including Arizonia and Arizuma.

Its meaning, if it has any, is more uncertain than its derivation. Bancroft ridicules the various ideas of a Spanish origin, some of which are certainly absurd, as "Arrezafe," a place full of brush and brambles; "Arida Zona," an arid region; "Narizona," a woman with a large nose, etc. The uncertainty of its Indian significance can be judged from the following remarkably diverse meanings, which are ascribed to it by different authors, such as "Maiden's Valley," from the Pima language; "The Sun's Beloved," from the Mojave; "Few Fountains," "Beautiful Region," "Silver Bearing," "Little Creek," etc., while some claim that it is named for Arezuma, a mythical Aztec queen, and others that it is called after Arizonia, a goddess from whom the Zuni Indians claim descent.

Thus neither the origin nor the significance of the name is certainly known, and yet it is for this that it is suggested to discard the old historic name of the Southwest, which was the established title years before Jamestown or New Amsterdam or Plymouth was even thought of.

Around the name of New Mexico cluster all of the history, the traditions, the romance, the associations of more than three centuries. These things should be cherished, not destroyed.

If it is decided to unite Arizona with New Mexico in one State, it is simply the restoration to the latter of its western portion, which was taken from it by act of Congress in 1863. But it would be strange if when the daughter returns to the old home the mother's name should be changed to that of the child instead of the latter resuming its old position.

Very respectfully,

L. BRADFORD PRINCE,
President Historical Society of New Mexico.

If the land of sunshine is to be merged with her sister, if its glorious memories are to disappear, I can not do better at this place than to read the following song, which was written by Perry E. Brocchus at Washington City in 1859 as a tribute of affection to New Mexico, and was respectfully inscribed to Hon. M. A. Otero, then the Delegate to Congress from New Mexico, and father of the present governor of the Territory. It was published in the New Mexican in September, 1867, and was clipped from the paper at that time by Marcus Eldodt, who has had it in his possession ever since:

NEW MEXICO.

I love that land of brilliant clime,
As bright as mortals ever know,
With lovely vales and hills sublime,
The land of bright New Mexico.

I love the valleys deep and green,
Where crystal waters laughing flow
In wild romance the hills between,
The valleys of New Mexico.

I love the prairies broad and free,
Where the elk and deer unfettered go,
With tranquil brook and lonely tree,
The prairies of New Mexico.

I love the peaks beyond the cloud
That glisten with perennial snow,
The glorious summits of the proud
Sierras of New Mexico.

I love the hues that gild the West,
At evening, with supernal glow,
And crown the hills with dazzling crest,
The sunset of New Mexico.

I love the soft, mellifluent tongue,
That from the lips doth sweetly flow,
Like strains with harp and timbrel sung,
The language of New Mexico.

I love the silence deep and grand,
That reigns around, above, below,
From mountain top to river strand,
The silence of New Mexico.

I love the skies so fair and bright,
That o'er the earth their radiance throw,
Serene by day, so grand at night,
The skies of fair New Mexico.

Oh, I would haste, would haste away,
More swiftly than the light can go,
And there forever fondly stay,
In the hills of far New Mexico.

Oh, yes, beneath that gentle sky,
Where moon and stars so softly glow,
There I would live, there I would die,
On the wilds of dear New Mexico.

Then bury me on the mountains high,
Through whose deep vales bright waters flow—
Whose summits pierce the deep blue sky,
The mountains of New Mexico.

Whatever be the fate of this bill, whatever may be the result finally as to the destiny of these two great Territories, however their resources may be developed and their populations increased, there is one fact undenied and undeniable, that both of them possess the most matchless health-giving climate on earth. A citizen of New York, having recently gone to Arizona, and having enjoyed the pleasure and benefit of an outing, sleeping nightly beneath the skies all over the vast mesas and mountain sides of the great Southwest, on his return to New York put his enthusiasm into poetry, under the title of "My Arizona bedroom," and here it is:

MY ARIZONA BEDROOM.

Oh, my Arizona bedroom
Is beneath the Milky Way,
And the moon is in its ceiling,
And the star that tells of day;
And the mountains are the corners,
And the dry earth is the floor
Of my Arizona bedroom,
Which is large as all outdoors.

Oh, my Arizona bedroom
Is ventilated right;
Every zephyr under heaven
Comes to me with blithe "good night;"
Comes to me with touch of blessing
And of ozone, one drink more,
In my Arizona bedroom,
Which is large as all outdoors.

Oh, my Arizona bedroom
Has the lightning on its wall,
And the thunders rap the panels
And their heavy voices call;
And the night birds wing above me,
And the owl-let hoots galore,
Through my Arizona bedroom,
Which is large as all outdoors.

Oh, my Arizona bedroom
It sometimes seems to me,
Is afloat in middle heaven
With each star in ecstacy;
And the tide that turns at midnight
Drifts us down to morning's shore,
Floats us, stars and bed and bedstead,
On the ocean of outdoors.

Oh, my Arizona bedroom
Is beneath the splendid stars,
And the clouds roll up the curtains,
And the windows have no bars;
And I see my God in heaven
As the ancient did of yore,
In my Arizona bedroom,
Which is large as all outdoors.

—*J. William Lloyd in New York Sun.*

I say to my friends of the minority, and I have friends among them I am happy to say, if your motives are as pure as your platforms proclaim, then pass this bill. It will give us the first chance we have had to come into the Union in half a century. Listen to the voices of a million and a half of people in Oklahoma and Indian Territory. Consider the wants of 150,000 children of your own flesh and blood that are without schools in the Indian Territory.

Listen to the voices of 350,000 people in the Territory of New Mexico as well as you listen to the voices of the people of Arizona. Remember that in passing it you let in Oklahoma and the Indian Territory anyway; and if the people of New Mexico and Arizona do not want it, they can vote down a constitution under it and will not be out of pocket, as the nation pays the cost under this bill. Don't retort by telling me to ask the Republicans to let us in separately. That is just playing politics, and you know they won't do it, and we continue to be ground between the upper and nether partisan millstones.

Now is your time, let us come in and enjoy full-fledged citizenship the same as the citizens of the United States in the States. We have been buffeted by politics and made partisan instruments long enough. We have been battledoored and shuttlecocked for

half a century by first one party and then the other. It is time that it was stopped.

Gentlemen, we would like to have a voice as to who shall be our governors, our judges, and our other officials. We would like to have a voice in the national elections. We would like to be represented in the upper branch of the National Legislature; and we would like to have you grant New Mexico the liberty that your own fathers fought for.

In the name of the liberty the fathers wrung from the oppressor; in the name of the patient and patriotic people of the great Territory of New Mexico; in the name of common justice; in the name of the power that established this Government and guides its destinies, I ask at your hands that you do us justice by passing this bill.

And thus—

Sail on, O Ship of State,
Sail into the Union, strong and great;
Let Destiny before thee go,
To guide thy way, New Mexico!

I thank you, gentlemen, for the kind and patient attention you have given to my weak and necessarily incoherent remarks. [Applause.]

The SPEAKER. The question is on agreeing to the amendments. Is a separate vote demanded? If not, they will be voted on together.

The question being taken, the amendments were agreed to.

The bill as amended was ordered to be engrossed and read the third time.

The SPEAKER. The third reading of an engrossed bill.

The Clerk read as follows:

A bill to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States.

Mr. MOON of Tennessee. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOON of Tennessee. This bill has not been read—not a word of it. I want to know whether it is in order now to ask for the reading of the sections of this bill before it is passed, the House not having yet heard a word of it?

The SPEAKER. As the Chair understands, any gentleman has the right under the rules to demand the reading of the bill in full at this stage. The third reading of the bill has been ordered. Does the gentleman demand that the bill be read in full?

Mr. ROBINSON of Indiana. I rise to a parliamentary inquiry. Would that be violative of the special rule that the House adopted?

The SPEAKER. Oh, no; that rule provided for the consideration of the bill to final passage without amendment, except as indicated (and the amendments have already been passed upon), or intervening motion or appeal.

But the right to demand the third reading of the bill resides with every Member of the House.

Mr. MOON of Tennessee. Mr. Speaker, we realize that we are in the minority and can not control the matter. If the gentleman who is the chairman of this committee is willing to have this bill passed without one line of it being read to this House, the minority can afford to submit.

Mr. DALZELL. Mr. Speaker, I should like to ask if the reading of the bill was not dispensed with by unanimous consent?

The SPEAKER. The opportunity has been given to the House at two different times to have this bill read, and twice by unanimous consent was that right waived. The House now has the opportunity for the third time to have the bill read in full, on the third reading.

Mr. MADDOX. Mr. Speaker, is it in order to demand that the engrossed bill be read? If so, I demand that.

The SPEAKER. The Chair was doubtful, as the reading of the bill had begun.

Mr. MADDOX. I never heard of it. Even the amendments have never been read yet.

The SPEAKER. The amendments have been agreed to.

Mr. MADDOX. The amendments were agreed to, but, if the Chair will permit me, they were never read.

Mr. DALZELL. The amendments were set forth in the rule.

The SPEAKER. The gentleman from Georgia is mistaken. The amendments were read on the adoption and prior to the adoption of the rule. If gentlemen really want to arrive at a correct solution of the queries they ask of the Chair, and will indulge the Chair for a moment, the Chair thinks we can get at it.

The Chair was and still is in doubt, on the third reading of the bill, the demand for the reading of the engrossed bill not having been made until the reading had begun, whether it was not waived. Suppose that, the title of the bill having been already read, the third reading had progressed in full until the last section, and then the reading of the engrossed bill should be demanded in lieu of the one read almost universally in practice.

It is not one time in a hundred that the engrossed bill is read, or that the bill has been engrossed, under the practice of the House touching these matters. The third reading of the bill is by its title; and yet it is in the power of any Member to demand the reading of the engrossed bill. That is almost universally waived.

Now, the question in the mind of the Chair is whether, the Clerk having commenced to read the bill, it is too late to demand the reading of the engrossed bill?

The Chair will resolve the doubt in favor of the privilege of each Member of the House, and as the reading of the engrossed bill is demanded, before any of it has been read except the title, if the demand for the reading of the engrossed bill is insisted upon——

Mr. MADDOX. Mr. Speaker, I demand the reading of the engrossed bill.

The SPEAKER. The gentleman from Georgia demands the reading of the engrossed bill.

Mr. WILLIAMS of Mississippi. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS of Mississippi. I want to inquire whether the doubt in the mind of the Chair was solved after consultation?

The SPEAKER. Undoubtedly the doubt was solved after consultation; because, without mentioning names, it is true that the skilled parliamentarian who has been at this desk for many Congresses can give the Chair—and the gentleman from Mississippi—cards and spades, and still have a fountain of parliamentary knowledge left. [Laughter.] The gentleman from Georgia demands the reading of the engrossed bill. The bill will be laid aside——

Mr. PAYNE. A parliamentary inquiry.

Mr. MADDOX. Mr. Speaker——

The SPEAKER. The gentleman from Georgia.

Mr. MADDOX. I will just ask for the reading of the ordinary print of the bill and not the engrossed bill.

The SPEAKER. Then the reading of the engrossed bill is not demanded. The Clerk will read.

The Clerk proceeded to read the bill.

Pending the reading.

Mr. MADDOX said: Mr. Speaker, I believe I will withdraw the demand. [Applause.]

The SPEAKER. The gentleman from Georgia withdraws his demand for the third reading of the bill in full.

Mr. MADDOX. We can not hear it for the noise, anyhow. [Laughter.]

The SPEAKER. Does any other Member desire to have the bill read in full? [Laughter.] The Chair hears no further demand. The question is on the passage of the bill.

The question being taken.

Mr. WILLIAMS of Mississippi said: Mr. Speaker, let us have the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 147, nays 104, answered "present" 21, not voting 109, as follows:

YEAS—147..

Acheson,	Dayton,	Jones, Wash.	Payne,
Adams, Pa.	Dixon,	Kennedy,	Perkins,
Adams, Wis.	Douglas,	Ketcham,	Porter,
Alexander,	Draper,	Kinkaid,	Powers, Me.
Ames,	Driscoll,	Knapp,	Prince,
Bartholdt,	Dunwell,	Kyle,	Reeder,
Bates,	Dwight,	Lacey,	Rodenberg,
Bingham,	Esch,	Landis, Frederick	Scott,
Birdsall,	Evans,	Lanning,	Shiras,
Bishop,	Flack,	Lawrence,	Slemp,
Bonynge,	Foss,	Lilley,	Smith, Ill.
Boutell,	French,	Littauer,	Smith, Iowa.
Bowersock,	Gaines, W. Va.	Littlefield,	Smith, Samuel W.
Bradley,	Gardner, N. J.	Longworth,	Smith, Pa.
Brandegee,	Gibson,	Loud,	Southard.
Brick,	Gillet, N. Y.	Loudenslager,	Southwick,
Brooks,	Gillett, Cal.	Lovering,	Spalding,
Brown, Pa.	Gillett, Mass.	McCarthy,	Sperry,
Brown, Wis.	Goebel,	McCreary, Pa.	Stafford,
Buckman,	Graff,	McMorran,	Steenerson,
Burke,	Greene,	Mahon,	Sterling,
Burkett,	Hamilton,	Mann,	Stevens, Minn.
Butler, Pa.	Haskins,	Marsh,	Sulloway,
Calderhead,	Haugen,	Marshall,	Tawney,
Campbell,	Hedge,	Martin,	Thomas, Iowa
Capron,	Hemenway,	Miller,	Townsend,
Conner,	Henry, Conn.	Minor,	Van Voorhis,
Cooper, Pa.	Hepburn,	Mondell,	Vreeland,
Cooper, Wis.	Hermann,	Morgan,	Wadsworth,
Cousins,	Hill, Conn.	Morrell,	Wanger,
Cromer,	Hinshaw,	Murdock,	Weems,
Crumpacker,	Hogg,	Olmsted,	Wiley, N. J.
Currier,	Howell, N. J.	Otis,	Williamson,
Curtis,	Huff,	Otjen,	Wilson, Ill.
Dalzell,	Hughes, W. Va.	Overstreet,	Wright,
Daniels,	Hull,	Palmer,	Young.
Davis, Minn.	Jackson, Md.	Parker,	

NAYS—104.

Adamson,	Field,	Lamar, Mo.	Rixey,
Badger,	Finley,	Lamb,	Robertson, La.
Baker,	Flood,	Legare,	Robinson, Ark.
Bankhead,	Gaines, Tenn.	Lever,	Robinson, Ind.
Bartlett,	Garner,	Little,	Rucker,
Bassett,	Gilbert,	Livingston,	Russell,
Beall, Tex.	Goulden,	Lloyd,	Scarborough,
Bell, Cal.	Granger,	McDermott,	Shackleford,
Benny,	Gregg,	McLain,	Sheppard,
Bowers,	Hamlin,	Macon,	Sherley,
Brantley,	Hardwick,	Maddox,	Sims,
Breazeale,	Hay,	Meyer, La.	Slayden,
Brundidge,	Henry, Tex.	Moon, Tenn.	Smith, Ky.
Burleson,	Hill, Miss.	Needham,	Smith, Tex.
Burnett,	Hitchcock,	Padgett,	Stanley,
Byrd,	Hopkins,	Page,	Stephens, Tex.
Caldwell,	Houston,	Patterson, N. C.	Sulzer,
Candler,	Howard,	Patterson, Tenn.	Thomas, N. C.
Cassingham,	Hughes, N. J.	Pierce,	Underwood,
Clark,	Humphreys, Miss.	Pujo,	Van Duzer,
Clayton,	James,	Rainey,	Wade,
Crowley,	Johnson,	Randell, Tex.	Webb,
Cushman,	Jones, Va.	Ransdell, La.	Wiley, Ala.
De Armond,	Kehoe,	Reid,	Williams, Ill.
Dougherty,	Keliher,	Richardson, Ala.	Williams, Miss.
Emerich,	Kitchin, Claude	Rider,	Wynn.

ANSWERED "PRESENT"—21.

Allen,	Dinsmore,	Knopf,	Tirrell,
Beidler,	Dovener,	McCleary, Minn.	Volstead,
Brownlow,	Dresser,	Miers, Ind.	Zenor.
Cassel,	Gardner, Mich.	Patterson, Pa.	
Cowherd,	Grosvenor,	Pou,	
Deemer,	Gudger,	Sibley,	

NOT VOTING—109.

Aiken,	Garber,	Lindsay,	Small,
Babcock,	Gardner, Mass.	Livernash,	Smith, Wm. Alden
Bede,	Gillespie,	Lorimer,	Smith, N. Y.
Benton,	Glass,	Lucking,	Snapp,
Bowie,	Goldfogle,	McAndrews,	Snook,
Broussard,	Gooch,	McCall,	Southall,
Burgess,	Griffith,	McLachlan,	Sparkman,
Burleigh,	Griggs,	McNary,	Spight,
Burton,	Harrison,	Mahoney,	Sullivan, Mass.
Butler, Mo.	Hearst,	Maynard,	Sullivan, N. Y.
Castor,	Hildebrant,	Metcalf,	Swanson,
Cochran, Mo.	Hitt,	Moon, Pa.	Talbott,
Cockran, N. Y.	Holliday,	Mudd,	Tate,
Connell,	Howell, Utah	Nevin,	Taylor,
Cooper, Tex.	Humphrey, Wash.	Norris,	Thayer,
Darragh,	Hunt,	Pearre,	Trimble,
Davey, La.	Hunter,	Pinckney,	Vandiver,
Davidson,	Jackson, Ohio	Powers, Mass.	Wachter,
Davis, Fla.	Jenkins,	Rhea,	Wallace,
Denny,	Kitchin, Wm. W.	Richardson, Tenn.	Warner,
Dickerman,	Kline,	Robb,	Warnock,
Fitzgerald,	Kluttz,	Roberts,	Watson,
Fitzpatrick,	Lafean,	Ruppert,	Weisse,
Fordney,	Lamar, Fla.	Ryan,	Wilson, N. Y.
Foster, Ill.	Landis, Chas. B.	Scudder,	Woodyard.
Foster, Vt.	Lester,	Sherman,	
Fowler,	Lewis,	Shober,	
Fuller,	Lind,	Shull,	

So the bill was passed.

The following additional pairs were announced:

For the session:

Mr. DEEMER with Mr. SHULL.

For Tuesday and Wednesday:

Mr. MUDD with Mr. DENNY.

For the remainder of the day:

Mr. HITT with Mr. DINSMORE.

Mr. JENKINS with Mr. MAYNARD.

Mr. MCCALL with Mr. SWANSON.

Mr. MCCLEARY of Minnesota with Mr. SPIGHT.

Mr. VOLSTEAD with Mr. LIND.

On this vote:

Mr. DAVIDSON with Mr. SPARKMAN.

Mr. BURTON with Mr. COCHRAN of Missouri.

Mr. NEVIN with Mr. RICHARDSON of Tennessee.

Mr. DEEMER. Mr. Speaker, I voted "yea." I want to withdraw my vote and vote "present."

The name of Mr. DEEMER was called, and he voted "present."

The result of the vote was then announced as above recorded.

[Applause.]

On motion of Mr. HAMILTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

AGRICULTURAL APPROPRIATION BILL.

Mr. WADSWORTH. Mr. Speaker, I desire to present the conference report on the agricultural appropriation bill, so that it may be printed in the RECORD.

The SPEAKER. The gentleman from New York presents the conference report on the agricultural appropriation bill, to be printed in the RECORD.

The report of the committee of conference is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11825) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1905, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 48, 50, 65, 70, 71, 74, 75, 77, 86, 87, 88, 90, 91, 92, 94, 96, 97, 102, 104, 108, 109, 110, 111, 116, 119, 120, 121, 122, 123.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 19, 22, 23, 25, 26, 27, 29, 30, 31, 34, 36, 39, 40, 41, 43, 45, 46, 47, 49, 51, 53, 55, 60, 63, 64, 66, 68, 69, 72, 73, 76, 78, 80, 81, 83, 84, 89, 98, 99, 100, 101, 105, 106, 107, 112, 113, 114, 115, 117, and agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: Strike out the word "nine" in said amendment and insert in lieu thereof the word "four;" and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: Strike out the words of said amendment "thirty-eight thousand two" and insert in lieu thereof the words "thirty-seven thousand seven;" and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In line 2 of said amendment strike out the word "fifty" and insert in lieu thereof the word "twenty-five;" and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: On page 13, lines 22 and 23, of the bill strike out the words "two hundred and eighty-seven" and insert in lieu thereof the words "three hundred and sixty-two;" and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the words "and student," stricken out, insert the words "student or;" and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the word "student," stricken out, insert the words "student or;" and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: On page 18, line 17, of the bill strike out the words "forty thousand dollars" and insert in lieu thereof the following: "forty-three thousand five hundred dollars;" and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: Strike out the word "twelve" of said amendment and insert in lieu thereof the word "ten;" and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the words "and student," stricken out, insert the words "student or;" and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the amount proposed insert "sixty-seven thousand five hundred;" and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the word "and," stricken out, insert the words "student or;" and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In place of the amount proposed insert the following: "forty-two thousand five hundred;" and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: Strike out the word "twenty-five" in said amendment and insert in lieu thereof the word "twenty;" and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: Before the

word "trees," of said amendment, insert the words "mulberry and other rare and valuable;" and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: Strike out the words of said amendment and in lieu thereof insert the following: "into and cultivation in;" and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the amount proposed in said amendment insert "seven thousand five hundred;" and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the amount proposed by the amendment insert "seven hundred and forty-four thousand four hundred and thirty;" and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the amount proposed by the amendment insert "three hundred and eighty-eight thousand dollars;" and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the amount proposed by said amendment insert "four hundred and twenty-five thousand one hundred and forty;" and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In line 2 of said amendment, after the word "drugs," strike out the words "and liquors" and insert the words following: "beverages, condiments, and ingredients of such articles;" and in line 21 of said amendment, after the word "production," insert the following: "or which are forbidden entry or to be sold, or are restricted in sale, in the countries in which they are made or from which they are exported;" and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the amount proposed by said amendment insert "one hundred and thirty-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the amount proposed insert the following: "One hundred and forty-nine thousand eight hundred dollars;" and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with amendments as follows: In line 3 of said amendment, after the word "crops," strike out the semicolon and insert a comma, and after the word "crops," in the same line, add an "s" to the word "forest;" and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82 and agree to the same with an amendment as follows: Strike out the words "seventy-five thousand" of said amendment and insert in lieu thereof the words "seventy thousand;" and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the amount proposed by said amendment insert the following: "eighty-two thousand four hundred and fifty;" and the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: In line 2 of said amendment strike out the words "or other game animals;" and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the amount proposed by said amendment insert "fifty-one thousand eight hundred and fifty;" and the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lieu of the amount proposed by said amendment insert "twenty thousand two hundred:" and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In lieu of the amount proposed by said amendment insert "sixty-seven thousand five hundred:" and the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In lieu of the amount proposed by said amendment insert the following: "five million nine hundred and two thousand and forty dollars;" and the Senate agree to the same.

J. W. WADSWORTH,
E. STEVENS HENRY,
JOHN LAMB,
Managers on the part of the House.

REDFIELD PROCTOR,
H. C. HANSBROUGH,
F. M. SIMMONS,
Managers on the part of the Senate.

The statement is as follows:

Amendment No. 1 simply transfers an official formerly paid from the lump-sum appropriation to the statutory roll.

Amendment No. 2 raises the salary of an electrician from $900 to $1,000 per annum; and in view of the character of the labor and the competency of the present incumbent your conferees agreed to this small increase of salary.

Amendments Nos. 8, 9, 10, 11, 12, and 13, agreed to by your conferees, provide for four additional clerks in the Weather Bureau. It is proposed to establish in that Bureau a small force to especially and particularly look after and issue warnings in regard to flood and river service.

Amendment No. 19, to which your conferees agreed, provides for an increase of $50,000 for the Bureau of Animal Industry. This increase is made necessary by further outbreak of scab among sheep and cattle on the western ranges, and by a sudden outbreak of a bad contagious disease among horses in Iowa.

Amendment No. 20: This amendment, inserted by the Senate, appropriated $50,000 for experiments in breeding and feeding in cooperation with State agricultural experiment stations. Your conferees reluctantly agreed to an appropriation of $25,000 for these purposes; their objection being that it was thought unwise for the Department to go into experiments in animal breeding, as it might commit the Government to an endless task, resulting in no practical good to the agricultural interests of the country; but finally, at the earnest solicitation of the Secretary of Agriculture, your conferees agreed to the amendment at the decreased amount stated, viz, $25,000.

Amendment No. 22 provides an increase of $500 in the salary of the Chief of Bureau of Plant Industry. This Bureau is one of the most important in the Department. Under its present chief it has done remarkable work, furnishing information which has been of great value to the agricultural interests of the country, and the Senate, in its wisdom, deemed it fit and proper that the salary of the chief should be increased by $500, to which your conferees agreed.

Amendments Nos. 72 and 73 transfer the Division of Entomology into a bureau, but does not increase the amount appropriated by the House for salaries.

Amendment No. 100 increases the salary of the librarian $200. The present incumbent has served in her present capacity and at her present salary between nine and ten years, and the Senate, in its wisdom, considered her worthy of the increase, to which your conferees agreed.

Amendment No. 32 provides an increase of $3,500 for pomological investigations.

Amendment No. 37 provides an increase of $2,500 for botanical investigations and experiments.

Amendment No. 42 provides an increase of $2,500 for grass and forage-plant investigations.

Amendment No. 44 provides an increase of $5,000 for the Arlington Experimental Farm.

Amendment No. 56 provides an increase of $2,500 for investigations in the production of domestic sugar.

Amendment No. 58 provides an increase of $25,000 for general expenses of Bureau of Forestry.

Amendment No. 62 provides an increase of $35,000 for general expenses of Bureau of Chemistry.

Amendment No. 82 provides an increase of $4,500 for general expenses of Bureau of Entomology.

Amendment No. 93 provides an increase of $1,000 for Division of Biology to enable the Secretary of Agriculture to provide for the transportation of some elk which have been presented to the Government to one of the forest reserves and to fence them in and care for them.

Amendment No. 98 provides an increase of $10,000 for general expenses Bureau of Statistics.

Amendment No. 118 provides an increase of $2,500 for general expenses of irrigation and drainage investigations.

These amendments (32, 37, 42, 44, 56, 58, 62, 82, 93, 98, and 118) carrying the increases above mentioned have been agreed upon by the conferees of the two Houses and simply represent a compromise between the judgment of the Senate and House as to the amounts each considered could be judiciously expended for the several purposes named.

Amendment No. 43 provides an appropriation of $25,000 for the removal and reconstruction of the greenhouses on the Department grounds, said removal being necessary to accommodate the the new buildings for the Department.

All other amendments are immaterial, simply relating to corrections of totals, corrections of punctuation and verbiage, not altering in any way the intents and purposes of the bill as passed by the House.

The amount carried by the bill as passed by the House was	$5,711,240
The amount carried by the bill as passed by the Senate was	6,072,380
The amount as agreed to in conference is	5,902,040

Showing an increase of $190,800 over the bill as passed by the House.

SEGREGATION OF COAL AND ASPHALT LANDS IN INDIAN TERRITORY.

The SPEAKER laid before the House the bill (H. R. 11126) to authorize the Secretary of the Interior to add to the segregation of coal and asphalt lands in the Choctaw and Chickasaw nations, Ind. T., and for other purposes, with a Senate amendment, which was read.

Mr. CURTIS. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

AGREEMENT WITH INDIANS OF DEVILS LAKE RESERVATION, N. DAK.

The SPEAKER also laid before the House the bill (H. R. 11128) to modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect, with Senate amendments, which were read.

Mr. MARSHALL. Mr. Speaker, I move that the House concur in the Senate amendments.

Mr. MANN. May I inquire whether these are amendments that are required to be passed upon in Committee of the Whole?

The SPEAKER. The Chair does not hear the gentleman.

Mr. MANN. Are those amendments which are ordinarily required to be passed upon in Committee of the Whole?

The SPEAKER. The Chair does not know.

Mr. MANN. I notice that there is an amendment in reference to the disposition of the public domain.

Mr. CURTIS. This does not change the price of the land.

Mr. BURKE. It is a change in the verbiage.

Mr. MARSHALL. There is no material change.

Mr. MANN. Mr. Speaker, I am satisfied with the explanations which have been made here.

The SPEAKER. The question is on concurring in the Senate amendments.

The question was taken, and the amendments were concurred in.

AGREEMENT WITH THE SIOUX TRIBE OF INDIANS OF THE ROSEBUD RESERVATION.

The SPEAKER also laid before the House the bill (H. R. 10418) entitled "An act to ratify and amend an agreement with the Sioux tribe of Indians of the Rosebud Reservation, in South Dakota, and making appropriation and provision to carry the same into effect," with Senate amendments, which were read.

Mr. BURKE. Mr. Speaker, I move that the House concur in the Senate amendments.

Mr. BAKER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BAKER. Just to ascertain, Mr. Speaker, what is the general effect of these amendments.

The SPEAKER. Does the gentleman from South Dakota yield to the gentleman from New York?

Mr. BURKE. For a question.

Mr. BAKER. I would like to ask the gentleman to explain the general effect of these amendments.

Mr. BURKE. I would state, Mr. Speaker, that the only material change is in raising the price from $3 an acre to $4 an acre for a period of three months.

Mr. BAKER. And it does not affect the minimum of two dollars and a half?

Mr. BURKE. Not at all.

Mr. BAKER. It raises the maximum only?

Mr. BURKE. It does not change the price at all except to raise the price for three months from $3 to $4.

Mr. CURTIS. And on the highest grade lands.

Mr. STEPHENS of Texas. Mr. Speaker, I would like to inquire whether this is a Senate amendment?

Mr. BURKE. This is a Senate amendment.

The question was taken, and the amendments were concurred in.

DISTRICT COURT, WESTERN DISTRICT OF VIRGINIA.

The SPEAKER also laid before the House the bill (H. R. 11518) entitled "An act to authorize the holding of a regular term of the district court of the United States for the western district of Virginia, in the city of Bigstone Gap, Va.," with Senate amendments, which were read.

Mr. SLEMP. Mr. Speaker, I move to concur in the Senate amendments.

The question was taken, and the amendments were agreed to.

GRANTING CERTAIN LANDS TO THE STATE OF NORTH DAKOTA.

The SPEAKER also laid before the House the bill (H. R. 10018) entitled "An act granting to the State of North Dakota 640 acres of land, embracing the White Stone Hills battlefield and burial ground of soldiers killed in that engagement," with a Senate amendment, which was read.

Mr. MARSHALL. Mr. Speaker, I move that the House concur in the Senate amendment.

The question was taken, and the amendment was concurred in.

OMAHA NORTHERN RAILWAY COMPANY.

The SPEAKER laid before the House the following Senate bill, a similar House bill being upon the Calendar.

The Clerk read as follows:

A bill (S. 3611) to amend an act entitled "An act to amend an act entitled 'An act granting the right to the Omaha Northern Railway Company to construct a railway across and establish stations on the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes,' by extending the time for the construction of said railway," by a further extension of time for the construction of said railway.

Be it enacted, etc., That the time prescribed by an act of Congress approved the 26th day of March, 1898, entitled "An act granting the right to the Omaha Northern Railway Company to construct a railway across and establish stations on the Omaha and Winnebago Reservation, in the State of Nebraska and for other purposes," as amended by an act of Congress approved on the 30th day of April, 1902, entitled "An act to amend an act entitled 'An act granting the right to the Omaha Northern Railway Company to construct a railway across and establish stations on the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes,' by extending the time for the construction of said railway," be, and the same is hereby, extended for a period of time, to wit, three years from the 26th day of March, 1904.

SEC. 2. That all other provisions of said act are hereby continued in full force and effect.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. HINSHAW, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER. Without objection, a similar bill, H. R. 13086, will lie upon the table.

LOUISIANA PURCHASE EXPOSITION.

The SPEAKER also laid before the House the following Senate concurrent resolution; which was read, as follows:

Concurrent resolution No. 67.

Resolved by the Senate (the House of Representatives concurring), That the invitation extended to the Congress of the United States by the Louisiana Purchase Exposition to attend the formal opening ceremonies of said exposition, to be held at St. Louis, Mo., April 30, 1904, be, and is hereby, accepted.

That the President pro tempore of the Senate and the Speaker of the House of Representatives be, and they are hereby, authorized and directed to appoint a committee to consist of ten Senators and fifteen Representatives of the Fifty-eighth Congress to attend the formal opening ceremonies referred to and to represent the Congress of the United States on that occasion.

Mr. TAWNEY. Mr. Speaker, I move that the House concur in the Senate concurrent resolution.

The SPEAKER. The gentleman from Minnesota moves that the House do agree to the Senate concurrent resolution.

The question was taken; and the resolution was agreed to.

The SPEAKER. A similar House resolution will, without objection, lie upon the table.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 12446. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes;

H. R. 12684. An act making appropriations for the current and

contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1905, and for other purposes;

H. R. 13992. An act permitting the Missouri, Kansas and Oklahoma Railroad Company to sell its railroads and properties to the Missouri, Kansas and Texas Railway Company; and

H. R. 12231. An act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment.

The SPEAKER announced his signature to enrolled bill and joint resolution of the following titles:

S. 4576. An act transferring the custody of certain obsolete ordnance to the city of Boston; and

S. R. 54. Joint resolution to permit Maj. Thomas W. Symons, Corps of Engineers, to assist the State of New York by acting as a member of an advisory board of consulting engineers in connection with improvements and enlargement of the navigable canals of the State of New York.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 7266. An act to ratify, approve, confirm, and amend an act duly enacted by the legislature of the Territory of Hawaii to authorize and provide for the manufacture, distribution, and supply of electric light and power on the island of Oahu, Territory of Hawaii;

H. R. 12385. An act for the reappraisement and sale of the undisposed lands within the Fort Walla Walla Military Reservation, in the State of Washington;

H. R. 14750. An act authorizing the county of Itasca, in the State of Minnesota, to construct a wagon and foot bridge over the Mississippi River in section 22, township 55 north, range 27 west of the fourth principal meridian;

H. R. 13350. An act conferring jurisdiction upon United States commissioners over offenses committed in a portion of the permanent Hot Springs Mountain Reservation, Ark.;

H. R. 8505. An act for the relief of the estate of Cyrus D. Hottenstein, deceased;

H. R. 685. An act granting an increase of pension to Philip J. Harlow;

H. R. 6048. An act granting an increase of pension to William Johnson;

H. R. 6051. An act granting an increase of pension to Ann Dawson;

H. R. 7062. An act granting a pension to Kate M. A. Mortensen;

H. R. 9775. An act granting a pension to Anna S. Christopherson;

H. R. 9633. An act granting a pension to Margaret H. Booth;

H. R. 701. An act granting a pension to William C. Montgomery;

H. R. 626. An act granting a pension to Mary A. V. Cook;

H. R. 10973. An act granting a pension to Harry F. Thompson;

H. R. 1910. An act granting a pension to Cephas Kendal Knox;

H. R. 2194. An act granting a pension to Mary Dewire;

H. R. 3246. An act granting a pension to Hedwig A. Maass;

H. R. 2450. An act granting a pension to Lucina Heath;

H. R. 11403. An act granting a pension to John M. Bailey;

H. R. 8122. An act granting a pension to Adonijah Richards;

H. R. 7752. An act granting a pension to William L. Rutter;

H. R. 7595. An act granting a pension to Ella Hatfield;

H. R. 4626. An act granting a pension to Hattie M. Matheson;

H. R. 4604. An act granting a pension to Christian Kloeppel, alias Christian Knupple;

H. R. 5867. An act granting a pension to Ina D. Burdick;

H. R. 5198. An act granting a pension to Emeline Simmons;

H. R. 5431. An act granting a pension to Susan Laugherty;

H. R. 5406. An act granting a pension to Rachel Tyson;

H. R. 6307. An act granting a pension to Elizabeth Hopper;

H. R. 6502. An act granting a pension to Onslow N. McIntire;

H. R. 6170. An act granting a pension to Elizabeth F. Champlin;

H. R. 5685. An act granting a pension to Alonzo Sabin;

H. R. 13264. An act granting an increase of pension to Daniel W. Graham;

H. R. 14203. An act granting an increase of pension to Edwin J. Jagger;

H. R. 13657. An act granting an increase of pension to Francis F. Rogers;

H. R. 13507. An act granting an increase of pension to John M. Sullivan;

H. R. 13438. An act granting an increase of pension to John W. Comer;

H. R. 13236. An act granting an increase of pension to George H. Otis;

H. R. 13310. An act granting an increase of pension to Samuel A. Smith, jr.;

H. R. 13147. An act granting an increase of pension to Euphama A. Young;

H. R. 13935. An act granting an increase of pension to John F. Cummins;

H. R. 13413. An act granting an increase of pension to Hezekiah Kepner;

H. R. 12850. An act granting an increase of pension to Simon P. Rittenhouse;

H. R. 12964. An act granting an increase of pension to Elizabeth Banks;

H. R. 12456. An act granting an increase of pension to Marshall Cox;

H. R. 12845. An act granting an increase of pension to Charles Bowen;

H. R. 12133. An act granting an increase of pension to James Johnson;

H. R. 12664. An act granting an increase of pension to Rachel J. Smith;

H. R. 12607. An act granting an increase of pension to John M. Savoree;

H. R. 12352. An act granting an increase of pension to William H. Cooper;

H. R. 11937. An act granting an increase of pension to Dennis Spurrier;

H. R. 11647. An act granting an increase of pension to William C. Scott;

H. R. 12388. An act granting an increase of pension to Adam Shiria;

H. R. 12623. An act granting an increase of pension to Liberty B. Walters, alias Liberty B. Watters;

H. R. 11662. An act granting an increase of pension to John H. Brodrick;

H. R. 11877. An act granting an increase of pension to Minnie C. Wilkins;

H. R. 11793. An act granting an increase of pension to August Henning;

H. R. 11033. An act granting an increase of pension to Noah Minnich;

H. R. 11976. An act granting an increase of pension to Isom R. New;

H. R. 10790. An act granting an increase of pension to John F. Rockey;

H. R. 11187. An act granting an increase of pension to Fyanna E. Myers; and

H. R. 11574. An act granting an increase of pension to Oscar A. Phetteplace.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5218. An act granting permission to Capt. C. De W. Willcox, United States Army, to accept a decoration and diploma tendered to him by the Government of the French Republic—to the Committee on Foreign Affairs

S. 4917. An act to amend section 29 of the act of July 24, 1897, entitled "An act to provide revenue for the Government and to encourage the industries of the United States"—to the Committee on Ways and Means.

S. 4316. An act providing for the appointment of additional judges in the Indian Territory—to the Committee on the Judiciary.

S. 4594. An act to incorporate the American National Institute (Prix de Paris) at Paris, France—to the Committee on the Library.

Senate concurrent resolution No. 68.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed, at the earliest date practicable, to cause a survey to be made of the Olympia Harbor, State of Washington, and to submit an estimate for the improvement of said harbor to meet the demands of commerce—

to the Committee on Rivers and Harbors.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. LOUD, for five days, on account of important business.

TO REIMBURSE GOVERNORS FOR EXPENSES OF VOLUNTEER ARMY IN WAR WITH SPAIN.

Mr. MAHON. Mr. Speaker, I ask unanimous consent for the present consideration of the following Senate bill, which I shall send to the desk.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I hope the House will adjourn at this time. It is now twenty minutes after 5 o'clock.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the present consideration of a Senate bill, of which the Clerk will report the title.

The Clerk read as follows:

A bill (S. 1343) to amend an act approved March 3, 1899, entitled "An act to amend an act entitled 'An act to reimburse governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain,' approved July 8, 1898," etc., and for other purposes.

Mr. WILLIAMS of Mississippi. Mr. Speaker, if this matter came up within the regular hours I would not object.

Mr. MAHON. I will ask the gentleman to withhold his objection for a moment.

The SPEAKER. Does the gentleman from Mississippi yield to the gentleman from Pennsylvania?

Mr. WILLIAMS of Mississippi. Mr. Speaker, I object to the consideration of any unanimous consents at this time.

Then, on motion of Mr. PAYNE (at 5 o'clock and 23 minutes p. m.), the House adjourned until to-morrow at 12 o'clock m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. RICHARDSON of Alabama, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 2842) to amend an act entitled "An act to authorize the Montgomery Bridge Company to construct and maintain a bridge across the Alabama River," near the city of Montgomery, Ala., approved March 1, 1893, reported the same without amendment, accompanied by a report (No. 2599); which said bill and report were referred to the House Calendar.

Mr. CUSHMAN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 10005) to authorize the construction of two steam vessels for the Revenue-Cutter Service for duty on Puget Sound, Washington, reported the same without amendment, accompanied by a report (No. 2601); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

amended April 1, 1896, and March 2, 1903, reported the same without amendment, accompanied by a report (No. 2605); which said bill and report were referred to the House Calendar.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 15165) to authorize the construction of a bridge across the navigable waters of St. Andrews Bay, reported the same with amendment, accompanied by a report (No. 2604); which said bill and report were referred to the House Calendar.

Mr. HEPBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 12442) to amend "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes," approved March 2, 1893, as

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 2866) to amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.," approved April 24, 1888, reported the same with amendment, accompanied by a report (No. 2606); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. PATTERSON of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 13816) granting a pension to Annie Hines, reported the same with amendment, accompanied by a report (No. 2598); which said bill and report were referred to the Private Calendar.

Mr. TIRRELL, from the Committee on Claims, to which was referred the bill of the House (H. R. 11071) for the relief of Franklin Patterson, reported the same with amendment, accompanied by a report (No. 2603); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, the following adverse report was delivered to the Clerk, and laid on the table:

Mr. YOUNG, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 968) to grant an honorable discharge from the military service to Robert C. Gregg, reported the same adversely, accompanied by a report (No. 2600); which said bill and report were ordered laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 14999) granting a pension to Annie C. Almond—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 14590) to authorize the courts of county commissioners of Houston and Dale counties, Ala., to construct a bridge across the Choctawhatchee River between Houston and Dale counties, Ala.—Committee on the Judiciary discharged, and referred to the Committee on Interstate and Foreign Commerce.

A bill (H. R. 11681) granting an increase of pension to James H. V. Voldo—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 13911) granting an increase of pension to Calvin Hitt—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. CURRIER (by request): A bill (H. R. 15223) to authorize the registration of trade-marks and to protect the same—to the Committee on Patents.

By Mr. GIBSON: A bill (H. R. 15224) granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and to their widows, minor children, and dependent relatives—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 15225) to amend the act relating to the printing and distribution of public documents, and for other purposes—to the Committee on Printing.

By Mr. KALANIANAOLE: A bill (H. R. 15226) making both English and Hawaiian languages official languages in legislative proceedings of the Territory of Hawaii for the period of ten years—to the Committee on the Territories.

By Mr. McNARY: A bill (H. R. 15227) amending section 2513 of the Revised Statutes—to the Committee on Ways and Means.

By Mr. RODENBERG: A bill (H. R. 15228) establishing a regular term of the United States circuit and district courts at East St. Louis, Ill.—to the Committee on the Judiciary.

By Mr. MEYER of Louisiana: A bill (H. R. 15229) to amend an act entitled "An act to promote the efficiency of the militia, and for other purposes"—to the Committee on Militia.

By Mr. BATES: A bill (H. R. 15230) providing for the erection of a monument to Charles Vernon Gridley, late a captain, United States Navy, and John P. Vincent Gridley, late a lieutenant, United States Marine Corps—to the Committee on the Library.

By Mr. RICHARDSON of Tennesse: A resolution (H. Res. 336) for the relief of J. C. Stewart—to the Committee on Accounts.

By Mr. McNARY: A resolution (H. Res. 337) requesting the Secretary of War to investigate the feasibility of closing South Bay, in Boston Harbor, Massachusetts—to the Committee on Rivers and Harbors.

Also, a resolution (H. Res. 338) requesting the Secretary of Commerce and Labor to investigate the high prices of coal in the United States since January 1, 1903—to the Committee on the Judiciary.

Also, a resolution (H. Res. 340) directing the Secretary of War to investigate the delay in the work of improvement of Boston Harbor—to the Committee on Rivers and Harbors.

By Mr. SIBLEY: A resolution (H. Res. 341) directing the Secretary of War to cause survey to be made of Wrangell Narrows, in southeastern Alaska—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BURNETT: A bill (H. R. 15231) for the relief of Nellie Childers, of Cullman County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 15232) granting an increase of pension to Barney D. Rose—to the Committee on Pensions.

Also, a bill (H. R. 15233) granting a pension to Mattie M. Hawkins—to the Committee on Pensions.

Also, a bill (H. R. 15234) granting a pension to J. L. Marbut, alias John Robinson—to the Committee on Invalid Pensions.

By Mr. CROWLEY: A bill (H. R. 15235) granting a pension to Mary J. Sumerlin—to the Committee on Pensions.

By Mr. DARRAGH: A bill (H. R. 15236) granting an increase of pension to Benjamin S. Vest—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 15237) granting an increase of pension to Alexander McConneha—to the Committee on Invalid Pensions.

By Mr. FLOOD: A bill (H. R. 15238) for the relief of C. M. Parkins—to the Committee on Claims.

By Mr. GRANGER: A bill (H. R. 15239) granting a pension to Isabella Burk—to the Committee on Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. 15240) granting an increase of pension to James C. Baker—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 15241) granting an increase of pension to George W. Morin—to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 15242) granting a pension to Jacob R. McCane—to the Committee on Invalid Pensions.

By Mr. POWERS of Maine: A bill (H. R. 15243) granting an extension of Letters Patent No. 244898—to the Committee on Patents.

By Mr. PUJO: A bill (H. R. 15244) granting an increase of pension to Rebecca V. Mackenzie—to the Committee on Invalid Pensions.

By Mr. SCOTT: A bill (H. R. 15245) for the relief of Lewis Faulkner—to the Committee on Military Affairs.

By Mr. SHIRAS: A bill (H. R. 15246) granting an increase of pension to James A. Clifton—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 15247) granting a pension to George Hess—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15248) granting an increase of pension to Samuel E. Wilson—to the Committee on Invalid Pensions.

By Mr. AMES: A bill (H. R. 15249) granting a pension to Dennis H. Finn—to the Committee on Pensions.

Also, a bill (H. R. 15250) granting a pension to George S. Kittredge—to the Committee on Pensions.

By Mr. GRANGER: A bill (H. R. 15251) for the relief of Theodore H. Bishop—to the Committee on Naval Affairs.

By Mr. FRENCH: A bill (H. R. 15252) granting an increase of pension to Maria Edmundson—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS of Pennsylvania: Resolution of the Catholic Total Abstinence Union of Philadelphia, Pa., in favor of the bill for the erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.

By Mr. BOWERSOCK: Resolution of the National Business League, in favor of bill H. R. 7097, for the reorganization of the United States consular service—to the Committee on Foreign Affairs.

Also, petition of members of Pharmaceutical Association of Fort Scott, Kans., in favor of the passage of the Mann bill regarding patent law as applied to pharmaceutical products—to the Committee on Patents.

By Mr. BRUNDIDGE: Petition of J. T. Self and 12 others, of Heber, Ark., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURKETT: Petition of the Cushman Motor Company, in favor of the passage of bill H. R. 9302—to the Committee on Ways and Means.

By Mr. CALDERHEAD: Petition of veterans of the civil war of Gypsum, Kans., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Wallace D. McGill, editor of the Problem, Leavenworth, Kans., in favor of the bill providing pensions for the sons and daughters of veterans of the civil war who are blind—to the Committee on Invalid Pensions.

Also, petitions of Rev. D. A. Leeper and others, of Washington, Kans.; the Methodist Episcopal, Baptist, and Congregational churches of Salina, Kans., and E. O. Johnson and 29 others, of Morrowville, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CONNELL: Petition of the Pennsylvania State Association of Builders, against the passage of bills H. R. 89 and 8136, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases—to the Committee on the Judiciary.

Also, petition of R. G. Megargel, of Scranton, Pa., in favor of the enactment of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, petition of Casey Brothers, of Scranton, Pa., against the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. COUSINS: Petition of Ashley Chapter, Daughters of the American Revolution, of Cedar Rapids, Iowa, relative to the Maury light-house memorial—to the Committee on the Library.

By Mr. CROWLEY: Papers to accompany bill to pension Mary J. Sumerlin—to the Committee on Pensions.

By Mr. DOVENER: Paper to accompany bill to increase pension of Alexander McConneha—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 15136, for relief of Oakley Randall—to the Committee on War Claims.

By Mr. FLACK: Petition of L. L. Goodale, of Potsdam, N. Y., in favor of the passage of bill H. R. 9302—to the Committee on Ways and Means.

By Mr. HINSHAW: Petition of the First Presbyterian Church of Osceola, Nebr., in favor of the Hepburn interstate liquor bill—to the Committee on the Judicary.

By Mr. JACKSON of Ohio: Resolution of the general assembly of Ohio, relative to the advancement of T. M. Anderson to the grade of major-general—to the Committee on Military Affairs.

Also, resolution of Marine Engineers' Beneficial Association, No. 48, of Sandusky, Ohio, in favor of the passage of bill H. R. 14620—to the Committee on the Merchant Marine and Fisheries.

By Mr. LINDSAY: Petitions of Jacob Rodenbach, of Brooklyn, N. Y., and Philip J. Rodenbach and Charles M. Keller, of Brooklyn, N. Y., favoring the clause in post-office appropriation bill relative to convict labor—to the Committee on the Post-Office and Post-Roads.

By Mr. LITTLEFIELD: Petition of members of women's clubs in Rockland, Me., in favor of the bill for a forest reserve in the White Mountains in New Hampshire—to the Committee on Agriculture.

By Mr. MAHON: Petition of the legal representatives of the estate of James D. Jones, deceased, praying reference of claim to the Court of Claims—to the Committee on War Claims.

By Mr. MIERS of Indiana: Petition of E. J. Smith and 47 others, of Odont and Elnora, Ind., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. NEVIN: Resolution of Journeymen Barbers' Local Union No. 151, of Manchester, N. H., in favor of the passage of an eight-hour law and an anti-injunction bill—to the Committee on the Judiciary.

By Mr. SHEPPARD: Petitions of Rev. Lewis Barton and others, of Clarksville, Tex.; Horace Vaughn and 23 others, of Texarkana, Tex., and W. T. Ayers and 35 others, of Queen City, Tex., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SHERMAN: Petition of A. H. Williams & Co., of Utica, N. Y., in favor of bill H. R. 9302—to the Committee on Ways and Means.

By Mr. SULZER: Petition of Carl Kopp, of New York, in favor of bill H. R. 9302—to the Committee on Ways and Means.

Also, petition of Kings County Pharmaceutical Society, in favor of bill to reorganize the Hospital Corps of the Navy—to the Committee on Naval Affairs.

Also, petition of Charlotte Smith, president of the Woman's Industrial and Patriotic League, relative to amending the convict-labor bill—to the Committee on Labor.

By Mr. WADSWORTH: Petition of Frank Plummer and 31 others, of Yates, N Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WEBB: Papers to accompany bill H. R. 15220, for the relief of W. J. Roberts—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: Papers to accompany bill granting a pension to George Hess—to the Committee on Invalid Pensions.

SENATE.

WEDNESDAY, *April 20, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on the request of Mr. GALLINGER, and by unanimous consent the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

ARMY TELEGRAPH OPERATORS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 12th instant, a report from Brig. Gen. F. C. Ainsworth, Chief of the Record and Pension Office of the War Department, relative to the number of telegraph operators in the military service who have received certificates of honorable service as provided in the act of January 26, 1897, etc.; which, with the accompanying paper, was referred to the Committee on Military Affairs, and ordered to be printed.

JUDGMENT BY COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 16th instant, a judgment rendered by the Court of Claims in favor of the Cincinnati, New Orleans and Texas Pacific Railway Company amounting to $23,395.30; which was referred to the Committee on Appropriations, and ordered to be printed.

VISITORS TO ANNAPOLIS.

The PRESIDENT pro tempore appointed Mr. DRYDEN and Mr. GORMAN members of the Board of Visitors on the part of the Senate to attend the next annual examination of cadets at the Naval Academy at Annapolis, Md., under the requirements of the act of February 14, 1879.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 3611) to amend an act entitled "An act to amend an act entitled 'An act granting the right to the Omaha Northern Railway Company to construct a railway across and establish stations on the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes,'" by extending the time for the construction of said railway by a further extension of time for the construction of said railway.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 10018) granting to the State of North Dakota 640 acres of land, embracing the White Stone Hills battlefield and burial ground of soldiers killed in that engagement;

A bill (H. R. 10418) to ratify and amend an agreement with the Sioux tribe of Indians, in the Rosebud Reservation, in South Dakota, and making appropriation and provision to carry the same into effect;

A bill (H. R. 11126) to authorize the Secretary of the Interior to add to the segregation of coal and asphalt lands in the Choctaw and Chickasaw Nations, Indian Territory, and for other purposes;

A bill (H. R. 11128) to modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect; and

A bill (H. R. 11518) to authorize the holding of a regular term of the district court of the United States for the western district of Virginia in the city of Big Stone Gap, Va.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes; and

A bill (H. R. 14749) to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States, and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States.

The message also announced that the House had agreed to the concurrent resolution of the Senate relative to an invitation extended to the Congress of the United States by the Louisiana Purchase Exposition to attend the formal opening ceremonies of that exposition at St. Louis, Mo., April 30, 1904, etc.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 12231) for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment; and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented the petition of C. H. Armes, of Washington, D. C., praying for the enactment of legislation to acquire the triangle at the corner of Sixteenth street and Kenesaw avenue for a Government reservation; which was referred to the Committee on the District of Columbia.

He also presented the memorial of Stanton J. Peele, of Washington, D. C., remonstrating against the enactment of legislation to change the name of Oregon avenue and other streets to Samson street, in the city of Washington; which was referred to the Committee on the District of Columbia.

He also presented the petition of Coldren and Fenning, of Washington, D. C., and the petition of Smith Thompson, jr., of Washington, D. C., praying for the enactment of legislation to establish public-convenience stations in the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented memorials of Winfield S. Crown, H. C. Hartwell, M. D. Mattson, John Wharton Clark, C. Engel's Sons, A. G. Daniells and 27 other citizens, and W. W. Prescott and 51 other citizens, all of Washington, D. C., and of the Eastern Pennsylvania Conference of Seventh Day Adventists, of Williamsport, Pa., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

He also presented a petition of the Art Club of Philadelphia, Pa., and a petition of the Chamber of Commerce and Board of Trade of Tacoma, Wash., praying for the enactment of legislation regulating the erection of buildings on the Mall in the District of Columbia; which were referred to the Committee on Appropriations.

Mr. ANKENY presented a memorial of the Tacoma Hardware Dealers' Association, of Tacoma, Wash., remonstrating against the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Long Pine Lodge, Brotherhood of Boiler Makers and Iron-ship Builders, of Hillyard, Wash., praying for the enactment of legislation to develop the American merchant marine; which was referred to the Committee on Commerce.

Mr. PERKINS presented a petition of the Pine Manufacturers' Association, of San Francisco, Cal., praying that an appropriation be made for an investigation and test of American timbers; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation of $500,000 be made for restraining barriers on the Sacramento and San Joaquin rivers, and also authorizing the Secretary of War to draw warrants on the Treasury for funds to improve the upper Sacramento River; which was referred to the Committee on Commerce.

Mr. HOPKINS presented petitions of the Woman's Home Missionary Society of Evanston, of the Woman's Home Missionary Society of the Methodist Episcopal Church of Evanston, and of the Woman's Christian Temperance Union of Evanston, all in the State of Illinois, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented a petition of the Tri-City Trades and Labor Council, of Granite City, Ill., praying for the passage of the so-called "eight-hour bill" and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

Mr. KEARNS presented a petition of sundry citizens of Sevier County, Utah, praying for the passage of the so-called "pure-food bill;" which was ordered to lie on the table.

Mr. STONE presented a petition of Local Division No. 2, Order of Railroad Telegraphers, of St. Louis, Mo., praying for the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented a petition of Local Division No. 2, Order of Railroad Telegraphers, of St. Louis, Mo., praying for the passage of the so-called "anti-injunction bill;" which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Missouri, remonstrating against the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Travelers' Goods and Leather Novelty Workers' Union, of Kansas City, Mo., praying for the adoption of an amendment to the Constitution extending the elective franchise to women; which was referred to the Select Committee on Woman Suffrage.

He also presented a petition of Local Lodge No. 70, Brotherhood of Boiler Makers and Iron-ship Builders, of Springfield, Mo., praying for the enactment of legislation to develop the American merchant marine; which was referred to the Committee on Commerce.

Mr. COCKRELL presented a petition of the Association of Manufacturers and Distributers of Food Products of the United States, praying for the passage of the so-called "pure-food bill;" which was ordered to lie on the table.

He also presented a memorial of the St. Louis Manufacturers' Association, of St. Louis, Mo., remonstrating against the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 207, American Federation of Labor, of St. Louis, Mo., and a petition of the Union Men's Political Club of St. Joseph, Mo., praying for the passage of the so-called "eight-hour bill" and also the anti-injunction bill; which were referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. HALE. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes, to report it with amendments, and I submit a report thereon.

This is the last appropriation bill from that committee. I shall call up the bill when the sundry civil appropriation bill has been disposed of, or as soon thereafter as possible. I think the Senator from North Dakota [Mr. MCCUMBER] has announced that he will call up the pension appropriation bill immediately after the conclusion of the sundry civil appropriation bill. I have sent for additional copies of the deficiency bill, and if the other bills are disposed of to-day I shall ask the Senate to take it up late in the afternoon.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. NELSON, from the Committee on Public Lands, to whom was referred the bill (H. R. 13300) granting certain rights and privileges to the commissioners of waterworks in the city of Erie, Pa., asked to be discharged from its further consideration, and that it be referred to the Committee on Commerce; which was agreed to.

Mr. MCCUMBER, from the Committee on Pensions, to whom was referred the bill (H. R. 965) granting an increase of pension to Franklin Webb, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 5484) granting a pension to Burnetta B. Lehmann, reported it without amendment, and submitted a report thereon.

Mr. CULLOM, from the Committee on Foreign Relations, to whom was referred the bill (S. 1659) granting permission to Capt. William E. Horton, United States Army, to accept a decoration tendered him by the President of the French Republic, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 5441) in relation to the assignment of diplomatic and consular officers, reported it without amendment.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. ALDRICH. Mr. President, I should like to make an inquiry of the Committee on Military Affairs. The Senator from Maine [Mr. HALE] has just announced that the last appropriation bill has been reported from the Committee on Appropriations. I notice by the Calendar that the Military Academy appropriation bill, so-called, has been before the Committee on Military Affairs since the 6th of April. I should be glad if some Senator on that committee would tell us about its status.

Mr. WARREN. The Military Academy appropriation bill is in the hands of the Committee on Military Affairs. I am not able to state whether it went to that committee on the 6th of April or at some later day, but it was sent to the subcommittee at a later date than that, and the subcommittee are considering it. They are now waiting for some information from Colonel Mills in regard to certain items about purchase of land, etc., for waterworks before they can complete it.

Mr. ALDRICH. I merely wish to suggest to the Senator that it is desirable to get the bill at an early day before the Senate.

Mr. WARREN. That committee does not need any spur or whip to compel a performance of duty. They will report the bill as soon as they have the information, and will report it, without doubt, before the other appropriation bills are disposed of.

DOCUMENTS FOR DEPARTMENT OF COMMERCE AND LABOR.

Mr. PLATT of New York. I am directed by the Committee on Printing to report a bill to amend an act entitled "An act providing for public printing and binding and the distribution of public documents," and I ask for its present consideration.

The bill (S. 5597) to amend an act entitled "An act providing for public printing and binding and the distribution of public documents" was read the first time by its title, and the second time at length, as follows:

Be it enacted, etc., That chapter 23 of the statutes of the United States, entitled "An act providing for public printing and binding and the distribution of public documents," approved January 12, 1895 (Stat. L., 28, p. 606), be, and is hereby, amended as follows:

In paragraph 20 of section 73 strike out the words "to the Department of Labor, 5 copies" and insert, after the words "to the Department of Agriculture, 50 copies," the words "to the Department of Commerce and Labor, 300 copies."

In paragraph 24 of section 73 strike out the words "to the Department of Labor, 5 copies" and insert, after the words "to the Department of Agriculture, 50 copies," the words "to the Department of Commerce and Labor, including those for the officers of the Immigration Service, 300 copies."

In paragraph 68 of section 73 strike out the words "to the Department of Labor, 4 copies," and also the words "to the Commissioner of Fish and Fisheries, 2 copies," and insert, after the words "to the Department of Agriculture, 15 copies," the words "to the Department of Commerce and Labor, 150 copies."

Mr. COCKRELL. The bill seems to give an abnormal number of volumes to the Department of Commerce and Labor. Does the Senator remember the number of copies the Treasury and other Departments get?

Mr. PLATT of New York. I do not remember the number stated in the printing act. Let the Secretary read the letter I send to the desk from the Secretary of Commerce and Labor.

The PRESIDENT pro tempore. The Secretary will read the letter sent to the desk.

The Secretary read as follows:

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
Washington, April 19, 1904.

DEAR SIR: I beg to inclose herewith a draft of a bill to amend an act entitled "An act providing for public printing and binding and the distribution of public documents" and to request that if the proposed measure meets with the approval of your committee it be introduced in the Senate.

The purpose of the bill is to provide the Department of Commerce and Labor with its proper quota of pamphlet copies of the statutes of the sessions of Congress, bound volumes of the Statutes at Large, and of the Official Register of the United States, the printing law as it now stands making no provision for the distribution to this Department of the documents mentioned.

Very truly, yours, GEO. B. CORTELYOU,
Secretary.

HON. THOMAS C. PLATT,
Chairman Committee on Printing, United States Senate.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BEECHER ISLAND BATTLE MEMORIAL ASSOCIATION.

Mr. DUBOIS. I am directed by the Committee on Public Lands, to whom was referred the bill (H. R. 10101) for the cession of 120 acres of land to the Beecher Island Battle Memorial Association, to report it favorably without amendment, and I submit a report thereon. I ask for the present consideration of the bill.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

Mr. DUBOIS. I ask that the report accompanying the bill be printed as a Senate document. It has a local historical interest.

The PRESIDENT pro tempore. The Senator from Idaho asks that the report accompanying the bill may be printed as a Senate document. Is there objection? The Chair hears none, and the order is made.

BILLS INTRODUCED.

Mr. MARTIN introduced a bill (S. 5598) for the erection of a monument to the memory of Matthew Fontaine Maury, of Virginia; which was read twice by its title, and referred to the Committee on the Library.

Mr. COCKRELL introduced a bill (S. 5599) for the relief of the legal representatives of Nathan E. Harrelson; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5600) to amend an act entitled "An act to prevent the importation of impure and unwholesome tea," approved March 2, 1897; which was read twice by its title, and referred to the Committee on Finance.

Mr. HOPKINS introduced a bill (S. 5601) amending the statutes relating to patents; which was read twice by its title, and referred to the Committee on Patents.

Mr. FRYE introduced a bill (S. 5602) granting a pension to Susan H. Cutler; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. LODGE introduced a bill (S. 5603) for the preservation of historic and prehistoric ruins, monuments, archæological objects,

and other antiquities, and to prevent their counterfeiting; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. TELLER introduced a bill (S. 5604) to regulate retirement of veterans of the civil war; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. COCKRELL introduced a bill (S. 5605) to revive and amend an act entitled "An act to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River, in the State of Louisiana, at or near Shreveport;" which was read twice by its title, and referred to the Committee on Commerce.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. NELSON submitted an amendment proposing to include in the number of employees of the Senate and House of Representatives to receive one month's extra compensation the seven assistants of W. A. Smith, CONGRESSIONAL RECORD clerk, intended to be proposed by him to the general deficiency appropriation bill; which was ordered to lie on the table, and be printed.

He also submitted an amendment making available so much of the appropriation made in the act approved March 3, 1903, to provide for the new examination authorized by article 9 of the tribunal of arbitration, etc., as may be necessary for the purchase of the original water-color drawings and life studies of the fur-seal herd of Alaska on the Pribilof Islands, by Henry W. Elliott, intended to be proposed by him to the general deficiency appropriation bill; which was ordered to lie on the table, and be printed.

Mr. BARD submitted an amendment proposing to appropriate $1,250 for the relief of Helen D. Longstreet, widow of Gen. James Longstreet, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

CLAIM OF SAMANA BAY COMPANY.

Mr. PLATT of New York submitted the following resolution; which was referred to the Committee on Foreign Relations:

Resolved, That the President of the United States is hereby requested to enter into correspondence with the Government of the Dominican Republic, with the view to impressing upon that Government the justness of submitting to a court of arbitration the claim of the Samana Bay Company against said Government, as provided for by article 14 of the charter or contract between the said company and the said Government of the Dominican Republic, dated December 28, 1872.

POSTMASTERS IN IDAHO.

Mr. DUBOIS submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Postmaster-General be, and he is hereby, directed to ascertain as far as possible and report to the Senate what, if any, postmasters in Idaho are living in polygamy.

EMPLOYMENT OF MESSENGER.

Mr. ALLEE submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Indian Depredations be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate, at the rate of $1,440 per annum, until otherwise provided for by law.

HOUSE BILL REFERRED.

The bill (H. R. 14749) to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States, and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States, was read twice by its title, and referred to the Committee on Territories.

INVESTMENTS OF CAPITAL INDEPENDENT OF TRUSTS.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted on the 18th instant by Mr. DOLLIVER, as follows:

Resolved, That the Secretary of Commerce and Labor be, and he is hereby, directed to prepare and send to the Senate a statement showing what companies have been incorporated in the United States and what investments of capital made by individuals or copartnerships since the year 1900, outside and independent of the so-called "trusts," and the aggregate capital, compared with the total capitalization of the trust combinations.

Mr. DOLLIVER. Mr. President, I have been very much interested since the present session of Congress began in observing the complete victory which the existing tariff law has won over the prejudices and settled opinions which for generations have determined the attitude of the Democratic party toward the protective policy. For the first time in our national history since 1816 that policy stands approved, its enemies themselves being the judges, by the common consent of the American people. If we may accept the plain intimation of the Democratic leaders of the Senate and of the House of Representatives, the old battle cries of the party are not to be heard as we approach the Presidential election of this year. But in their place we are likely to find a calm and resigned acceptance of our established industrial system, with no suggestion of a change which will disturb its foundations or alarm the interests which have grown up under its influence.

Whether this change in the attitude of the Democratic party means a change of heart or simply a cunning change of tactics, it is a little too early to say. The benevolent admission of the fact that vast investments of capital, furnishing employment to millions of workingmen, ought not to be suddenly sacrificed to political theories which have never worked well in the United States, will, it appears to me, be taken for what it is worth. It met all demands in 1884, though everybody perceives that the intervention of tremendous national experiences since that time has somewhat weakened the popular confidence in such an announcement of the plans of the Democratic party as they have been, somewhat ambiguously, confided to us in the course of the recent Senate debates by the distinguished Senator from Maryland [Mr. GORMAN].

If all Democratic leaders were as wise and sagacious as he is, it is possible the platform upon which Mr. Cleveland was first elected President could be taken up again, without exciting either the suspicion or the derision of the American people, but, fortunately for the cause of truth, not all of them have mastered the art of chloroforming their adversaries, as the Senator from Maryland has, for no sooner do others less gifted undertake to follow his smooth and sinuous suggestions than they are betrayed into familiar habits of speech which put the whole industrial community on its guard.

The brilliant young leader of the minority in the House of Representatives makes a brave effort to echo these counsels of prudence and moderation in dealing with the tariff question, and succeeds almost as perfectly as the Senator from Maryland himself, though he has not acquired the educated discretion which enables him to ignore the general Democratic opinion inherited from distant generations "that protection is a system of taxation whereby the public is robbed in order that a few may be hothoused by legislation into artificial prosperity." He is conservative for all that, and makes an honest effort to assimilate the palatable wisdom of the Senator from Maryland. And it must be confessed that he does fairly well in lining the party up, when we consider what his real opinion is and what the ultimate Democratic design is.

In order to interpret the conservative programme of dealing with the tariff which the Senator from Maryland for the second time brings forward as a platform for the Democratic party, let me read two sentences from an article printed in a recent magazine by the Hon. JOHN SHARP WILLIAMS:

"The general principle that protectionism," says this writer, "is wrong, morally wrong—a prostitution of government to private ends—should never be forgotten; the goal ought never to be lost sight of. At the same time the friends of tariff reform would not strike down, in a revolutionary way, overnight, as the Germans say, all the scaffolding which the false system has erected."

I may be mistaken about it, but it looks to me as if the platform outlined by the Senator from Maryland, intended to allure the country into the belief that the great industries by which our people live are not to be subjected, in case of Democratic victory, to an immediate assault, will be read in the light of this more candid if less seductive statement of the actual motive of Democratic statesmanship. For the difficulty which his followers labor under when they try to harmonize their crude fanaticism with his soft and benignant method of winning elections, without arousing the country and putting the people on their defense, is illustrated also in speeches which have been made here and to which I can more appropriately refer:

I have been taught, and I believe, that the Dingley tariff is an abomination—

Said the eloquent Senator from North Carolina in the Cuban debate of December 15—

that it is an exorbitant and excessive taxation, and that after levying a sufficient sum to make up the difference between the labor and the material cost between this country and competing countries it imposes heavy additional duties, in many instances for no other purposes than private enrichment.

It will thus appear that the effort to detach the Democratic party from its traditional antipathy to the protective tariff system is not likely to deceive very many people in a country whose pathway has been lit by an experience so acute and so recent as to baffle all attempts to explain it, however persistent or captivating. If the protective tariff system is to become an issue in the approaching campaign, the issue will be between its friends and its enemies, and the mere fact that the wolves who propose to devour it are dressed in sheeps' clothing will not save them from the reception which they would have in their habit as they have lived all their days.

If such an issue is to be made, if the scattered occupations of the American people now flourishing in every State of the Union are to be again subjected to the doubts and uncertainties of Democratic tariff reform, whether by sudden assault or the indolent horrors of a protracted seige, I know of no Republican who does not welcome the issue and stand ready to defend the historic faith of the party; for surely there never was a period in the history of the United States when the policy of protection had so complete a vindication as it has had under the tariff law of 1897.

From whatever point of view it may be judged—whether from the universal employment of the working forces of the country or the general level of high wages or the multiplication of new industries or the prosperity of the farm or the activity of domestic trade or the volume and net results of foreign commerce—the years covered by the Dingley law will be memorable for generations to come. That enactment stands at the beginning of a new epoch in our commercial life, yet it only repeated upon a wider scale the national experience from the beginning, and it will be a vain task to try to blot out of the minds and hearts of the American people the memory of the redemption wrought in their affairs by the statute which bears the name of Nelson Dingley and preserves the immortal signature of William McKinley.

It is entirely too early for our brethren on the other side to begin the task of explaining away the business disasters incident to Mr. Cleveland's second Administration, much less of disparaging the act of Congress which brought them to an end. To my mind, it has always seemed that the good providence which tries to guide our footsteps had at length determined to give the American people one national experience which they could all understand, and I do not believe that very many who were over 21 years of age when General Harrison was voted out and Mr. Cleveland voted in, and who marched wearily from the fortunate business conditions of 1892 through the wilderness of that lamentable four years, leaving by the wayside their worldly possessions as they marched, will ever deliberately repeat such an act of folly or invite again such a general assignment for the benefit of their creditors. It is gratifying, at least, to find the real leader of the Democratic party recognizing the educational significance of that experience by putting on an air of moderation and caution, as he guides his party in its attack upon the national industrial policy by covert phrases and honeyed words intended to conciliate the apprehensions of a people just recovered from the ten plagues of Egyptian statesmanship.

I count the concession which the protective tariff has won from its ancient enemy all the more remarkable because it has had more to contend with in the last ten years than ever before in its history. The founders and first apologists of the doctrine forecast the only rational complaint that could be made against it. They faced boldly the proposition that if we stopped buying manufactured goods in England and undertook to make them for ourselves, the factories at home, protected by the tariff law, might exact exorbitant profits in the absence of foreign competition.

It was to that criticism that Alexander Hamilton, in the Treasury report which has become the text-book of our progress as a people, addressed his most profound reasoning, confidently laying down the principle that the law of competition acting within our own market place would effectually correct whatever tendencies in that direction might arise. It was a notable testimonial to the wisdom of the founder of the protective-tariff system in America when nearly a century afterwards, looking back upon the whole course of our material development, James G. Blaine was able to put on record, in his unique historical sketch of the period of his own public service, an unqualified corroboration of the opinion which, when Alexander Hamilton first wrote it down, was hardly more than the daring intuition of a mind which had anticipated all the problems of the national life. Mr. Blaine said:

> Protection, in the perfection of its design, does not invite competition from abroad, but is based on the controlling principle that competition at home will always prevent monopoly on the part of the capitalist, assure good wages to the laborer, and defend the consumer against the evils of extortion.

Year by year the good sense of that propositton had been manifest. Nobody denied that while industries were taking form and gaining a foothold among us temporary burdens might arise from the greater cost of production here compared with the countries in which they had been long established, but time gradually demonstrated that as one after another the fields of production in the United States were occupied that temporary disadvantage either disappeared altogether or was reduced as far as it could be without degrading the wages of labor.

Until within more recent years it could not be intelligently said that the system of protection, which began with the organization of our Government and continued with an interruption, never complete, of hardly twenty-five years, had disappointed that expectation of the statesmen who laid its foundations. Competition here, in every field of production, before the eyes of all men, had put the price of manufactured articles down so low that in 1896 Mr. Bryan was able to enlist the Democratic party in a wild crusade for doubling the price of everything by cutting in two the value of the standard coinage of the country.

Within the past ten years the industrial system established by our fathers and defended by all our great practical statesmen who were not under the duress of the slave power, from Washington to McKinley, has had to submit to a test more severe than it had ever before encountered. The question for the first time has become debatable whether the universal law of competition in our market place is able to stand up in the present state of American business or has gone to pieces as a result of a new industrial situation. And we are gravely informed that the trust question is to be made the paramount issue of the approaching campaign. So far as I am personally concerned, it makes very little difference what issue is selected by the Democratic convention as paramount. I sometimes think that we on our side have become neglectful of our rights, in always allowing our opponents to define the area of the controversy and to select the subject for debate. I never knew of any other kind of fighting where such a diagram of the contest was prepared in advance, except the duel described by the biographer of Curran, the Irish orator.

When Curran, on being challenged, chose pistols at 30 paces, his adversary objected, because being a man of 300 pounds weight he would be at an evident disadvantage in such an encounter with one who weighed less than 100 pounds; and to adjust the matter, Mr. Curran proposed to draw out on the overcoat of his antagonist the figure of a man exactly his size, with the distinct understanding that all shots which fell outside the chalk marks need not count. [Laughter.] At any rate there is no mistaking the fact that for a time, at least, our friends on the other side are likely to make more noise about the trusts than about anything else—a familiar and somewhat mechanical noise, it is true, but nevertheless noise enough to be overheard in the general confusion of their counsels.

It can not be denied that the public uneasiness over the sudden rise of the trust system, affecting all classes of society, has given an uncommon opportunity for every form of reckless agitation to find an audience. It would be expecting too much even of Democratic conservatism that it should miss such an opportunity; and it must be confessed, if it could be shown that the policy of sheltering the industries of the United States against the damaging competition of other countries had resulted in a successful conspiracy in restraint of trade in our own country, the task of defending the protective tariff would become a good deal harder than it ever has been before.

It is not surprising, therefore, that the uprising of public opinion against the trusts should have taken the form of a clamor not altogether confined within party lines against the protective tariff system itself, and it can not be denied that there was something exasperating beyond all patience in seeing industries which had literally been created out of the dust of the earth by the act of 1890 manipulated within ten years into huge corporations seeking to engross the whole market place. But time enough has elapsed and things enough have happened to enable us to bring all these scare heads and signals of distress to the test of experience, and to judge with some degree of accuracy how the principle of protection holds its previous reputation in the midst of such new and strange influences as have beset the American market place during the last ten years.

The Democratic party was quick to take up the statement which the president of the American Sugar Refining Company made in his testimony before the Industrial Commission that "the customs-tariff law is the mother of trusts." That sentence, passing rapidly into the liturgy of Democratic devotions, has become the text for every species of extravagant declamation and invective. It has seldom happened to a single man to render such a service to his party in the hour of its distraction, and if that sentence is to be made the paramount issue of the approaching campaign, ordinary generosity would require that Mr. Havemeyer's name should appear somewhere on the ticket.

I propose to inquire briefly into the truth of that proposition, then into the extent of the trust influence in our various fields of industrial production, and, after that, into the behavior of the law of competition, operating in a market place like ours, suddenly invaded by the reckless spirit of trust speculation.

It is hard to understand how anyone experienced in the practical aspect of affairs can believe that the effect of protective laws has been to foster, much less to engender, monopoly. The American market place is a unit, and every part of it, in the nature of the case, shares alike in the advantages arising from a given schedule. The object of such a schedule and its uniform result has been to produce not one industry but many of like kind; not in one section of the country alone, but everywhere throughout our borders. So that if a tendency toward monopoly has grown up in the United States it must be explained on some other principle. For more than a century these laws which are said to breed trusts

had the undeniable effect to distribute throughout our whole territory the industries which they were designed to build up, so that from ocean to ocean the map of the United States has been colored all over by the innumerable industrial activities of the American people.

And even in these later years, at the very time the outcry against the trusts has silenced all the other noises of our political strife, the publication of the census of 1900 has thrown the light of definite information upon the flights of everybody's imagination. Whoever now begins his tirade against the trusts by announcing that they bestride our narrow industrial world like a colossus, only makes himself ridiculous. Fortunately, we know in this Presidential campaign what we did not know in the last—exactly how many trusts there are, where they are located, what their capital is, and what their relation to the business of the country is. At the time the census was taken they employed 8.4 per cent of the factory labor of the country, and their total output was 14.1 per cent of the aggregate factory product of the United States. In order to exhibit the exact relation which they bore to the varied field of our industrial production, I will ask your attention to Table 26, contained in Part I of the census of manufactures:

TABLE XXVI.—*Wage-earners, total wages, and value of products: Percentage of industrial combinations to all establishments.*

Group.	Average number of wage-earners.			Total wages.			Value of products.		
	All establishments.	Industrial combinations.	Ratio of industrial combinations to all establishments.	All establishments.	Industrial combinations.	Ratio of industrial combinations to all establishments.	All establishments.	Industrial combinations.	Ratio of industrial combinations to all establishments.
			Per cent.			*Per cent.*			*Per cent.*
Total	4,749,276	400,046	8.4	$2,034,215,456	$195,122,980	9.6	$11,820,784,665	$1,667,350,949	14.1
Food and kindred products	313,809	33,165	10.6	129,910,070	12,446,866	9.6	2,277,702,010	285,941,006	12.6
Textiles	1,029,910	37,723	3.7	341,734,239	13,297,557	3.9	1,637,484,484	71,888,202	4.4
Iron and steel and their products	733,968	145,099	19.8	381,875,490	81,038,583	21.2	1,793,490,908	508,626,482	28.4
Lumber and its remanufactures	546,153	10,778	2.0	212,201,708	4,350,944	2.1	1,030,906,579	20,378,815	2.0
Leather and its finished products	238,202	9,898	4.2	99,759,885	4,070,041	4.1	583,731,046	45,684,829	7.8
Paper and printing	297,551	16,706	5.6	140,092,453	7,478,962	5.3	606,317,768	44,418,417	7.3
Liquors and beverages	63,072	7,624	12.1	36,946,557	4,859,457	13.2	425,504,167	93,432,274	22.0
Chemicals and allied products	101,522	28,401	28.0	43,870,602	13,214,006	30.1	552,891,877	184,914,544	33.4
Clay, glass, and stone products	244,987	20,294	8.3	109,022,582	10,994,488	10.1	293,524,235	23,258,182	7.9
Metals and metal products other than iron and steel	190,757	20,522	10.8	96,749,051	12,356,772	12.8	748,795,464	180,154,703	24.1
Tobacco	142,277	17,661	12.4	49,052,484	5,278,151	10.6	283,076,546	74,063,029	26.2
Vehicles for land transportation	316,214	34,422	10.9	164,614,781	17,571,613	10.7	508,649,129	85,985,533	16.9
Shipbuilding	46,781			24,859,163			74,578,158		
Miscellaneous industries	483,273	17,243	3.6	202,746,162	8,056,140	4.0	1,004,062,294	48,605,073	4.8

The census of 1900 has been supplemented by careful investigations, which bring our knowledge down to date. A notable and useful work of this character is the recent book called "The Truth about the Trusts," by Mr. John Moody, who appears to be a competent student, entirely without bias, except perhaps a rather insubstantial hope that better days are ahead for the trust combinations. I notice in this book that the author puts down the names of 318 trusts, counting those in various states of dilapidation; but the list includes at least 100 which are composed of only two constituent companies and many others which are unimportant in size and negligible in influence.

It is a safe calculation, however, considering how rapidly their competitors have gained upon them, to say that the combined product of all of them, compared to the total output of the country, is less rather more than is shown by the figures of the census. It needs, therefore, only the slightest familiarity with our industrial statistics to relieve a man's mind at once of the fear that the whole market place has been overshadowed by new and sinister business adventures; and hereafter whoever tries to deal with the trust problem at all will be compelled to deal with an ascertained situation and to let go, however reluctantly, of the endless chain of hearsay and fable which has been worked so long by all sorts and conditions of men in the United States.

I do not intend to discuss at this point the origin of the trusts. The subject is an intricate one and I have not finished my meditations upon it, but I have got far enough into it to see that the protective system is not the mother of them, for that system was a century old before the first one of them was born; and beside that, they made their appearance in free-trade countries even before they did here. I distinctly remember that Mr. Blaine, immediately after his return from Europe in 1883, opened the Harrison campaign by the statement, verified by the common knowledge of everybody, that England was even then plastered all over with trusts. Furthermore, very many of our trusts, from the least and the meanest, like the American Ice Company, even unto the greatest and most successful, like the Standard Oil Company, have dealt with commodities which have nothing to lose by free trade, and never have had.

I am not one of those who have been deceived by the dogmatic statement so often heard in this discussion that the trust is an evolution, and therefore to be accepted, if not as a consummation devoutly to be wished, at least as a final state of things not to be disturbed, except under the heavy penalties imposed by the laws of nature. There is an evolution of business from the day of small things to the modern triumphs of accumulated capital over the market places of the world which no man in his senses complains of; and one of the misfortunes of the trust agitation as it has been conducted in the past has been its indiscriminate attack upon enterprises of large capital, and especially upon corporate undertakings which have assembled vast investments for the transaction of business upon a scale previously unapproached.

There are few among us who would take away from the business community of the United States the modern weapons with which we have fought our way into the arena of the world's affairs, and that man renders the American people a very doubtful service who, in his hurry to strike down the trusts, assaults with indiscriminate stupidity the great corporations which have collected the scattered and unfruitful accumulations of many individuals and put them at the service of the community.

The oldest law known among men, except the law of the family, is the law of property. It has been comparatively easy to justify that law in all ages, for while it has not always been regarded as certain that what you have earned and saved is yours, it has always been obvious that it is not mine. If it has become harder to defend the law of property, whether individual or corporate, in our own times, it is not because its foundations are any less secure or its rights any less sacred; it is because the inventions of avarice and greed have filled the hearts of millions of people with resentment against the whole tribe of promoters, underwriters, stockjobbers, and cheats at common law. And I venture the opinion in this Chamber that the law of property which we have inherited from our fathers, the immemorial prescription of civilization which guards the earnings and savings of labor, whether invested in a farm, in a cottage, or in the stocks of a railroad, a bank, or a manufacturing company, never had more defenders to fight for it than it has to-day, nor a wiser, truer friend to speak for it than the President of the United States.

Unhappily, there is and probably always will be a prejudice more or less general against great wealth in the hands of others, but in a country like this such a prejudice is confined within the narrowest limits and as a political asset has proved absolutely worthless. Even a corporation, like a bank or a railroad, no longer has to contend with the swarm of petty misconceptions which at one time threatened to hinder the development of these indispensable agencies of commerce and business. As the people have studied the trust problem, a good many common errors have been eliminated from their judgment, and a good many advantages in these organizations have found appreciation.

In so far as they stand for an evolution, for a law of progress under which enterprises once conducted single-handed by individuals have grown into partnerships, into companies, into corporations, and even into legitimate combinations, bringing many separate properties under one management, there is much to be said in their defense. The people of the United States, with their accustomed prudence, have been slow to frame a wholesale indictment against them, for when the record is examined neither

political party appears to have done very much to circumvent their plans. If they had been in reality hideous monsters about to seize the market place by the throat, does anybody doubt that the terror and distress of the public mind would have found an immediate and effective response from the law-making powers of the Government?

The Republican party is accused by its adversaries of nurturing the trusts, and for proof the circumstance is cited that they began to increase and multiply after McKinley's first election. It is true that few trusts were organized during Mr. Cleveland's last Administration; not, however, because either the President or the Congress by word or deed assumed a threatening attitude toward them, but for the reason that all business was suspended, all credit abolished, and hardly enough money left in circulation to capitalize the organized charities. The only responsiblity which Republican policies have had in the matter is that under their auspices a revival of business took place which lifted the country at once out of rags into affluence; and whatever may be said in condemnation of the trust evil, there are mighty few thoughtful citizens who have ever had any temptation to kill them off by remedies which have never failed to produce the industrial misfortune out of which we escaped in 1896.

Nor ought it to be forgotten that the only steps which have been taken by legislation to prevent conspiracies in restraint of trade—the act of 1890, the act of last year to put a stop to secret freight discriminations, and, more important than either, the adequate equipment of a Bureau of Corporations in the new Department of Commerce and Labor—have been taken by the Republican party. The Sherman law did not, however, deal with such a problem as has grown up in these later years. The late Senator Hanna, using the language of a plain, blunt, business man, began his discussion of the trusts on the stump in Ohio by stating in a straightforward way that "there are no trusts in the United States," and while his speech was laughed at a good deal, yet he spoke the literal truth.

I hold in my hand a little book, published in 1888 by William V. Cook, a member of the New York bar—a mere pamphlet on the trusts—which gives a description of the various forms of industrial combination which up to that time had attracted public attention. He sets out in full the agreements upon which the Standard Oil trust and the sugar trust of that period were based, and describes with some detail the various forms of trade arrangements by which numerous industries had sought the advantages of a more or less compact organization. Some were manufacturing agreements; others selling agreements; others still mere associations for the benefit of the trade. Only two of them appear to have represented a settled purpose of monopolizing the market place, and all of them seem to have been a crude expression of the desire of those concerned to avoid the losses and wastes incident to unrestrained competition.

These were the trusts of 1890, and against them the public opinion of that day, aided by antitrust laws, Federal and local, as administered by the courts, was so effective that within a brief time the primitive trust system disappeared altogether, and little remains except the name to identify the corporate combinations of to-day with the trust movement of the period prior to 1890.

The trust of these times is a single corporation, regularly chartered under State laws, which has acquired, in one title, the separate properties which constitute its plant, so that the problem of dealing with it without rewriting the whole law of corporate property becomes at once difficult and obscure. The trustees who formerly managed separate properties freely committed to their control by the owners have disappeared, and the board of directors exercising all the legal rights of proprietorship over combined properties has taken their place. I am not sure that this transition of industries from the hands of several corporations into the control of the single one, if it could have been made within certain well-defined limits and in perfect good faith toward the public, would have in the long run been regarded as against the general welfare. It permits so many savings in production and distribution and avoids so many of the wastes of the common methods of business that there are reasons for believing that the public would have taken no detriment, but advantage rather, from it.

It has been so uniformly true that the process of cheapening production and facilitating transportation has inured to the benefit of the whole community, that it requires no very unusual confidence in the laws which govern this world to believe that these corporations, when honestly formed and honestly administered, might be made a blessing to the whole world. I have never been disturbed because Congress has not been more swift to strike them down, because I am sure that there are laws in the universe which Congress did not make and which, fortunately, Congress has not yet repealed; and without disparaging the sovereignty of the people over these gigantic creations of the State, the real sovereignty which holds them to their strictest account is the frame and structure of things in a world governed, after all, by the everlasting law of fair dealing among men. The progress of society from the itinerant shoemaker, carrying his tools and his stock with him, fashioning footwear for the entire family while he tarried under their humble roof, to the mammoth shoe factories of New England, is by far more startling in its effect upon the community than the absorption of all these great plants into one could possibly be.

When I have reflected, therefore, upon what might happen to us if any one of our varied industrial fields should pass into a single ownership I have found a good deal of comfort in the thought that even such an institution, from its foundation up, would be compassed about by far-reaching limitations upon its power to oppress and degrade the market place which it had been called to serve; so that if one of our modern trusts should manage to secure and to hold, by fair means or foul, the exclusive production of a given article of general use and necessity, in the very nature of the case not only its permanent grip upon the market, but its profit from year to year would require its managers to divide with the community the savings incident to its improved methods and to put its product within reach of the people upon the fairest and most equitable terms.

It is a maxim of every great business that it moves upon tonnage, and its whole problem is to secure the wide distribution of its product rather than to reap extortionate profits upon a limited sale. The Government of the United States, if you will allow me to make an example of the only perfect monopoly there is in the country, has always jealously guarded its exclusive right in the manufacture and sale of postage stamps. Again and again the price of them has been put down—from 25 cents to 15, from 15 to 10, from 10 to 5, from 5 to 3, from 3 to 2. Every one of these reductions has been for the purpose of increasing the postal revenues, and every one of them has so speedily brought about that result that to-day there are shrewd people who think that a flat reduction of letter postage to 1 cent would still further increase the receipts of the service.

What law is that? It is the law of maximum consumption, by virtue of which the profits of a great business are multiplied; not by the arts of extortion and greed, but by deliberately reducing the price of the article until its use reaches from the few to the unnumbered millions. That is a law which God made and which Congress has not yet repealed.

Not one of the trusts, not even those which, like the American Sugar Refining Company, have approached most nearly to a monopoly, is exempt from that law. They watch more diligently than ever the signs of the market, for they know better than anybody else that their profit is in the sale and not in the manufacture of their goods.

Even such a natural monopoly as a railroad has learned that its dividends are more secure with a big business done in a fair way with a friendly community, than with a precarious business conducted on lines which impoverish its patrons and leave them stripped and embittered at every station along the line. How else shall we account for the fact that the consolidation of the American railway system has been accompanied with a steady decline of rates, until to-day they are less than 50 per cent of what they were twenty years ago, and less by far than anywhere else in the whole world. The motto, "Charge what the traffic will bear," belongs to a rudimentary stage of railway management, long since superseded by the more enlightened selfishness which studies the improvement of facilities and the development of the territory upon which its earnings permanently depend.

There is another common law inherent in the nature of things which stands guard in the market places of the earth against the exactions of greed even when it is clothed with the powers and opportunities of monopoly, and that is the law of deferred consumption.

There is a sense in which to the modern man the distinction between luxuries and necessities has passed away, so that, speaking in general terms, everything is a necessity. But the necessity of buying things has one benevolent limitation upon it—it is not always necessary to buy them to-day, or this week, or even this fall. Nearly everything, from the clothing upon our backs to the roof over our heads, can wait until the structure of high prices yields to the irresistible pressure of the market place.

Suppose, for example, that every factory making hats in the United States should be absorbed by a single corporation, which should blindly and stupidly fix the price of one at $10, how long would a monopoly like that last before it would be reduced to bankruptcy by the quiet but effectual competition of every old hat that there is in the United States? Even the present price tends notably in that direction, for I am told that many of the lockers in the cloakrooms of the Senate are keeping the dust off of silk hats purchased to attend McKinley's funeral.

That placid, undemonstrative section in the statute book of human nature called the law of deferred consumption has already

wrecked more than one promising capitalization of industry in the United States, and in some cases, at least, left the victims of the disaster too feeble to call for a receivership. So, if you should ask me to account for the fact that notwithstanding the shrieks of our political platforms, notwithstanding the timidity and hesitation of our statesmen, the American people as a whole have gone serenely about their affairs, refusing to become panic stricken by the apparently unobstructed advance of the mercenaries upon them, I should explain it by their instinctive faith in the government of the world—in those omnipotent energies which make for open and even-handed justice among the children of men.

For, when you come to think of it, in moments of meditative leisure, it would seem to be rather singular that the good God who made us and placed 80,000,000 of us here together in the greatest market place that has been known in the centuries of the world's commerce should have gone off and left us in our weakness to be robbed without benefit of clergy, with nothing to lean on except an occasional act of Congress or a joint resolution of the State legislature.

Let me mention another of these laws, more effective than the legislative enactments of man, which puts a limit to the schemes of monopoly, and that is the law of alternative consumption.

That is a law in obedience to which the market place turns from an article which has become irritating in price to a similar article which answers the same purpose. There are few things which men use that can not, in a pinch, be made to give way to something equally as good. If, for example, the manufacturing of woolen goods should pass into the control of a single corporation—a thing utterly incredible, or at least as far as it has been tried, utterly unprofitable—its product of this year would not only find itself in competition with last year's output, but with the aggregate supply of all the other textile industries in the country.

If a lumber trust were possible, combining every one of the 32,000 separate establishments which constitute, according to the census, the chief industry of thirty-one States of the Union and an important industry in all the rest, including our Territories and the islands of the sea, the market place would speedily bring even such a corporation to its terms, not only by putting off until to-morrow what could be done to-day, but by turning to the brickyard, the stone quarry, and the other supplies of building material within everybody's reach.

It is a common observation, verified by universal experience, that an unreasonable price not only fatally limits the use of the article, but drives its customers in other directions to satisfy their wants. Suppose that the present approach to monopoly attained by the American Tin Plate Company could be continued indefinitely, that institution would still be far short of a command of the market place, except on terms dictated by the people who consume its products. There is hardly a demand for tin plate which can not be met by the use of something else. So that even in the case of ordinary tinware, if the price should begin to respond to the dictation of greed, the potter, the glass-blower, the maker of enameled ware, and a score of other equally alert craftsmen are at hand at once to offer their sympathy.

Even the Standard Oil Company, powerful as it has become, is plainly subject to the mastery of these forces. The Oil City Derrick, in a certain sense, owing to its location, a trade journal, commenting in a recent editorial on the constant variations in the price of petroleum, says:

> A drop of 5 cents a barrel in the price of crude oil follows close upon the celebration of the Christmas holiday. It was preceded by a cut of 20 points a gallon on the refined quotations, and appears to be simply a case of history repeating itself. Refined oil was at a price which compelled economy in its use. There was a falling off in the demand, and to induce greater buying the price had to be lowered. The average foreign consumer can not afford to pay the equivalent of 15 or 20 cents a gallon for his oil.
>
> When it gets up to the prohibitory mark he simply does without it or substitutes an inferior article. In the United States gas and electric lighting have been crowding out oil illumination for years. The increase in the home consumption has been due to the increased use of oil for heating and cooking purposes, and for furnishing fast running power of various kinds. It is clear that a two-dollar market is not to be reached this year, and that the figure could not be long maintained under present conditions. In 1895 similar conditions prevailed and the market climbed rapidly to the highest point known in years. But the price was beyond the ability of the great body of consumers, a decline in the demand resulted, and a great drop in prices quickly followed.

I call your special attention to the statement made by this writer about the gradual displacement of illuminating oil by the competition of electric light. That is a process only just begun. In a thousand laboratories throughout the world unknown or obscure men are turning the blaze of science on the problems which concern the comfort of human life. The other day, in an unfrequented quarter of New York, I saw an American inventor, with a German electrical engineer by his side, peering into the secrets of a strange mechanism, which sends out a novel magnetic current which distributes heat and light as a mere incident in the traction of motors and the transmission of sounds by wire—a mere by-product of the dynamo.

These two men, whose names I am not at liberty to speak, may be wasting their time or they may be introducing a revolution which shall make all previous industrial ages seem meager and unattractive. At any rate it can do us no harm, while we are considering the array of forces which appear in a market place like ours, to counteract the abuses of commercial greed and to awaken unscrupulous persons from the dream of avarice to think of the thousands of students in every land who are devoting their lives to the exploration of nature in the eager hope of bringing its inmost mysteries to the service of the human race.

I have by no means mentioned all the subtle factors which are at work in this world to establish justice. It is an instructive thing to consider how ingeniously the rule of fair dealing strengthens itself by capturing the very infirmities of human nature. Here is a group of men made uncomfortably rich by the exploitation of the plate-glass industry. They are troubled, as most of us never are, to find a place to put their money. A year ago a million dollars of it is quietly transferred to Michigan and expended on one of the most elaborate beet-sugar factories in the world. They had nothing against the sugar trust; but they unconsciously lent themselves to a movement of capital, which, if the beet-sugar industry is not still further harassed, will require only a few years more to distribute the surplus of that interesting institution.

The history of the Pittsburg Plate Glass Company, which began only a few years ago by buying up every profitable plant engaged in that business in the United States, illustrates also many other weaknesses of fallen man. More than one of its promoters has found the inglorious ease arising from a separation from his lifelong occupation intolerable for him and unpromising for his children. The contentions of the board of directors have turned out to be a poor substitute for the dignity and independence of the old factory, and so we are not surprised to find the pioneer of that industry in Pennsylvania retiring from the trust and initiating his boys into the business for themselves at Toledo, Ohio.

There are few better illustrations than this plate-glass industry of the manifold devices of nature to circumvent the best-laid schemes for engrossing the market place, for, not satisfied with the situation which had been created through its absorption of practically the whole productive capacity of the country, it appears to have followed the hope of gain in new and perilous directions.

Not content with what appeared to be the undisputed privilege of manufacturing all the plate glass made in the country, in a moment of weakness it undertook to invade the functions of the merchant by establishing its own selling agencies in all the important cities of the country. To do that profitably it was compelled to keep in stock the kindred building material which the old jobbers of glass had been accustomed to handle, and before they knew it they had aroused the wrath of excitable little corporations engaged in manufacturing and selling paints, and these responded swiftly to the challenge of the trust by beginning the construction, at Kane, Pa., at a cost of more than a million dollars, of a perfectly equipped plant for manufacturing plate glass.

Our experience has already advanced to such a stage that we are enabled to say with some degree of certainty that no industry dealing with those natural resources, like the harvest of the fields or the mineral riches of the earth, which are everywhere distributed throughout the country, can offer a hopeful chance for the operations of the trust promoter. That phase of the subject, however, I do not intend to discuss until I have advanced a little further into this study of the forces which are at work in the market place to bring confusion to the trust movement of the last decade.

I hold it to be true that the law of competition, while it may be made subject to reasonable restraints, and possibly ought to be, can not be repealed or permanently impeded in its movements by any possible human devices. It is, therefore, my conviction that all or nearly all of these unwieldly creations of the incorporation laws of the country would be worn out by the internal resistance of the market place even if they represented a legitimate investment of bona fide capital. In that case if they survived at all it would only be on account of the efficiency of their administration and the equity with which they distributed to the community the economies in production arising from the combination.

I am not without the sympathy which every sober-minded man feels with those business undertakings, numerous in every part of the country, which have been compelled to consolidate their interests rather than to go on, each destroying the business of the other, in the fierce struggle to sell its products, and which, rather than continue any longer a death grapple for the trade, with its accompanying wastes and disappointments, have united their capital and brought the scattered details of their business under one management. In cases more numerous than the public is

aware, this process has gone on, giving strength to enterprises that were weak and a new lease of life to others which were ready to fail.

Against such combinations I will not utter a word of condemnation, and I shall count myself unfortunate if I have not made plain the distinction between the speculative trust flotations and these legitimate combinations of capital to more efficiently carry on, without the aid of wind or water, the pursuits in which they are engaged. Unfortunately, however, for the typical speculative trust enterprise, it exhibits only a morbid, and, in many cases, a profligate effort to take away from the people the fruits of the world's industrial progress by creating an inflated capitalization which, in order to pay any dividend at all, must not only sacrifice the property involved, but lay burdens upon the community which no free market place will patiently bear. I have examined with some care the history of the organization of industrial trusts, such as these now in existence, in every stage of decomposition, and with a few honorable exceptions they all stand upon a more or less fictitious basis, and very many of them have been administered with cynical indifference to those principles of sound finance which have been for generations treated with respect throughout the world.

A corporation, very far from being a curse to the world, ought to be one of the chief blessings of civilization. I regard the English statute, which first outlined the structure of the modern corporation, as an epoch-making step in the progress of society. The bank, which represents the union of numerous stockholders and accepts on deposit the modest savings of the neighborhood, which would otherwise constitute a useless hoard, and puts them to the honorable service of the community, is a benign and not a hurtful institution. And so that organization of capital in corporate form which, in exchange for its stock, takes the actual money of investors, in sums great or small, and applies them to the production of the things which men need, ought not to have an unreasonable critic, much less an enemy, in the world.

We ought not to complain even if it grows with its success until at length, by the efficiency of its administration, it attains a commanding influence in the market place. The mere fact of its combination with other institutions of like character ought not in itself to work a prejudice against it. A single firm in New England, still managed by the surviving member of an ordinary partnership, owns more than a dozen cotton mills, running more spindles than any corporation in the world. I refer to the firm of B. B. & R. Knight, of Providence, R. I., and I will present briefly the history of that firm, given in a work called "The New England States." I hope that I can get the attention of the young men of the United States.

Everywhere I go I find men coming to me asking whether the old opportunities of American business are not gone; whether the trusts, the combines, the present industrial attitude of things have not at last succeeded in shutting the door of opportunity in the face of the young people of the United States. And I find hundred of thousands of young men grown indolent and heartless in the battle of life because they have been told that the doors of opportunity have been at last shut. I have already said that I have not finished my meditations on this trust question, but I have got far enough in it to see that whatever else is true about it, that is not true. Instead of shutting the door of opportunity in the face of the young men of the United States, modern industrial methods have multiplied the opportunities of life in a thousand different directions.

Within twenty years every railroad magnate in America will be in his grave. Within twenty years every trust manager in the United States will either be on the retired list or in a sanitarium somewhere for nervous diseases brought on by drawing his salary, and panic-stricken boards of directors will be scouring in every direction looking for men of training and energy and intellect to take up these great business responsibilities and go forward with the work of the modern world. If I could get the ear of the young men of the United States I would say to them that there was never a minute in the history of the human race when a man taken by himself stood for as much and when a dollar taken by itself stood for as little as it does to-day.

I call your attention to this statement. I think it describes an authentic case of the evolution of business.

This firm was established in 1852, and still exists with its original partners. Moreover, it has now under its control and its ownership more cotton-manufacturing machinery than was ever owned by any business house or corporation in the world. Robert Knight, the younger brother, was the first to become interested in manufacturing. He was born in 1826. He began work at the age of 8 years in the Cranston Print Works, and from the age of 10 to 17 was employed in a cotton mill in Coventry. Then followed a period of study at an academy, a short session as a teacher, and a time of employment as a clerk.

In 1850 he purchased, with Zachariah Parker, a mill in Warwick, which they had been operating on lease for four years so successfully that they had, during that time, earned the purchase money, $40,000; in 1851 he bought out his partner, and in 1852 sold one-half to his elder brother, Benjamin B. Knight. The partnership then formed has remained unchanged. Benjamin Knight, born in 1813, like his brother, was employed for a time in the Cranston Print Works, but then became a clerk, and began business on his own account soon after coming of age. He was a successful merchant at Providence when he first engaged in manufacturing. The brothers brought great skill and good judgment to their enterprise, and have steadily enlarged the field of their operations.

Their first purchase was a mill at Hebronville, in Attleboro, Mass., and their next one was one at Dodgeville, in the same town. Since then they have come into possession of the Grant Mill, at Providence; the Manchaug, in Sutton, Mass.; the Whiterock, at Westerly, R. I.; the Clinton, at Woonsocket; the Jackson and Fiskville, at Scituate; and the Readville, at Hyde Park, Mass.; and they own almost 200,000 spindles in the town of Warwick, in six large mills. These last-named mills were a part of the Sprague estate, and were purchased from the trustee of the estate in 1883. At present the Knights own in all more than 400,000 spindles, of which about 300,000 are in Rhode Island and the rest in Massachusetts.

If two boys beginning life as common hands in a cotton mill can acquire and build up in their own names such a business as that, without harm to any public interest, who shall say that a corporation, with shareholders scattered all over the country, could not do the same thing? The wagon works at South Bend, Ind., date back to a little blacksmith shop on the edge of the woods at Ashland, Ohio, where my colleague, the senior Senator from Iowa, as a boy used to watch the old father of the Studebaker Brothers working at his forge, shoeing horses, and setting tires on the tumble-down vehicles of that frontier village of fifty years ago.

To-day his children and grandchildren control a corporation with millions of capital, occupying 90 acres of land, with 30 substantial buildings, in which thousands of well-paid American workmen are turning out carriages fit for the luxury of kings, and wagons which are helping to do the work of the whole world in peace and bringing up the rear of all its armies in war. That looks to me like an evolution of business, and I have sought in vain for somebody to fix the exact point between that little blacksmith shop yonder on the edge of the woods, at Ashland, and these palaces of modern American industry at which the safety of society requires the intervention of the politicians.

The union of two or more establishments in one, whether effected by one of them buying the others out or by a third absorbing them all would be, so far as the public is concerned, a matter of comparative indifference if the obligations left outstanding in the process corresponded, in an economic sense, to the combined assets; and the most flagrant offense of many existing trust organizations lies in the fact that they have appeared in the market place bearing the burden of fictitious liabilities supported by an inventory of imaginary property. Comparatively few of them have added anything to the actual capital which they found invested or made a substantial contribution to the working instrumentalities of industry. They have as a rule taken over plants already in operation, and in many cases encumbered them in advance so far beyond their value as to make the days of the combination few and full of trouble.

Take for illustration the Corn Products Company, commonly called the glucose trust, which in 1902 combined the starch trust with nearly every important glucose factory in the country. The entire property involved could have been duplicated in the most modern form for less than one-third of the capitalization of the trust. To make a dividend on its capital stock and to pay interest upon the bonded indebtedness of the constituent companies required earnings so excessive that immediately new companies, attracted by the apparent profits of the business, entered the field with improved machinery, and the result is thus stated in a recent issue of the Kansas City Journal:

Instead of the trust being able to undersell and drive them out they were able to undersell the trust. A single independent company with a capital of three millions is, it is said, grinding one-third as much goods as the trust with its capitalization of seventy-six millions.

We ought to be very slow to believe that we are living in a world where a modest investment of actual money will have anything to fear from such stuff as dreams like that are made of. Such a situation, whatever the college professors may say, is not an evolution of business, it is the lineal successor of South Sea bubbles and Mississippi schemes, and this aspect of the case is worth a careful attention because it is a description of nine out of ten of the lesser combinations and of more than one of the seven great industrial trusts.

The success of such enterprises is rendered all the more precarious, because this structural weakness necessarily communicates itself to every subsequent financial activity of the corporation. If the process of forming the organization originated no excess of stock, no promoter would undertake it, and unless the stock issue was accompanied by a cunning prospectus of dividends, the public gullible, as it is past all belief, would not absorb the securities. Thus it has happened that hardly one of the industrial trusts, even if it understood what the laws of sound finance are, has been in a position to obey them. It has been for a generation regarded as axiomatic that of the earnings of a railroad system a sum approaching one-half must be used to improve the property and to fortify its resources against the evil day.

On that principle the Pennsylvania Railroad Company has won the confidence of the financial world, and what has been true of it has been in a large measure true also of the well-managed railroad properties East and West. But a railroad system, for reasons arising out of the very character of its traffic, is not subject to those sudden fluctuations which are likely to beset an ordinary industrial enterprise. The Midvale Steel Company worked wisely toward a dividend basis for ten years before it paid one. How, then, shall these shackly creations of the market place, with half their capitalization representing nothing beyond the pleasures of hope, bound by every consideration of good faith to produce dividends from the start whether the stock represents anything or not, observe the precautions everywhere known to be essential for the preservation of their tangible assets and for that reinforcement of their reserves which is required to meet the exigencies of their business?

That they have not been able to do so, or at least that they have not done so, is shown by the fact that the average sum carried to the reserve account, taking all the trusts whose reports are accessible to the public together, is only 3.2 per cent of the outstanding capital, the permanent value of which it is intended to secure. Andrew Carnegie did not become the ironmaster of the world by fixing prices and limiting output in times of depression. He followed the fortunes of the market place even though in the last ten years of his business life he had to wade through balance sheets fluctuating all the way from three to forty millions of dollars.

But he had been so busy for thirty years making steel that he had never had time to study the art of manufacturing stocks; and if the corporation blanketed by his mortgage goes on losing its business for the sake of maintaining prices and starving its surplus under the necessity of paying dividends whether they are earned or not, it requires no prophetic foresight to see the miraculous little Scotchman returning in his old age to Pittsburg to rescue the imperiled steel properties of the United States.

These specific infirmities of genesis and of management would, in my humble opinion, gradually drag down the whole structure of the trust system without the aid of any act of Congress or the assistance of any political convention even if no outside influences were at work to undermine their foundations. But there is an outside influence at work, very ancient and not yet obsolete, which has steadily tended to weaken their hold upon the market place, which a good many people thought they were about to control, and that is the law of competition.

It is a favorite Democratic theory that the trusts depend for their life upon the effect of the tariff law in mitigating the pressure of foreign competition upon the industries which employ our own labor, and that, therefore, free trade in trust-made goods would kill the trusts. I confess that I do not see how any man can contemplate such a remedy without at least a grave apprehension that disasters may be invited worse than the disease. I never hear that simple Democratic panacea for the trusts recommended without thinking of the advertising card of a traveling doctor, which I picked up the other day in a country hotel. It reads:

O. P. Vanderman, specialist in rheumatism and neuralgia. A sure cure in its most aggravated form.

I do not deny that free trade may be counted upon with reasonable certainty to cripple, if not to destroy, almost any industry which it comes in contact with. The whole world seems to understand that, for as we enter upon our Presidential campaign the ministers of the English Crown, awakened by the decay of the ancient crafts of the Kingdom, are preparing an appeal to the people for a revision of those sacred acts of Parliament which in the course of fifty years have left the Empire commercially dismembered and the home market itself glutted by the remnant sales of other nations.

Therefore, even if it could be shown that a trust has absorbed any given field of production, I would not counsel my countrymen to turn that field over to foreign countries for the purpose of exterminating that trust, for even if American capital has been so managed as to forfeit the consideration of our laws, the employment and wages of American labor have still their claim upon the attention and good will of our Government.

There is only one sense in which the protective tariff can be held responsible for the trusts, and that is, that without the protective tariff there would have been fewer industries to combine and therefore fewer combinations. Further than that, the protective tariff has created the conditions, that unprecedented circulation of money in the hands of the people, without which the trust securities of our times could not have been even partly digested. So uniformly has the approach of our tariff law to the basis of free trade been accompanied by national poverty that its acceptance now might safely be relied upon to induce conditions which would effectually discourage the trust movement.

Seeing, then, that the protective tariff is responsible for the existence of some of the industries which have been organized into trusts and at the same time for the reintroduction among our people of the general use of money, without which these venturesome exploits of modern business would not have attracted the attention of either Doctor Jekyll, the banker, or Mr. Hyde, the capper, is it asking too much of the American people that they inquire with some care into that remedy for the abuses of the trust system which the protective tariff provides? For while it is true that out of the abundance of capital incident to these seven years of plenty the opportunity of the trust organizer has arisen, it is also true that this very abundance of capital in search of employment, offering itself in a market place where the law of competition has been fighting for its life, has completely vindicated the whole doctrine of protection.

Let us contrast for a moment the remedy of free trade with the remedy of protection in the case of some well-known American trusts. We may take up for example the National Salt Company, and I refer to that particularly because in the present session of Congress an absurd effort has been made to repeat the folly of 1894 by putting salt on the free list. At that time no salt trust existed in the United States, so that the Wilson bill simply expressed the unrestrained animosity of the Democratic party against a particular industry. Salt had been protected in the United States for over a century at a rate as high as it was then and often at a much higher rate. The industry dealt with one of the universal resources of the country, a resource which our fathers had sense enough to foster from the first act of the First Congress.

The difficulty which they had in getting salt to use, on account of disturbed conditions abroad, was the very thing which drew from Mr. Jefferson that manly and patriotic message confessing the mistake of his Administration in departing from the counsel of his cotemporaries in dealing with questions of trade, which was quoted very eloquently on this floor during the Cuban reciprocity debate by the junior Senator from Colorado. It appeared to Jefferson and to everybody who afterwards examined the question, whatever his politics, from that time down to the second election of Mr. Cleveland, that this industry could not be abandoned without damage to the public welfare. It remained for that Congress, dominated by the very men who are now inventing reassuring phrases of conservatism and prudence, with which to mask the battery of Democratic malice against the protective tariff system, to discover the necessity of putting salt on the free list.

They did it at a time when half the salt works of the country were idle and their managers turning frantically in all directions to sell their product in a stricken and helpless market place. They were not after the salt trust then; they were pursuing the salt industry; and so far as free importation could accomplish that result, they turned our market over, its capital and its labor alike, to the only salt trust then existing in the world—the British Salt Union, with its principal office in Liverpool—a trust which had monopolized the entire salt production of Great Britain. It may be that the Congress of 1894 knew more about the subject than all their predecessors and all those who have come after them, but I can not recollect anything in connection with their achievements that is likely to give currency to that view of their case.

The National Salt Company, commonly called the salt trust, was organized in the spring of 1899, and within a year had sufficiently monopolized the salt business of the country east of the Rocky Mountains to claim in its published reports 94 per cent of the entire output of evaporated salt. It started out with a capital stock of $12,000,000, five millions preferred, seven millions common, all of it very damp. It had to do business in a market place protected by a tariff law which for over a century had operated to invite independent capital to embark in the industry; and the question the trust had to face was this: Would its size, its pretensions to monopoly, the mere swagger of its intoxicated capital prevent others from seeking the profits of that business.

In a sense the National Salt Company put the protective tariff system on trial. Less than five years have passed, but already the theory of protection has come out of that trial perfectly vindicated by the unanswerable finding of the market place. The salt industry does not require an exorbitant investment to carry it on with success; money sufficient to bore a hole in the ground and buy fuel enough to pump the water and heat it is all that is needed to start a salt factory wherever salt deposits are found. Is it any wonder, therefore, that the National Salt Company should have been compelled to add a new department to its business? A purchasing agent, to buy off competition; a performance so continuous that according to the decree of the court of equity that listened to their tale of woe in the State which gave them their charter, it reduced them from apparent solvency to unquestionable bankruptcy within a few months—liabilities one million five hundred thousand, assets three hundred thousand barrels of wet salt.

To complete this comedy of mismanagement, we are not surprised to see new promoters and new syndicates coming forward to gather up the remains, under the high-sounding name of "In-

ternational Salt Company," with vague plans and specifications for bringing under one control the salt works of Canada, Italy, Spain, and Great Britain as well as of our own country. It is astounding that a sane man could be found, after the Lord has graciously located a reservoir of salt under the whole earth and an ocean of brine all around it, to give countenance to a proposition to supply the world with such a necessity of life, under the auspices of an international corporation which starts out with a bogus capital of $42,000,000, a large portion of it set apart for the profit of an underwriting syndicate, and its visible resources preempted by an indebtedness of $12,000,000, with neither a provision nor a prospect for even a preliminary payment of interest.

If there is room in our market place for a project like that why did the Post-Office Department issue a fraud order against the amiable clergyman who boiled a bushel of pumpkin seeds and began a profitable business career by advertising that while in the Holy Land he had secured a limited number of the seeds of the gourd mentioned in Sacred Writ and was willing to distribute them to devout persons at a dollar apiece? [Laughter.]

I will refer again, by your permission, to the glass industry, a field of production which in the last few years has illustrated at once the facility with which trust combinations could be formed and at the same time the ease with which outside capital digs away their foundations and anticipates their final collapse.

Here is an industry which in all its departments is literally the child of the protective tariff. It could not exist at all on the basis of free trade, so that it may be admitted that if its products had been put upon the free list all the glass trusts would have disappeared, and with them nearly every vestige of the industry in the United States. If the tariff was the mother of the glass trusts, it has been a very careless and unnatural mother, for its standing invitation to American capital to embark in the business has never been withdrawn and has been so generally accepted that every effort to keep it in the hands of trusts has already ended in unmistakable failure. An honored member of this body, a successful manufacturer of glassware, operating a factory once connected with the United States Glass Company, permits me to call him as a witness to the swift descent of that institution from the domination of the trade to the premonitory symptoms of final dissolution. He managed to get his factory out of it in good time, and has had the satisfaction, as an independent manufacturer, of making good profits while the shareholders of the trust have waited in vain for their dividends.

Mr. SCOTT. They got one the other day, the first since 1891.

Mr. DOLLIVER. I do not begrudge it; since 1891 one dividend. A fate almost equally interesting has undertaken the other trusts that undertook to dip into the glassware business in the United States.

Notably the National Glass Company, organized in 1899 with nineteen plants. Its vital ailment, according to a recent writer, was a sort of corpulence which prevented the trust from coping with less top-heavy competition, the same disability that qualifies the speed of a fat man in a foot race. And so, after five years, its constituent companies have fallen back, not under the anti-trust act but under the law of gravitation, to their original form, and the water-soaked millions of its capital have been sorrowfully laid away where they will have a chance to dry out.

Exactly the same tragedy has overtaken the American Window Glass Company. It capitalized the prospects of twenty-two separate plants in October, 1899, at $17,000,000 and assumed control of 90 per cent of the total window-glass product of the country. It went on the theory apparently that it could depend upon the size of its capital to overawe the market place and gain for it the profits of a self-sufficient monopoly.

The trust took every precaution to strengthen its position. They overlooked only one thing, and that is that this is a world that does not allow for any length of time a dividend on $17,000,000 for the transaction of a volume of business for which $5,000,000 in cash will furnish equal facilities. If independent investors ever did tremble before the trust, they certainly never took counsel of their fears, for within five years the business has slipped out of the hands of the American Window Glass Company until now instead of making 90 per cent and conceding to others 10, it makes only 10 per cent, and has been compelled to concede the other 90 to irreverent outsiders, who, under the broad invitation of the protective tariff, have felt free to embark in the business.

I have already alluded to the Pittsburg Plate Glass Company, which totally monopolized that product as early as 1895. To-day they have less than 50 per cent of the productive capacity of the country, and while shortsighted men—some of them, I regret to say, Republicans—have been calling upon Congress to put plate glass upon the free list, the Dingley tariff law has called into existence seven well-equipped plate glass plants outside the trust and the magnificent new establishment now building at Kane, Pa., will make eight. Now I submit that if it is possible, as I have shown, to kill the glass trusts and at the same time to keep the industry alive and well, why should any man whose head is still doing business on its own account, seek to wipe them out by handing over their orders to our friends in Belgium, Germany, Austria, France, and England?

It would be easy if I could properly encroach on the time of the Senate to take up one after another the case of more than a score of once hopeful and enthusiastic trust combinations and study the behavior of the protective tariff in the fight which has been going on in the American market place against every unreasonable restraint of trade. I can, however, cover the whole ground by inserting a study of industrial statistics made for the end of the year summary by Mr. Luther Conant, jr., financial editor of the New York Journal of Commerce. This writer says:

It was evident by the end of 1902 that a decided check had been given to the industrial consolidation movement, and during the past year the organization of these so-called "trusts" was restricted to a total which appears insignificant by comparison with the returns of preceding years.

The pronounced halt in this consolidation of industrial properties during the year 1903 may be appreciated from the fact that from a total capitalization of more than $2,800,000,000 in 1901—this including the $1,400,000,000 Steel Trust—there has been a drop in the year now ending to less than $430,000,000, this figure including a $100,000,000 increase in the authorized capital of the American Telephone and Telegraph Company. These figures include only mergers and not miscellaneous new companies organized during the year, a summary of the capitalization of which is given separately. Following are figures of consolidations for a series of years:

INDUSTRIAL CONSOLIDATIONS.

	Stock.		Bonds.
	Preferred.	Common.	
1903	$107,276,000	$266,350,000	$52,250,000
1902	273,638,900	622,158,300	226,348,000
1901	888,950,000	1,349,950,000	566,575,000
1900	180,800,000	560,595,000	203,800,000
1899	759,100,000	1,674,450,000	229,895,000
Total five years	2,209,824,900	4,473,503,300	1,278,868,000

Following is a summary of the capitalization of new companies:

OTHER COMPANIES.

	Rivals for consolidations.	Miscellaneous companies.
1903	$105,610,000	$1,208,322,000
1902	244,800,000	1,292,011,550
1901	173,650,000	979,900,000
1900	63,800,000	948,875,000
Total four years	587,860,000	4,429,108,550

What do these figures mean? They write the doom of the speculative trust system; they mean that an actual dollar is more than a match for an imaginary one—that the modest unobtrusive coinage of the realm has nothing to dread from the free and unlimited coinage of the air. Already the market place is strewn with the remains of arrogant institutions which five years ago pushed honest men off the sidewalks as they opened their books for the accommodation of the restless and buoyant throngs. Take up your newspaper, and if you read carefully you will hardly find a day in which the obituary of some trust is not printed in fine type and narrow space, which occupied the whole page with its prospectus and the announcement of its birth.

Glance at the proceedings of the courts and watch the lawyers picking the bones of corporations that five years ago were ostentatiously giving tips to investors with half-defined ambitions to own the earth. It is the 1st of January. What is the governor of New Jersey doing yonder at Trenton? He is crossing off the books of that thrifty and hospitable Commonwealth the names of scores of preposterous consolidations, illustrating all types of mental and moral hallucination—thrusting them out into a cold world for the nonpayment of dues.

Here is a partial list of failed industrial enterprises, at one time colossal in their proportions, already admitted to the hospital for disabled trusts, undergoing the most difficult operations known to the surgery of the street:

The Malt trust, 80 plants, with a total capital of $24,000,000.

The General Asphalt Company, 20 plants, with a capital of $31,000,000.

The International Salt Company, 28 plants, with a capital of $42,000,000, valued in the market at $7,000,000.

The New England Cotton Yarn Company, with 9 plants and a total capital of $17,230,000.

The United States Cotton Duck Corporation, with 21 plants and a capital of $26,100,000.

The Phosphate Trust, with 111 plants and a total capital of $57,000,000.

The realty trust, with 7 plants and a total capital of $66,000,000, valued in the market at $16,000,000.

The shipbuilding trust, with nine plants and a total capital of $79,851,000, valued in the market all the way from $13,000,000 down to nothing; not to mention a score of others whose chance of recovery is too small to attract the interest of the overworked doctors of high finance. It is not necessary to speak harshly of the men who organized them and it can do no good to express our sympathy for the credulous multitudes who went broke on them. "Let them alone. They be blind leaders of the blind. And if the blind lead the blind" do not the Scriptures expressly admonish us that "both shall fall into the ditch?" It will do us no harm either to step for a moment inside the gates of our new national cemetery dedicated to the memory of dead trusts; its boundaries are large, and while it is only partly occupied, its gates, as General Harrison used to say about the gates of Castle Garden, never swing outward.

I do not pretend to have read all the inscriptions on the tombstones, and if I were disposed I could add the names of a good many once animated institutions whose graves are already dug if their friends were only willing to quit sitting up with them.

Here are some of the trusts which are definitely known to be dead and gone:

Company.	Year organized.	Where chartered.	Capitalization.
American Alkali Co	1899	New Jersey	$30,000,000
American Bicycle Co	1899	do	39,500,000
American Molasses Co	1902	do	3,000,000
American Silver and Casket Co	1900	do	500,000
American Plow Co	1899	do	75,000,000
American Witch Hazel Corporation	1902	do	4,000,000
Anglo-American Gypsum Co	1902	do	7,500,000
Artificial Lumber Co. of America	1899	do	12,000,000
Atlantic Coast Lumber Co	1899	Virginia	4,000,000
Chemical Company of America	1902	New Jersey	5,000,000
Consolidated Grocers of America	1903	Illinois	1,500,000
Consolidated Liquid Air Co	1902	New Jersey	1,000,000
Consolidated Match Co	1902	do	10,000,000
Eastern Milling and Export Co	1900	do	4,000,000
Farmers' Cooperative Exchange	1902	South Dakota	50,000,000
Hawaiian Securities Co	1902	New Jersey	12,000,000
Illinois Coal and Coke Co	1902	do	12,000,000
International Barrel Co	1902	Arizona	20,000,000
International Tin Co	1902	New Jersey	20,000,000
Kentucky Coal, Lumber, Iron and Oil Co.	1902	South Dakota	10,000,000
Mohawk Valley Steel and Wire Co	1902	Maine	60,000,000
National Bread Co	1901	New Jersey	3,000,000
National Creamery Co	1902	do	18,000,000
National Fiber and Cellulose Co	1902	Delaware	10,000,000
National Grocer Co	1902	New Jersey	5,500,000
National Saw Co	1899	Kentucky	1,000,000
National Wall Paper Co	1902	New York	35,079,600
New England Consolidated Ice Co	1902	New Jersey	17,000,000
People's Pure Milk Co	1903	New York	25,000,000
Southern Car and Foundry Co	1899	New Jersey	3,500,000
Southern Textile Co	1903	do	14,000,000
Standard Shoe Machinery Co	1899	do	5,000,000
Suffolk Leather Manufacturing Co	1903	Massachusetts	50,000,000
Union Lead and Oil Co	1900	New Jersey	15,000,000
United States Cotton Mfg. Co	1903	Massachusetts	40,000,000

This is only the advance guard of the innumerable caravan which moves to that mysterious realm where the small and the great, the millions and the billions, meet at last on equal terms. Open the Wall Street Journal for October 26, 1903, and read for yourselves the bloodless verdict of the market place against the modern American trust system. I will print the article in full as an appendix to my remarks. It indicates the present lost condition of 100 corporations whose stocks are dealt in on the New York Exchange, taking no account of those which are too little or too feeble to make their way from the curb to the headquarters.

It shows a shrinkage in these better-class shares of nearly two thousand millions of dollars. That is to say, a loss of more than 43 per cent of their advertised value. Is it any wonder that even the best of the industrial shares are under suspicion, since the public discovered that with conditions exceptionally favorable less than 50 per cent of the total trust capitalization has ever paid any dividend at all? When stocks which have never failed to make a show of 7 per cent per annum settle down between 50 and 60 cents on the dollar, what is likely to become of the miscellaneous assortment of speculative investments which have never been able to draw a full breath in their lives?

What is the significance of an evaporation of values like that? Evaporations of values did I say? Revelation of values rather; progressive revelation, clouded and bewildered somewhat by the jockeying of the stock exchange; revelation moving gradually toward that daylight of fact and truth which shall shortly make it plain that the only dollar entitled to a dividend in the American market place and the only dollar which in the long run will have a dividend is the dollar actually put in. Can any man believe that the business community, which in 1896 fought for its life against a proposal to manufacture its standard coin out of material valued everywhere throughout the world at 50 cents, will allow itself now to be smothered under an infinite flutter of picturesque paper certificates?

The PRESIDENT pro tempore. The Senator from Iowa will suspend for one moment while the Chair lays before the Senate the unfinished business.

The SECRETARY. House bill 14416, the sundry civil appropriation bill.

Mr. ALLISON. I ask that that may be informally laid aside until my colleague shall have finished his remarks.

The PRESIDENT pro tempore. The Senator from Iowa asks that the bill may be temporarily laid aside that his colleague may conclude his speech. The Chair hears no objection.

Mr. DOLLIVER. Mr. President, we will quit talking one day about the conflict between capital and labor, for we all join in the hope that they are on the way toward a better understanding, even toward a treaty of permanent peace. But there is a conflict in which there can be no truce—the conflict between capital and capitalization—the earnings and the savings of labor against the coalition of the promoters and the engravers. We do not need to call on the Old World to take the fight off of our hands. Independent American enterprise is equal to the strategy of our commercial defense.

A victory over the trusts won by enlisting the armies of the aliens against them is not an American victory. Such a victory would prostrate our market place in inconceivable disaster, in the midst of which labor and capital would suffer a common affliction. The victory which we seek—the only victory that can be of any value to the industrious millions of our people—is the victory of our own capital, fighting its battle under the protection of our own laws and sharing the fruits of its achievements with our own market place.

The experience through which we are passing has not, of course, been without its depressing effect upon business and commerce. But if the prosperity of our people were an artificial thing—if the American market place were not founded upon a rock—how could it have stood when these winds blew and these rains descended and these floods came?

The process of stripping the uniform from the militia captains of industry and dressing them up in citizens' clothes has not been entirely unattended with inconvenience, but looking at the whole country together the reconquest of the market place by the reserve corps of American energy, that indefinable moral quality which claims the prerogative of signing its own name, has already justified the faith which our people from the beginning have had in the industrial system founded by our fathers. In its allegiance to that system the Republican party has not faltered for a moment. If there were doubts and fears and anxieties while the underwriting syndicates strutted their brief day upon the stage of our affairs they are all gone now.

We approach this Presidential campaign united in the bonds of our historic faith. We did not originate it; we inherited it from our fathers. When William McKinley died he left it as a rich legacy to us who followed him in the great triumphs of his public life. It was not a discovery of his. He got it from Abraham Lincoln, who got it from Henry Clay, who got it from Alexander Hamilton, who got it from Benjamin Franklin; so that our title is clear, our abstract perfect, without lien or incumbrance, running straight back to the original sources of American common sense.

If changes are required to bring the tariff law of 1897 into a more perfect relation to the industrial progress of the American people, we propose to make them ourselves, whenever in our judgment the work can be undertaken without doing more harm than good; but we shall not consent to any change which surrenders the rights of American labor or the advantage which every man who makes a bona fide investment of his money in the United States ought to have over his competitors in other lands. We look forward with hope to the progress of our commerce from the river to the ends of the earth, but we do not forget that the statistics of our foreign trade have brought the most encouragement to our people in those exact periods when our own producers have been most perfectly guarded against the injurious approach of the outside world, and that the law of 1897 for the first time in our history has yielded us a favorable balance of our trade in manufactured goods.

We do not underestimate the value of the foreign market; but knowing how small it is, how small it always must be compared to the volume of our domestic business, we refuse bargain that away, or put it in jeopardy for the sake of a dim and nebulous prospect of recouping our losses in the markets of the world.

We follow a leader who has enforced the laws of the land without favor and without fear, who has dared to utter the convictions that are in him with absolute reliance upon the integrity of his country and the good will of his countrymen. We

do not know what the vicissitudes of the struggle may be; we do not presume to lift the veil of the future; but we are persuaded that the American people will not turn their backs upon the national policies for which Theodore Roosevelt stands, nor upon the lofty ideals of public duty with which, whatever his political fortunes may be, his name will be associated in the history of the United States.

APPENDIX.

[From the Wall Street Journal of Monday, October 26, 1903.]

THE SHRINKAGE IN 100 INDUSTRIALS—AMOUNTS TO $1,753,959,793 FROM THE HIGH PRICES OF THE BOOM.

The leading industrial stocks of the country show a shrinkage of $1,753,959,793 from the high prices of the boom to the recent low. The market value of 100 industrial stocks at the highest price at which each has sold during the past three years was $4,090,047,450, and at the recent low price it was $2,336,087,657, a loss in market value of 43.4 per cent.

The total capitalization of these stocks is $3,693,410,837.

We present below a table comprising the highest price at which each of 100 industrials has sold during the past three years, with the recent low, and showing the total shrinkage on each. Not one of the stocks which we have taken show a shrinkage of less than $1,000,000.

	Capital stock.	High.	Low.	Shrinkage.
Allis-Chalmers	$20,000,000	21	6	$2,600,000
Amalgamated	155,000,000	130	33⅛	149,381,250
Agricultural Chemical	16,715,600	35	11	4,011,744
Agricultural Chemical, preferred	17,153,000	91	69½	3,731,078
American Bicycle, preferred	9,294,000	52	1	4,798,030
American Can	41,233,300	31¼	b3	11,751,491
American Can, preferred	41,233,300	80½	28½	21,441,316
American Car and Foundry	50,000,000	41⅞	17⅞	7,200,000
American Car and Foundry, preferred	30,000,000	93⅞	61½	9,637,500
American Cotton Oil	20,237,100	57⅞	27⅛	6,045,851
American Cotton Oil, preferred	10,198,600	100	82	1,835,748
American Hide and Leather	11,274,100	13⅜	2¼	1,288,336
American Hide and Leather, preferred	12,548,300	43½	10	4,209,681
American Ice	25,000,000	49½	4½	11,187,500
American Ice, preferred	15,600,000	78½	19	8,925,000
American Linseed, preferred	16,750,000	66	28	6,365,000
American Locomotive	25,000,000	86⅝	10½	6,593,750
American Locomotive, preferred	24,100,000	100½	67½	7,892,750
American Malt, preferred	14,440,000	31¼	15	2,382,600
American Shipbuilding	7,000,000	63	28	2,660,000
American Smelting and Refining	50,000,000	69	36½	16,125,000
American Smelting and Refining, preferred	50,000,000	105	80½	12,625,000
American Snuff	11,001,700	135	90	4,950,765
American Snuff, preferred	12,000,000	101	80	2,520,000
American Steel Foundry	15,000,000	15	5	1,500,000
American Steel Foundry, pfd	15,500,000	70	48	3,410,000
American Sugar Refinery	45,000,000	153	107½	20,640,000
American Sugar, preferred	45,000,000	130	116½	6,240,000
American Telegraph and Telephone	109,685,000	186	114½	78,424,780
American Tobacco, preferred	14,000,000	151¼	130	3,010,000
American Woolen, offered	20,000,000	82⅝	65	3,550,000
American Writing Paper, pfd	9,500,000	25¼	10½	1,436,875
Anaconda	a30,000,000	53	16	22,200,000
Cambria Steel	45,000,000	29½	18½	9,337,500
Calumet and Hecla	a2,500,000	880	430	43,000,000
Colorado Fuel and Iron	24,000,000	136½	25	26,760,000
Commercial Cable	13,353,300	199	149½	5,299,987
Consolidated Gas	73,000,000	238	170	49,640,000
Consolidated Lake Superior	73,961,500	50	⅛	36,426,039
Consolidated Lake Superior, pfd	27,406,500	80½	2½	21,308,554
Continental Tobacco, preferred	48,846,100	126½	98	13,921,139
Corn Products	44,869,255	38⅜	22	7,515,600
Corn Products, preferred	27,382,750	90	73	4,652,068
Crucible Steel	25,000,000	27¼	5½	5,687,500
Diamond Match	15,000,000	152½	129	3,525,000
Dist. Securities	27,927,777	33	20½	3,770,250
Copper Range Consolidated	28,500,000	83	42½	11,756,250
Domestic Iron and Steel	20,000,000	79⅝	7	14,575,000
Electric Vehicle	10,450,000	70	5	6,792,500
Electric Vehicle preferred	8,125,000	90	8	6,662,500
General Electric	41,957,100	195	139	23,495,976
International Merchant Marine	48,000,000	21	4	8,160,000
International Merchant Marine preferred	52,000,000	50	15	18,200,000
International Paper	17,422,000	28	10⅜	3,070,630
International Paper preferred	22,406,700	81½	60	4,817,440
International Power	5,047,000	199	29½	8,542,048
International Steam Pump	12,262,500	57½	33	2,973,656
International Steam Pump preferred	8,850,000	95	70	2,212,500
Lehigh Coal and Navigation	b15,801,300	79½	b63	5,293,437
Massachusetts Gas	15,000,000	42½	31	1,706,250
Massachusetts Gas preferred	15,000,000	84½	75½	1,331,250
Mergenthaler	10,000,000	190	170	2,000,000
National Biscuit	29,238,000	53½	32	6,332,650
National Biscuit preferred	23,825,100	109¼	94	3,602,913
National Lead	14,905,400	32	11½	1,505,067
National Lead preferred	14,904,000	106½	75	4,694,760
Pennsylvania Steel preferred	16,500,000	105	b48	9,405,000
People's Gas	32,969,100	111½	89	7,418,048
Pittsburg Coal	32,000,000	35½	21	4,520,000
Pittsburg Coal preferred	29,701,200	99½	67½	9,430,131
Pressed Steel Car	12,500,000	65½	28	4,656,250
Pressed Steel Car preferred	12,500,000	96½	67	3,687,500
Republic Iron and Steel	27,191,000	27½	7½	5,506,174
Republic Iron and Steel, preferred	20,356,900	83⅜	54½	5,878,058
Rubber Goods Manufacturing	16,941,700	38½	13⅜	4,150,717
Rubber Goods Manufacturing, pfd	8,051,400	90	70	1,610,280
Standard Oil	97,500,000	830	580	243,750,000
Swift & Company	$25,000,000	177⅛	100½	$19,312,500
Tennessee Coal and Iron	22,801,600	104	26½	17,728,244
Union Bag and Paper	16,000,000	25	4½	3,440,000
Union Bag and Paper, preferred	11,000,000	85	65	2,200,000
Union Typewriter	10,000,000	132	93	3,900,000
Union Bag Bd and P, preferred	11,418,000	71	18	6,051,540
United Fruit	12,369,500	137	93	5,442,580
Un. Gas Imp	b28,125,000	126	77	27,562,500
Un. Shoe Mach	a10,720,300	57½	38⅛	7,933,022
U. S. Leather	62,882,300	19	6¼	7,761,685
U. S. Leather Realty, preferred	62,282,300	96⅛	71⅛	15,726,281
U. S. Realty & C	33,198,000	32	5½	8,879,715
U. S. Realty & C., preferred	27,011,00	75¼	35½	10,804,440
U. S. Rubber	23,666,000	44	7⅛	8,578,925
U. S. Rubber, pfd	23,525,500	104½	35	16,409,037
United States Steel	508,495,200	55	12¼	216,110,460
United States Steel preferred	430,000,000	101⅞	57½	191,900,000
Virginia Car Chemical	27,984,400	76⅜	17⅛	16,475,819
Virginia Car Chemical preferred	12,000,000	134½	90	5,385,000
Western Telegraph and Telephone	16,000,000	83½	10	8,760,000
Western Telegraph and Telephone preferred	16,000,000	106½	71	5,680,000
Western Union	97,340,504	100½	80½	19,224,750
Westinghouse	14,016,551	233	130	14,437,048

a $25 par. b $50 par.

In United States Steel preferred we have allowed for the amount converted into bonds. We have not included the $10,000,000 each of common and preferred issued by the Massachusetts Gas companies last January. We have taken one-half of the shrinkage of Anaconda, as Amalgamated holds one-half of the Anaconda stock, and the shrinkage of that appears in the figures for Amalgamated.

The shrinkage in Colorado Fuel and Iron, Calumet and Hecla, Anaconda, International Power, Standard Oil, and Westingh use is in each case more than the par value of the capital stock, and in Amalgamated and United Gas Improvement nearly equal to it.

The $20,000,000 preferred and $25,000,000 common of United States Shipbuilding are not included owing to the fact that there has never been any market for them.

It has been estimated that the capitalization of the industrial corporations of the United States, aside from gas and electric companies, is $8,000,000,000. All of these have sustained some shrinkage, but the percentage would probably not be as large on the whole number as it is on those we have taken above, because the stocks we have not included are largely inactive, more closely held, and less subject to general market influences.

Mr. GALLINGER. Mr. President, I ask that the resolution submitted by the Senator from Iowa may remain on the table; and I give notice that on Friday morning, after the routine business, I shall take occasion to submit some remarks on the tariff, reciprocity, and allied subjects.

The PRESIDENT pro tempore. The Senator from New Hampshire asks that the resolution to which the Senator from Iowa addressed himself may lie on the table. The Chair hears no objection.

SUNDRY CIVIL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14416) making appropriation for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes.

The PRESIDENT pro tempore. The Secretary will call the roll on the pending amendment.

Mr. GORMAN. I should like to have the question before the Senate stated.

The PRESIDENT pro tempore. It is the amendment of the committee relating to the annex building, on which the yeas and nays were ordered.

Mr. STEWART. Mr. President, when the Senate adjourned yesterday I was about to make a few remarks—not a speech—on the pending amendment.

I am not an architect nor an expert in any way in that line, but I remember well that on my first visit to Washington some forty years ago I was profoundly impressed with the beauty of this Capitol, and also with the stately appearance and commodious arrangement of the Patent Office. The Smithsonian Institution was also attractive. Those were beautiful buildings, and they were admired and have ever since been admired by strangers who have come here.

The architecture of the buildings constructed since that time has not been favorably commented on by strangers nor does it favorably impress many of us. There are one or two exceptions, notably the Library building. The Printing Office building in its line, though it is not an architectural beauty, is well adapted to its purposes. The Library building attracts the attention of all who come here. But this Capitol above all is commented upon by every stranger. Although I am nor familiar with the architecture of the Old World to any great extent, I am quite familiar with the architecture of Paris and London, and they have nothing there that pleases me as much as this Capitol, and I have heard foreigners make the same remark.

There may be American architects who are equal to those who existed prior to the civil war; there may be those in the country who are superior to them, but they have not appeared in this

capital as a rule. The buildings that have been erected here are apologized for by the citizens. They apologize for your new post-office building, for your War, State, and Navy Department building, and you will find that American citizens of taste will be apologizing for them.

Now, I do not want anybody to apologize for any mutilation of the east front of this Capitol. I have heard it universally admired, and I want to know the architect who is to do this work before I vote to have it done.

I am heartily in favor of the new building for the accommodation of the Senate, though I shall not be here to enjoy it and there are not many Senators now here who will enjoy it. Many of them will be gone when the building is completed, but it is a duty, I think, to provide for the business of the Senate. Our accommodations are now cramped and inconvenient. You are putting up magnificent buildings all over the country elsewhere; and the accommodations outside of Washington for doing official business are generally superior to the accommodations here for the Senate.

This annex building ought to be erected, but it ought not to be made a condition that if we erect this building, which is necessary for the business of the country, we shall take any chances for a modern architect to mutilate the east front of the Capitol.

In what the artists who have constructed buildings here have generally done I do not say has been the case all over the country, for it is not true, I know, because there are many fine buildings all over the country; but the artists here appear to have had an insanity of originality, and they conceived the most fantastic things in the world, particularly the State, War, and Navy Department building.

I hope there will not be any committal to the destruction of the beauty of the east front of the Capitol, and in voting for this amendment I shall vote for it with the understanding that we are not committed to that project. I hope it will not be done. I hope the good sense of Congress will come in to preserve all there is of grandeur and beauty in the architecture of the Capitol of the nation. Every building put up should be for all time. It should be enduring. It should be constructed after models—and there are plenty of them—which endure through all the ages of history in different parts of the world. In Rome and other places you have these models; but with the modern departure, with the insanity of originality, the work is always deprecated as soon as it is done.

I hope that this new building will be erected; that it will be a stately building which will be a credit to this nation, as this Capitol is a credit to this nation, and that not only our own citizens will be proud of it, but that foreigners who come here may admire it.

I trust there will not be any experiment made which would disfigure this building or any other building that we may erect. Let us have a monumental building, erected for all time, not to be torn down, or something which is to last only a year, but let it be a handsome building. The House of Representatives I hope will have a fine building at their end of the Capitol, which will comport with the beauty of the architecture of this Capitol, and that the two buildings which are projected may add to the beauty, the grandeur, and the permanency of the capital of the nation.

I shall vote for this amendment with the distinct understanding that there will be no vandals or no modern architects insane with inventions of new things wicked enough to try to experiment with the east front of this Capitol.

Mr. STONE. Mr. President, undoubtedly the question now before the Senate has been sufficiently debated to enable every Senator to fully understand the issue. I feel as though I ought to apologize for detaining the Senate, even for a few moments, in protracting the discussion. Nevertheless, I desire to add a little to the sum of what has been said.

The Senator from Colorado [Mr. TELLER] remarked on yesterday that at the beginning of his present term of service he was consigned—I think that was the proper word—consigned to the basement of the Maltby Building, and that the room or apartment furnished him was so inadequate, if not unwholesome, that he declined to occupy it and provided for his use quarters elsewhere at his own expense. My experience in one respect is the opposite to that of the Senator from Colorado. He was placed in the cellar of that building, while I have been put into the garret.

When I first came to the Senate, about a year ago, to attend the called session held immediately after the adjournment of the Fifty-seventh Congress, by the considerate courtesy of the Sergeant-at-Arms and the Committee on Rules of the Senate I was given two rooms in the fifth story of the Maltby Building. When I examined them, Mr. President, I ventured to enter a modest protest against the assignment. I do not criticise the Sergeant-at-Arms or the members of the Committee on Rules nor blame them in the least, for I am sure they did the very best they could. They told me they had done so, and being, like Brutus, honorable men, and, like Washington, most veracious men, I knew their statements were absolutely correct. I am confident they did the best they could, and I wish here now to acknowledge my sense of appreciative obligation to the senior Senator from Wisconsin [Mr. SPOONER], the chairman of the Committee on Rules, for the courtesy he extended me at that time, the use of his committee room during the vacation and until better accommodations could be provided. Later, at the beginning of the present session, a third room, about the size of the others, was added to the two rooms I already had. Formerly this room had been used as a storeroom or lumber room. Those three rooms constitute my office suite.

That Senators may understand how entirely inadequate these apartments are to accommodate the uses for which they are intended, I might call attention to one circumstance occurring but the other day. Six of my constituents were here on business with Congress of great importance to them and to the locality which they came to represent. Those six gentlemen came to my committee rooms or offices to consult with me about the business they were here to look after. I was not able to seat them in the room which I personally occupy; it was not large enough, and so I was obliged to seat two of my visitors in the adjoining room occupied by my clerk, and we communicated with each other through the open doorway. I have had more than one experience of that kind.

The Senator from Iowa [Mr. ALLISON], the chairman of the committee having charge of the bill now before the Senate, and other Senators have spoken of the necessity of ample quarters for the use of Senators, and have spoken of the necessity of the use of books by a legislator in preparing himself for the duties he has to discharge. I have some hundreds of books which I brought with me, and which I often have use for, but I have no place to put them, Mr. President. I could not store them in those rooms, much less arrange them for convenient use.

The rooms are poorly ventilated and poorly lighted. Besides the doors, which communicate with the hall leading to the elevator, the rooms have one window each, looking out upon a blank wall 30 feet away, a part of the adjoining wing running back from the central building. The prospect is cheerless and the surroundings dispiriting.

The furnishings are poor, but I make no special complaint of that. I am five stories above the street. The elevator does not run after 6 o'clock in the evening nor on Sunday nor after the final adjournment of Congress. So if I have occasion to go to those rooms after 6 o'clock in the evening or on Sunday—as it may sometimes occur, not often, but it might—or after the Congress adjourns, I must climb five flights of stairs when I go in and descend them when I go out.

There is some little compensation for these inconveniences. I am located, happily, next to the bath room and also immediately adjoining the window, from which I could make my exit to the fire escape if occasion required.

I have not detailed this story to relate a tale of woe or to excite sympathy, for I ask no sympathy, but I maintain that a representative of a great State, because of his representative character, if for no other reason, is entitled to better accommodations and better surroundings than those I am being compelled to put up with. There are other Senators in the Maltby Building little if any better provided for than I am. This I know. They feel about it as strongly, some of them perhaps even more strongly, than I, if I can judge by what I have heard them say.

Mr. President, there are Senators who have excellent quarters in the Capitol and elsewhere, who have every convenience and comfort afforded them; their surroundings are pleasant, congenial, and conducive to good thought and to good work. I do not complain of that; I am glad of it; but I insist there ought to be a nearer approach to equality in the accommodations afforded Senators who are entitled to seats on this floor as the representatives of equal States.

I shall vote for the amendment to construct this new building, and also for that part of the amendment which provides for a commission to examine into the question of extending the east front of the Capitol; but I am addressing myself now especially to the new building.

My good friend the Senator from Arkansas [Mr. BERRY] thinks that $3,000,000 is too much money to expend for this proposed building. It may be so. If an adequate building can be constructed for a less sum, it goes without saying that it should be done. It may not be going too far to indulge the hope that the entire appropriation would not be used if found to be unnecessary; but I believe, sir, that when we construct a public building here at the capital for the uses of the Congress or of the executive or judicial departments it should be ornate, massive, and imposing, but, above all, it should be adequate and well adapted to the uses for which it is intended. With all due deference to the good judgment of the Senator from Arksansas, I doubt whether a less sum than $3,000,000 can purchase the site and erect such a building as ought to be constructed for this purpose.

I shall not hesitate to cast my vote for the amendment, but if

that were all I had to say I would not have detained the Senate to say it. It will take some years at best under the most favorable auspices to erect this building and have it ready for use. In the meantime I desire to submit to the chairman of the committee, the Senator from Iowa, and to other Senators whose voices are potent here, whether some provision ought not to be temporarily made for the accommodation of Senators situated as I tell you I am and as I know others are. That is the special purpose for which I arose. Aside from the question of convenience involved, the question of safety to life is involved, and I believe, Mr. President, that an amendment ought to be made to the amendment now pending, providing that the Sergeant-at-Arms, or some other officer under the direction of the Committee on Rules, shall secure some additional office rooms to be disposed of equitably and properly for the accommodation of Senators whose present quarters are so inadequate. I shall not offer such an amendment. I desire merely to suggest it to the Committee on Appropriations and to ask the members of that committee to give it consideration.

Mr. HALE. I would say to the Senator that I agree with him fully about that, but it would not do to complicate it with this provision. We can put such a provision as the one to which the Senator refers either on this bill or on the general deficiency bill as a separate proposition. As I understand the Senator, he thinks that provision for additional rooms should not await the construction of this new building, but that it should be made at once. Is not that the Senator's idea?

Mr. STONE. Yes, sir.

Mr. HALE. Well, that as an independent proposition can be put on as an amendment either to this bill or to the deficiency appropriation bill when it comes up. I agree with the Senator that there is some need for something of that kind.

Mr. STONE. I am glad to hear the Senator so express himself. It is immaterial to me on what bill a provision of that kind may go. I have suggested it simply for the thoughtful consideration of Senators who are in control of these appropriations and who are especially influential here in determining matters of this character.

Mr. President, I think I have said all I care to or need to say.

Mr. NEWLANDS. Mr. President, there are two questions to be determined by the Senate—one as to whether or not the proposed extension of the Capitol will improve the Capitol architecturally, and the other the question of accommodations for Senators. I imagine, if it is determined that the extension of the Capitol will improve it architecturally, then it would be very desirable, if possible, to include in that extension the accommodations necessary for Senators; but if it is determined that the extension will not improve the Capitol architecturally, then the office building becomes a necessity. In the event that both are done, an expenditure of five million and a half dollars or six million dollars is possible. In the event that the extension of the Capitol only is sufficient to accommodate Senators with offices, an expenditure not exceeding two million and a half dollars is possible.

It seems to me that we ought to have the report of experts upon this question, and upon both of these questions, before we conclude anything; that we should have first the report of the architects and of this commission as to whether or not the Capitol will be improved in architecture by the proposed extension, and, second, as to whether or not that extension can be so made as to accommodate Senators, for if their report is favorable as regards both of these contentions, we will save an expenditure of at least $3,000,000 and we will have secured, to a higher degree than the construction of both buildings contemplates, the convenience of Senators.

As to the necessities of Senators, there are forty-three Senators to be provided for, and we will assume that they require in all between sixty and seventy rooms. Would it not be possible in this extension, if it is determined upon, to include such accommodations, assuming that the House of Representatives, in view of the very large and expensive building that they are proposing to put up for the accommodation of their Members, may yield a part of the space to which they are entitled, and possibly a part of the space which they now occupy?

It is admitted that this new building to be erected for the House of Representatives will meet all their demands. It can be so constructed as to permit them to withdraw from a part of the space which they now occupy; it certainly can be so constructed as to do away with the necessity of their claiming the additional space to which they may be entitled, and if by so doing an expenditure of $3,000,000 can be saved and the greater convenience of Senators can be secured, it seems to me a very desirable thing to accomplish.

We have, then, forty-three Senators requiring between sixty and seventy rooms. What possibility is there of our securing that number of rooms? Mr. Walter, the former Architect of the Capitol, has prepared two plans for the extension of the east front of the Capitol, one involving the addition of about sixty-six rooms and the other the addition of thirty-three rooms.

If the extension providing for sixty-six rooms is made, and the House of Representatives waives its rights to its one-half, those sixty-six rooms will accommodate the Senators who now need additional accommodations. Another plan prepared by Mr. Walter, providing for an extension only of the middle half of the present main or central building of the Capitol, would involve an addition of only thirty-three rooms. That number would not, of course, be sufficient for the Senators now demanding additional accommodations. But if the House would agree to surrender to the Senate the committee rooms which it now has in the western front, formerly occupied by the Congressional Library, substituting for those rooms rooms that it can construct in the new building, we would have twenty-six additional rooms, which, added to thirty secured by the smaller extension contemplated by Mr. Walter, would make fifty-six rooms for the accommodation of forty-three Senators.

Now, it does seem to me that as yet we have not had plans prepared which were designed to cover both questions—the question of architecture and the question of additional accommodations. At all events, we have not had the aid of eminent architects in this direction. No one to-day knows what the product of their work may be. They may be able to present to us a plan for the extension of the Capitol which will satisfy us architecturally and give us all the additional rooms which we require. An arrangement may possibly be made with the House of Representatives by which they will permit us to occupy a part of the space to which they are entitled, and in that event the construction of the office building will be entirely done away.

I assume that every Senator upon this floor would prefer to be in the Capitol building rather than in the office building, for the nearest point to the office building will be 300 feet distant, and only a few of the Senators can be accommodated in the corner nearest the Capitol. With the extension of the building it means that many Senators will occupy offices from four to five hundred feet distant from the Senate Chamber, and necessarily they will take a great deal of time in going up and down in the elevators and through the tunnel in order to attend to their duties here. I assume that if we can cover the question of the proper architectural development of the Capitol and at the same time the question of the convenience of Senators, we will content ourselves with one construction and one expenditure instead of two.

Now, what is the sensible and businesslike thing to do under these conditions? It seems to me we ought to authorize this commission, consisting of three Senators and three Representatives, to employ, as the Senate amendment contemplates, these three eminent architects, for the purpose not only of preparing plans for the extension of the Capitol, but also for preparing plans for this office building and presenting them to us in the alternative, with their recommendation, first, as to whether the plans for the extension of the Capitol would improve or impair its architectural appearance; second, if the contention be determined in favor of the improvement of its architectural appearance, whether the extension can be so made as to furnish Senators with the necessary accommodations; and, third, if not, plans for a suitable office building.

All this can be presented to us at the same time in December next, and we can determine these questions intelligently. As it is we are proposing now immediately to order the construction of the office building, and yet the plans presented by these architects may demonstrate to our satisfaction that we can secure sufficient accommodations in the Capitol building.

It seems to me we should have the whole question of the accommodation of Senators as well as the question of the architectural effect submitted to these trained architects, who are accustomed to just such problems and who will work them out in the most satisfactory way to us, and that we should simply authorize the plans for both of these structures to be submitted for our approval in December next, so that we can then determine whether we shall enter upon both of these enterprises or whether we shall confine ourselves simply to one.

The PRESIDENT pro tempore. The Secretary will call the roll.

Mr. COCKRELL. What is the amendment?

The PRESIDENT pro tempore. The amendment providing for an annex for the Senate.

Mr. SCOTT. Before the roll is called, will the Chair please state what we are about to vote upon?

The PRESIDENT pro tempore. It is the amendment of the Committee on Appropriations providing for the construction of an annex for the benefit and use of the Senate.

The Secretary proceeded to call the roll.

Mr. MALLORY (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. PROCTOR], whom I do not see present. If he were present, I should vote "nay."

The roll call was concluded.

Mr. LODGE. I have a general pair with the Senator from Georgia [Mr. CLAY], who is absent. I do not know how he would vote; so I transfer my pair with that Senator to the Senator from Ohio [Mr. DICK], and will vote. I vote "yea."

Mr. QUARLES. I announce my pair with the senior Senator from Texas [Mr. CULBERSON], and withhold my vote.

Mr. BLACKBURN. I am paired with the senior Senator from Maryland [Mr. MCCOMAS], who is absent. I am informed that the Senator from Oregon [Mr. MITCHELL] is paired with the Senator from Idaho [Mr. DUBOIS], who is absent, and that the Senator from Oregon has voted. Therefore I will transfer my pair to the Senator from Idaho [Mr. DUBOIS], so that he will stand paired with the Senator from Maryland [Mr. MCCOMAS], and I will vote. I vote "nay."

Mr. ELKINS. I have a general pair with the Senator from Texas [Mr. BAILEY]. I am informed that he is favorable to this proposition, and therefore I will vote. I vote "yea."

Mr. SPOONER. I have a general pair with the Senator from Tennessee [Mr. CARMACK]; but as there is no party division on this question, and after consultation with his colleague, I will vote.

Mr. BATE. That is correct.

Mr. SPOONER. I vote "yea."

The result was announced—yeas 50, nays 10, as follows:

YEAS—50.

Alger,	Depew,	Heyburn,	Money,
Allee,	Dolliver,	Kean,	Newlands,
Allison,	Dryden,	Kearns,	Penrose,
Ankeny,	Elkins,	Kittredge,	Platt, N. Y.
Bacon,	Fairbanks,	Latimer,	Simmons,
Ball,	Foster, Wash.	Lodge,	Spooner,
Bard,	Frye,	Long,	Stewart,
Burnham,	Fulton,	McCreary,	Stone,
Clark, Wyo.	Gallinger,	McCumber,	Teller,
Clarke, Ark.	Gamble,	McEnery,	Warren,
Cockrell,	Gorman,	McLaurin,	Wetmore.
Cullom,	Hale,	Martin,	
Daniel,	Hansbrough,	Mitchell,	

NAYS—10.

Bate,	Clapp,	Morgan,	Scott.
Berry,	Hopkins,	Perkins,	
Blackburn,	Millard,	Platt, Conn.	

NOT VOTING—30.

Aldrich,	Culberson,	Hawley,	Proctor,
Bailey,	Dick,	Hoar,	Quarles,
Beveridge,	Dietrich,	McComas,	Quay,
Burrows,	Dillingham,	Mallory,	Smoot,
Burton,	Dubois,	Nelson,	Taliaferro,
Carmack,	Foraker,	Overman,	Tillman.
Clark, Mont.	Foster, La.	Patterson,	
Clay.	Gibson,	Pettus,	

So the amendment was agreed to.

The PRESIDENT pro tempore. The Secretary will state the next passed-over amendment.

The SECRETARY. On page 83, line 11, after the word "modifications," it is proposed to strike out "of the interior;" in line 15, after the letter "a," to strike out:

commission, composed of three Senators to be appointed by the President of the Senate, and three Members of the House of Representatives of the Fifty-eighth Congress to be appointed by the Speaker of the House of Representatives.

And insert:

joint commission, composed of three Senators, namely, Hon. GEORGE P. WETMORE, of Rhode Island, Hon. RUSSELL A. ALGER, of Michigan, and Hon. ARTHUR P. GORMAN, of Maryland, and three Members of the House of Representatives of the Fifty-eighth Congress, namely, Hon. JOSEPH G. CANNON, of Illinois, Hon. WILLIAM P. HEPBURN, of Iowa, and Hon. JAMES D. RICHARDSON, of Tennessee; and said commission shall employ three eminent architects jointly to prepare designs, working plans, details, and specifications, and to supervise the work, under the direction of the said commission and with its approval: *Provided*, That said commission shall report to Congress such designs, working plans, details, and specifications as it shall recommend, which shall be approved by Congress before any further action is taken toward the construction of said extension.

On page 84, line 10, after the word "grounds," to insert "subject to the approval of Congress as aforesaid;" in line 17, after the word "such," to strike out "professional and personal;" and in line 20, after the word "commission," to strike out "hereby created;" so as to make the clause read:

Toward the extension and completion of the Capitol building in accordance with the original plans therefor by the late Thomas U. Walter, with such modifications as may be found necessary or advantageous, and for each and every purpose connected therewith, $500,000; and the said construction shall be made under the direction of a joint commission composed of three Senators, namely, Hon. GEORGE P. WETMORE, of Rhode Island; Hon. RUSSELL A. ALGER, of Michigan, and Hon. ARTHUR P. GORMAN, of Maryland, and three members of the House of Representatives of the Fifty-eighth Congress, namely, Hon. JOSEPH G. CANNON, of Illinois; Hon. WILLIAM P. HEPBURN, of Iowa, and Hon. JAMES D. RICHARDSON, of Tennessee; and said commission shall employ three eminent architects jointly to prepare designs, working plans, details, and specifications, and to supervise the work, under the direction of the said commission and with its approval: *Provided*, That said commission shall report to Congress such designs, working plans, details, and specifications as it shall recommend, which shall be approved by Congress before any further action is taken toward the construction of said extension; and the superintendent of the Capitol building and grounds, subject to the approval of Congress as aforesaid, under the direction and supervision of said commission, is authorized to make contracts for said construction after proper advertisements and the reception of bids within a total sum not exceeding $2,500,000, including the sum herein appropriated, and said superintendent, subject to the direction and approval of said commission, shall employ such services in connection with said work as may be necessary. Any vacancy occurring by resignation or otherwise in the membership of the commission shall be filled by the presiding officer of the Senate or House, according as the vacancy occurs in the Senate or House representation on said commission.

Mr. ALLISON. After consultation with Senators respecting this provision I am authorized to offer some amendments to the amendment. After the word "commission," in line 12, page 84, I move to strike out "is authorized to make" and insert "whenever it shall be authorized by Congress shall conduct the making of all contracts."

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The SECRETARY. On page 84, line 12, after the word "commission," it is proposed to strike out the words "is authorized to make" and insert "whenever it shall be authorized by Congress shall conduct the making of all."

The amendment to the amendment was agreed to.

Mr. ALLISON. In line 14, page 84, after the word "bids," I move to strike out the limitation "within a total sum not exceeding $2,500,000, including the sum herein appropriated."

The amendment to the amendment was agreed to.

Mr. ALLISON. After the word "therewith," in line 13 on page 83, I move to strike out "five hundred" and insert "seventy-five."

The PRESIDENT pro tempore. The Senator from Iowa offers an amendment to the amendment, which will be stated.

The SECRETARY. On page 83, line 13, after the word "therewith," it is proposed to strike out "five hundred" and insert "seventy-five;" so as to read "$75,000."

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment as amended.

Mr. ALLISON. Mr. President, I wish to say only a word about this amendment before it passes from the consideration of the Senate, as respects the propriety and necessity of making this extension.

The Senator from Georgia [Mr. BACON] the other day expressed his total dissent from the proposition to make this extension, and in the debate it has been stated that this has not the approval of the architects of the country. As I understand the history of the Capitol, the architect who has been so fittingly and appropriately spoken of as having erected here the most beautiful Capitol building in the world, has put himself on record over and over again as to the necessity of the extension of the east front of the Capitol and made several plans, as was stated a few moments ago by the Senator from Nevada [Mr. NEWLANDS], for that construction.

Some of them received his absolute approval, and some of them were condemned by him. There is, as I understand, one plan made by him that he strongly urged upon Congress, which provided for an extension projecting 67 feet from the center of the building. The present plan, a model of which is in the Rotunda, projects, as I understand, a hundred and eight feet.

Now, that I may not be mistaken, I wish to place upon record what Mr. Walter stated upon the subject. I wish to say another thing, and that is that when these two wings were placed where they are now it was in mind, as I think all the circumstances indicate and show, that this projection was necessary for the completion of this great building.

The construction of the two wings was undertaken and this wing, I believe, was completed in 1859, the House wing having been first completed. But before this wing was completed finally a project was started for the tearing down and rebuilding of the Dome. So this beautiful façade, which is mentioned as having been spoken of by distinguished Senators in 1855, was a façade with a low dome, and the Dome that we now have was authorized, I believe, in 1857. It was completed in 1865 and cost $1,000,000 in round numbers. It was greatly enlarged as regards its height and also in the details of its construction. This was built under the architectural management and direction of Mr. Walter.

Now I want to read what Mr. Walter said in 1864, after the Dome was completed or about the time of its completion and long after these wings were constructed.

Mr. TELLER. I hope the Senator, when he reads what Mr. Walter said, will tell us to which of the plans that Mr. Walter had prepared he was addressing himself. I understand that the only one to which he ever gave his adherence was the 67-foot plan. Is it not the fact that that is the only plan which it can be shown he really approved?

Mr. ALLISON. Perhaps it is the only plan, but I am not quite ready to state that it is the only plan. But I know he disapproved of one plan which extended the eastern front 275 feet.

Mr. TELLER. I want to say that that plan was simply an extension, leaving the front as it is now.

Mr. ALLISON. No; the Senator is mistaken about that.

Mr. TELLER. Very nearly, if not quite, it was.

Mr. ALLISON. What I wish to avoid is the idea that anybody here, as far as I know, has approved any plan. This amendment especially rejects the idea of any approved plan by providing for three eminent architects who shall take up this question, and what I was saying respecting Mr. Walter was with regard to the importance of a projection there in order to perfect the eastern façade of this building.

Now I desire to read what Mr. Walter said in 1864:

Now that the new Dome—

Which was built after these two wings were built.

Now that the new Dome and the wings of the Capitol are approaching completion—

The figure at the top of the Dome had not then been placed—

it must be apparent to everyone—

He seemed to have some ideas then—

it must be apparent to everyone that the extension of the Senate building on the east to the line of the new wing becomes an architectural necessity. I have therefore prepared plans for thus completing the work in harmony with what has already been done, and will place them in the Capitol for future reference.

I do not suppose, nor would I recommend, that any action be taken by Congress in reference to such an improvement until the war is ended and the financial condition of the country becomes settled and prosperous; but, inasmuch as it is my purpose to retire from these works as soon as the Dome is finished, I deem it incumbent upon me to leave upon record my views as to their final completion.

I will not read other extracts from Mr. Walter upon this subject, and I only read this one to show that at the time these great improvements were made with regard to the two wings of the Capitol and the tearing down of the old Dome and its reconstruction, at a cost of a million dollars, Mr. Walter, the architect, whose work has received the approval of the generations that have followed him, stated that he desired to put on record his conviction that the Capitol would not be finished until there was an extension of the central portion of it.

Therefore, when we are dealing with this question, we are not dealing with the models; we are not dealing with any specific plan; we are dealing with eminent architects, whose duty it is made to be, and whose pleasure it will be, I have no doubt, to ransack the records of the Capitol with respect to the projected plans of Mr. Walter, and so harmonize those plans with whatever plans they may have, as to details, as to make the Capitol what Mr. Walter and everybody else in 1864 believed was necessary to secure its completion. So the Capitol now, nearly forty years after the close of the war which he said would retard its necessary improvement, stands as it stood at the close of the war, when Mr. Walter wrote the statement which he put upon record in the archives of our country.

Therefore it is that I for one, whilst I approve the construction of this addition because I believe it to be necessary, also believe, and every study I make and every moment of reflection I give to the matter adds to the strength of my judgment, that upon every account we should enter, as we propose in this amendment to enter, upon the extension of the east front of the Capitol.

Mr. TELLER. I speak more from memory than anything else, but I am morally certain that Mr. Walter never suggested such a proposition as is now proposed, by building out a couple hundred feet, or nearly that.

Mr. ALLISON. If the Senator will permit me, such a proposition is not proposed in this debate by anyone here, and we have struck from the bill the idea that this projection is approved by the Senate.

Mr. TELLER. I am not contending that the provision proposes anything of that kind; it did not as it came from the House. I said yesterday, and I said once before, there is authority to say that there might be a slight addition in order to put the building in better harmony than it is now. My discussion of the matter yesterday was upon the theory that we are to make this extension with a view to the rooms that will be furnished. Mr. Walter's idea was to put it in harmony with the new Dome, which everybody knows was slightly out of proportion.

Mr. ALLISON. And to furnish twenty-two additional rooms.

Mr. TELLER. It might produce that effect, but the demand that has been made here for twenty-five years has been not for twenty-two rooms, but for three or four times that number, an absolutely different thing from what Mr. Walter ever proposed, and from what I believe any architect will ever propose, whether three or five or whatever number may be employed.

I do not myself contend that there is anything in this provision which requires us to adopt that plan or any other. I do not know what plan the architects may propose, but they ought to know beforehand whether they are to provide a plan simply to complete, as one may say, the harmony of the building or whether they are to have a plan that will give us 100 rooms or 75 rooms or whatever the number may be. They can not do that unless they know for what purpose it is to be done. If it is to complete the Capitol, that is one thing; if it is to furnish rooms, that is another. We ought to settle that by adopting the provision to construct the additional building. Then there will be no claim for any more rooms.

Mr. HALE. Mr. President, as the Senator from Iowa has intimated that at the time of the construction of the two additional wings it was in contemplation to extend the center of the Capitol, I wish to read, without taking much time, an extract from the fundamental report which was made by the Committee on Buildings and Grounds at that time, signed by Jefferson Davis and John H. Clarke, February 17, 1851. I will read only the pertinent extracts that bear on the real question in controversy here, and that is whether we shall do anything now that commits Congress to the invasion of the symmetry and beauty of the eastern façade. The report says:

To answer the requirements of Congress without impairing the beauty, disturbing the harmony, or diminishing the effect of the noble structure our fathers erected was a problem of extreme perplexity.

Later along they are more definitive and state, dealing with this question of the two wings and the center, that—

The architectural character of the present edifice, though it does not invite, is nevertheless such as to admit of additions—

That is, the wings—

and it is believed that they may be made not only to harmonize with it, but to heighten its effect. In the plan proposed it has been studiously sought to avoid interference with the original design. The beautiful east façade will be preserved and rendered not less imposing by the stronger light and shadow given by the proposed projections.

I might talk until the darkness of evening frowned upon us and I could not so clearly express the desire recognized by the great men who had in charge the extension of the Capitol in no way to mar or disturb or deform the beautiful east façade.

Nothing at that time was intimated to the contrary; and come what will, I will not vote for any proposition which commits the Senate now to a project of extension that in the end will result in what was so studiously excluded and so eloquently deprecated when the original plans were carried out for the two wings.

I do not agree with the Senator from Iowa, who in his appeal to the Senate when he took his seat declared that the amendments as he had at last proposed them committed us to the extension of the eastern front of the Capitol. If I believed that, I would without hesitation move to strike out the whole proposition of the House and leave the matter clean as it is and the front as it stands before us.

Mr. CLAPP. May I ask the Senator from Maine a question?

Mr. HALE. Certainly.

Mr. CLAPP. I ask the Senator if it does not mean something, if it does not foreshadow some action by Congress, why leave it in the bill at all?

Mr. HALE. That is a very strong argument, undoubtedly. As the Senator from Iowa saw fit to declare when he sat down that he would expect that the work of extension should go on, it certainly will be put in our faces that he has committed himself to that proposition.

Mr. ALLISON. Mr. President, I said only what I believe, that whatever we may do here to-day or ten years from now, what Mr. Walter said in 1864 was an absolute necessity will be agreed to at some time by some Congress. I did not deal at all with the specific provision of the bill.

Mr. HALE. The Senate has voted almost unanimously for what would be a great, noble building for the convenience of Senators. It ought to have large, spacious rooms for committees and all accommodations for all Senators, not only for those who have now good committee rooms here, but those who have poor committee rooms and those who have none. There are only a few committees that have good rooms. I could not pick out more than twenty-five Senators who have committee rooms such as they ought to have in this Capitol. If I were a Senator outside of that number, I would much rather have good, ample rooms, two rooms to each Senator, in the building beyond in which to hold committee meetings.

As has been suggested, and I had the same idea in my mind, the building ought to be made large enough so that as a part of it there shall be a moderate auditorium to be used whenever great hearing are held. At every session there are hearings upon great popular questions where a committee room is entirely inadequate, and there ought to be provision in this new building for just such a room as that. But the commission can settle all that.

Mr. President, I am glad the vote has been so nearly unanimous; and having generously consented to the House proposition for their building, I hope that no rude hand will be laid by any Representative of the House of Representatives upon this project for an additional building that has received the almost unanimous approval of the Senate.

Now, with that building going on, I ask Senators to consider another thing. If you enter upon any project to change the eastern front and rebuild the Capitol there and carry it out, it is no slight matter that every one of us who frequents the Capitol in

our duty, every citizen who comes to Washington and seeks to view the great National Capitol is to be met with piles of brick and masonry and the sound of the hammer, and all the work that is going on is to be in our ears and is to visit our vision for three or four years. That we could abide if everybody was in favor of it, but it is a serious thing to shut out the Capitol from the view of the American people, as would be done for that time, and to submit ourselves to all of the inconvenience and interruption that will go on for three or four years.

Therefore, if we accept this provision, I for one accept it upon the condition that I am not in any way committed to any extension hereafter. The discussion has developed the sentiment of the Senate in favor of this eastern front. I do not believe any extension ought to be agreed to, unless it be some immaterial extension that will carry out the foundation of the Dome for a comparatively small space. But to enlarge it in any way, to fill up that middle space and destroy the beauty of the recession of the center from the sides, no matter what we do here, I will not in any way be committed to, and I shall reserve to myself for one the right to oppose any plan of that, no matter what architects recommend it, no matter what committee recommends it.

Mr. FAIRBANKS. May I ask the Senator a question?

Mr. HALE. Certainly.

Mr. FAIRBANKS. The east front has stood as it is now for upward of fifty years. What emergency is there demanding that this question of an extension should be taken up now, particularly immediately following a vote of the Senate to proceed with an expenditure involving from three to four million dollars for the construction of a building for the accommodation of Senators?

Mr. HALE. Mr. President, I am one of those who believe that there is none. I should be glad if this matter was left and nothing whatever done, except the construction of a new building for the Senate, as the House is going on with its building. I should be very glad if that could be done.

Mr. SPOONER. Will the Senator allow me to ask him a question?

Mr. HALE. Certainly.

Mr. SPOONER. I understood the Senator from Maine yesterday to say that it is the desire of the justices of the Supreme Court of the United States that that tribunal shall continue to sit in the Capitol.

Mr. HALE. No; the Senator from Iowa [Mr. ALLISON] made that statement.

Mr. SPOONER. The Senator from Iowa said so, and I think the Senator from Maine said so, as he will see if he will look at his remarks.

Mr. HALE. I asked the Senator from Iowa if the Supreme Court were finding any fault with their present quarters, which I understand they are not, if they are not interfered with by having the light shut out.

Mr. SPOONER. I understand that the justices of the Supreme Court very much prefer that the sessions of that court shall continue to be held in the Capitol. I do not think any justice of the Supreme Court has ever been quoted as having said that the members of that court regard the accommodations now offered to that tribunal as in any wise adequate. Not one of those justices has a room apart from the conference room in which they meet to confer about decisions.

Now, is it the Senator's notion that that condition should perpetually exist? Leaving out the question of committee rooms, leaving out the accommodation of Senators, let it be assumed that that will be provided for by this new building, do we not owe something to the Supreme Court of the United States in respect to giving them adequate accommodations? There is hardly a capitol, there is not a new capitol, in any State which does not give to the judges of the supreme court infinitely better accommodations than are given under the Dome of this Capitol to the highest judicial tribunal in the country. Is it the Senator's notion that there may be some slight change in the east front of the Capitol which would accommodate the Supreme Court and yet not in any way mar the façade?

Mr. HALE. I do not think we can make any projection to the east there large enough to hold the Supreme Court without marring the present plan. I do not think that can be done.

Mr. SPOONER. I am not referring to a new Supreme Court chamber. I think the justices of the Supreme Court would prefer to continue to occupy the present court room. It is a historic room, where great justices have sat, celebrated causes have been decided, and where great lawyers have won renown. I think the justices are satisfied with that room as a court room. But could not a change be made which would furnish them some additional accommodations without, in the Senator's view, impairing the beauty of the façade?

Mr. HALE. Let me say to the Senator he has introduced a new element. I am not troubled about the Supreme Court. They may not have all the room they want. They may be well content where they are. They do not want to be disturbed. They do not want to be walled up. The Chief Justice told me the other day that this plan of extension would wall them up. I will say to the Senator that comes up only indirectly. I do not think in the future the question of what shall be done with the Supreme Court, or whether they shall remain in the Capitol, is so much a question for us as that at some not remote day Congress ought to provide for the erection of a great court building on the corresponding corner to the Library to match that building in architecture, not match it in expense in the interior, which shall contain not only the Supreme Court, with rooms for all its judges and its reporters, but shall contain all the courts of the District of Columbia, except, of course, the municipal courts, which should be downtown, and the frequenters of which should not be let loose upon a building here.

It ought to contain rooms for all forms of arbitration, for all hearings of joint commissions appointed by this Government and other governments, and it should be a complete temple of justice. No Supreme Court judge ought to insist, when we furnish such accommodation as that so near here, that they should be kept here in a legislative building. The courts have grown in their extent and ramifications as Congress has done. Their business has increased greatly. There are several great tribunals here in Washington that are now put around in different rented buildings that ought to be placed in the great building which some day we will erect there.

But, Mr. President, that question is not involved here. The great question that is involved here now is whether we shall commit ourselves to anything that hereafter it will be urged we have done, and that Congress has embarked in the scheme of extending the east front of the Capitol and marring or destroying or changing the present feature. That is the great question.

Mr. BACON obtained the floor.

Mr. ALLISON. Mr. President——

Mr. BACON. I yield to the Senator from Iowa.

Mr. ALLISON. If the Senator will yield, I wish to say one word in regard to the report of Mr. Jefferson Davis and Mr. Clarke, made in 1851, read by the Senator from Maine. That report was made before either wing of the Capitol was completed. I doubt whether it was then even in the model form we now have here; it was on paper. I am not surprised that they spoke of the beauty and symmetry of the building created by our forefathers and theirs. But it must also be remembered that the two wings were not completed until 1859, and that in 1857 that Capitol, so distinguished for beauty and symmetry, was torn to pieces and a new Dome was constructed, which cost a million dollars. It must also be remembered that when that new Dome was constructed the most distinguished architect of our country at this or any other period of its history stated that it was a necessity to build a new façade on the east front.

Mr. BACON. Mr. President, I am very sorry indeed that the distinguished Senator from Iowa favors this present appropriation, whatever may be thought to be desirable in the future. I would very much prefer, as we have entered upon the construction, or, rather, adopted an amendment looking to the construction of a Senate building, that we at least get under way as to that, and I can see no reason for haste in the matter of the Capitol extension. It may be found that this proposal for the extension of the east front will not be pressed in the future. If so, it would seem unfortunate that $75,000 should be expended for that which will, in such case, result in nothing of a practical character.

Ordinarily I am more than content to follow the lead of the distinguished Senator from Iowa as to any matter relating to the appropriation of money, and whenever I am in doubt I feel very safe if I vote on the same side with himself on such matters. It is therefore with very much hesitation that I make a suggestion as to anything in a matter where he has such a pronounced opinion.

For myself, Mr. President, I am like the Senator from Maine [Mr. HALE] in my unalterable opposition to the extension of the east front. I am opposed to it on two grounds. One of them has been discussed here at length. I have already suggested the view which I have upon it. As it stands it is now recognized as one of the beautiful façades in all the world. I am opposed to any experimentation with it.

But without pursuing that reason, which has been so fully discussed, there is another thought which I have not heard suggested or commented upon here. With individuals asocittion, in the sentiment thus engendered, amounts to a great deal in their personal lives and relations; but in the case of a nation patriotic associations are not mere matters of sentiment. They are matters of great value in the inspiration which they give to the people, and in the pride and the patriotism which they incite and which they strengthen.

Sir, is there a Senator present, is there a citizen of the United States, who can for a moment ignore the value of the associations

which will ever belong to the east front of this Capitol? Should such associations be destroyed except in the presence of some overpowering and controlling necessity? What is the value of the mere matter of a little extra room when weighed in the balance with the associations connected with that classical and beautiful front? For more than three-quarters of a century—I do not recall the exact date since its renovation after the war of 1812—but certainly for more than three-quarters of a century that east front has been connected with great historic occasions. How many Presidents have stood there and taken upon themselves the great oath before they assumed the duties and functions of the great office?

Mr. President, if it could be demonstrated—which I do not think it ever could be to my satisfaction—that the east front could, from an architectural standpoint, be improved, as a citizen of the United States and as a Senator, standing here charged with guarding the institutions of this country and with the preservation of the great traditions and the historic memories of this country, I would never consent that all those associations should be destroyed merely for some slight convenience or imagined architectural advantage, if such advantage could be demonstrated as the result.

Mr. President, from my boyhood I have, as a visitor, been familiar with the White House, and I can recall when as a boy I entered the portals of that building with all its historic associations pressing upon me as I stood there, awe-stricken with the recollections as I had read of what had occurred there and of those great men who had served the Government there. As I grew from boyhood to manhood the feeling of veneration that I had for that building was intensified. It was not lessened when, after coming here in an official capacity, I became more familiar with that building; but I confess that I never now enter those portals without a feeling of sadness because those associations are all destroyed and gone. I would not know, if I were blindfolded and carried inside the White House and the bandage then removed from my eyes, that I was inside the historic building. Every association connected with it has been destroyed by the changes which have been made. It may be that it has been improved, and I am not prepared to say that it has not been, but what are those improvements to be compared in value to the associations which clustered around that edifice, sacred to every lover of his country?

Mr. President, are we to have a repetition of that here? Are all the associations of more than three-quarters of a century to be destroyed ruthlessly, either to give additional room or to enter upon an experiment of increased architectural beauty? No one can be more considerate than I am of the requirements and needs and comforts of the Supreme Court judges. I desire that they shall have a building which shall be ample and commodious, and suitable in its proportions to the dignity of their office, and commensurate with their office; and it is perfectly competent to give them that in another building.

I sympathize with the sentiment of the Supreme Court which makes them desire to remain, so far as their court room is concerned, in this building; and I shall be always glad to see them remain in their present room, because of its associations, in order that, while it has been devoted to other uses than it was in the days when the great Senators made it vocal with their eloquence, it may still be devoted to the high purposes of the highest court, not only in this country, but, as we fondly think, of the whole world. But it is entirely consistent with their remaining in that historic chamber as a court room that they should have another building, ample in all respects in the way of offices, to the needs of themselves and of the officers and employees of the court.

Mr. President, I say this—and I confess that I have a great deal of feeling upon the subject—because, while it may be true, as the Senator from Maine [Mr. HALE] says, that the adoption of this particular clause as proposed to be amended may not commit us to the construction of the proposed extension of the east front, it is a step in that direction. While I never propose to go in that direction any further than I am compelled, I do not desire that anything shall be done now which shall encourage others to do so.

For myself, I will not undertake to ask the Senate to eliminate this feature from this bill, but I should be more than delighted to see it done to-day; and if we can not go to the extent of eliminating it entirely, if we must consider the action of the other House at least in some degree, let us limit it to the extent of an appointment of this commission to examine and make a report, and eliminate from it this feature which proposes that plans and estimates shall be made at a cost of $75,000, which, aside from the influence which it may exert and which I deprecate, may be money entirely and uselessly thrown away.

Mr. PLATT of Connecticut. Mr. President, I think that Senators who are opposed to any interference with the east front of the Capitol, to any change of it, or to any extension of it, ought to think twice before they vote for this paragraph as amended in the Senate. I understand amendments have been made.

I stated yesterday, without much thought on the subject, that it seemed to me that the enactment of this legislation would commit the Senate to some extension, to some alteration, of the east front of the Capitol, and it was suggested by other Senators about me that it would not at all. But I can not look at it in any other way. If the amendments proposed by the Senate should be agreed to by the other House; if they should take the Senate amendments, what should we then have? We should have a provision in a law which would appropriate—

Toward the extension and completion of the Capitol building, in accordance with the original plans therefor by the late Thomas U. Walter, with such modifications as may be found necessary or advantageous—

That would be law agreed to by both Houses. Who will say that that would not in all honor bind the Senate? The Senators who do not think it ought to be done, think that they would find some way out of such a law having been passed by being able not to accept any plan that should be brought here; but that is a disingenuous way, I submit, of trying to oppose such a proposition. If Senators are opposed to the extension of the east front of the Capitol, it seems to me that they ought to vote to strike all this matter from the bill. Certainly Senators do not intend to vote for this provision with the reservation in their minds that they will not vote for any plan that can be brought in here, and that as the Senate will not agree to any plan that the commission can present to the Senate, therefore there will be no extension of the east front of the Capitol.

To my mind, the appointment of a commission to get plans—and such a commission as this is to secure plans, to be presented to Congress, for the extension of the east front of the Capitol—does certainly in honor commit Congress to the building of such an extension. The language of the provision is very strong. I know that it has been amended somewhat, so I may not perhaps read it just as it will leave the Senate, but I have already spoken of the fact that we are making an appropriation, not to get plans, but—

Toward the extension and completion of the Capitol building, in accordance with the original plans therefor by the late Thomas U. Walter, with such modifications as may be found necessary or advantageous.

That is what we make this appropriation for in language; and then we have this provision:

Provided, That said commission shall report to Congress such designs, working plans, details, and specifications as it shall recommend, which shall be approved by Congress before any further action is taken toward the construction of said extension.

But it is contemplated that this commission, composed of these distinguished gentlemen, are going to act in good faith, that they are not going to try to get plans which will not be accepted, but they are going to try to get plans that will be accepted; and when that commission agrees upon a plan the chances are very great that that plan will be accepted by Congress. Then this provision is made:

And the superintendent of the Capitol building and grounds, subject to the approval of Congress as aforesaid, under the direction and supervision of said commission, is authorized to make contracts for said construction after proper advertisements and the reception of bids within a total sum not exceeding $2,500,000.

Mr. President, with that legislation passed, how can Senators stand up in the Senate and say, "We are not in favor of the extension of the east front of the Capitol; we never were in favor of it, and when we agreed to this legislation we did so for the purpose of defeating it." No Senator can take that position. He must say that he agreed to this legislation for the purpose of having this thing done, provided only the commission should get plans which were satisfactory to the majority of the House of Representatives and the Senate.

I am not going to vote, Mr. President, for any of this legislation, if I can help myself, because I do not wish now to be committed to the extension of the east front of the Capitol.

Mr. FAIRBANKS. Mr. President, have the committee amendments been agreed to?

The PRESIDENT pro tempore. They have not been. The Chair, if there be no objection, will treat all the amendments to this one clause relating to the extension of the Capitol as one amendment. The question is, Will the Senate agree to the amendment?

The amendment was agreed to.

Mr. BACON. Those I understand to be, Mr. President, the amendments to the amendment.

Mr. PLATT of Connecticut. And to the text.

Mr. BACON. The amendments to the amendment as proposed by the committee. The committee proposed amendments, and the chairman of the committee has proposed amendments to those amendments.

Mr. PLATT of Connecticut. And to the text.

The PRESIDENT pro tempore. The amendments offered by the chairman of the committee were agreed to as they were offered, and the Chair stated that there were several other amendments that were contained in the bill which were treated, without objection, as one amendment, because they had one purpose.

Mr. FAIRBANKS. Mr. President——

Mr. BACON. If the Senator will pardon me before he begins, I simply desire that the clause as it has thus been amended be read.

The PRESIDENT pro tempore. The Secretary will read the amendment as amended.

The Secretary read as follows:

Toward the extension and completion of the Capitol building in accordance with the original plans therefor by the late Thomas U. Walter, with such modifications as may be found necessary or advantageous, and for each and every purpose connected therewith, $75,000; and the said construction shall be made under the direction of a joint commission composed of three Senators, namely, Hon. GEORGE P. WETMORE, of Rhode Island; Hon. RUSSELL A. ALGER, of Michigan, and Hon. ARTHUR P. GORMAN, of Maryland, and three Members of the House of Representatives of the Fifty-eighth Congress, namely, Hon. JOSEPH G. CANNON, of Illinois; Hon. WILLIAM P. HEPBURN, of Iowa, and Hon. JAMES D. RICHARDSON, of Tennessee; and said commission shall employ three eminent architects jointly to prepare designs, working plans, details, and specifications, and to supervise the work, under the direction of the said commission and with its approval: *Provided*, That said commission shall report to Congress such designs, working plans, details, and specifications as it shall recommend, which shall be approved by Congress before any further action is taken toward the construction of said extension; and the superintendent of the Capitol building and grounds, subject to the approval of Congress as aforesaid, under the direction and supervision of said commission, whenever it shall be authorized by Congress, shall conduct the making of all contracts for said construction after proper advertisements and the reception of bids, and said superintendent, subject to the direction and approval of said commission, shall employ such services in connection with said work as may be necessary. Any vacancy occurring by resignation or otherwise in the membership of the commission shall be filled by the presiding officer of the Senate or House, according as the vacancy occurs in the Senate or House representation on said commission.

The PRESIDENT pro tempore. The Chair has declared the amendments agreed to.

Mr. FAIRBANKS. Mr. President, I move to strike out the matter just read.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Indiana.

Mr. ALLISON. On that motion I ask the yeas and nays.

The yeas and nays were ordered.

Mr. DANIEL. If I were to vote now, Mr. President, upon the question as to whether or not we should provide for the extension of the east front of the Capitol according to Mr. Walter's plans, I would vote "no." I would cast that vote because I am not at all satisfied that it would be a wise thing to do from an architectural standpoint. At the same time, Mr. President, I do not feel unwilling to have that question considered by the most competent architects that can be consulted.

It seems to have been the ideal of Mr. Walter's plan that the actuality of the Capitol should conform to the design which has descended from him. I say "seems," because there is some dispute on that point. I do not myself feel satisfied as to my own judgment upon the subject, because I am not expert and my mind has not been trained to the contemplation of such subjects.

With respect to the building for the Senate, I concur in all the remarks which were made on yesterday by the Senator from Iowa [Mr. ALLISON]. Very little could be said that was not covered by his reasoning in favor of that structure. It is a minor observation, and yet it is one that need not be overlooked in considering this matter, that to construct a building similar to the Library on the east wing of the Capitol would conform this plateau to a systematic scheme and would produce that harmony in the perspective which is to be desired in so permanent a matter as the Capitol of the United States and its grounds.

There are stronger reasons, however, to be drawn in defense of that proposed Senate building from the present and certainly from the future necessities of the Government of the United States. I do not think the people of this country have at any time been in any mood to criticise or object to any reasonable expenditure which was aimed at and confined to the purposes of good government.

It is essential to the purposes of good government that those who make the laws of this mighty and ever-increasing nation should have every appliance and tool necessary to enlighten their judgment and to facilitate their work.

There is no branch of the Government which more needs all the facilities of workmanship than the Senate of the United States. More of the work of this Government is concentrated in the responsibility of one man in the Senate of the United States than in any other department of the Government. This arises from two circumstances respecting the structure of the Senate. First, that it is legislative, that it is executive, and that it is also judicial in the functions attributed to it by the Constitution of the United States. The second feature from which this condition arises is the fact that the Senate is composed of a very small number of men, two from each State, of whatever population, each representing very large and always increasing constituencies.

When a Congressional district enlarges its population, it and adjoining territory may be readjusted and supplemented by additional districts, which are entitled to additional Representatives; but whether the population which is behind two Senators of the United States be a few hundred thousand or five million men the number of representatives in the Senate is not increased, although much greater work is accumulated upon the person who is designated under the Constitution to perform it. As matters stand today, the average number of people represented by a Senator is nearly a million. In the State of New York it is two and one-half millions. There are already some Senators in this body who, out of the very necessity of their accumulated work, have to employ two or three and sometimes four clerks to give due answer and attention to their constituents and to the multifarious matters with which they must deal.

Matters which arise here, Mr. President, and in the daily transaction of the business of the United States are but in a slight measure matters that can be postponed. The great majority of them must be dealt with instantly; and in order that they may be dealt with efficiently the individual who has the responsibility of dealing with them should have every facility of room and help at hand to make his work efficient for the purposes of good government.

This Capitol is congested and crowded. There are many Senators occupying committee rooms and office rooms in this Capitol who, were they in personal control of the matter, would not occupy such rooms a single day. I do not state it as a matter of complaint, for every attention that is becoming has been shown me personally, and the best has been done that conditions permit; but in the room of the Capitol which I was forced to occupy year after year one was obliged to leave early in the afternoon lest pneumonia should be incurred by its dampness.

This Senate is not equipped as it ought to be equipped for the thorough and speedy transaction of its business, and I do not believe that a dollar of the public money of the people of the United States could be more wisely, more justly or more economically expended than in furnishing every Senator in this body with ample room, and with every convenience for the easy and efficient transaction of the multifarious business which is intrusted to his hands.

So, Mr. President, I have no apprehension whatsoever as to the judgment of the people about the structure for the Senate of a building, magnificent, if you please to call it so, which is proposed to be supplied by act of Congress.

Mr. President, as to this present question, the extension and projection of the east front of the Capitol, I think there is ample room for doubt and for hesitation; and I think the honorable Senator from Iowa [Mr. ALLISON] has shown his accustomed wisdom in not forcing that question to an acute issue at an unripe time.

I would wish that this proposition as it now stands might be a little more amended before the question to strike out is put before the Senate. I do not think that any term ought to be left in that provision which could be justly construed to commit the Senate to one proposition or another about it.

The first word, as was pointed out by the Senator from Connecticut [Mr. PLATT], in this appropriation seems to commit us; and if we adopt the provision as it stands, it is inevitable that it will be argued and contended that Congress has committed itself to the extension of the Capitol according to this plan. This had attracted my attention before the Senator from Connecticut made the point, and I have to suggest a slight amendment which will remove this objection.

Toward the extension and completion of the Capitol building—

"Toward." The appropriation is made to include "each and every purpose connected therewith," as if it were a present payment to be simply credited upon the great scheme and each and every portion of that great scheme; as if, indeed, the framer of this proposition had himself designed, not, indeed, by emphatic and close-cutting terms, to commit the Congress, but to speak as if it were committed, and to furnish argument for the doctrine that it was committed.

It is not as clear-cut and decisive in its terms as a matter of such importance should be. So if the motion to strike out shall be voted down, and I shall vote "nay" on that proposition, I would hope, with the concurrence of the Senator from Iowa, who has conformed his views to the prevailing view of the Senate, that it might still be amended so as to make our present intent undebatable. The Senate should not now commit itself to any proposition concerning the extension of the Capitol, save to have plans prepared and submitted and architects consulted whose views might hereafter be considered.

Mr. HALE. The Senator can move his amendment now before the vote is taken on the motion to strike out.

Mr. DANIEL. I will move to strike out the word "toward," in line 9, page 83, and insert instead of it the words "with a view to considering." If there is no objection, I ask that a vote be taken on the amendment to the amendment.

The PRESIDENT pro tempore. The Senator from Virginia offers an amendment, which will be stated.

The SECRETARY. In line 9, page 83, it is proposed to strike out the word "toward" and to insert "with a view to considering;" so as to read:

With a view to considering the extension and completion of the Capitol building, etc.

The amendment to the amendment was agreed to.

Mr. DANIEL. Mr. President——

Mr. ALLISON. I hope the Senator will be content with that. This sentence now begins "With a view to considering the extension." I hope the Senator——

Mr. DANIEL. I wish simply to make a remark.

Mr. ALLISON. I thought the Senator proposed to offer a further amendment.

Mr. DANIEL. Mr. President, I shall content myself on this subject to accept the suggestion of the Senator from Iowa. That will end the debate as to whether or not there is here any intent or purpose of committing Congress to this idea.

There is one other subject, apparently foreign to this immediate question, but not disassociated from it with respect to the Capitol and the Senate and adjacent grounds, upon which I wish to say a few words before I sit down.

The Capitol plateau ought to present a harmonious picture to the mind.

As the place of gathering of the Congress of the United States and the Supreme Court of the United States, this bit of land on this plateau is one of the seats of the mighty. The people of the United States are proud of the associations of the Capitol, and the whole plateau ought to be made to conform to it in general picturesque aspect.

Mr. President, one great building has been put in front of the south wing of the Capitol, opposite the Hall of the House of Representatives; and it is inevitable that some day another building will be constructed on the Senate east front of the Capitol as a companion piece to the one now constructed facing the House front of the Capitol. It has been suggested, and I have heard Senator after Senator intimate his favor thereof, that there should be constructed, facing the Senate of the United States, a building for the Supreme Court. It does not strike my mind that that is a fitting thing to do.

From the foundation of the Capitol of the United States the Supreme Court has had its seat under the Dome, and it is certainly a just idealism to behold the Supreme Court of the United States sitting as it were between the two Houses of Congress in the Capitol of the United States. If that court were put in a great building opposite to the Senate front of the Capitol, they would be lost in that great building; and if you were to put around them a great many other tribunals or halls or arrangements for other things, you would belittle the ideal of the Supreme Court of the United States. There never will come a day in the history of this country when the Supreme Court, with all of its paraphernalia and appendages of whatever kind, will fill a building similar to the Library building of the United States, placed on the east front of the Senate wing of the Capitol.

But, Mr. President, some public building will go there, and I shall ask to have incorporated in my remarks, for I do not wish to delay the Senate, a letter which I hold in my hand from the Commissioner of Patents, addressed to the Secretary of the Interior, respecting the construction of a Patent Office and a Hall of Sciences of the United States.

It has seemed to me that such a building ought to be the companion of the Library building, and that as the theory of all arts and sciences embodied in literature is in the building opposite to the House, so such an exhibit as the United States shall make of the applied arts and sciences exhibited in its inventions should be put in a building on the other side of this plateau.

The people of the United States are the most inventive people on the earth, and the philosophical reason of their great inventiveness may be largely, if not altogether, attributed to the freedom of their institutions. The freest people on earth, and the people who have shown themselves to be the greatest architects of the implements and plans and securities of freedom, have carried their inventiveness into every art and science and have led all the nations, either ancient or modern.

This inventiveness, too, Mr. President, is one of the deepest and strongest of the roots of our prosperity.

The efficient machinery of the American people is one of the great causes of their prosperity, and while laboring men who find their vocations disturbed now and then by the intrusion of labor-saving implements which momentarily disrupt occupations are sometimes arrayed against inventive appliances, invention has been and will ever continue to be the greatest friend of labor that is to be found in the evolutions of civilization. It has put better clothing upon their bodies. It has supplied better food for their table. It has enlarged their mental scope, and it has made the laboring man of the United States the rival in power of any man pursuing any other vocation whatsoever, for as soon as he goes to labor the sciences which assist labor are opened to his mind, and he commences to climb a ladder firmly based upon the earth, rising round by round and in endless continuity farther and farther toward the heavens.

It is a noticeable fact, and I think the Congress of the United States has too long neglected it, that the Patent Office of the United States is one branch of our Government which sustains itself. Nay, more than sustains itself. It pours a surplus annually into the Treasury of the United States, showing the fecundity of our inventive element in the United States. For several sessions of Congress I have had the honor to send each session to the Committee on Public Buildings and Grounds a bill for the purpose of condemning the plateau of ground opposite the eastern face of the Senate and for the purpose of erecting there a Patent Office and Hall of Sciences of the United States. It would prove, in my judgment, the greatest college for the instruction of the practical inventive mind that the world has ever seen.

It is a fact respecting the history of invention that whenever one man is searching for and is about to find some truth of science that has not yet been quite discovered, there are dozens and scores of other men of equal mental development who are pursuing that idea in different channels, and it may be in distant places. A certain invention seems to belong to a certain period in the maturity and development of the average human intellect. At a certain stage in that development a new discovery will be made, and when a new star is discovered in the firmament it may be that a thousand telescopes in places unknown here and there are scanning the heavens and searching for it.

Mr. President, nothing so aids this kind of investigation and this kind of research and this kind of pursuit of an idea not yet quite found as to be able to behold in a single picture before the mind the various stages of evolution and of development which have led up to the last point of discovery. To put it upon a piece of paper does not fulfill the idea, but to see the mechanism and to behold the operation in actual practical working models is the best stimulant to the human mind which wants to take the next step that it is possible for the art and wisdom of man to supply.

For this reason, Mr. President, the great nations of the earth have halls, and we had a great hall in which to display the models of inventions which were patented; and there was no place more often visited and none that attracted more interest than the model room of the Patent Office in Washington. But what is our condition now? The model room of the Patent Office is no longer representative of our work and progress in invention. It has been deliberately neglected by the failure of the Congress to provide the proper means for its extension. We no longer display the models of our ever-increasing inventions. We have no hall in which the finest fruits of the American mind in practical arts can be beheld by our countrymen. But in old garrets and cellars and in junk shops of the United States we are hiding the greatest achievements of the human mind for the empire which invention and practical wisdom will alone give to our country and to our race.

Year after year, Mr. President, with all kinds of iterations and reiterations, the Commissioner of Patents and the Secretary of the Interior have appealed to the Congress of the United States to provide accommodations for that Office. We have acted about it as we have acted about accommodations for other Departments of our Government and as we have sometimes acted with regard to accommodations for ourselves. It is a curious feature of our history, and one I do not know that anyone can fully account for, that, possessing a half continent, with illimitable lands, with "money to burn," as I heard one of our great statesmen say a few weeks ago, though I have never quite been able to rise to so high a view of our financial condition, we have cribbed, cabined, and confined nearly every working agency of the Government of the United States. The War Department, like something that has been strayed or stolen, is wandering down two or three streets in the neighborhood of the War Office.

The Navy Department is struggling about trying to get accommodations in one rented building or another. So with the Interior Department, and so with nearly every great Department of this Government. The new Department of Commerce and Labor is yet without a home. And yet with the land around us rising day after day higher and higher in value, and with a surplus in the Treasury of the United States which is tempting every manner of spoliation, the Congress of the United States hesitates and delays and postpones and postpones. Whenever a proposition comes up to make due, proper, dignified, and necessary accommodations for the Government of the United States we fall into the old Spanish vernacular and say, "to-morrow," "to-morrow."

Mr. President, as the chairman of the Committee on Public Buildings and Grounds feels and is kind enough to express by his countenance approbation of many of the sentiments I have uttered, I hope when the necessary things to be done for the immediate accommodation of our executive and legislative departments have been provided for, he will put forward this neglected

bill for the construction—opposite to the Senate face of the Capitol—of a hall for the Patent Office of the United States, which has made its own living, which is to-day granting 30,000 patents a year, five times as many as the German Empire, and that we shall round off this plateau with the greatest college of applied sciences that the world has ever known.

New England, Mr. President, contains the most inventive portion of our population. The great State of Connecticut contains the most inventive people the world has ever known. I hope that her sons, who have led advanced lines all over the world for education and for science, will not be lacking in giving assistance to a proposition which in my humble judgment has more of practical benefit in it to the great masses of the people of the United States than any other which we have commemorated in Washington by any public monument or building whatsoever.

Mr. President, I ask that the letter to which I have referred may be printed in the RECORD to accompany my remarks.

The PRESIDENT pro tempore. The letter will be printed in the RECORD, to accompany the remarks of the Senator from Virginia.

The letter referred to is as follows:

DEPARTMENT OF THE INTERIOR,
UNITED STATES PATENT OFFICE,
Washington, D. C., December 14, 1903.

The SECRETARY OF THE INTERIOR.

SIR: I have received by your reference of the 12th instant copy of a bill to provide for the construction of the Patent Office of the United States, including a hall of inventions, and for other purposes (S. 1896), with request for a report thereupon.

The bill in question provides for the erection of a fireproof building for the accommodation of the Patent Office and a hall of inventions east of the Capitol, between East Capitol street and B street north, and between First and Second streets, for the acquisition of the site, and for the preparation of designs for such building, and for the appointment of a commission, to be known as "Commissioners of the Patent Office," to take charge of these matters.

I have the honor to report that in my opinion there is great necessity for an expansion of the present Patent Office of the United States. The business of this Office is growing rapidly, and for the year 1903 the issue of patents will exceed 31,000, the largest in the history of the Office, and the number of applications of all kinds upon which this issue has been made has been about 60,000. The following table, comparing certain elements of the work of this Office for the years 1899 and 1903, will indicate the rapid growth of our work:

Class.	1899.	1903.	Increase.	Per-centage of in-crease.
Receipts	$1,209,554.88	$1,591,251.04	$391,691.16	32.4
Expenditures	$1,148,663.48	$1,423,094.40	$274,430.92	23.9
Applications and caveats filed	41,930	56,023	14,093	33.6
Letters patent, design and re-issue patents granted; and trade-marks, labels, and prints registered	25,404	33,229	7,825	30.8
Printed copies of patents furnished	1,363,971	1,914,249	550,278	40.3
Price received	$49,681.37	$64,907.01	$15,225.64	30.6
Words written in copies of records furnished	13,899,700	18,589,700	4,690,000	33.7
Number of employees	668	722	54	8.0

In the natural growth of this system it is to be expected that each successive year will surpass in volume of work the previous records, even if the system receives no further encouragement than it has in the past; but this patent system is an index, as it is an aid in the industrial development of the United States. If anybody in this country doubts this statement, it does not appear to be doubted by such careful observers as the German Government, who have adopted the examination system, following our example, and who view the protection of inventions as having contributed so largely to the advancement of the arts in this country and to be so valuable in the matter of their own commercial rivalry with us that they are planning an enormous increase in their office.

In fact, last summer, when I was in Berlin, I was shown, at the German imperial patent office, the plans for their new buildings, for which they have already acquired the site, and which are intended to house 2,000 employees. At the present time Germany issues about 6,000 patents a year, against our issue of 31,000 for this year. I had the pleasure of visiting also last summer, in Paris, the Conservatoire des Arts et Métiers—an adjunct of the French patent office—and was exceedingly impressed by the extent and beauty of the collection of working models there brought together, illustrating the growth of many arts. Such a collection is of great educational value, and if this Government could have a hall of inventions, including such a set of models, or in many cases working machines, I believe the educational results would justify any reasonable expense.

The object of the patent system is something more than merely to furnish protection to the individual inventor in his invention. It is broadly to aid the arts by disclosing to others new inventions, and the education of the workers in a particular art is the final desirable result of any patent system. For this reason the opportunities to study the arts by using our scientific library, by rapid examination of records of issued patents, and by examination of illustrative models or working machines is of the greatest consequence.

Now, even without looking into the future and without adequate means for the education above referred to, the United States Patent Office to-day is crowded to an extent which greatly interferes with the transaction of its work. The space at present given to its operations is insufficient, and I have had occasion heretofore to call attention to the fact that an extension of space would result in economies in the transaction of our work.

The service of the Patent Office at the present time absolutely requires attention to this matter of extension of space for the purposes of its present business. Without attention to this matter it is difficult to see how the growing business of this office can be transacted at all in a few years of such progress as the office has experienced recently.

The American patent system has been considered by the commercial rivals of this country as having contributed greatly to its rapid progress, and when we see such a rival as Germany, who have taken their inspiration in this matter from us, expanding this system at a rate so rapid that at the present time their list of employees nearly equals ours it is time for friends of the patent system to consider whether we should be willing to see the best expression of this system of protection to inventors in their inventions in the hands of our great commercial rival. It seems to me that it will be a public calamity if our patent system can not be permitted to expand by generous appropriations for this purpose, so that it may retain its present preeminent position among these organs of the governments of the world.

It may be noted that the balance in the Treasury of the United States on account of the patent fund a year ago amounted to $5,488,984.61. This sum of money could be well used for the purposes of this office, and I am of the opinion that it should be used absolutely for such purposes, and without delay. It seems to me that such an expenditure might be considered as insignificant in proportion to the benefits which might be conferred upon the useful arts of this country by its wise expenditure in furtherance of this system. As soon as we look away from the monopoly granted to the individual and consider the records of this office, where nearly 800,000 inventions have been so recorded that they may be studied, the educational value of this work becomes apparent.

I am heartily in sympathy with the purposes of this bill, and hope that it may become a law.

The papers received by your reference are returned herewith.

Very respectfully, yours,

F. I. ALLEN, *Commissioner.*

The PRESIDENT pro tempore. The Secretary will call the roll on the question of agreeing to the motion to strike out.

The Secretary proceeded to call the roll.

Mr. LODGE (when his name was called). I again announce that I have a general pair with the Senator from Georgia [Mr. CLAY]. I transfer my pair to the Senator from Ohio [Mr. DICK], and will vote. I vote "yea."

Mr. MCENERY (when his name was called). I am paired with the junior Senator from New York [Mr. DEPEW]. If he were present, I should vote "nay."

Mr. MCLAURIN (when his name was called). I have a general pair with the senior Senator from Washington [Mr. FOSTER]. I do not see him in the Chamber, and therefore withhold my vote.

Mr. MITCHELL (when his name was called). I have a general pair with the senior Senator from Idaho [Mr. DUBOIS]. The Senator from Maryland [Mr. MCCOMAS] is paired with the Senator from Kentucky [Mr. BLACKBURN]. I transfer my pair to the Senator from Maryland, and will vote. I vote "yea."

The roll call was concluded.

Mr. BLACKBURN. I have a general pair with the senior Senator from Maryland [Mr. MCCOMAS], who is absent. I do not know how he would vote if he were here. I transfer that pair to the senior Senator from Arkansas [Mr. BERRY], and I will vote "yea."

Mr. MALLORY. I am paired with the senior Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "nay."

The result was announced—yeas 28, nays 32, as follows:

YEAS—28.

Bacon,	Fairbanks,	Kittredge,	Overman,
Bailey,	Foster, Wash.	Lodge,	Platt, Conn.
Ball,	Hale,	McCumber,	Platt, N. Y.
Bard,	Hansbrough,	McLaurin,	Quarles.
Blackburn,	Heyburn,	Millard,	Simmons,
Burrows,	Hopkins,	Mitchell,	Stewart,
Clapp,	Kean,	Money,	Teller.

NAYS—32.

Alger,	Cullom,	Gamble,	Penrose,
Allee,	Daniel,	Gorman,	Perkins,
Allison,	Dolliver,	Long,	Pettus,
Ankeny,	Dryden,	McCreary,	Scott.
Bate,	Dubois,	Martin,	Spooner,
Clark, Wyo.	Elkins,	Morgan,	Stone.
Clarke, Ark.	Fulton,	Nelson,	Warren,
Cockrell,	Gallinger,	Newlands,	Wetmore.

NOT VOTING—30.

Aldrich,	Culberson,	Gibson,	Patterson,
Berry,	Depew,	Hawley,	Proctor,
Beveridge,	Dick,	Hoar,	Quay,
Burnham,	Dietrich,	Kearns,	Smoot,
Burton,	Dillingham,	Latimer,	Taliaferro,
Carmack,	Foraker,	McComas,	Tillman.
Clark, Mont.	Foster, La.	McEnery,	
Clay,	Frye,	Mallory,	

So Mr. FAIRBANKS's motion to strike out the clause was not agreed to.

Mr. NEWLANDS. I offer an amendment to come in on page 84, line 23.

The PRESIDENT pro tempore. That amendment will not be in order until the bill is in the Senate.

Mr. ALLISON. I have a few amendments that I desire to offer.

The PRESIDENT pro tempore. When the bill is in the Senate it will be still open to amendment, and then the amendment proposed by the Senator from Nevada will be in order; but it is not in order as in Committee of the Whole.

Mr. ALLISON. On page 83, line 4, after the word "building," I desire to offer an amendment.

The PRESIDENT pro tempore. The Senator will be obliged

to offer that amendment in the Senate. The whole amendment there has been agreed to.

Mr. ALLISON. It can not be added to?

The PRESIDENT pro tempore. It can not be amended as in Committee of the Whole, but it can be amended when the bill is in the Senate.

Mr. ALLISON. Very well. Then I hope the bill will be reported to the Senate, because I have two or three similar amendments to offer.

Mr. STEWART. Before that is done, I should like to offer an amendment, and I ask the attention of the Senator having charge of the bill. I presume there will be no objection to the amendment.

The PRESIDENT pro tempore. The Senator from Nevada offers an amendment, which will be read.

The SECRETARY. On page 104, after line 8, insert:

To enable Providence Hospital to obtain the amount of money necessary to pay the indebtedness incurred in the construction, reconstruction, and completion of the buildings used for hospital purposes on square 704, in the city of Washington, D. C., the directors of said hospital are hereby authorized to raise by mortgage or other incumbrance on the real estate and improvements on said square a sum not to exceed $150,000, which said sum shall be in addition to the $200,000 which was authorized to be raised by the directors of the Providence Hospital by act approved February 6, 1901, and said sums heretofore and hereby authorized shall be a first lien on said real estate and improvements.

Mr. ALLISON. To the general purpose of that amendment I see no objection; but I do not know why the last clause is inserted. I do not know why the mortgage proposed would not be a lien without inserting those words in the amendment.

Mr. STEWART. The parties who were to make the loan were consulted. I inquired for the reason of it, and they said that this language should be added.

Mr. ALLISON. I have no objection to the amendment.

The amendment was agreed to.

Mr. FAIRBANKS. I offer an amendment to come in after line 6 on page 19.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 19, after line 6, insert:

Building for Bureau of American Republics: For the share of the United States toward the erection of a building to be used as permanent quarters in the city of Washington, D. C., for the International Bureau of American Republics and the Columbus Memorial Library, $71,000.

Mr. ALLISON. "And that it shall be available when the whole sum is properly deposited with the Secretary of State."

Mr. FAIRBANKS. Very well.

The PRESIDENT pro tempore. The amendment offered by the Senator from Indiana will be modified——

Mr. ALLISON. By adding "when the whole sum of $125,000," which is the aggregate of the appropriation, "shall have been deposited with the Secretary of State."

The PRESIDENT pro tempore. The amendment as modified will be read.

The SECRETARY. On page 19, after line 6, insert:

Building for Bureau of American Republics: For the share of the United States toward the erection of a building to be used as permanent quarters in the city of Washington, D. C., for the International Bureau of American Republics and the Columbus Memorial Library, $71,000, to become available when the whole sum of $125,000 shall have been deposited with the Secretary of State.

The amendment was agreed to.

Mr. FAIRBANKS. I should like to have inserted at this point in the RECORD the message from the President and the accompanying report of the Secretary of State, showing the necessity of the appropriation.

The PRESIDENT pro tempore. It will be done.

The message and report referred to are as follows:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State looking to the payment of this Government's quota of a fund to be contributed by the governments forming the International Union of American Republics for the erection of a building in the city of Washington for the use of the Bureau of the American Republics.

I approve the recommendations made by the Secretary of State and strongly recommend the matter to the favorable consideration of Congress.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 11, 1903.*

The PRESIDENT:

The governing board of the International Union of American Republics, which is composed of the diplomatic representatives of the governments of all the American Republics accredited to the Government of the United States, and the Secretary of State, agreed by a unanimous vote in the regular meeting of January 5, 1903, that it was highly desirable that permanent quarters be provided for the International Bureau of American Republics. This Bureau ever since its creation about thirteen years ago has occupied a rented building, which is now inadequate not only for the clerical force of the Bureau but for the large and ever increasing library which the International Conference of American States at Mexico expressed itself as particularly desirous of seeing augmented and made of more use to the public.

At a subsequent meeting, held on May 23, 1903, it was decided that a sum of not less than $125,000 would be necessary for the purchase of the ground and erection of a building large enough for the purpose in view, and it was suggested that the various States composing the International Union of American Republics should contribute to said fund on the same basis as that now in force between the American Republics for the maintenance of the international bureau.

This decision of the governing board was communicated by the Department of State to the various governments, and the board has since been informed by fifteen of the governments that they will take immediate action to have their specified quotas appropriated by the legislatures and transmitted to the United States. Two of the governments have already paid the full amount of their quotas.

Under the agreement the share of the United States is $71,275.58, and I strongly recommend that Congress be asked to appropriate this sum for the purpose mentioned. It is desirable that the appropriation should be made immediately available, and subject to the order of the Secretary of State.

Considering the profound interest which the Government of the United States has always taken in the promotion of harmony and closer relations with the American States through the International Union of American Republics, and the fact as well that the international bureau, which is the active agency of the Union, is located in the capital of the United States, it would seem that this Government should do more than simply contribute its share toward the building.

I therefore make the further recommendation that Congress be asked to appropriate an additional $50,000 for the purchase of a suitable lot of ground, in proximity to the other public buildings at Washington, on which to erect the building.

Respectfully submitted.

JOHN HAY.

DEPARTMENT OF STATE,
Washington, December 9, 1903.

The PRESIDENT pro tempore. If there be no further amendment as in Committee of the Whole, the bill will be reported to the Senate.

Mr. DANIEL. On page 84, line 19, after the word "necessary," I move to insert——

The PRESIDENT pro tempore. The Senator will be obliged to wait until the bill is in the Senate. That paragraph has already been disposed of as in Committee of the Whole, and it is not open to amendment until the bill is in the Senate.

Mr. DANIEL. All right.

Mr. SPOONER. On page 23, line 6, after the word "dollars," I move to insert what I send to the desk.

The SECRETARY. On page 23, line 6, after the word "dollars," insert the following proviso:

Provided, That private messages may, with the consent and authority of the Secretary of the Treasury, be transmitted over any and all telephone lines controlled by the Treasury Department whenever it does not interfere with Government business, at such rates and on such terms and conditions as may from time to time be fixed by the Secretary of the Treasury, the proceeds thereof to be accounted for and paid into the Treasury of the United States: *And provided further*, That the Secretary of the Treasury may enter into agreement with any telephone company by which, in consideration of such company being permitted such use of the Government lines as may not interfere with Government business, the officers and employees of the Treasury Department shall have the use of the line and wire of such company.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ALLISON. I hope the bill will now be reported to the Senate.

The bill was reported to the Senate as amended.

The PRESIDENT pro tempore. Is there any desire to reserve any particular amendment for consideration in the Senate?

Mr. GALLINGER. The one relating to the extension of the Capitol should be reserved.

The PRESIDENT pro tempore. Reserving the amendment relating to the extension of the Capitol, will the Senate concur in the other amendments?

Mr. HALE. No; the one in relation to the new building is to be reserved.

Mr. ALLISON. I understand the Senator from Virginia proposes to offer an additional amendment, or it is in order for him to do so now.

The PRESIDENT pro tempore. The Chair was simply inquiring whether it is the desire to reserve any of the amendments reported to the Senate. The Chair is informed that it is desired to reserve the amendment in relation to the extension of the Capitol and the amendment in relation to the annex. Both those amendments will be reserved.

Mr. ALLISON. If special reservations are to be made, I wish to reserve one or two other amendments. I think before they are concurred in I should like to offer amendments to them.

The PRESIDENT pro tempore. The vote may be delayed in concurring in all the amendments.

Mr. BACON. Do I understand the Chair to rule that no amendments can be offered in the Senate except to those which have been previously reserved?

The PRESIDENT pro tempore. Any that are germane and are in order can be offered in the Senate. The Chair has just at this moment announced that no vote will now be taken on concurring in any of the amendments. The whole bill is open.

Mr. BACON. And everything will be open in the Senate?

The PRESIDENT pro tempore. Everything is open in the Senate.

Mr. ALLISON. I ask that the amendment which I send to the desk may be read and agreed to.

The SECRETARY. On page 83, after the word "building," in line 4, insert:

May be used for the payment of necessary expenses in compensation or salaries of the commission hereinafter provided for, and.

The amendment was agreed to.

Mr. ALLISON. I offer an amendment to an amendment made as in Committee of the Whole, to come in on page 74, line 18.

The PRESIDENT pro tempore. The Senator from Iowa offers an amendment which will be stated.

The SECRETARY. On page 74, line 18, after the word "the," strike out the words "Secretary of Commerce and Labor" and insert "President, by and with the advice and consent of the Senate;" so as to read:

For the protection of the salmon fisheries of Alaska, including salaries of one agent, at $2,500, and one agent, at $2,000, to be appointed by the President, by and with the advice and consent of the Senate, and to be in lieu of any and all agents or inspectors now authorized by law for this purpose, $7,000.

The amendment was agreed to.

Mr. ALLISON. On page 132, line 16, in the paragraph relating to the Shiloh National Park, I move to amend the amendment made as in Commitee of the Whole by adding the word "two;" so as to read "$32,000."

The SECRETARY. On page 132, line 16, before the word "thousand," the committee amendment struck out "twenty" and inserted "thirty." It is now proposed to strike out "thirty" and insert "thirty-two" before "thousand;" so as to read "$32,000."

The amendment was agreed to.

Mr. ALLISON. I have no further amendments to offer.

Mr. DANIEL. I move to insert after the word "necessary," in line 19, page 84, the following words in a separate sentence:

The plans prepared shall include designs for the accommodation of the Supreme Court of the United States and the law library.

Mr. HALE. Mr. President, if there is any chance in any extension that is or possibly may be hereby authorized, this amendment would take away so many chances of committee rooms in the extension, if it ever takes place. The committee did not propose to go into that question. It is of course committing Congress to a project for increased accommodation for the Supreme Court as against committee rooms. We can not have them for both.

Mr. DANIEL. I will state that if there were a projection made to the east front of the Capitol it cuts off the light of the United States Supreme Court. The court room is a small one now, and the library room is very crowded and inefficient. A great many lawyers come to Washington in order to get the benefit of the law library and prepare their briefs with the convenience of the large collection of books there. The light of both the law library and the Supreme Court room will be excluded by any extension of the east face of the Capitol. So any architecture which contemplates that ought to include a design for the proper accommodation of the Supreme Court and law library. They are very small as they stand, and whatever elements of desirability and convenience now exist would be eliminated by the extension unless the plans of that extension were to take that matter into consideration. It would be a necessity, and if it is overlooked it will be a great deficiency in any plan of construction.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Virginia [Mr. DANIEL].

The amendment was rejected.

Mr. ALLISON. I wish to say a word about this matter before it passes from the Senate. Both the Supreme Court and the law library being in the neighborhood of the east front of the Capitol, any commission, whether of civilians or architects, will of course take into account the fact that the central portion of the Capitol is now occupied by the law library and the Supreme Court. Therefore, even though the amendment of the Senator from Virginia has been disposed of, no commission will undertake to adopt any new plan that will not include proper and suitable accommodations for those who are already there.

Mr. NEWLANDS. I offer an amendment to the bill.

The PRESIDENT pro tempore. The Senator from Nevada offers an amendment, which will be read.

The SECRETARY. On page 84, line 23, after the word "commission," it is proposed to insert the following proviso:

Provided, That no action shall be taken as to the actual construction of the Senate annex herein provided for until report shall be made to Congress by the commission hereby appointed as to whether the extension of the Capitol will improve or impair the present architectural appearance of the Capitol, and as to whether such extension will provide the committee rooms and necessary office rooms for Senators.

Mr. NEWLANDS. Mr. President, I wish to say a word regarding this amendment. This amendment is not intended for delay. It will not delay in any particular the construction of the Senate Annex. The amendment already inserted in the bill appropriates $750,000 for a lot and also provides for the making of plans and authorizes immediate construction. Now, it will not be possible to get the title to that lot before next December, and all that this amendment contemplates is that no contract shall be let for the construction until we meet in December next and until this commission of the Capitol shall report, first, as to whether this extension can be made without impairing the architectural effect of the Capitol, and, second, as to whether if the extension is made it can be so made as to provide sufficient accommodations for Senators.

I have already stated the fact that forty-three Senators are to be provided for and that not more than sixty or sixty-five rooms will be required, that one of these extensions contemplated will provide for sixty-six additional rooms, that another one will provide thirty-three additional rooms, and that possibly, if the lesser extension is provided for, the House of Representatives may yield the space it would be entitled to and might also accord to the Senate a space in the western wing, formerly occupied by the Congressional Library. It might be induced to do this in view of the fact that Congress has already appropriated four or five million dollars, I believe, for an office building, which will be employed to meet these requirements.

If the extension should be determined upon, and should be sufficient for the proper accommodation of Senators, instead of having an expenditure aggregating pretty nearly $6,000,000, I think, for construction, we would accomplish all for an expenditure of two and one-half millions.

This will not delay the condemnation of the property for the Senate annex, because it will be required anyway for some governmental purpose in the future. This does not delay the condemnation; it simply prevents the making of a contract for construction until the commission shall report to Congress in December next as to whether the proposed extension of the Capitol will furnish sufficient accommodations for Senators.

Proceedings of condemnation are necessarily slow, and the House in similar proceedings have taken even a longer time than between now and December next for the acquisition of a site for their building. I assume that before we enter upon the actual construction there it will take at least six months to acquire land and to prepare plans. It takes a long time to prepare plans and specifications.

The condemnation of this property and the preparation of the plans can go on at the same time, and in December next, if this amendment be adopted, it will involve the presentation to Congress not only of the plans of the office building, but the plans of the Capitol extension. Then we will have an opportunity of determining whether this extension meets the requirements of Senators.

I rarely go to the Maltby Building, though my office is there. I find my Senatorial duties much more exacting than were my duties in the other House. I have been obliged to attend committee meetings at least four times a week since I have been here, and have consequently found my time taken up from half past 10 or 11 o'clock in the morning until 5 o'clock in the evening at the Capitol.

During the session of the Senate from 12 to 5 it is inconvenient to go so far away as the Maltby Building for attention to correspondence, and this proposed Senate annex means that most of us will not only have to go 300 feet or more to get to the corner of the new building, but many of us will have to go 200 or 300 feet farther to the end of the building, so as to obtain the accommodations we require. This means much loss of time and inconvenience in attending roll calls, etc.

I would rather have a room on the roof of this Capitol building than have the most gorgeous apartments in that Senatorial annex, and I believe it to be the feeling of most of the Senators who have been consigned to quarters outside of the Capitol that they would rather submit to the inconvenience of a small room in the Capitol than to have the utmost convenience in a building, however splendid, nearly a block away.

Mr. GALLINGER. Mr. President, the only observation I have to make on this amendment is that if the Senator from Nevada [Mr. NEWLANDS] is indulging the hallucination that the House of Representatives will yield a single square inch of space beyond the middle of this building he had better disabuse his mind of that notion.

Mr. NEWLANDS. I think that is one of the possibilities.

Mr. SPOONER. One of the impossibilities.

Mr. NEWLANDS. But still the matter of the accommodation of Senators in the Capitol has never yet been submitted to the architects, and as we now propose to employ them they will probably present a plan that will meet every requirement.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Nevada [Mr. NEWLANDS].

The amendment was rejected.

Mr. BACON. I wish to offer an amendment. I find on page 110, beginning in line 25, the following:

To defray the expenses incident to the erection and dedication, upon War College grounds, Washington Barracks, of the statue of Frederick the Great, the gift to the United States of His Imperial Majesty the Emperor of Germany, to be immediately available, $8,000.

Mr. President, I have already expressed, somewhat at length, to the Senate my views upon the subject of the erection of this statue, and I do not intend to repeat what I then said further than to say that I am still of the opinion that it is an exceedingly inappropriate statue to be erected in the capital grounds or in the District of Columbia, and that while I recognize the fact that

there have been many Germans whose statues would be appropriate and acceptable, Frederick the Great was not one of them.

But my purpose, Mr. President, if we are going to have this statue, is to offer an antidote. I therefore ask that the amendment which I send to the desk may be inserted immediately after the language which I have just read from the bill.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 111, after line 4, it is proposed to insert:

That there shall be erected in the city of Washington, D. C., a statue of Thomas Jefferson; and for the purpose of procuring and erecting said statue, with a suitable pedestal, and for the preparation of a site, the sum of $50,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, the same to be expended under the direction of a commission to be composed of the Secretary of War, the chairman of the Committee on the Library of the Senate, the chairman of the Committee on the Library of the House of Representatives of the Fifty-eighth Congress, and the United States Senators from the State of Virginia.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Georgia [Mr. BACON].

The amendment was agreed to.

The PRESIDENT pro tempore. The question now is, Shall the amendments made as in Committee of the Whole be concurred in?

Mr. STONE. I desire to offer an amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 85, after line 23, it is proposed to insert:

For the purpose of immediately providing additional rooms for the use of the Senate and of Senators the Senate Committee on Rules be, and hereby is, authorized and empowered to lease or rent any building or part of any building convenient to the Senate Chamber for a term not to exceed five years, and at a total rental expense not to exceed $5,000 per annum; and to carry out this provision the sum of $10,000, or so much thereof as may be necessary, is hereby appropriated.

Mr. ALLISON. I hope the Senator from Missouri [Mr. STONE] will not press that amendment. Congress is about to adjourn in a few days, and I think we can get along until next winter with the project that we have already in mind. I dislike very much to make the point of order against the amendment, but it has not been recommended by any committee, and unless there is some general sentiment in the Senate that we ought immediately to rent some building, I should prefer that this amendment be not added to the bill. If, however, the matter is to be pressed, I would suggest that an amendment should be added leaving the matter in the discretion of the Committee on Rules.

Mr. STONE. Mr. President, I have no desire, of course, to press this amendment, and I shall not do so against the pleasure of the chairman of the Committee on Appropriations, whose judgment in matters of this kind I am disposed to yield to very willingly.

I offered the amendment simply to emphasize the importance of some provision of this kind, but I have been informed that this can be taken up by the Senate at an early day, and I therefore withdraw the amendment.

The PRESIDENT pro tempore. The question is, Shall the amendments made as in Committee of the Whole be concurred in?

The amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11825) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1905.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 12220) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes; recedes from its disagreement to the amendment of the Senate numbered 35, and agrees to the same; further insists upon its disagreement to the amendments of the Senate numbered 10, 15, 16, 18, 19, 20, 21, 24, 31, 32, 33, and 38; agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FOSS, Mr. DAYTON, and Mr. MEYER of Louisiana managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 1399) to amend section 1225 of the Revised Statutes so as to provide for detail of retired officers of the Army and Navy to assist in military instruction in schools;

A bill (S. 2133) to change the name of Madison, Sampson, and Samson streets to Church street;

A bill (S. 2424) to reorganize and promote the efficiency of army chaplains;

A bill (S. 2878) authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes;

A bill (S. 3454) for the extension of Eighth street NW., or Wrights road, District of Columbia;

A bill (S. 4130) to amend sections 1288, 1293, and 1294 of the Code of the District of Columbia, relating to marriage, so as to authorize marriages according to the custom of the Society of Friends or Quakers;

A bill (S. 4165) to provide that a term of the circuit and district court of the United States for the district of Vermont may be held at Newport;

A bill (S. 4453) to amend section 17 of the act of Congress approved June 6, 1902, entitled "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes;"

A bill (S. 4636) to validate certain original homestead entries and extend the time to make final proof thereon; and

A joint resolution (S. R. 64) authorizing the Librarian of the Library of Congress to deliver to the governor of the State of Vermont a record or records of certain conventions held in Vermont in the years 1776 and 1777 for the purpose of organizing a State.

MARY M. RICE.

Mr. MCCUMBER. I am directed by the Committee on Pensions, to whom was referred the bill (S. 5475) granting a pension to Mary M. Rice, to report it with amendments, and I submit a report thereon.

Mr. GALLINGER. Mr. President, the Senator from North Dakota [Mr. MCCUMBER] has just reported favorably with amendments a bill granting a pension to Mary M. Rice, who is the widow of the late Gen. Americus V. Rice. I feel very anxious to have that bill acted on, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 5475) granting a pension to Mary M. Rice, which had been reported from the Committee on Pensions with amendments, in line 8, after the words "United States," to strike out "Army" and insert "Volunteers;" and in line 9, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary M. Rice, widow of Americus V. Rice, late colonel Fifty-seventh Regiment Ohio Volunteer Infantry, and brigadier-general, United States Volunteers, and pay her a pension at the rate of $30 per month.

Mr. GALLINGER. With reference to the last amendment, I want to make a very brief statement. Gen. Americus V. Rice was a very distinguished soldier. He had the unique distinction of having lost a leg on the battlefield, of having a wooden leg attached, and then going back and fighting for several months. His service was so distinguished that Congress granted him an increase of pension two or three years ago from $30 to $100 a month. He died very recently in this city, leaving a widow and two daughters in comparative poverty. I should very much like to have the Senator from North Dakota agree to accept an amendment to the amendment of the committee by making the amount $40. I had hoped that the committee would allow it to go at $50. It is a case of great merit and great necessity. I ask the Senator if he has any objection to that amendment?

Mr. MCCUMBER. The Senator from New Hampshire has been the chairman of the Committee on Pensions so long that I am disposed to yield to his better judgment in a matter of this kind.

Mr. GALLINGER. I thank the Senator. I move to amend the last amendment of the committee by striking out "thirty" and inserting "forty."

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The SECRETARY. In line 9, before the word "dollars," it is proposed to strike out "thirty" and insert "forty."

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The first amendment reported by the committee, in line 8, to strike out "Army" and insert "Volunteers," has not yet been acted upon. The question is on that amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CROW RESERVATION IN MONTANA.

Mr. BARD. I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 11676) to ratify and amend an agreement with the Indians of the Crow Reservation in Montana, and making appropriations to carry the same into effect.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with amendments.

Mr. PETTUS. Would it be in order to object to the consideration of the bill now? It is very late in the evening.

Mr. BARD. The bill will not take long, I will say to the Senator.

Mr. PLATT of Connecticut. This bill is one of four bills that have been passed in the House of Representatives for the opening of reservations. This bill relates to the Crow Reservation in Montana. It does not differ substantially from the three bills which we have already passed, and they all ought to go together. I do not know but it is an unfortunate time to have it brought up.

Mr. PETTUS. My objection was not to the passage of the bill at all, but it was to the time at which it is taken up.

Mr. TELLER. I hope the Senator will let the bill be acted on.

Mr. PETTUS. Very well.

The first amendment of the Committee on Indian Affairs was, in section 1, page 11, line 16, after the words "provisions of," to insert "the reclamation act approved June 17, 1902;" in line 20, after the word "than," to strike out "three" and insert "four," and in line 21, after the word "acre," to insert "subject to the provisions in section 5;" so as to read:

ART. II. That in consideration of the land ceded, granted, relinquished, and conveyed by Article I of this agreement the United States stipulates and agrees to dispose of the same as hereinafter provided under the provisions of the reclamation act approved June 17, 1902, the homestead, town-site, and mineral-land laws, except sections 16 and 36, or an equivalent of two sections in each township, at not less than $4 per acre, subject to the provisions in section 5, the United States to pay for sections 16 and 36, or an equivalent of two sections in each township, at $1.25 per acre, and to pay the said Indians the proceeds derived from the sale of said lands, and for the said sections 16 and 36, or an equivalent of two sections in each township, as follows, etc.

The amendment was agreed to.

The next amendment was, on page 18, section 3, line 17, after the word "appropriated," to insert:

and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $40,000, or so much thereof as may be necessary, for the completion of the survey and subdivision of said ceded lands.

So as to make the section read:

SEC. 3. That for the purpose of surveying and marking so much of the boundary line of the tract ceded and relinquished by the Indians as may be necessary to segregate the same from the lands reserved by them, as provided in Article IV of said agreement, the sum of $1,200, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated, and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $40,000, or so much thereof as may be necessary, for the completion of the survey and subdivision of said ceded lands.

The amendment was agreed to.

The next amendment was, in section 4, page 19, line 12, after the word "otherwise," to strike out "entitled" and insert "qualified;" so as to read:

Provided, That the purchaser of such improvements shall have a preference right, if otherwise qualified, of thirty days after the land becomes subject to entry within which to enter the lands upon which the improvements are located, not exceeding 160 acres, in compliance with the provisions herein governing the disposition of said ceded lands.

The amendment was agreed to.

The next amendment was, in section 5, page 20, line 5, after the word "schedule," to insert "and after the sale or removal of such improvements;" in line 10, after the word "be," to strike out "disposed of," and insert "subject to withdrawal and disposition;" in line 11, after the word "under," to insert:

The reclamation act of June 17, 1902, so far as feasible irrigation projects may be found therein. The charges provided for by said reclamation act shall be in addition to the charge of $4 per acre for the land, and shall be paid in annual installments as required under the reclamation act; and the amounts to be paid for the land shall be credited to the funds herein established for the benefit of the Crow Indians. If any lands in sections 16 and 36 are included in an irrigation project under the reclamation act, the State of Montana may select in lieu thereof, as herein provided, other lands not included in any such project, in accordance with the provisions of existing law concerning school land selections. In any construction work upon the ceded lands performed directly by the United States under the reclamation act preference shall be given to the employment of Crow Indians, or whites intermarried with them, so far as may be practicable. The lands not withdrawn for irrigation under said reclamation act, which lands shall be determined under the direction of the Secretary of the Interior at the earliest practical date, shall be disposed of.

And on page 21, line 18, after the word "Spanish," to strike out "wars" and insert "war or Philippine insurrection;" and in line 23, after the word "be," to strike out "three" and insert "four;" so as to read:

SEC. 5. That before any of the lands by this agreement ceded are opened to settlement or entry the Commissioner of Indian Affairs shall cause the allotments to be made and the schedule to be prepared, as provided for in section 4 of this act, and a duplicate of said schedule shall be filed with the Commissioner of the General Land Office. Upon the completion of such allotments and the filing of such schedule and after the sale or removal of such improvements the residue of such ceded lands, except sections 16 and 36, or lands in lieu thereof, which shall be reserved for common school purposes, and are hereby granted to the State of Montana for such purpose, shall be subject to withdrawal and disposition under the reclamation act of June 17, 1902, so far as feasible irrigation projects may be found therein.

The charges provided for by said reclamation act shall be in addition to the charge of $4 per acre for the land, and shall be paid in annual installments as required under the reclamation act; and the amounts to be paid for the land shall be credited to the funds herein established for the benefit of the Crow Indians. If any lands in sections 16 and 36 are included in an irrigation project under the reclamation act, the State of Montana may select in lieu thereof, as herein provided, other lands not included in any such project, in accordance with the provisions of existing law concerning school land selections. In any construction work upon the ceded lands performed directly by the United States under the reclamation act, preference shall be given to the employment of Crow Indians, or whites intermarried with them, so far as may be practicable.

The lands not withdrawn for irrigation under said reclamation act, which lands shall be determined under the direction of the Secretary of the Interior at the earliest practical date, shall be disposed of under the homestead, town-site, and mineral-land laws of the United States, and shall be opened to settlement and entry by proclamation of the President, which proclamation shall prescribe the manner in which these lands may be settled upon, occupied, and entered by persons entitled to make entry thereof; and no person shall be permitted to settle upon, occupy, or enter any of said lands, except as prescribed in such proclamation, until after the expiration of sixty days from the time when the same are opened to settlement and entry: *Provided*, That the rights of honorably discharged Union soldiers and sailors of the late civil and the Spanish war or Philippine insurrection, as defined and described in sections 2304 and 2305 of the Revised Statutes, as amended by the act of March 1, 1901, shall not be abridged: *And provided further*, That the price of said lands shall be $4 per acre, when entered under the homestead laws, to be paid as follows.

The amendment was agreed to.

The next amendment was, in section 5, page 22, line 1, after the word "and," to strike out:

40 cents per acre each year thereafter until the sum of $3 per acre shall have been paid.

And insert:

the remainder in four equal annual installments, the first to be paid at the end of the second year.

So as to read:

One dollar per acre when entry is made and the remainder in four equal annual installments, the first to be paid at the end of the second year.

The amendment was agreed to.

The next amendment was, in section 5, page 22, line 13, after the word "laws," to insert:

but in no event at a less price than that fixed herein for such lands, if entered under the homestead laws.

So as to read:

Lands entered under the town-site and mineral-land laws shall be paid for in amount and manner as provided by said laws, but in no event at a less price than that fixed herein for such lands, if entered under the homestead laws, and in case any entryman fails to make such payment, or any of them, within the time stated, all rights in and to the land covered by his or her entry shall at once cease, and any payments theretofore made shall be forfeited, and the entry shall be held for cancellation and canceled, etc.

The amendment was agreed to.

The next amendment was, in section 5, page 22, line 19, after the word "canceled." to insert the following proviso:

Provided, That the lands embraced within such canceled entry shall, after cancellation of such entry, be subject to entry under the provisions of the homestead law at $4 per acre until otherwise directed by the President, as herein provided.

The amendment was agreed to.

The next amendment was, in section 5, page 23, line 3, after the word "made," to insert "except as to lands entered under said reclamation act;" so as to read:

And provided, That nothing in this act shall prevent homestead settlers from commuting their entries under section 2301, Revised Statutes, by paying for the land entered the price fixed herein, receiving credit for payments previously made, except as to lands entered under said reclamation act.

The amendment was agreed to.

The next amendment was, in section 5, page 23, line 4, to strike out:

And provided further, That all lands herein ceded and opened to settlement under this act remaining undisposed of at the expiration of four years from the opening of the said lands to entry shall be sold and disposed of under sealed bids to the highest bidder for cash, under rules and regulations to be prescribed by the Secretary of the Interior, at not less than $1.25 per acre and in tracts not to exceed 640 acres to any one person.

And in lieu thereof to insert:

And provided further, That when, in the judgment of the President, no more of the land herein ceded can be disposed of at said price, he may by proclamation, to be repeated at his discretion, sell from time to time the remaining lands, subject to the provisions of the homestead law or otherwise as he may deem most advantageous, at such price or prices, in such manner, upon such conditions, with such restrictions, and upon such terms as he may deem best for all the interests concerned.

The amendment was agreed to.

The next amendment was, in section 6, page 24, line 2, after the word "ratified," to insert "or withdrawn for irrigation under the provisions of said reclamation act;" in line 8, after the word "occupied," to insert "or withdrawn;" and in line 12, after the word "settlement," to insert "but no selection shall be made by the State of the lands herein ceded except to compensate for losses occurring therein;" so as to make the section read:

SEC. 6. That the proceeds received from the sale of said lands in conformity with this act shall be paid into the Treasury of the United States, and paid to the Crow Indians or expended on their account only as provided in article 2 of said agreement as herein amended.

No lands in sections 16 and 36 now occupied, as set forth in article 3 of the agreement herein ratified, or withdrawn for irrigation under the provisions of said reclamation act, shall be reserved for school purposes, but the State of Montana shall be entitled to indemnity for any lands so occupied; and the

governor of said State, with the approval of the Secretary of the Interior, is hereby authorized in the tract herein ceded to locate other lands not occupied or withdrawn, which shall be paid for by the United States, as herein provided, in quantity equal to the loss, and such selections shall be made prior to the opening of such lands to settlement, but no selection shall be made by the State of the lands herein ceded except to compensate for losses occurring therein.

The amendment was agreed to.

The next amendment was, in section 7, page 24, line 18, after the word "pay," to insert "the said Indians;" so as to make the section read:

SEC. 7. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $90,000, or so much thereof as may be necessary, to pay the said Indians, at the rate of $1.25 per acre, for the lands granted to the State of Montana as provided in section 5 of this act.

The amendment was agreed to.

Mr. BARD. I offer the amendments which I send to the desk.

The PRESIDENT pro tempore. The Senator from California offers amendments, which will be stated.

The SECRETARY. On page 22, line 15, strike out the word "payment" and insert "deferred payments;" and in line 16 strike out the words "within the time stated" and insert "promptly when due;" so as to read:

Lands entered under the town-site and mineral-land laws shall be paid for in amount and manner as provided by said laws, but in no event at a less price than that fixed herein for such lands, if entered under the homestead laws, and in case any entryman fails to make such deferred payments, or any of them, promptly when due, all rights in and to the land covered by his or her entry shall at once cease, and any payments theretofore made shall be forfeited, and the entry shall be held for cancellation and canceled.

The amendment was agreed to.

The SECRETARY. On page 21, line 17, after the word "That," insert "as to lands opened under such proclamation;" so as to read:

That as to lands opened under such proclamation the rights of honorably discharged Union soldiers and sailors, etc.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The preamble was agreed to.

PENSION APPROPRIATION BILL.

Mr. MCCUMBER. I move that the Senate proceed to the consideration of the bill (H. R. 6758) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1905, and for other purposes.

The motion was agreed to.

Mr. PETTUS. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 32 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 21, 1904, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *April 20, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed joint resolution and bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. R. 71. Joint resolution directing the Secretary of the Interior to institute an investigation relative to the use of the waters of the Colorado River for irrigation, and to report to Congress thereon;

S. 5454. An act permitting the Ozark and Cherokee Central Railroad Company and the Arkansas Valley and Western Railway Company, and each or either of them, to sell and convey their railroads and other property in the Indian Territory to the St. Louis and San Francisco Railroad Company or to the Chicago, Rock Island and Pacific Railway Company, and for other purposes.

S. 2004. An act to amend an act entitled "An act authorizing the citizens of Colorado, Nevada, and the Territories to fell and remove timber on the public domain for mining and domestic purposes," approved June 3, 1878, so that the provisions of said act shall be extended to and include the States of Oregon, Washington, and California;

S. 1547. An act for the erection of a monument to the memory of Commodore John Barry; and

S. 5245. An act to indemnify G. W. Hardy and Joseph Lard, of Scott County, Miss , for homestead land by granting other lands in lieu thereof.

The message also announced that the Senate had passed with amendment bills of the the following titles in which the concurrence of the House of Representatives was requested:

H. R. 11963. An act regulating the practice of medicine and surgery in the Indian Territory;

AGRICULTURAL APPROPRIATION BILL.

Mr. WADSWORTH. Mr. Speaker, I call up the conference report on the agricultural appropriation bill, and ask unanimous consent that the reading of the report may be dispensed with and that the statement be read in its place.

The SPEAKER. The gentleman from New York calls up the conference report on the agricultural appropriation bill and asks unanimous consent to dispense with the reading of the report and that the statement be read. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the report.

The Clerk read the report, which is to be found, together with the statement, in the RECORD of April 19, 1904.

Mr. WADSWORTH. Mr. Speaker, I move the adoption of the report.

Mr. LIVINGSTON. Mr. Speaker, before that is done I desire to ask the gentleman in charge of the bill why it is that in every single instance in the report the House recedes. It seems to be nothing but a Senate bill.

Mr. WADSWORTH. Mr. Speaker, I think if the gentleman from Georgia [Mr. LIVINGSTON] will read the full report, outside of the statement, he will see that the Senate has receded in a great many items.

Mr. LIVINGSTON. I can not find it in the report.

Mr. WADSWORTH. I have not made mention of it in the statement because I have not touched on the items that the Senate has receded on, because when they receded they simply indorsed the action of the House.

Mr. LIVINGSTON. What amount did the Senate increase it?

Mr. WADSWORTH. Three hundred and sixty-one thousand one hundred and forty dollars.

Mr. LIVINGSTON. And the House receded in every single instance?

Mr. WADSWORTH. No. We did not recede in the appropriation for an increase of $55,000 in the road fund. We did not recede as to the full amount appropriated for experiments in breeding and feeding, and that was cut from $50,000 to $25,000. In none of these increases have we acceded to the increase demanded by the Senate. If the gentleman will read the statement, he will find the following:

These amendments (32, 37, 42, 44, 56, 58, 62, 82, 93, 98, and 118) carrying the increases above mentioned have been agreed upon by the conferees of the two Houses and simply represent a compromise between the judgment of the Senate and House as to the amounts each considered could be judiciously expended for the several purposes named.

In all these amendments a much larger amount was asked for than the House conceded.

Mr. THOMAS of North Carolina. May I ask the gentleman a question?

Mr. WADSWORTH. Certainly.

Mr. THOMAS of North Carolina. Will the gentleman kindly state whether the item carrying an increase of appropriation for the Bureau of Statistics, and which was intended to provide for the collection of trucking statistics, has been retained in the bill?

Mr. WADSWORTH. It has been.

Mr. HENRY of Connecticut. Mr. Speaker, as one of the conferees, I wish to say that it is not fair to criticise the conferees. We have stood by the requirements of the House to the utmost extent that we reasonably could; and we have largely obtained concessions.

Mr. LIVINGSTON. Allow me to say to the gentleman that in my remarks a moment ago I was only asking for an explanation.

Mr. HENRY of Connecticut. I thought the gentleman was making a criticism of the conferees.

Mr. LIVINGSTON. Oh, no.

Mr. WADSWORTH. Mr. Speaker, I wish to correct the statement I made a moment ago to the gentleman from Georgia [Mr. LIVINGSTON]. The Senate asked a total increase of $361,140, of which increase we allowed $190,800.

I ask for a vote on the report.

The conference report was agreed to.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 13448. An act granting an increase of pension to Susan D. Lovell;

H. R. 13655. An act granting an increase of pension to Hannah Hill;

H. R. 8014. An act granting an increase of pension to Thomas Audas;
H. R. 8394. An act granting an increase of pension to Reubin W. Bartram;
H. R. 14181. An act granting an increase of pension to Sarah F. Burnet;
H. R. 14152. An act granting an increase of pension to John Middleton;
H. R. 8074. An act granting an increase of pension to William H. H. Chester;
H. R. 8410. An act granting an increase of pension to George B. Fairhead;
H. R. 8022. An act granting an increase of pension to Hiram Flint;
H. R. 8316. An act granting an increase of pension to James W. Swords;
H. R. 9428. An act granting an increase of pension to Adeline Ballard;
H. R. 9021. An act granting an increase of pension to Joseph Whitman;
H. R. 9429. An act granting an increase of pension to John C. Hamly, alias George Garnett;
H. R. 9030. An act granting an increase of pension to John Daly;
H. R. 10261. An act granting an increase of pension to Henry B. Sparks;
H. R. 10824. An act granting an increase of pension to John B. Calhoun;
H. R. 10480. An act granting an increase of pension to Aaron Bayles;
H. R. 9116. An act granting an increase of pension to Charles W. Abbott;
H. R. 6911. An act granting a pension to James H. Weston;
H. R. 4241. An act granting a pension to Mary A. Denston;
H. R. 12297. An act granting a pension to James P. Hurst;
H. R. 13746. An act granting a pension to Thomas B. Forgan;
H. R. 11796. An act granting a pension to Catherine Darr;
H. R. 11452. An act granting a pension to Ann Jones;
H. R. 11524. An act granting a pension to John F. Burrows;
H. R. 3653. An act granting an increase of pension to Andrew Sullenberger;
H. R. 3460. An act granting an increase of pension to Louis P. Anschutz;
H. R. 4369. An act granting an increase of pension to August Strick;
H. R. 3670. An act granting an increase of pension to Benjamin F. Barrett;
H. R. 3734. An act granting an increase of pension to James R. Gibson;
H. R. 3166. An act granting an increase of pension to James M. Howe;
H. R. 3819. An act granting an increase of pension to Ira Stout;
H. R. 5734. An act granting an increase of pension to John B. Tucker;
H. R. 3445. An act granting an increase of pension to John P. Webb;
H. R. 3836. An act granting an increase of pension to David H. Thompson;
H. R. 3244. An act granting an increase of pension to Lewis Kimer;
H. R. 4983. An act granting an increase of pension to Charles Gochey;
H. R. 4897. An act granting an increase of pension to William Johnson;
H. R. 5193. An act granting an increase of pension to Allen Campbell;
H. R. 5996. An act granting an increase of pension to Alfred Howser;
H. R. 4631. An act granting an increase of pension to Julius Krag;
H. R. 4056. An act granting an increase of pension to Wilson Snider;
H. R. 4756. An act granting an increase of pension to Lewis R. Gates;
H. R. 4110. An act granting an increase of pension to Antoinette R. Smith;
H. R. 6962. An act granting an increase of pension to Pauline N. Pearson;
H. R. 4157. An act granting an increase of pension to Adam Kohlhauff;
H. R. 4987. An act granting an increase of pension to William Y. M. Wilkerson;
H. R. 4996. An act granting an increase of pension to Alexander Robertson;
H. R. 6927. An act granting an increase of pension to Rebecca C. Nevin;
H. R. 6088. An act granting an increase of pension to Marshall Howell;
H. R. 6595. An act granting an increase of pension to John H. McBrayer;
H. R. 6090. An act granting an increase of pension to Frederick C. Wickham;
H. R. 5314. An act granting an increase of pension to John Woods;
H. R. 6746. An act granting an increase of pension to Francis Van Aernam;
H. R. 6868. An act granting an increase of pension to George R. Hanson;
H. R. 8213. An act granting an increase of pension to Thomas Murray;
H. R. 7472. An act granting an increase of pension to Henry McQuerter;
H. R. 2810. An act granting an increase of pension to Samuel G. H. Whitley;
H. R. 908. An act granting an increase of pension to Charles A. Tarbox;
H. R. 731. An act granting an increase of pension to Henry S. Hamilton;
H. R. 690. An act granting an increase of pension to Mark F. Holderman, alias Michael Holderman;
H. R. 1565. An act granting an increase of pension to Josephine F. Anderson;
H. R. 197. An act granting an increase of pension to John Latty;
H. R. 605. An act granting an increase of pension to Frederick Frick;
H. R. 809. An act granting an increase of pension to Lewis Johnson, jr.;
H. R. 721. An act granting an increase of pension to John Ryan, alias John Connell;
H. R. 2687. An act granting an increase of pension to Isaac N. Willhite;
H. R. 2804. An act granting an increase of pension to Michael Cribbins;
H. R. 2567. An act granting an increase of pension to Alexander D. Ramsey;
H. R. 2150. An act granting an increase of pension to Robert Whitman;
H. R. 2005. An act granting an increase of pension to Alexander J. Hood;
H. R. 2606. An act granting an increase of pension to Catherine Bowsher;
H. R. 6916. An act granting an increase of pension to Alexander Hardy;
H. R. 6564. An act granting an increase of pension to James H. Townsend;
H. R. 4908. An act granting an increase of pension to John A. McConnell;
H. R. 3297. An act granting an increase of pension to Renel W. Trask;
H. R. 2148. An act granting an increase of pension to Lawrence Cook;
H. R. 10502. An act granting an increase of pension to Abram Young;
H. R. 2969. An act granting an increase of pension to George W. Fitzgerald;
H. R. 2107. An act granting an increase of pension to James W. Whitney;
H. R. 2045. An act granting an increase of pension to Henry Henwood;
H. R. 10579. An act granting an increase of pension to Jacob Dodd;
H. R. 6713. An act granting an increase of pension to John E. White, alias Patrick White;
H. R. 6334. An act granting an increase of pension to George W. Gyger;
H. R. 6558. An act granting an increase of pension to Robert H. Long;
H. R. 6327. An act granting an increase of pension to Delos Van Deusen;
H. R. 7064. An act granting an increase of pension to Charles Von Lukowitz;
H. R. 6317. An act granting an increase of pension to Maggie Du Bois;
H. R. 6503. An act granting an increase of pension to Amanda M. Morse;
H. R. 6000. An act granting an increase of pension to John B. Salsman;

H. R. 7678. An act granting an increase of pension to Lewis Monjar;
H. R. 7701. An act granting an increase of pension to James H. English;
H. R. 7477. An act granting an increase of pension to Cyrenius Dennis;
H. R. 7366. An act granting an increase of pension to Thomas J. Cannon;
H. R. 5973. An act granting an increase of pension to Henry J. Potter;
H. R. 5338. An act granting an increase of pension to Joseph S. Wright;
H. R. 7219. An act granting an increase of pension to George W. Marsh;
H. R. 7473. An act granting an increase of pension to Nicholas Correll;
H. R. 5279. An act granting an increase of pension to Granville H. Bishop;
H. R. 5391. An act granting an increase of pension to James Keleher;
H. R. 5690. An act granting an increase of pension to James W. Griffitts;
H. R. 5327. An act granting an increase of pension to William M. Morrison;
H. R. 5971. An act granting an increase of pension to Samuel D. Satterly;
H. R. 14621. An act for the disposal of the unsold lots in the Fort Crawford military tract at Prairie du Chien, Crawford County, Wis.;
H. R. 13742. An act in relation to the location of the navigable channel of the Calumet River, Illinois and Indiana;
H. R. 12687. An act to amend an act entitled "An act to provide for the opening of certain abandoned military reservations, and for other purposes," approved August 23, 1894;
H. J. Res. 85. An act to authorize the lowering of the height of the Government dams in the Illinois River at Kampsville and Lagrange;
H. R. 13739. An act to authorize the Blackberry, Kentucky and West Virginia Coal and Coke Company (Incorporated) to bridge the Tug Fork of the Big Sandy River, about 1 mile east of Matewan, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky;
H. R. 10956. An act to amend sections 2566 and 2567 of the Revised Statutes of the United States, 1878, so as to remove the port of entry for the district of Pearl River from Shieldsboro to Gulfport, and for other purposes;
H. R. 9643. An act to ratify, approve, and confirm an act duly enacted by the legislature of the Territory of Hawaii to authorize and provide for the maintenance and supply of fuel and illuminating gas and its by-products in Honolulu;
H. R. 12684. An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1905, and for other purposes;
H. R. 12446. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; and
H. R. 13992. An act permitting the Missouri, Kansas and Oklahoma Railroad Company to sell its railroads and properties to the Missouri, Kansas and Texas Railway Company.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:
S. 2133. An act to change the name of Madison, Sampson, and Samson streets to Church street;
S. 4453. An act to amend section 17 of the act of Congress approved June 6, 1902, entitled "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes;"
S. 4165. An act to provide that a term of the circuit and district court of the United States for the district of Vermont may be held at Newport;
S. 4130. An act to amend sections 1288, 1293, and 1294 of the Code of the District of Columbia, relating to marriage, so as to authorize marriages according to the custom of the Society of Friends or Quakers;
S. 4636. An act to validate certain original homestead entries and extend the time to make proof thereon;
S. 2424. An act to recognize and promote the efficiency of army chaplains;
S. 2878. An act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes;
S. 3454. An act for the extension of Eighth street NW., or Wrights road, District of Columbia;
S. R. 64. Joint resolution authorizing the Librarian of the Library of Congress to deliver to the governor of the State of Vermont a record or records of certain conventions held in Vermont in the years 1776 and 1777 for the purpose of organizing a State; and
S. 1399. An act to amend section 1225 of Revised Statutes, so as to provide for detail of retired officers of the Army and Navy to assist in military instruction in schools.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:
S. 1547. An act for the erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.
S. 2994. An act to amend an act entitled "An act authorizing the citizens of Colorado, Nevada, and the Territories to fell and remove timber on the public domain for mining and domestic purposes," approved June 3, 1878, so that the provisions of said act shall be extended to and include the States of Oregon, Washington, and California—to the Committee on the Public Lands.
S. 5245. An act to indemnify G. W. Hardy and Joseph Lard, of Scott County, Miss., for homestead land by granting other lands in lieu thereof—to the Committee on Private Land Claims.

ELECTION CONTEST—DURBOROW VS. LORIMER.

Mr. OLMSTED. Mr. Speaker, from the Committee on Elections No. 2 I present a privileged report on the contested-election case of Durborow *v.* Lorimer, from the State of Illinois. I ask that the resolutions be read.
The Clerk read as follows:

Resolved, That Allan C. Durborow was not elected to membership in the House of Representatives of the United States in the Fifty-eighth Congress and is not entitled to a seat therein.
Resolved, That William Lorimer was duly elected to membership in the House of Representatives of the United States in the Fifty-eighth Congress and is entitled to a seat therein.

Mr. OLMSTED. Mr. Speaker, this contest hinged upon a recount of the ballots. Upon the face of the returns Mr. Lorimer had a majority or plurality of 985. A recount of the ballots increased that number to the extent of 9 votes, whereupon the contestant declined to proceed further with the contest or to argue the case before the committee, and consented to resolutions such as I now offer.
The resolutions were adopted.

NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I call up the report of the committee of conference, now lying on the Speaker's table, on the naval appropriation bill. I ask unanimous consent that the statement of the House conferees (heretofore printed in the RECORD along with the report) be read in lieu of the report.
The SPEAKER. In the absence of objection that will be done. There was no objection.
The statement, as published in the House proceedings of Monday, April 18, was read.
Mr. FOSS. Mr. Speaker, I move the adoption of the conference report, and upon that I demand the previous question.
Mr. COOPER of Wisconsin. Mr. Speaker, I rise to a parliamentary inquiry. Is it now in order to move to recede and concur——
The SPEAKER. Not at this time, because the present motion is to agree to the conference report, which covers the items which have been agreed to by the conferees. When the report is disposed of, items disagreed to will be before the House.
Mr. FITZGERALD. I should like to ask a question of the gentleman from Illinois.
The SPEAKER. As the Chair understands, the gentleman from Illinois withdraws for the present the motion for the previous question.
Mr. FITZGERALD. As I understand, the items inserted by the Senate to provide barracks have been excluded under the agreement of the conferees.
Mr. FOSS. Yes, sir.
Mr. RIXEY. As I understand, amendment No. 34, providing for the promotion and retirement of officers of the Marine Corps, has been agreed to?
Mr. FOSS. Yes, sir.
Mr. RIXEY. Can the gentleman tell us how many officers are affected by that provision?
Mr. FOSS. Only seven.
Mr. RIXEY. And this does not affect at all the proposition about which there was so much discussion in regard to the promotion of retired officers?
Mr. FOSS. It does not affect that matter at all. Mr. Speaker, I renew the demand for the previous question.
Mr. COOPER of Wisconsin. As a parliamentary inquiry, may

I ask whether the question is now simply on adopting those amendments which have been agreed to by the House conferees?

The SPEAKER. The question is on adopting the conference report.

The report was agreed to.

Mr. FOSS. There are certain amendments still in disagreement. Upon Senate amendment No. 10, relating to appropriations for the Charleston Navy-Yard, I move that the House further insist upon its disagreement.

Mr. MADDOX. Will the gentleman state what that amendment is?

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the words "In all, navy-yard, Charleston, S. C., $656,500" and insert in lieu thereof the following:

"Quay wall, $50,000; dredging, $20,000; locomotive and power house, $5,000; railroad scales, $3,000; sewers, $20,000; telephone system, $2,000; entrance gate and police station, $28,000; grading and drainage, $10,000; storehouse and storekeeper's offices, to extend, $50,000, to cost in all not to exceed $150,000; latrines, $3,000; railroad system, extension, $12,000; railroad equipment, $5,000; tools and machinery for yards and docks workshop, $8,000; one officer's quarters, $8,000; in all, navy-yard, Charleston, S. C., $880,500."

Mr. WILLIAMS of Mississippi. I should like to ask the gentleman whether the Senate amendment increases or decreases the amount allowed by the House?

Mr. FOSS. It increases it by this amount, to which we have disagreed.

Mr. WILLIAMS of Mississippi. What is the amount of the increase?

Mr. FOSS. I am informed by my colleague on the committee [Mr. LOUDENSLAGER] that it is about $230,000. As the bill went out of the House it was $650,000, in round numbers. They have increased it about $230,000, so I am informed.

Mr. FINLEY. I should like to ask my friend if it would be feasible to pass over this item and take up another for the present? My colleague [Mr. LEGARE], who represents the Charleston district, happens not to be in the House now, at least I do not see him. Would it be feasible to pass over this item for a little while?

Mr. FOSS. I would rather take them up in order. This motion puts the item in disagreement.

Mr. DAYTON. It is not finally settled.

Mr. RIXEY. I will state that the provision as carried in the bill as it left the House included everything that the gentleman who represents the Charleston district [Mr. LEGARE] asked us to include.

Mr. FOSS. Everything.

Mr. RIXEY. Everything.

Mr. BARTLETT. And the House voted it in accordance with his desires.

Mr. RIXEY. The House voted everything that he asked.

Mr. FOSS. These amendments which are inserted here have not been recommended by the Secretary of the Navy.

Mr. RIXEY. I think the item ought to be disagreed to.

Mr. WILLIAMS of Mississippi. I suppose so.

The motion of Mr. FOSS to disagree and further insist was agreed to.

The SPEAKER. There are a number of amendments, Nos. 15, 16, 18, 19, 20, 21, 24, 31, 32, 33, 35, and 38, which are still in disagreement. Is there a desire to consider any one of these amendments separately from the others?

Mr. WILLIAMS of Mississippi. Mr. Speaker, it is thoroughly impossible to know whether we have a desire to consider them or not unless we receive some information. I think if the chairman of the committee [Mr. FOSS] would take about five minutes to explain the general effect and purport of each one of these amendments we could act more intelligently.

Mr. COOPER of Wisconsin. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. COOPER of Wisconsin. I rise to announce that I desire to move to recede and concur in Senate amendment No. 18.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. FOSS. I yield to the gentleman from Louisiana [Mr. MEYER].

Mr. MEYER of Louisiana. Mr. Speaker, I desire to give notice that at the proper time I shall move to concur in Senate amendment No. 35, which provides that the colliers authorized by the bill of the House and confirmed by the Senate shall be built in navy-yards, one on the Pacific and the other on the Atlantic coast, the same to be designated by the Secretary of the Navy.

The SPEAKER. Is a separate vote demanded on the motion to concur in any other amendment?

Mr. FOSS. I move to further insist upon all other amendments on which a separate vote has not been demanded.

Mr. WILLIAMS of Mississippi. Mr. Speaker, before that matter is put to the House I suggest that it would not take much time—about five minutes—for the gentleman to explain to the House the general purport and meaning of each of these amendments. He can do it rapidly, so that we can get some idea of it. We do not know whether we want any separate vote or not.

The SPEAKER. The gentleman from Illinois.

Mr. FOSS. Mr. Speaker, amendment No. 15 relates to the consolidation of the light, heat, and power plants in our different navy-yards. The House committee were of the opinion that this consolidation ought to be under the Bureau of Yards and Docks, and left the question of consolidation in the discretion of the Secretary, but said that if he made the consolidation he must make it under that Bureau, because the committee were thoroughly and unanimously of the opinion that it ought to be done under that Bureau if at all. The Senate amendment left it in the discretion of the Secretary to make this consolidation under any bureau—for instance, under the Bureau of Construction and Repair, or the Bureau of Equipment, or the Bureau of Steam Engineering. So there is just that difference between the House and Senate upon that proposition.

The House say that the consolidation ought to be in the Bureau of Yards and Docks; the Senate leave it discretionary with the Secretary.

Amendment No. 16 is simply a clerical computation. Amendment No. 18 is the amendment with reference to the Great Lakes training station. The Senate have put in here a provision for a new board.

The SPEAKER. A separate vote is demanded on amendment numbered 18.

Mr. FOSS. And a separate vote has been demanded on this provision. Amendment numbered 19 is simply a clerical computation, dependent upon the action of the House on the previous amendment.

Amendment numbered 20 refers to a naval magazine in New England, for the purchase of land for a site for a naval magazine on the New England coast. I shall ask the House to insist on its disagreement to that provision.

Amendment numbered 21 is a clerical computation, dependent upon the action of the House on the previous amendment.

Amendment numbered 24 is as follows:

To place the frigate Constitution as near as may be in the same condition as regards hull and rigging as she was when in active service, for use as practice, training, or receiving ship, $400,000.

To that the House conferees have disagreed.

Now, amendment numbered 31 provides for an increased salary of $200 to a clerk in the office of the assistant quartermaster of the Marine Corps in Philadelphia, and the House conferees disagreed.

Amendments numbered 32 and 33 are clerical computations.

Amendment numbered 35 provides that the colliers shall be built in navy-yards, one on the Pacific coast and the other on the Atlantic coast. Upon that a separate vote has been demanded.

Now, as to amendment 38 the House proposition was:

That before any subsurface or submarine torpedo boat is purchased or contracted for it shall be accepted by the Navy Department as fulfilling all reasonable requirements for submarine warfare and shall have been fully tested to the satisfaction of the Secretary of the Navy.

This is the Senate provision:

That before any subsurface or submarine torpedo boat or boats are purchased or accepted by the Navy Department they shall have been fully tested to the satisfaction of the Secretary of the Navy and shall fulfill all reasonable requirements for torpedo or submarine warfare.

Here is the proviso which is really the difference between the House and the Senate on the provision:

Provided also, That the boats contracted for under this act shall be constructed in accordance with the plans and specifications of the contractor.

Mr. HILL of Connecticut. I would like to ask the gentleman what is meant by that second proviso that is inserted on the part of the Senate?

Mr. DAYTON. It ought not to be in there.

Mr. HILL of Connecticut. I would like to know at least what it means.

Mr. DAYTON. The contractor's plans shall be taken rather than the plans of the Department.

Mr. WILLIAMS of Mississippi. I think we may as well have a separate vote on that.

Mr. HILL of Connecticut. I do not know that I care for a separate vote, but I would like to intelligently understand the proviso before being called upon to vote upon it. The question I would like to ask the chairman of the committee is: Does it authorize the purchase of a boat on paper? If it does not, what does it mean?

Mr. FOSS. The proviso is this:

That the boats contracted for under this act shall be constructed in accordance with the plans and specifications of the contractor.

Now, in the building and construction or contracts for boats of other classes the Department has always retained the right to

make the specifications and plans for them. This proviso leaves it entirely with the contractor to say upon what plans these submarine boats shall be built.

Mr. HILL of Connecticut. Mr. Speaker, I do not think the chairman of the committee quite understands my question. What I want to know is whether under the terms of this clause it is possible for the Department to buy a boat existing merely in the imagination of the inventor upon the submission of plans; and I further want to know if that clause does not entirely nullify the preceding provision, which requires a test before purchase under the terms of the preceding proviso. Under this one the Navy Department could contract with any person that they see fit for a boat existing simply in the imagination of the individual upon the submission of plans and specifications. If it does so provide, it seems to me that the provision should be stricken out. We have a large Congressional scrap heap now. I do not believe we ought to add to it.

Mr. FOSS. Well, I will say to my friend that the House conferees are insisting on their disagreement.

Mr. HILL of Connecticut. I have no doubt in the world they will continue to insist if that means what I think it does.

The SPEAKER. Is a separate vote demanded on any other amendments than 18 and 35? The Chair hears none.

The question is on the House insisting upon its disagreement to the remaining amendments, except amendments numbered 18 and 35.

The question was taken; and the motion was agreed to.

The SPEAKER. The Clerk will report Senate amendment numbered 18.

The Clerk read as follows:

Naval training station, Great Lakes: The purchase of land and the establishment of a naval training station on the Great Lakes, $250,000. The President is hereby authorized and empowered to appoint a board consisting of not less than three members, none of whom shall be a resident of any State bordering on the Great Lakes, whose duty it shall be to select the most available site for such naval training station on the Great Lakes, and having selected such site, to ascertain and report its probable cost and the probable expenditure which will be necessary for improving the same, including lake shore protection and construction of necessary harbor facilities; and to make a detailed report of their findings and proceedings to the President to be transmitted by the President to Congress for its final action. And to defray the expenses of said board, the sum of $5,000, or so much thereof as may be necessary, to be immediately available, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Mr. FOSS. Mr. Speaker, in relation to this amendment I desire to move to recede from the disagreement and concur with an amendment, which I will send to the Clerk's desk to be read.

The SPEAKER. The gentleman from Illinois moves that the House do recede and concur in the Senate amendment with the following amendment, which the Clerk will report.

The Clerk read as follows:

Strike out all the paragraph after the word "dollars," in line 8, page 41, and insert in lieu thereof the following:

"*Provided*, That the site for said training station shall be selected by the Secretary of the Navy, in his discretion, but he shall not pay a sum to exceed $250 per acre therefor."

So that the entire paragraph will read:

"Naval training station, Great Lakes: The purchase of land and the establishment of a naval training station on the Great Lakes, $250,000: *Provided*, That the site for said training station shall be selected by the Secretary of the Navy, in his discretion, but he shall not pay a sum to exceed $250 per acre therefor."

Mr. RIXEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. RIXEY. Mr. Speaker, I simply desire to renew the point of order against the amendment. I will reserve the point of order if it is desired.

The SPEAKER. The Chair will be glad to know what the point of order is.

Mr. FOSS. I can not understand the Chair.

The SPEAKER. The gentleman from Virginia gives notice that he will reserve the point of order. That can be done by unanimous consent. The Chair has certainly no objection, but the Chair will be glad to know what the point is for the convenience of the Chair.

Mr. RIXEY. Mr. Speaker, I will state the point of order. This amendment of the Senate provides for the appointment of a commission by the President for the purpose of locating a training station on the Great Lakes. The amendment which is offered strikes out the commission entirely and provides absolutely for the purchase of land, I suppose in accordance with the recommendation of a board which has been heretofore appointed and acted. Now, I take it the amendment now offered by the gentleman from Illinois is not pertinent or germane to the amendment which was incorporated into this bill by the Senate.

The SPEAKER. Does the gentleman from Virginia desire to make the point of order now or reserve it?

Mr. RIXEY. I will reserve the point of order for the present until the motion of the gentleman from Wisconsin is passed on.

Mr. FOSS. I think the gentleman had better insist on the point of order.

Mr. RIXEY. Then, Mr. Speaker, I insist on the point of order.

Mr. DAYTON. You have read the first part of the bill, which makes an absolute appropriation for this training station?

The SPEAKER. Does the gentleman from Virginia desire to be heard on the point of order?

Mr. RIXEY. No, sir; I do not.

The SPEAKER. The Chair is prepared to rule. The Senate amendment provides for the purchase of land and the establishment of a naval training station on the Great Lakes, $250,000, and then provides the machinery by which an investigation shall be made and a report made to Congress. The object is the establishment of a naval station. The machinery is a mere matter of detail, and it seems to the Chair that the amendment proposed by the gentleman from Illinois is in order.

Mr. BAKER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BAKER. I want to ask a question of the chairman of the committee.

Mr. FOSS. I yield to the gentleman from Wisconsin [Mr. COOPER], who desires to make a motion to concur.

Mr. COOPER of Wisconsin. Mr. Speaker, I make the motion to recede and concur in Senate amendment No. 18.

Mr. BAKER. Mr. Speaker——

The SPEAKER. The gentleman from Illinois yields to the gentleman from Wisconsin.

Mr. COOPER of Wisconsin. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment No. 18 and concur therein. On that have I the floor, Mr. Speaker?

Mr. FOSS. Mr. Speaker——

The SPEAKER. The Chair will call the attention of the gentleman from Wisconsin, and also the gentleman from Illinois, to the fact that the gentleman from Illinois has moved to recede and concur with an amendment.

The Chair finds, on looking at the precedents, that the motion of the gentleman from Wisconsin [Mr. COOPER] takes precedence over the motion to recede and concur with an amendment, and the Chair therefore will entertain the motion of the gentleman from Wisconsin. The gentleman from Illinois [Mr. Foss], however, controls the time.

Mr. FOSS. Mr. Speaker, I understand that the motion of the gentleman from Wisconsin to recede and concur takes precedence of the motion that I have offered.

The SPEAKER. It does at this stage of the bill, under the precedents.

Mr. FOSS. Now, I will ask the Speaker how much time we have on this proposition?

The SPEAKER. The gentleman from Illinois, under the rules of the House, has one hour.

Mr. FOSS. I will ask the gentleman from Wisconsin how much time he desires?

Mr. COOPER of Wisconsin. In view of the situation and of the very great importance of this matter——

Mr. FOSS. I mean of this one hour.

Mr. COOPER of Wisconsin. Can we not have that time extended by unanimous consent for half an hour?

Mr. FOSS. No; I think we ought to get along on these matters. There are other amendments here.

Mr. COOPER of Wisconsin. Can the gentleman give me half an hour?

Mr. FOSS. I will be pleased to divide the time, one-half hour on each side; but if any gentleman desires to speak in support of the motion of the gentleman from Wisconsin, then the gentleman from Wisconsin must give him that time, for I shall want to close the debate on the proposition.

Mr. COOPER of Wisconsin. Then, Mr. Speaker, I shall ask that my attention be called to the fact when I have consumed twenty minutes.

The SPEAKER. The gentleman from Illinois yields to the gentleman from Wisconsin thirty minutes, as the Chair understands.

Mr. COOPER of Wisconsin. Mr. Speaker, the motion is for the House to recede from its disagreement to Senate amendment 18 and to concur therein.

The amendment is an effort to settle in a fair, honorable way the vexed question of a site for the Great Lakes naval training station, by the appointment of a new board to inspect sites, to select the one most available, to prepare a statement in detail as to its probable cost and the probable amount necessary for improvements, including a harbor and lake-shore protection, and to report its findings to the President, to be transmitted to Congress for its final action.

After protracted, thorough debate in the Senate this amendment passed that body with only one dissenting vote—that of a

Senator from Illinois. In my judgment it ought to pass the House without opposition.

I regret that I can not have time properly to discuss this important proposition—important not only to the Navy and to the Treasury of the United States, but also to me personally, because of the attack made in effect upon my integrity during the debate on this question in February last. During that debate I said to the House that when this board came to the city of Racine on August 4, 1902, they did not go within one mile and a half of the site which the city of Racine had to offer, assigning as a reason their lack of time and also that that visit was merely preliminary to a thorough inspection at a later date. I said also that on October 31, 1902, when they came on their second and last visit, they did not arrive in Racine until 4.30 p. m., and did not reach the site until after dark, when lamps had been lighted in the farmhouses. At the close of the debate a letter from a member of the board was read, which absolutely contradicted these statements in every essential particular. This letter is dated February 24, the day on which it was read in the House.

The chairman of the Committee on Naval Affairs, the gentleman from Illinois [Mr. FOSS], read this letter, prefacing it with this remark, referring to myself—I read from the RECORD:

When the gentleman made that statement he knew whether it was true or not. I have nothing to say.

Mr. Speaker, I told the House the truth on that occasion or I told it a falsehood. The facts were such and they were so entirely within my own knowledge that I could not be mistaken about them.

Mr. FOSS. Mr. Speaker, will the gentleman yield?

Mr. COOPER of Wisconsin. Not at this time, unless the gentleman will yield me more time.

Mr. FOSS. Mr. Speaker, I desire to say that I did not express any opinion on the matter one way or another. I simply left it between the gentleman and the board.

Mr. COOPER of Wisconsin. I know what the gentleman said. The board did not write that letter. It was written and signed by only one member of the board, and the gentleman from Illinois in his remarks assumed that every word of it was true. I believe that Admiral Taylor knew nothing about it.

This letter and the remarks of the gentleman from Illinois raised a direct issue as to my veracity. The letter was read at the end of the debate, when it could not be answered. This is the first opportunity, Mr. Speaker, that I have had on the floor of the House to discuss this subject, and I propose now to demonstrate whether the writer of that letter or I told the truth to the House concerning the board's two visits to Racine and their alleged inspection of the North Point site. Fortunately the evidence is at hand to remove all doubts and to make the demonstration unanswerable.

The first visit of the board was on August 4, 1902. Concerning that visit, this letter says:

The board was met by a committee and driven in carriages to the hote in Racine. Afterwards the board and the committee, composed of the mayor of Racine and several citizens of that city, proceeded in carriages to examine the site, a short distance north of the city. The board was taken to this site by the committee, and not by the suggestion of the board, as the board understood that this was the site which the city had to offer as being a suitable site for the naval training station. The board inspected this site, and afterwards returned to the city and to the railway station.

The site at North Point was not presented to the board during this visit, except possibly in a casual way. The board was in the hands of the committee for the time being, and therefore only visited the site which the committee had to offer.

Had the site at North Point been seriously offered to the board, the board would naturally have preferred to visit this site at the time, as the North Point site is manifestly the best site for a training station in the vicinity of Racine.

After the return of the board to Washington the subject of the site at North Point, known in the board's final report as "North Point Site A," was taken up in correspondence with the representatives of interests at Racine, and the board determined on their next trip to the Great Lakes to visit this site.

As to the second and last visit (October 31, 1902), this letter says:

The board again visited Racine in October. Rear-Admiral Taylor, the president of the board, was unable to accompany the board on this visit. The board arrived at Racine late in the afternoon, and was there met in carriages by a committee in accordance with previous arrangements and driven to North Point. Owing to the fact that the carriage horses were not equal to their load considerable time was wasted in the journey from the railway station to the site.

Nevertheless the board reached the site in ample time to have sufficient daylight to see the site and to determine all the points the board had in mind. The board drove over much of the site, and as the site was for the most part cleared land, the time was ample for the inspection. Had the board not been fully satisfied as to the physical characteristics, it would have waited and made a second visit the following day or stopped at Racine on their return from their trip to the northward.

Here, in this letter, are four principal statements, namely:

First. That on their first visit (August 4, 1902) the board inspected a site at the city of Racine.

Second. That this was not the North Point site; that the North Point site was not then presented, except possibly in a casual way; and that the board would have preferred to visit the site at that time.

Third. That after the return of the board to Washington the North Point site was taken up in correspondence with citizens of Racine, and that then it was that the board determined on their next trip to visit it.

Fourth. That on their second and last visit (October 31, 1902) they arrived at Racine late in the afternoon, but, nevertheless, reached the North Point site in time to inspect it by daylight.

Mr. Speaker, the facts are as follows:

First. That in conversation at the hotel in Racine, immediately after their arrival on August 4, 1902, the members of the board informed the committee of citizens that they were pressed for time and could not remain in Racine on that day for more than one-half or three-quarters of an hour; that their visit was only preliminary.

Second. That on August 4 the board did not visit or inspect any site in or near the city of Racine, the only site suggested or thought of at that time being at North Point, sometimes called "Wind Point."

Third. That the only place in Racine where the board alighted from the carriages on the shore of Lake Michigan on that day was in the Fourth Ward, a thickly settled portion of the city, where there was no possible opportunity for a site for the naval training station.

Fourth. That while standing on the bank of the lake the attention of the board was called to North Point, a mile and a half distant, as meeting every requirement for a site for a naval training station, and that thereupon the members of the board declared that for lack of time they would not then drive to North Point, but would return at a later date to inspect the site. Admiral Taylor at the same time turning to Engineer Rousseau and directing him to make a note of what had been said.

Fifth. That after standing on the bank of the lake a few minutes the board were driven directly to the railroad station, and at no time on that day were nearer than 1¼ miles to the North Point site.

Sixth. That the board did not wait until they returned to Washington and had had correspondence concerning the North Point site to decide to visit it, but that on August 4, 1902, in the presence of the citizens' committee, and also in my presence, they promised to do so.

Seventh. That on their second and last visit, October 31, 1902, the board (only two members) did not arrive in Racine until 4.30 o'clock in the afternoon, when, because of the lateness of the hour, they were invited to remain in Racine overnight, so that the site might be inspected by daylight; that they declined this invitation, and were then driven to the site, which was not reached until lamps were lighted in the farmhouses and it was entirely too dark to make anything like an inspection, the two members of the board simply driving across the site and back in a closed carriage.

Eighth. That, as a result of all this, the board have never inspected the site at North Point.

Mr. Speaker, in support of my statement I shall offer two kinds of evidence, namely: First, my letters written to the board immediately after their respective visits to Racine; second, affidavits of members of the citizens' committee who accompanied the board during these visits.

I have here my letter-press book containing copies of all letters dictated by me from July 5, 1902, to November 26, 1902. On page 198 of this book I find a letter dated August 17—two weeks after the first visit of the board. A portion of this letter I will now read, and all of it I will, with the consent of the House, print in the RECORD. This letter shows conclusively that the board did not visit any site in or near the city of Racine on August 4, 1902.

RACINE, WIS., *August 17, 1902.*

Admiral H. C. TAYLOR, *United States Navy,*
Navy Department, Washington, D. C.

MY DEAR SIR: I am in receipt of your Cleveland letter of the 14th instant.

As I wrote you in my last letter, I hope very much that your board will not fail again to visit Kenosha and Racine. Your previous visits were too brief to permit of anything like a thorough examination of the sites. This is especially true of the site at Racine.

You will recall that your board did not go nearer than a mile and a half to the proposed site in this city, on North Point.

The House will observe that in this letter I spoke of "the site at Racine," and of "the proposed site in this city, on North Point," thus showing clearly that there was then only one site—the site at North Point—which that city had to offer. And not only did I speak of this site, but I took occasion in this letter to remind the board that during their visit of August 4 they had not been nearer than a mile and a half to it.

The whole letter is as follows:

RACINE, WIS., *August 17, 1902.*

Admiral H. C. TAYLOR, U. S. N.,
Navy Department, Washington, D. C.

MY DEAR SIR: I am in receipt of your Cleveland letter of the 14th instant. As I wrote you in my last letter, I hope very much that your board will not fail again to visit Kenosha and Racine. Your previous visits were too brief to permit of anything like a thorough examination of the sites. This is especially true of the site at Racine. You will recall that your board did not go nearer than a mile and a half to the proposed site in this city on North Point. This site is a peninsula from one-half to three-quarters of a mile in width, projecting into the lake about 1 mile, and forming a bay perfectly protected from northeast storms—the only severe storms of this locality. The ground is all level and from 30 to 50 feet above the lake, excepting a ravine and a slough, which can be easily converted into a commodious harbor. The site is also a short distance from the main line of the Northwestern Railroad between Chicago and Milwaukee.

While your board made a more thorough examination of the Kenosha site, I am sure that the people of that city will be much pleased to have you make another and more complete inspection of it. As requested in your letter, I will be pleased to convey your message to the mayors and committees on sites of the respective cities.

Hoping that you will not fail again to visit Racine and Kenosha,
I am, very respectfully,

H. A. COOPER, M. C.,
First District of Wisconsin.

A little later, under date of September 5, 1902, I wrote the board another letter, a copy of which is found on page 241 of this letter-press book. This letter constitutes absolutely conclusive evidence that the board did not inspect any site at Racine on their visit of August 4, 1902. In this letter I distinctly reminded the board that there were only two sites in my Congressional district, one at Racine and the other at Kenosha, and that the board had "not as yet made any inspection of the site at Racine."

The letter is as follows:

RACINE, WIS., *September 5, 1902.*

Admiral H. C. TAYLOR, U. S. N.,
Navy Department, Washington, D. C.

SIR: I have the honor to acknowledge the receipt of your communication of August 27.

I note with pleasure the statement that your board expects to complete its preliminary examination of sites some time during the present month of September, and that it will be pleased to make a personal examination of any sites suggested by me. In this connection I desire to say that there are but two sites in my district—one at Racine and the other at Kenosha. Either of these would make an admirable location for the Great Lakes naval training station. Your board made a partial examination of the Kenosha site, but has not as yet made any inspection of the site at Racine. As you will recall, these two sites are but 10 miles apart. Permit me, therefore, to urge that your board visit both of them on your September visit.

I shall be greatly obliged if in reply to this you will kindly inform me as to when your board will visit this locality.

Awaiting your reply, I am, very respectfully,

H. A. COOPER, M. C.,
First District of Wisconsin.

Mr. Speaker, the board did not again visit Racine until October 31, 1902. Only four days later (November 4, 1902) I wrote the board another letter, a copy of which appears on page 425 of this letter-press book.

In this letter I reminded the president of the board that he had never personally made an examination of the North Point site, and distinctly informed him that the two other members of the board on their visit of October 31, 1902, arrived at so late an hour as to make it impossible for them to see the site by daylight.

The letter reads as follows:

RACINE, WIS., *November 4, 1902.*

Admiral H. C. TAYLOR, *United States Navy,*
Navy Department, Washington, D. C.

SIR: Permit me to say an additional word concerning the site for the naval training station.

Your full board has already visited the fine site at Kenosha, and two of your members have made a second visit. I shall not, therefore, refer to it in detail at this time. Inasmuch, however, as you personally have never made an examination of the North Point site near this city, I desire now to call attention to its very great merits.

It is to be regretted that Lieutenant-Commander Winslow and Engineer Rousseau on their visit here last week arrived at so late an hour (4.30 p. m.) as to make it impossible for them to see the site by daylight. It was after 5 o'clock before we arrived on the ground, too late to make a satisfactory inspection.

The North Point site can not be excelled anywhere. The ground is from 30 to 35 feet above the lake, very fertile, generally level, and in every way peculiarly adapted to the requirements of the proposed naval training station. There is ample opportunity to make a harbor, which could be easily kept in good condition. The fine harbor of the city of Racine, with a channel depth of 21 feet, is also available. Without great expense the site could easily be made an island by dredging the ravine which extends across the Point. There is a beautiful beach more than a mile in length. The point itself furnishes absolutely perfect protection from northeast storms, the only troublesome storms in this section. From the north side of the site Milwaukee is visible, 20 miles away, and from the south side there is a fine view of the bay and harbor of the city of Racine.

This shore of Lake Michigan has the lowest death rate of any portion of the United States, and it would be impossible to find a more healthful locality than North Point.

Located between Chicago and Milwaukee, the site is near the center of a great population, to which it is easily accessible.

In locality, eligibility, healthfulness, and every other essential the site at North Point is ideal.

I have the honor to remain, very respectfully,

H. A. COOPER, M. C.,
First District of Wisconsin.

Mr. Speaker, these letters were written when the incidents were fresh in my mind, and at a time when there was no thought of the controversy which has arisen; and they afford indisputable evidence that the writer of the letter read by the gentleman from Illinois was at least mistaken in his statement of facts.

But, Mr. Speaker, in addition to these letters I have affidavits which I desire to present. I secured these affidavits in this way: Immediately after the gentleman from Illinois read the letter from the member of the board I mailed a copy of it to Mr. R. M. Boyd, one of the committee of citizens who accompanied the board during its visits to Racine, together with a letter from myself requesting him to forward me affidavits of the members of the committee setting forth the facts as to these visits. With the permission of the House I will insert in the RECORD a copy of my letter to Mr. Boyd, although it would have been in somewhat different form if originally intended for publication. In it there is no suggestion of what I had said during the debate, but only a request for affidavits showing the exact facts.

My letter to Mr. Boyd is as follows:

FEBRUARY 24, 1904.

Mr. R. M. BOYD, *Racine, Wis.*

MY DEAR MR. BOYD: Before this reaches you you will know of the two days' fight in the House and of the defeat of the naval-training-school proposition.

I never was more astonished in a debate than when to-day Mr. Foss read a letter written by Commander Winslow, saying that on the first visit of the board (August 4, 1902) they were met at the station in Racine and proceeded in carriages to examine a site a short distance north of the city; that the board inspected this site and afterwards returned to the city and to the railway station. They say that the site at North Point was not presented to the board except in a casual way, and therefore they only visited the site which the committee had to offer.

Did you ever hear of anything to surpass that? I can not imagine how Winslow came to make such a statement. I herewith inclose a copy of the Winslow letter above referred to.

I wish that you would get an affidavit from each man who was with the escort party on that day, setting forth the exact facts as to where the board were driven and how near they came to reaching either of the proposed sites. Have each affiant give his business and state his official position, either the one he at present occupies or the one he occupied on the day of the visit. Have these affidavits made before a notary public, who shall affix his seal to each one of them, or before a judge or some other court officer having a seal. Have each affidavit cover the necessary points, and send to me by earliest possible mail.

Please show this letter to Mr. Walker and other interested friends. I prefer that it shall not be made public until after I have presented the affidavits.

Very truly, yours,

H. A. COOPER.

A few days after mailing this letter I received an affidavit of each member of the citizens' committee. One of the affiants is Hon. Michael Higgins, a leading manufacturer of my city, who was at that time its mayor. Other affiants are W. A. Walker and R. M. Boyd, for the last thirty years citizens of Racine and prominently identified with its business interests. Another affiant is Mr. Henry J. Schroff, now and for several years past city clerk of the city of Racine.

Mayor Higgins accompanied the board on only its first visit, August 4, 1902. In his affidavit he swears that the board, accompanied by the citizens' committee, were driven to the lake shore at High street; that no naval training station site was offered to the board in that vicinity; but that while standing there on the bank North Point was pointed out and the statement made that on the south side of it there was a large slough or creek where a splendid harbor could be secured with comparatively little cost.

He swears that the board declined to drive up there, a distance of about 2 miles from where they then stood, assigning as a reason that they had not sufficient time. He adds that they remained at that place a few minutes and were then driven back to the railway station. He also swears that at the first visit of the board to Racine there was positively no site inspected or visited by the board, as the point where they stopped is in a densely populated portion of the city, and that no site was mentioned to them except the North Point site.

The affidavit of Mayor Higgins is as follows:

HIGGINS SPRING AND AXLE COMPANY,
MANUFACTURERS OF WAGON AND CARRIAGE SPRINGS AND AXLES,
Racine, Wis., February 25, 1904.

M. Higgins, jr., being first duly sworn, deposes and says that in the year 1902 he was mayor of the city of Racine, and that on or about the 4th day of August, 1902, he was informed by Mr. Lloyd, agent for the Chicago and Northwestern Railway Company in this city, that the board for the selection of a site for a naval training station on the Great Lakes was on their line of road and would reach the city of Racine along in the afternoon and would stop off here for a short time if desired to do so. The board arrived at the Chicago and Northwestern depot during the afternoon, was met there by carriages and driven over to Hotel Racine, where they were introduced to myself and to a number of other persons.

That after a few moments conversation a member of the board made the statement that they were limited for time and had but a very short time, possibly thirty minutes, to remain in the city, and that while here they desired to obtain as much information as possible in reference to our harbor and harbor facilities.

That the board, together with several citizens, including Congressman H. A. COOPER, entered the carriages and were driven up North Main street to High street and from there east to the lake bank, from which point a splendid view of Racine Bay and Harbor can be obtained. There was no

naval training station offered to them at that point, but while standing there North Point was pointed out to them and the statement made that at the south side of the point there was a large slough or creek entering the lake, known locally as "Duck Creek," where a splendid harbor could be obtained with comparatively small cost. The board declined to drive up there, a distance of about 2 miles from where we stood, assigning as the reason that they had not sufficient time We remained at that point possibly from ten to fifteen minutes. The board was then driven back to the Chicago and Northwestern depot by the way of High street and Milwaukee road. That at the first visit of the board to this city there was positively no site inspected nor visited by the board, as the point where we stopped is in a densely populated portion of the city and no site was mentioned to them except the North Point site.

Upon the visit of the board at a later period, I believe some time in October, I was absent from the city.

MICHAEL HIGGINS, Jr., *Ex-Mayor.*

Subscribed and sworn to before me this 25th of February, 1904.
[SEAL.] R. M. BOYD, *Notary Public.*
Notarial commission expires August 15, 1904.

In Mr. Walker's affidavit he swears that on the first visit of the board they were met at the station and driven to Hotel Racine; proceeded from the hotel to the east end of High street, where the entire company left the carriages and walked to the edge of the bluff to view Racine Harbor and the bay lying between the harbor and North Point. He adds that a distinct statement was made by Admiral Taylor that he could not allow Racine but one-half an hour. He says that the board alighted from their carriages at the end of High street, where there was no possible location for a naval training station; that that vicinity was never suggested as a site, and that the visit of the board to the place where they alighted from the carriages was only for the purpose of getting a view of the harbor and the general surroundings, it being understood that one-half an hour was all the time they could give Racine and that it would be impossible for them to visit North Point at that time.

He adds, however, that a promise was then made that the board would visit the proposed site at their earliest possible convenience. Mr. Walker swears that on their second visit—October 31—the board was met at the railway station at about 4.30 p. m. and driven to North Point. He says that before starting the gentlemen of the receiving party took out their watches, expressed the opinion that it would be impossible to reach the site before dusk, and asked if the board could not await a more favorable opportunity to visit it, to which they replied that it would not be possible for them to come again. Mr. Walker says that under these unfavorable conditions the party drove as rapidly as possible to North Point, arriving after the lights had been lit in the farmhouses.

The affidavit of Mr. Walker is as follows:

RACINE, WIS., *February 26, 1904.*

To whom it may concern:

I, W. A. Walker, a citizen of Racine for the past thirty years, at present and for twenty years past have been a manufacturer, hereby certify that as a member of the Racine Business Men's Association, I, with the mayor, city clerk, and others, met Rear-Admiral Taylor, Commander C. McR. Winslow, and Civil Engineer H. H. Rousseau, as representatives of the United States Navy, constituting an examining board for the purpose of selecting a site for the proposed naval station on the Great Lakes, on or about August 4, 1902. The said naval committee were met at the Chicago Northwestern Railway station with carriages and driven to the Hotel Racine and proceeded from the hotel to the north side of Racine, at the east end of High street, where the entire party got out of the carriages, walked to the edge of the bluff, and viewed the Racine Harbor and the beautiful bay lying between the harbor and Wind Point; that the distinct statement was made by Admiral Taylor that he could not allow us but one-half hour at that time, and in view of that fact a member of our committee pointed out our proposed site at Wind Point, stating that there was a small stream entering the lake on the south side of said site, which was splendidly protected from all of the heavy storms, and that this location at Wind Point was the only site for the proposed naval station that we had to offer at Racine, so far as I know. Where the committee alighted from the carriages, at the end of High street, there was no suitable location for a naval station; it was never suggested as such, and the visit of the committee to the place where we did alight from the carriages was solely for the purpose of getting a view of the harbor and the general surroundings, it being distinctly understood that one-half hour was all the time they could give us on that first visit and it would be impossible for the committee to visit Wind Point at that time, a promise, however, being made that they would visit our proposed site at their earliest possible convenience.

I also state that on the second visit of two members of the committee, Commander C. McR. Winslow and Chief Engineer H. H. Rousseau, about October 31, 1902, they were met at the Northwestern Railway station at about 4.30 p. m. by a committee and driven direct from the station to Wind Point. At that time Hon. H. A. COOPER, M. C.; W. H. Kranz, president of our Business Men's Association; myself, and other persons present, took out our watches and expressed the opinion that as the proposed site was 3 miles from the station, it would be impossible to arrive on the grounds before dusk, and asked if the committee could give us a more favorable opportunity to show them the proposed site, to which they replied that they did not think that it was possible for them to call again; that therefore, under these unfavorable conditions, we drove as fast as possible to the proposed site, and arrived after the lights had been lit in the farmhouses.

After this very meager examination by the board of our proposed site, the Business Men's Association felt that sufficient information was not in the hands of the committee, and therefore, at a very great expense, engineers were sent to Wind Point, and also photographers, and by photographs, maps, and drawings our Business Men's Association has endeavored to place before the naval board information that we believed necessary to prove that Wind Point and the beautiful bay lying between the Racine Harbor and Wind Point was the best possible site for the proposed naval training station on the west shore of Lake Michigan. The above statements are true and correct.

Respectfully submitted.

WILLIAM ALLEN WALKER.

STATE OF WISCONSIN,
County of Racine, ss:

Subscribed and sworn to before me this —— day of February, 1904, by William A. Walker, who states upon oath that all of the within statements are correct and true.

C. R. CARPENTER,
Notary Public, Wisconsin.

Mr. Boyd in his affidavit swears that Admiral Taylor informed the receiving party that the board had only about thirty minutes to spend at Racine on August 4; that they were driven to the lake shore at the east end of High street, and that while standing there he (Mr. Boyd) called the attention of Admiral Taylor to North Point; that the board declined to drive to the point, which was about 1½ miles distant, assigning as a reason that they had not sufficient time, but adding that they would return later in the season and devote as much time as necessary to make a complete investigation of the site. Mr. Boyd swears that on their first visit to Racine the board inspected no site, and that there was no site offered except only the North Point site. He adds that there was positively no site offered or inspected at the point on the lake shore where the board stopped, as it is in a thickly settled portion of the city.

Mr. Boyd swears that when he mentioned the North Point site to Admiral Taylor the latter called the attention of Engineer Rousseau, the recorder of the board, to the statement which he (Mr. Boyd) had made, and requested Rousseau to make a memorandum of the same, promising to devote ample time for an inspection of the site when the board returned later in the season. Mr. Boyd swears that on their second visit (October 31) the board did not reach the station until 4.30 o'clock in the afternoon, when they were informed that because of the lateness of their arrival it would be impossible to reach North Point and thoroughly inspect the site on that day; that the board were invited to remain at the hotel overnight and make an inspection in the morning; that they declined to do this for the reason that they were traveling on schedule time and were to inspect a site at Sheboygan early the next morning; that thereupon, as fast as possible, the drive was made to North Point, but that when the board arrived there the lamps were lighted in the farmhouses.

Mr. Boyd swears that it was upon this occasion that he called the attention of the board to another possible site lying east of the highway on which the party traveled going to North Point, and beginning about three-quarters of a mile north of the city limits; that the members of the board did not stop or alight from their carriages and inspect the site, but merely looked at it as they drove along the road. It is known in their report as "North Point Site B." Mr. Boyd swears that this was the only time (October 31, 1902) that the attention of the board was called to this site, except through correspondence. As I have before said, Mr. Speaker, it is also a fact that this "Site B" was never seriously considered.

The affidavit of Mr. Boyd is as follows:

STATE OF WISCONSIN, *Racine County, ss:*

I, R. M. Boyd, the undersigned, being first duly sworn, on oath state that for more than thirty years past I have been a resident of the city of Racine and State of Wisconsin, and that for the past ten years I have been engaged in the real estate and insurance business in this city. On or about the 4th day of August, 1902, I met in front of my office Hon. M. Higgins, jr., then mayor of this city, and Henry J. Schroff, city clerk. They stated to me that the board created for the purpose of selecting a site for a naval training station on the Great Lakes would arrive at Hotel Racine in a few moments; that carriages were then over at the station for them. In about five minutes the carriages drove up, containing Admiral H. C. Taylor, Lieut. Commander Winslow, Civil Engineer H. H. Rousseau, and, I think, a Captain Young, together with W. H. Kranz, president of the Business Men's Association of this city, and Mr. Lloyd, agent for the Chicago and Northwestern Railway. The parties alighted, but did not go into the hotel. They were introduced to his honor the mayor, City Clerk Schroff, and myself, and about this time we were joined by Congressman H. A. COOPER and Clarence Snyder, of this city, who had just returned from Kenosha. After chatting a few moments on general subjects, the question came up as to how much time could be devoted to Racine.

I think that the remark was made by Admiral Taylor that they had only about thirty minutes to spend here, and that he would like to get a definite idea of our harbor and harbor facilities. The party then entered the carriages and was driven up North Main street to High and from High street east to the lake shore, from which point a splendid view of Racine Bay and harbor may be obtained. While standing there I pointed out to Admiral Taylor North Point, and called his attention to the fact that on the south side of the point there was a large slough or creek which empties into the lake and where a splendid inland harbor could be constructed at a comparatively small cost. The party declined to drive up there, which was about a mile and a half distant, and inspect the premises, assigning as a reason that they had not sufficient time, but that they would return later in the season and devote as much time as was necessary in order to make a complete and thorough investigation of the site. On their first trip to this city there was no site inspected, and there was no site mentioned or offered excepting the "North Point" site. There positively was no site offered or inspected at the point where we stopped, it being in a thickly settled portion of the city. When I mentioned the North Point site to Admiral Taylor, he called the attention of H. H. Rousseau, the recorder of the board, to the statements which I had made and requested him to make a memorandum of the same, and promised to devote ample time for the inspection of the site when they returned later in the season.

On the 31st day of October, 1902, I received the following telegram from Lake Forest, Ill.: "R. M. Boyd: Naval Training Station Board will reach Racine about 3 o'clock to-day." We had carriages waiting at the Northwestern Depot at 3 o'clock. The members of the board were detained, and my recollection is did not reach the Northwestern Depot until about 4.30. It was represented to them that on account of the lateness of their arrival it would be

impossible to reach the site at North Point and thoroughly inspect it, and they were requested to come over to the hotel, remain all night, and make the inspection the next morning. They declined to do so absolutely, for the reason that they were traveling on schedule time and must be in Sheboygan that night; that they were to inspect a site at Sheboygan early the next morning and leave for some other destination. The drive was made to North Point as fast as could possibly be done. When we arrived there the lamps were lighted in the farmhouses. We stopped a moment at the bridge that crosses the creek or slough on the south line of North Point, and then proceeded up to a point a little north of the light-house, and then drove on the highway to a point nearly to the west line of the proposed site. Turning there, we retraced our steps and returned to the city.

From a point near the light-house the electric lights in the city and the harbor lights were plainly visible. Upon this occasion I called the attention of the board to a site lying east of the highway on which we traveled going to North Point and beginning about three-quarters of a mile north of the city limits, and extending up to what is known as the "Three-mile road." The members of the board did not stop or alight from the carriages to inspect this site, but looked at it as they drove along the highway. It is known on their report as "North Point Site B." On this occasion is the only time that the attention of the board was called to that site, except through correspondence.

R. M. BOYD.

Subscribed and sworn to before me this 26th day of February, A. D. 1904.

ESTELLE J. GLASS,
Notary Public, Racine County, Wis.

My commission expires February 4, 1906.

City Clerk Henry J. Schroff swears that on August 4, 1902, he was a member of the committee which accompanied the board to the lake bank at the east end of High street, from which point the site recommended to the board by the committee was pointed out as lying just west of North Point light-house; that no other site than the North Point site was referred to or recommended on that day; that after a few minutes spent in conversation the board were driven to the station, and that, to the best of his belief, not more than forty-five minutes were consumed from the arrival of the board in Racine until their departure. Mr. Schroff swears that on their second visit, the board being late in arriving, they were informed by the citizens' committee that to visit the site at such an hour would be doing injustice to it and to the citizens of Racine; that the board were invited to remain over night and view the site by daylight, but informed the citizens' committee that it would be impossible for them to do so, as they had to be in Milwaukee that evening to leave for some point farther north. Mr. Schroff adds that the board were then driven to North Point as speedily as possible, but arrived there when it was too dark to make an inspection of the site.

The affidavit of Mr. Schroff is as follows:

CITY CLERK'S OFFICE,
Racine, Wis., February 25, 1904.

STATE OF WISCONSIN, *Racine County, ss:*

Henry J. Schroff, city clerk of the city of Racine, deposeth and says that on or about August 4, 1902, he was one of the said officers which received the committee which was appointed by the naval board to select a site for a naval training school on the west shore of Lake Michigan, said committee being composed of Admiral Taylor, Lieutenant-Commander Winslow, and H. H. Rousseau.

The said committee on their arrival were taken in carriages from Hotel Racine across Main Street Bridge, up North Main street to High street, east on High street to the lake bank, from which point they viewed the Racine Harbor, and the site recommended to the board by the citizens' committee was pointed out to them as lying just west of Wind Point light-house. No other site than the one referred to was recommended outside of the one just mentioned. That possibly ten or fifteen minutes were spent in conversation, after which the visiting party were taken west on High street, south on Milwaukee avenue, west on State street to the Northwestern Depot, where the citizens' committee bade farewell to the visiting committee, and were promised that said board would return to Racine at a later date and give the proposition a thorough consideration. That to the best of my belief no more than forty-five minutes were consumed from the time the said committee arrived until their departure.

That on the second visit the committee were several hours late in arriving, and were informed by the citizens' committee that to go and view the site at so late an hour in the day would be doing an injustice to the site proposed and to the citizens of Racine. They were requested to remain overnight and view the site in daylight. The citizens' committee, however, were informed that that would be impossible, as the said visiting committee must be in Milwaukee that evening to leave for some point farther north.

Under these conditions the citizens' committee with the visiting committee drove out to North Point, and the trip was made as speedily as the horses could possibly make it. The horses were of a superior quality to those usually found in a first-class livery stable. In this respect there was no time lost.

It was too dark to see sufficiently to do justice to the citizens of Racine or the committee appointed to select a naval training school site for the United States Government.

HENRY J. SCHROFF, *City Clerk.*

Subscribed and sworn to before me this 26th day of February, 1904.

[SEAL.] WM. H. ARMSTRONG,
Clerk Municipal Court Racine County, Notary Public

Mr. Speaker, there is one other bit of evidence of great significance to which I wish now to refer. It is a letter indicating with certainty that the board had selected the Lake Bluff site before it made its second visit to Racine. I have here a copy of the letter which was written by the president of the board on October 24, 1902, one week prior to their last visit to Racine. I procured it at the United States Geological Survey.

The letter is as follows:

BOARD OF GREAT LAKES NAVAL TRAINING STATION,
NAVY DEPARTMENT ANNEX,
Washington, D. C., October 24, 1902.

SIR: I have the honor to inclose a copy of the board's letter, No. 275, of September 29, to the Department, and of a letter from the Comptroller of the Treasury of August 15, forwarded with the Department's first indorsement of October 17; and, with the Department's approval, to request that the authority of the honorable the Secretary of the Interior be asked for the United States Geological Survey to make, if convenient, a topographical survey of a tract of land about 360 acres, south of Waukegan, Ill., shown on the inclosed blue print, and referred to in the inclosed letters, all expenses in connection therewith to be defrayed by the Navy Department from the special appropriation at its disposal for this purpose, and in the method outlined in the inclosed letter, if the latter is approved by the Department. The survey is desired as soon as possible. Five-foot contours should be shown on the map, which should be drawn on a scale of not less than 500 feet to an inch. The cleared and wooded portions should be distinguished, and it is also desired to have the map show the location of the 10, 20, and 30 foot contours below the level of the lake surface in front of this property.

Very respectfully,

H. C. TAYLOR,
Rear-Admiral, United States Navy, Senior Member of Board.

The SECRETARY OF THE NAVY,
Navy Department.

The request contained in this letter was complied with. Experts from the Office of the Geological Survey made a topographical survey of the Lake Bluff site. This survey was drawn to a scale, and showed contours of the site and of those below the level of the lake surface in front of it, the clear and wooded portions, and all other details. It was not an ordinary survey, but a topographical survey made by Government experts. These experts informed me that it was the only survey made by that Office upon the request of this board.

Mr. Speaker, there is only one conclusion to be drawn from this letter and the making of this survey, and that is that the Lake Bluff site had been selected at least one week before the board last visited the city of Racine. Concerning this I have no further comments to make.

When this subject of a site for a Great Lakes naval training station was before the House, in February last, I called attention to the fact that, in November, 1902, soon after the board's last visit to Racine, this topographical survey was made of the Lake Bluff site. I did not then know that the board had ordered it a week before they came to Racine. But such, however, is the fact, and it is also a fact that this is the only topographical survey they did order.

Mr. FOSS. Will the gentleman yield a moment?

Mr. COOPER of Wisconsin. Yes.

Mr. FOSS. In the report made by Admiral Taylor, I wish to call the gentleman's attention to the fact——

Mr. COOPER of Wisconsin. Well, if you will extend my time——

Mr. FOSS (continuing). That he expresses his thanks to Charles B. Walcott, Director United States Geological Survey, for charts and for making topographical surveys of different tracts.

Mr. COOPER of Wisconsin. Yes; but I have not heard of such a survey of any different tract being ordered by this board. On the contrary, at the Office of the Geological Survey I was informed that the board had ordered no survey other than that of the Lake Bluff site.

Mr. Speaker, the people of Racine do not object because the Lake Bluff site was recommended by the board; they object because the splendid site on North Point was never inspected by the board. They feel that nothing can take the place of a thorough inspection by daylight; and therefore I hope that the House will concur in the Senate amendment providing for the appointment of a new board and for an impartial determination of this important question.

Mr. Speaker, I ask unanimous consent to print in the RECORD, as a part of my remarks, these documents, affidavits, and transcripts of letters which I hold in my hand, and to which I have made reference.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none. The gentleman has nine minutes of his time remaining.

Mr. COOPER of Wisconsin. I should like the gentleman from Illinois to use some of his time, if he will; and I reserve the balance of my time.

Mr. FOSS. I yield five minutes to the gentleman from West Virginia [Mr. DAYTON].

Mr. DAYTON. Mr. Speaker, I want to say, as a member of the Naval Committee, that I have not the slightest prejudice in favor of either one of these two sites that are in controversy or any other site that may be in controversy for this naval training station.

The plain proposition that confronts this House is this: The naval service demands, or at least it is very desirable, that there should be established a naval training station on the Great Lakes. I have the greatest sympathy with the gentlemen representing the different districts that desire to secure this institution within their limits. But as Members of this House the plain duty of the House is to establish the work and to establish a training station.

Another proposition that I want to submit to the House is simply this: That the responsible head in all matters pertaining to naval affairs is the Secretary of the Navy. The Secretary of the Navy was a former Member of this House. His ability is unquestioned; his integrity can not be denied; his fairness is universally recognized. This amendment that has been proposed by the gentleman from Illinois proposes to leave it to this responsible head.

Moreover, it substantially, under present conditions, under the action of the board, gives the station to the district of the gentleman from Wisconsin. Why do I say that? For the reason that this statement cuts down the price that is to be paid for this land to $250 an acre, the price substantially asked at all these places except the one at Lake Bluff. At Lake Bluff the price demanded is $900 an acre, and you can very readily see if the amendment before the House is adopted that the Lake Bluff proposition will not be considered unless the owner of the land agrees to take the price specified in the amendment, or the people of the vicinity make up the difference between the price provided for in the amendment and what is demanded for it.

I insist that after the ten years' service of the gentleman the chairman of this committee, after the report of the naval officers, whether there be a disagreement or not as to what they have reported or as to their action, I insist that it is fair that the Secretary of the Navy be permitted to settle this matter and settle it at once. These reports, these delays, the appointment of an additional board involves additional expense, simply to determine the matter of a site. The Secretary of the Navy will have full authority if he sees injustice has been done by the board to make a personal investigation of this matter, if he sees fit—a thing which the President of the United States under the very circumstances can not do. I say the Secretary is the responsible head, and he can make a personal examination if he desires.

These gentlemen who represent other sites will not be cut off. They can make their appeal to the Secretary of the Navy. And I insist that common sense and reason alike dictate that we should leave this matter to the Secretary of the Navy, who is the responsible head and who can make a personal examination. He will be limited in the price which is to be given for this station. Therefore I hope the House, without extending this contest—which seems to me, without any unkind feeling or unkind criticism, is rapidly degenerating into an unseemly one between representatives of the different sites—will settle the matter. I hope the House will take the common-sense view of it, as I think I do, and leave it to the Secretary of the Navy, limiting the price, so that he will get this land reasonably and get this training station at once.

Mr. FOSS. I yield one minute to the gentleman from Michigan.

[Mr. BISHOP addressed the House. See Appendix.]

Mr. FOSS. I yield three minutes to my colleague from Louisiana [Mr. MEYER].

Mr. MEYER of Louisiana. The establishment of a naval training station on the Great Lakes is to my mind an extremely important and worthy measure. I have studied the question carefully, and I believe it should be entered upon at the earliest possible moment. We have various scientific corps in our Navy—bureaus engaged in the designing and arming of our ships—we have a magnificent school at Annapolis for the training and education of our officers; and now that we have offered an opportunity by legislation to every man in the service to reach the top, enabling a "jackie" to become an admiral, a thorough training of all recruits from early youth is a necessity. We ought to afford them every facility to acquire the training necessary to attain the highest usefulness in the American Navy. Hundreds of millions will be required for even a moderately strong navy. It requires but two or three millions to build stations and auxiliaries to train the real bulwark of the nation—"the man behind the gun."

I am free to say that the enlisting and training of the raw recruit has not received the attention it deserves. We seek the best material possible, and having obtained it, the recruit should be thoroughly trained from the beginning up, by which he may acquire the discipline, the traditions of the service, the esprit de corps, which go to make the service efficient as a whole.

Mr. Speaker, I regret that this contention—somewhat unseemly, it seems to me—should have arisen between the aspirants for the location of such a station. The board appointed to investigate the various locations for a site was composed of some of the ablest and most conscientious officers of the United States Navy.

The names of Rear Admiral Taylor, Chief of the Bureau of Navigation; Commander Winslow, and Civil Engineer Rousseau are sufficient guaranty of a fair and judicious report and fully enlighten this House as to the merits of the proposition involved. They have decided that Lake Bluff was first choice. I agree with them. I trust that the House will adopt it, but in order——

The SPEAKER. The time of the gentleman from Louisiana has expired.

Mr. BAKER. Mr. Speaker, I would like to ask a question of the chairman of the committee.

Mr. FOSS. Mr. Speaker, I yield the gentleman two minutes more.

Mr. MEYER of Louisiana. I would add, Mr. Speaker, that the provision of the amendment proposed by the chairman of the committee to limit the price to be paid to $250 an acre meets any possible objection that there might be. I do not know that Lake Bluff will be selected under those conditions, but I think the opportunity should be afforded. One word more. It seems that the gentleman from Wisconsin has stated that this board did not have sufficient information; that in some instances perhaps they failed to visit the spots indicated. Now, I beg leave to submit an extract from the report, which certainly proves the contrary:

20. It gives the board great pleasure to testify to the valuable cooperation and assistance it received and for the attention shown during its travels by all with whom it came in contact, including members of the United States Senate and House of Representatives, who assisted in procuring information desired, and the members of the local committees and chambers of commerce, who offered every facility to the board in furtherance of this work, whom it gave the board great pleasure to meet and for whose assistance it returns its sincere thanks; also to Rear-Admiral George C. Remey, United States Navy, chairman of the Light-House Board; Capt. Andrew Dunlap, United States Navy; Capt. Edward S. Sheen, United States Navy; Commander Lucien Young, United States Navy, light-house inspectors of the tenth, eleventh, and ninth districts, respectively, for the use of their tenders and for their knowledge of localities and valuable advice; to Brig. Gen. George L. Gillespie, Chief of Engineers, United States Army, and to the officers of the Corps of Engineers, United States Army, in charge of river and harbor improvements on the Great Lakes, including Maj. J. H. Willard, Maj. William H. Bixby, Maj. Thomas W. Symons, Maj. Dan C. Kingman, Maj. J. C. Warren, Capt. D. D. Gaillard, and Capt. Charles Keller, and to their assistants, for their cordial cooperation and for charts, estimates, plans, and other valuable information and for the use of the tenders that they kindly proffered; the commandants of the naval training stations at San Francisco and Newport, Rear-Admiral Henry Glass, United States Navy; Capt. W. W. Meade, United States Navy, and Capt. J. J. Nunleer, United States Navy, for plans and full information regarding the stations under their command and of the system of training apprentices, as described hereinafter; to Charles D. Walcott, esq., Director of the United States Geological Survey, for charts and for making topographical surveys of different tracts; to Hon. W. R. Merriam, the Director of the Census, for statistics regarding population; to Willis L. Moore, esq., Chief of the Weather Bureau, for temperature data and statistics regarding rainfall and prevalence of ice; to Rear-Admiral George Brown, United States Navy; to Mr. B. R. McCullough; to these and to many other individuals the board is under many obligations.

Respectfully submitted.

H. C. TAYLOR,
Rear-Admiral, United States Navy.
C. McR. WINSLOW,
Commander, United States Navy.

The SECRETARY OF THE NAVY.

Civil Engineer H. H. Rousseau, a member of the board, concurs in this report, but is now on duty at the Mare Island yard, and therefore not present to sign the report.

In conclusion, Mr. Speaker, I contend that it would be useless to appoint another board. The amendment proposed by the Senate proposes a political board, in effect. It says a new board shall be appointed. It does not state it shall be composed of army officers or naval officers or experts of any kind, and we all know that during a Presidential year it is more than likely that such appointments might perhaps be controlled by political motives; but be that as it may, another board would be a useless expense. If the Taylor board was incompetent to make a proper selection or recommendation, I think it would be a waste of time and money to seek another, and I trust, Mr. Speaker, that the amendment of the chairman of this committee will be adopted.

Mr. FOSS. Mr. Speaker, how much time have I remaining?

The SPEAKER. Eighteen minutes.

Mr. FOSS. Mr. Speaker, I yield two minutes to the gentleman from Virginia [Mr. RIXEY].

Mr. RIXEY. Mr. Speaker, I will ask the gentleman if he can not yield me five minutes?

Mr. FOSS. No; I can not. There are others who want to speak.

Mr. RIXEY. Mr. Speaker, I am opposed to the motion of the gentleman from Wisconsin [Mr. COOPER] for the additional reason to those that have been stated that it would further commit us to the establishment of a great training station on the Great Lakes. We now have three training stations—one on the Pacific coast, one at Narragansett Bay on the Rhode Island coast, and the other at Norfolk. The enlisted force of the Navy is limited to 32,000 men. Testimony shows that one-half of these men reenlist and, therefore, need no training. The new men therefore amount only to an average of 16,000 in four years, which is 4,000 a year.

The training stations we already have are more than ample to take care of these men. In addition to this, Mr. Speaker, if we are to have a training station, I submit that the Great Lake, is not the place for it. Under our treaty with Great Britain we are not allowed to have a war ship on the Great Lakes, and the men who are enlisted in the Navy are supposed to serve upon battle ships, armored and protected cruisers, not one of which is allowed on the Great Lakes. Why stop these enlisted men at Chicago or

at any other point on the Great Lakes to be trained? Why not take them to the place where they can see, at least, the ships upon which they are to serve? It seems to me a ridiculous proposition to stop these men in the interior of the country and within a few hours of the place where they ought to see service and where they can be trained upon ships upon which they are to serve.

[Here the hammer fell.]

Mr. RIXEY. I will ask the gentleman to yield me just one minute more.

Mr. FOSS. Mr. Speaker, I yield to the gentleman one minute more.

Mr. RIXEY. Mr. Speaker, for both these reasons I am opposed to this proposition and to the proposition which will follow it, to be made by the gentleman from Illinois [Mr. FOSS]; but, as between the different boards, if a training station is to be established upon the Great Lakes, then I see no reason why we should not stand by the board, which has already made its report. As I have stated, I am opposed to this proposition because there is no need to establish a training station on the Great Lakes unless we expect to train our men as admirals are said to be made, "by keeping them at their desks and never going to sea."

Mr. COOPER of Wisconsin. Mr. Speaker, I yield three minutes to the gentleman from Ohio [Mr. SOUTHARD].

Mr. SOUTHARD. Mr. Speaker, when this matter was before the House on a previous occasion, one thing was conclusively evidenced, and that is this, that the report made by the board appointed by the Secretary of the Navy was satisfactory to nobody except to the people of Lake Bluff, and another thing was that the report could be successfully defended by nobody in the world.

On the question of population, if that board had extended the radius 15 miles, it would have reversed its conclusions, and that was perfectly evident from the examination of the report itself. Not only that, but they maintain recruiting stations a hundred miles outside of the radius which was prescribed for their guidance in coming to a conclusion. The report can be defended by nobody, and now the proposition of the chairman of the Naval Affairs Committee, the gentleman from Illinois [Mr. FOSS], as indicated by his proposed amendment, is to place the whole matter in the hands of the Secretary of the Navy, who is already committed to this report. He is committed to it in his letter which he wrote in December, 1902, and he is also committed to it in his report which he wrote in June, 1903.

It will be remembered that the provision went out in the House on a point of order. Practically the same provision was inserted in the Senate committee, and when it came up in the Senate, after full debate, it was supported by nobody except one of the Senators from Illinois. This report, I repeat, can not be successfully defended here or anywhere. It eliminates in an unfair way every portion of the Great Lakes except the southern portion of Lake Michigan. There is no reason for doing this, as appears, I contend, from the report itself. Now, is it fair to recommit this question to anybody who is already committed with reference to it? That is all there is in the situation now.

[Here the hammer fell.]

Mr. FOSS. Mr. Speaker, I yield five minutes to my colleague, the gentleman from Illinois [Mr. BOUTELL].

Mr. BOUTELL. Mr. Speaker, there are very weighty reasons why the motion made by the gentleman from Wisconsin [Mr. COOPER] should not prevail, and, therefore, why we should not concur in the Senate amendment. There are equally weighty reasons why the motion made by the gentleman from Illinois [Mr. FOSS], in charge of the bill, should prevail and why we should concur in the Senate amendment with an amendment as offered by him. Now, this whole matter presents itself to us in four phases. First, there is the personal phase; second, the phase of locality; third, the interests of the Navy, and, in the fourth place, the honor and dignity of this House. It is unfortunate that anything in this discussion heretofore has seemed to reflect upon the honor and integrity of my good, lifelong friend the gentleman from Wisconsin [Mr. COOPER]. I am very sure that he will absolve me from any belief in any of these insinuations even if I oppose his motion.

Nothing that has been said or done, presented on the floor of this House or in writing, has in any way shaken my confidence, esteem, or affection for the gentleman, or my belief in his honor, integrity, and ability. And I think, Mr. Speaker, that my opinion is shared by all the Members of this House on both sides of this Chamber.

Now, there is this phase of the question in regard to locality. I think the people of this country are universally in favor of locating training stations throughout the country for training and preparing men for the Navy. I do not agree with the opinion of the gentleman from Virginia [Mr. RIXEY]. I believe that we ought not only to have a naval training station on the Lakes, but we ought to have a naval station on the Gulf, on the Mississippi, and in the far West. The people in the interior and on the Gulf and upon the Pacific coast should in this way be more directly interested in this branch of our service.

These two phases—the personal phase and the phase of locality—ought to be dismissed in our consideration of this measure. We ought to look upon it first as to the interest of the Navy; and looking at it from that point of view, I am sure we do not want to concur in the Senate amendment. What is that amendment? We want to clearly understand the history of this matter. Some years ago a naval board was appointed, composed of three members—Taylor, Winslow, and Rousseau. That board made report, recommending the consideration of sites in this order: First, Lake Bluff; second, Racine; third, Muskegon.

One very good reason why the members of this board did not go more frequently to the site in the district of the gentleman from Wisconsin is that they knew from even a cursory examination that that was one of the best sites on the lake, and they recommend it as No. 2.

Now, the President and the Secretary of the Navy have the benefit of the report of this commission. All the researches that this commission has made are at the disposal of the President and the Secretary of the Navy.

Now, what is the amendment offered by the chairman of the committee? It is simply that the Secretary of the Navy be authorized to purchase a site. It gives him his choice of all the Lakes, and it limits the price to $250 an acre, the price at which I understand the owners of the land in the district of the gentleman from Wisconsin are willing to sell.

Mr. SOUTHARD rose.

Mr. BOUTELL. I regret very much, Mr. Speaker, that owing to the shortness of the time I must decline to yield.

If the amendment offered by the gentleman from Illinois should be concurred in, we shall close this matter at once, and the purchase can be made. The President and the Secretary of the Navy have full information. Now, in the face of these facts, what is this amendment offered by the Senate that we are asked to concur in? This amendment proposes to appoint another board, not of naval officers, but of men not living on the Great Lakes. And what are they to do? After they have gone all over these Lakes they are to report their conclusions to Congress. If their conclusions do not adopt the Racine site as No. 1, then must we have another board of three members? Or if the Put in Bay site is not recommended as No. 1, is there to be another board?

[Here the hammer fell.]

Mr. FOSS. I yield two minutes more to the gentleman.

Mr. BOUTELL. Mr. Speaker, it seems to me that the wisdom of this House in concurring in this Senate amendment would be equal only to the wisdom of an individual Member who when he had ordered his dinner and was prepared to eat it should ask the waiter to remove it on the ground that he had not brought the viands in the right dishes, and then kept on that sort of performance until he was starved to death.

Sir, we have the power to have this site purchased at once. Under the Senate amendment there is no knowing when we shall ever have the chance to purchase the site.

There is another reason why we ought to vote down the motion of the gentleman from Wisconsin and sustain the motion of the gentleman from Illinois, and that is that the plan for a naval station on the Lakes originated in the House of Representatives, and the commission heretofore appointed was appointed under the bill which originated in the House. Now, it seems to me, Mr. Speaker, that if we accept this amendment of the Senate we are simply demonstrating the abject pusillanimity of this House in dealing with Senate amendments. I think, therefore, Mr. Speaker, that every reason of sound judgment should lead us to adopt unanimously the motion made by the gentleman from Illinois.

Mr. FOSS. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman from Illinois has eight minutes and the gentleman from Wisconsin [Mr. COOPER] has six minutes.

Mr. FOSS. I ask the gentleman from Wisconsin to proceed.

Mr. COOPER of Wisconsin. Mr. Speaker, the gentleman from Illinois [Mr. BOUTELL] has made a persuasive speech, but it does not meet the issue. In reply to his objection to the appointment of another board, I desire to say that there ought to be just as many boards appointed as are necessary to get one board that will visit the sites that are offered. That is the issue.

Did the board visit the Racine site? No! The affidavit of Mayor Higgins, the affidavit of Mr. Boyd, the affidavit of Mr. Walker, the affidavit of Mr. Schroff, my own letters written at the time, (the letterpress copies of which are here), complaining of the fact that the board did not visit it, show beyond controversy that on the first occasion they did not go nearer than a mile and a half of the site, and that on the second occasion only two members came and that they did not reach the site until after dark, when lamps were lighted.

Mr. TAWNEY. Will the gentleman from Wisconsin permit a question?

Mr. COOPER of Wisconsin. I have not any time. I hope the gentleman will pardon me.

Mr. TAWNEY. I wanted to ask if the Secretary of the Navy, under this proposition, would not have the same authority that the board had?

Mr. COOPER of Wisconsin. Before this subject first came up for debate here I called on the Secretary of the Navy, at the suggestion of the Wisconsin delegation, and inquired whether, if the matter were left entirely to him, he would inspect the Wisconsin sites. In reply the Secretary said:

> I do not want such a responsibility put upon me. I am too busy to go. I am not as well informed as is the board, and you could hardly expect me to overrule the board which I myself appointed.

Of course he could not be expected to overrule the board which he himself appointed. Nobody knows that better than do the gentlemen who are here urging that this subject be left to the Secretary of the Navy.

Mr. TAWNEY. Could he not appoint another agent?

Mr. COOPER of Wisconsin. In view of the facts, common justice demands that a new board be appointed by an absolutely impartial authority, one that has not prejudged the case at all and that is under obligations to nobody.

Mr. Speaker, it has been suggested that the limitation of $250 per acre ought to carry it to Lake Bluff, provided the people there contribute the amount of money that is necessary.

But, Mr. Speaker, evidence has been submitted showing that the glucose factories and other great factories at Waukegan pour vast quantities of chemicals and refuse into the lake, which are cast up along the shore, and that residents of Lake Forest, farther away from these factories than is Lake Bluff, complained of the odor coming from this decaying and offensive material. Yet the board prefer Lake Bluff, although they declare that the site should have a good bathing beach.

The board say in their report that a thousand dollars an acre is not too much to pay. The Lake Bluff site was held at $900 per acre. Therefore they mean Lake Bluff and nothing else. After their last examination more than a year passed before they made a final report. They made their last examination of a site about the 1st of November, 1902. In that month they made a preliminary report; but they made no final report until December, 1903, a whole year later. Why did they hold this matter up? There is only one answer, and the House knows what that is.

Mr. Speaker, in the Senate, after a thorough debate and after photographs of the Lake Bluff site were exhibited, there was but one vote against this amendment, and that vote was by a Senator from Illinois. If the land at Lake Bluff could be bought for $250 an acre the training station ought not to be located on it. It would cost hundreds of thousands of dollars to build a harbor there.

Mr. FOSS. Have you a harbor at Racine, where your site is?

Mr. COOPER of Wisconsin. We have one now about a mile and a half nearer the North Point site than Waukegan Harbor is to the Lake Bluff site. Moreover, the proposed new harbor at North Point would cost much less to complete than the one proposed at Lake Bluff, and when completed would be a much better harbor. The mouth of the new harbor would be on the south side of North Point, which projects into the lake, forming an absolutely complete protection from northeast storms. Lake Bluff Harbor would be without the slightest natural protection from the terrific northeast storms, which sweep 200 or 300 miles down the lake.

Mr. Speaker, this amendment proposes to have an impartial board appointed to visit and inspect sites, to select the one most suitable, and to report to Congress what it will cost, and also what amount will be necessary to construct a harbor and the necessary lake shore protection. We have no such information about the Lake Bluff site. We ought to have such information before voting to buy any site.

The people of Racine do not complain because the board gave the decision to Lake Bluff. We complain because the North Point site has never been inspected, although it is a better site than the one at Lake Bluff and would cost less than one-third as much money. That is our complaint, and this attempt to put us in the childish attitude of being merely envious because the selection went elsewhere is unjust and unworthy of the gentlemen who make it.

[Here the hammer fell.]

Mr. FOSS. Mr. Speaker, I desire to state that a board was appointed nearly two years ago, and made a careful investigation of the Lakes from Buffalo to Duluth. The site which the gentleman speaks of, Racine, was thoroughly investigated by the board, and the board have reported to the Secretary of the Navy, who sent a letter to me stating that the site complained of by the gentleman as not having been investigated was investigated to the satisfaction of the board.

Mr. COOPER of Wisconsin. Will the gentleman permit one interruption?

Mr. FOSS. No; I have not time.

Mr. COOPER of Wisconsin. One member of the board signs that.

Mr. FOSS. Yes; the recorder of the board, Mr. Winslow. This is what he says for the board:

> The board again visited Racine in October. Rear-Admiral Taylor, the president of the board, was unable to accompany the board on this visit. The board arrived at Racine late in the afternoon, and was there met in carriages by a committee in accordance with previous arrangements and driven to North Point. Owing to the fact that the carriage horses were not equal to their load, considerable time was wasted in the journey from the railway station to the site.
>
> Nevertheless the board reached the site in ample time to have sufficient daylight to see the site and to determine all the points the board had in mind. The board drove over much of the site, and as the site was for the most part cleared land the time was ample for the inspection. Had the board not been fully satisfied as to the physical characteristics, it would have waited and made a second visit the following day or stopped at Racine on their return from their trip to the northward.

And then the board go on further and say there are as many charts, maps, etc., in connection with the Racine site as any other.

Now, gentlemen, does it not seem that it is rather late in the day, after this board was appointed some year and a half or two years ago, and after these investigations were made——

Mr. BAKER. Will the gentleman yield to me for a question?

Mr. FOSS. No; I can not yield.

Mr. BAKER. This is the second time I have asked; yes, the fifth time I have asked.

Mr. FOSS. Does it not occur to you, gentlemen, that it is rather late in the day to come in here, nearly two years afterwards, and protest about it?

Mr. COOPER of Wisconsin. I protested immediately, in these letters; at the time.

Mr. FOSS. Now, Mr. Speaker, I can not yield; I have only a few minutes more time. Now, nobody else all along the lakes has complained about not having an investigation. On the contrary, my friend from Indiana, Judge CRUMPACKER, and also the gentleman from Michigan [Mr. BISHOP] have risen on this floor and said that the investigation was thorough and that the only thing they complained of was the judgment of the board—which was perfectly natural, because they would have liked the board to select their particular sites.

Now, I ask, Mr. Speaker, how long must we wait? A year ago the Secretary of the Navy sent up a provision asking us to appropriate for this naval training station. He sent it here and these same captious objections appeared, not only in this body but in another body. "How long, how long, O Lord," how long must we wait to satisfy the qualms of supersensitive gentlemen?

We are building these great ships. We want men trained for the service, and yet we will not have them if we deliberately put in this provision for a new board to go over this whole matter. What kind of a board is it? It is a board to be appointed by the President, of three members. It does not say it shall be appointed "by and with the consent and advice of the Senate." Ah, it is not necessary to say it. That advice might be freely given. I do not know. But it is a political year. Perchance it might be a political board. We do not want to embarrass the President of the United States at such a time. But what is this board to do? It has to go back and report and report and report, and all the time the naval boy is standing on the shore waiting to be trained. Is that going to be the action of this House? With another report you will have more confusion than now. You would have two reports—aye, three reports—and "confusion worse confounded."

Now, if you are going to establish a naval training station, establish it. My proposition is this: They selected the best site in my district—Lake Bluff. The land is worth $900 an acre. I have come in and said by my amendment that the Secretary of the Navy shall not pay one dollar more than $250 an acre—the price of the Racine site. Does not that show my fairness in the consideration of this matter? Not only that, but we propose to leave it to the discretion of the Secretary of the Navy to say whether it shall be at Put in Bay or any other place; and let us have a harmonious jubilee.

If he should say that it goes to Put in Bay, I will say I am glad of it. If it goes to Racine, I will say I am glad of it. If it goes to Muskegon, I will say that I am glad of it. Or if it goes anywhere else, I will make no captious objection, because I tell you candidly that I care comparatively little where this naval station shall be located as compared with the fact that we need it, and we must have it for the Navy, for the training of our men in order to have them trained when our ships, which we are building now in large numbers, shall be finally constructed.

Mr. Speaker, I will say the gentleman has said this was unanimously passed by the Senate—it was a unanimous consent of the Senate.

Ah, we heard that familiar sound before. We heard——

Mr. COOPER of Wisconsin. Mr. Speaker——

Mr. FOSS. We heard it in the dying hours of the old Congress; we have heard it in this——

Mr. COOPER of Wisconsin. Mr. Speaker——

Mr. FOSS. Mr. Speaker, I can not yield. I ask you, gentlemen, here and now let us vote down this Senate amendment. This is, must be, and ought to be considered, not on unanimous consent, but on its merits. The American Navy has the right to demand it, and the American people have the right to demand it. Mr. Speaker, I move the previous question.

Mr. COOPER of Wisconsin. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Wisconsin. The gentleman has put in my mouth a statement which would amount to a falsification of the record. I did not say the Senate passed this by unanimous consent or anything of the kind.

Mr. FOSS. Well, I understood the gentleman to say that the Senate passed this unanimously.

Mr. COOPER of Wisconsin. No; I said after the bill had been debated it passed it, with no one voting against it except one Senator from Illinois, possibly two.

Mr. FOSS. Mr. Speaker, I move the previous question.

Mr. CRUMPACKER. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman from Indiana rises to a parliamentary inquiry.

Mr. CRUMPACKER. I desire to know if it would be in order at this time to propose an amendment to the amendment of the gentleman from Illinois, which he proposes to the Senate amendment?

The SPEAKER. The gentleman from Illinois moves the previous question.

Mr CRUMPACKER. Well, I desire to ask the gentleman if he will not withhold that motion until I propose an amendment? I do not care to debate it. I simply wish to have it read and voted upon.

Mr. FOSS. Mr. Speaker, this motion we are voting upon is the motion of the gentleman from Wisconsin to recede and concur, and I hope it will be voted down.

The SPEAKER. Does the gentleman demand the previous question on both the motion of the gentleman from Wisconsin and his motion?

Mr. FOSS. Yes.

The SPEAKER. The gentleman from Illinois demands the previous question——

Mr. FOSS. No; I simply demand the previous question on the motion of the gentleman from Wisconsin.

The SPEAKER. The gentleman from Illinois demands the previous question on the motion of the gentleman from Wisconsin.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Wisconsin, that the House do recede and concur in the Senate amendment.

The question was taken.

The SPEAKER. The Chair is in doubt.

Mr. COOPER of Wisconsin. Division, Mr. Speaker.

Accordingly the House divided; and there were—ayes 83, noes 108.

So the motion to recede and concur was rejected.

Mr. FOSS. Mr. Speaker, I move the previous question on the other motion.

The SPEAKER. The gentleman from Illinois moves the previous question on his motion that the House do recede and concur in the Senate amendment with an amendment.

Mr. CRUMPACKER. I now ask the gentleman from Illinois if he will not withhold his motion until I propose an amendment?

Mr. FOSS. No; I think we have already had a full discussion of this matter.

The previous question was ordered.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. CRUMPACKER. Division, Mr. Speaker.

Accordingly the House divided; and there were—ayes 97, noes 91.

Mr. COOPER of Wisconsin. Mr. Speaker, I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 120, nays 126, answered "present" 12, not voting 123, as follows:

YEAS—120.

Adams, Pa.	Brandegee,	Cooper, Pa.	Dwight,
Adamson,	Breazeale,	Cousins,	Evans,
Bankhead,	Brick,	Currier,	Fitzgerald,
Bassett,	Brooks,	Curtis,	Flack,
Bates,	Brown, Pa.	Cushman,	Flood,
Bell, Cal.	Burke,	Dalzell,	Foss,
Boutell,	Butler, Pa.	Dayton,	Gaines, Tenn.
Bowers,	Caldwell,	Dougherty,	Gaines, W. Va.
Bradley,	Campbell,	Draper,	Gibson,
Gillet, N. Y.	Kelher,	Martin,	Sims,
Gillett, Mass.	Kitchin, Claude	Maynard,	Smith, Ill.
Graff,	Knopf,	Meyer, La.	Smith, Pa.
Greene,	Lacey,	Morrell,	Sperry,
Gudger,	Lafean,	Needham,	Spight,
Hamilton,	Lamar, Mo.	Otis,	Steenerson,
Hamlin,	Landis, Chas. B.	Palmer,	Sterling,
Harrison,	Landis, Frederick	Parker,	Stevens, Minn.
Hay,	Lanning,	Payne,	Sulloway,
Henry, Conn.	Lawrence,	Porter,	Swanson,
Hepburn,	Legare,	Powers, Me.	Tawney,
Hill, Conn.	Lever,	Powers, Mass.	Underwood,
Hinshaw,	Lilley,	Prince,	Vreeland,
Hitt,	Littauer,	Pujo,	Wade,
Hopkins,	Livingston,	Ransdell, La.	Wanger,
Howell, N. J.	Lloyd,	Robertson, La.	Wiley, Ala.
Huff,	Loudenslager,	Rodenberg,	Wiley, N. J.
Hughes, W. Va.	Lovering,	Rucker,	Williams, Ill.
Humphrey, Wash.	McCleary, Minn.	Shackleford,	Williams, Miss.
Humphreys, Miss.	Mann,	Shiras,	Wilson, Ill.
Jones, Wash.	Marshall,	Sibley,	Wynn.

NAYS—126.

Adams, Wis.	Davis, Minn.	Kline,	Richardson, Tenn.
Alexander,	De Armond,	Kluttz,	Rider,
Babcock,	Dixon,	Knapp,	Rixey,
Baker,	Douglas,	Kyle,	Robinson, Ind.
Bartholdt,	Driscoll,	Lamb,	Russell,
Bartlett,	Esch,	Lewis,	Scott,
Beall, Tex.	Field,	Lindsay,	Sheppard,
Bede,	French,	Little,	Sherley,
Beidler,	Gardner, Mass.	Littlefield,	Shober,
Benny,	Gardner, N. J.	Longworth,	Shull,
Birdsall,	Gilbert,	Lucking,	Slayden,
Bishop,	Goldfogle,	McCarthy,	Smith, Iowa
Bonynge,	Goulden,	McCreary, Pa.	Smith, Ky.
Bowersock,	Granger,	McLain,	Smith, Samuel W.
Brantley,	Gregg,	McMorran,	Smith, Tex.
Brown, Wis.	Grosvenor,	Macon,	Snook,
Brundidge,	Hardwick,	Maddox,	Southard,
Burnett,	Henry, Tex.	Mahon,	Spalding,
Burton,	Hermann,	Miller,	Stafford,
Byrd,	Hill, Miss.	Moon, Tenn.	Stephens, Tex.
Candler,	Hitchcock,	Morgan,	Sulzer,
Cassingham,	Hogg,	Murdock,	Thomas, Iowa
Clark,	Houston,	Otjen,	Thomas, N. C.
Clayton,	Howard,	Padgett,	Townsend,
Cochran, Mo.	Hughes, N. J.	Page,	Van Duzer,
Conner,	Jackson, Ohio	Patterson, N. C.	Van Voorhis,
Cooper, Wis.	James,	Patterson, Tenn.	Volstead,
Cowherd,	Jenkins,	Pierce,	Webb,
Cromer,	Jones, Va.	Rainey,	Weems,
Crowley,	Kehoe,	Randell, Tex.	Young.
Crumpacker,	Kennedy,	Reeder,	
Davidson,	Kinkaid,	Richardson, Ala.	

ANSWERED "PRESENT"—12.

Allen,	Gardner, Mich.	Patterson, Pa.	Ruppert,
Brownlow,	Miers, Ind.	Pou,	Stanley,
Dresser,	Olmsted,	Roberts,	Zenor.

NOT VOTING—123.

Acheson,	Emerich,	Kitchin, Wm. W.	Scudder,
Aiken,	Finley,	Lamar, Fla.	Sherman,
Ames,	Fitzpatrick,	Lester,	Slemp,
Badger,	Fordney,	Lind,	Small,
Benton,	Foster, Ill.	Livernash,	Smith, Wm. Alden
Bingham,	Foster, Vt.	Lorimer,	Smith, N. Y.
Bowie,	Fowler,	Loud,	Snapp,
Broussard,	Fuller,	McAndrews,	Southall,
Buckman,	Garber,	McCall,	Southwick,
Burgess,	Garner,	McDermott,	Sparkman,
Burkett,	Gillespie,	McLachlan,	Sullivan, Mass.
Burleigh,	Gillett, Cal.	McNary,	Sullivan, N. Y.
Burleson,	Glass,	Mahoney,	Talbott,
Butler, Mo.	Goebel,	Marsh,	Tate,
Calderhead,	Gooch,	Metcalf,	Taylor,
Capron,	Griffith,	Minor,	Thayer,
Cassel,	Griggs,	Mondell,	Tirrell,
Castor,	Haskins,	Moon, Pa.	Trimble,
Cockran, N. Y.	Haugen,	Mudd,	Vandiver,
Connell,	Hearst,	Nevin,	Wachter,
Cooper, Tex.	Hedge,	Norris,	Wadsworth,
Daniels,	Hemenway,	Overstreet,	Wallace,
Darragh,	Hildebrant,	Pearre,	Warner,
Davey, La.	Holliday,	Perkins,	Warnock,
Davis, Fla.	Howell, Utah	Pinckney,	Watson,
Deemer,	Hull,	Reid,	Weisse,
Denny,	Hunt,	Rhea,	Williamson,
Dickerman,	Hunter,	Robb,	Wilson, N. Y.
Dinsmore,	Jackson, Md.	Robinson, Ark.	Woodyard,
Dovener,	Johnson,	Ryan,	Wright.
Dunwell,	Ketcham,	Scarborough,	

So the motion to recede and concur with an amendment was rejected.

The Clerk announced the following pairs:

For the session:

Mr. HUNTER with Mr. RHEA.

Mr. SHERMAN with Mr. RUPPERT.

Mr. CASSEL with Mr. GOOCH.

Mr. CHARLES B. LANDIS with Mr. TATE.

Mr. PATTERSON of Pennsylvania with Mr. DICKERMAN.

Until further notice:

Mr. HILDEBRANT with Mr. SPARKMAN.

Mr. FULLER with Mr. FITZPATRICK.

Mr. WACHTER with Mr. TALBOTT.

Mr. WARNER with Mr. MCANDREWS.

Mr. CONNELL with Mr. BUTLER of Missouri.

Mr. DARRAGH with Mr. DAVIS of Florida.

Mr. DOVENER with Mr. TRIMBLE.
Mr. WATSON with Mr. ZENOR.
Mr. HOLLIDAY with Mr. MIERS of Indiana.
Mr. LORIMER with Mr. MAHONEY.
Mr. ALLEN with Mr. SMALL.
Mr. METCALF with Mr. LIVERNASH.
Mr. FORDNEY with Mr. GRIFFITH.
Mr. WARNOCK with Mr. ROBB.
Mr. WM. ALDEN SMITH with Mr. MCNARY.
Mr. GARDNER of Michigan with Mr. TAYLOR.
Mr. BEDE with Mr. BURGESS.
Mr. ACHESON with Mr. SCUDDER.
For the balance of the session:
Mr. SIBLEY with Mr. DAVEY of Louisiana.
Until adjournment:
Mr. SNAPP with Mr. FOSTER of Illinois.
For the day:
Mr. FOWLER with Mr. AIKEN.
Mr. NORRIS with Mr. LESTER.
Mr. MOON of Pennsylvania with Mr. VANDIVER.
Mr. SMITH of New York with Mr. GARBER.
Mr. CASTOR with Mr. GILLESPIE.
Mr. BROWNLOW with Mr. BENTON.
Mr. AMES with Mr. BOWIE.
Mr. CAPRON with Mr. BROUSSARD.
Mr. GILLETT of California with Mr. BURLESON.
Mr. HAUGEN with Mr. GLASS.
Mr. HOWELL of Utah with Mr. COOPER of Texas.
Mr. HULL with Mr. HEARST.
Mr. LOUD with Mr. SOUTHALL.
Mr. NEVIN with Mr. STANLEY.
Mr. SOUTHWICK with Mr. SULLIVAN of New York.
Mr. WADSWORTH with Mr. WILSON of New York.
Mr. WOODYARD with Mr. WALLACE.
Mr. CALDERHEAD with Mr. PINCKNEY.
Mr. GOEBEL with Mr. EMERICH.
Mr. PEARRE with Mr. GRIGGS.
Mr. KETCHAM with Mr. SCARBOROUGH.
For the vote:
Mr. BINGHAM with Mr. GARNER.
Mr. OLMSTED with Mr. WILLIAM W. KITCHIN.
Mr. HEMENWAY with Mr. DINSMORE.
Mr. HEDGE with Mr. COCKRAN of New York.
Mr. MARSH with Mr. JOHNSON.
Mr. MONDELL with Mr. ROBINSON of Arkansas.
Mr. OVERSTREET with Mr. MCDERMOTT.
Mr. WRIGHT with Mr. REID.
Mr. BURKETT with Mr. FINLEY.
Mr. MCLACHLAN with Mr. WEISSE.
For the remainder of the week:
Mr. TIRRELL with Mr. SULLIVAN of Massachusetts.
From the 20th until further notice:
Mr. MINOR with Mr. LAMAR of Florida.
Until the 20th:
Mr. BUCKMAN with Mr. LIND.
From April 13 to April 25:
Mr. BURLEIGH with Mr. HUNT.
Until April 21:
Mr. ROBERTS with Mr. THAYER.
For the 19th and 20th:
Mr. FOSTER of Vermont with Mr. POU.
For Monday, Tuesday, and Wednesday:
Mr. DRESSER with Mr. RYAN.
For Tuesday and Wednesday:
Mr. MUDD with Mr. DENNY.

Mr. ROBERTS. Mr. Speaker, I find that I am paired with my colleague [Mr. THAYER]. I desire to withdraw my vote and be recorded as "present."

The result of the vote was announced as above stated.

Mr. FOSS. Mr. Speaker, I move that the House further insist on its disagreement to Senate amendment No. 18.

The motion was agreed to.

Mr. FOSS. I call for the reading of the next amendment—amendment No. 35.

The Clerk read as follows:

Strike out the following words:
"But the appropriations provided for said colliers shall not be used unless one of said colliers be built in a navy-yard of the United States."
And insert the following:
"Said colliers shall be built in navy-yards, one on the Pacific and one on the Atlantic coast, the same to be designated by the Secretary of the Navy."

Mr. FOSS. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. MEYER] to make a motion.

Mr. MEYER of Louisiana. I move that the House recede from its disagreement to Senate amendment No. 35 and concur in the same.

Mr. FOSS. I yield to the gentleman from Louisiana twenty minutes.

Mr. MEYER of Louisiana. I yield ten minutes to the gentleman from California [Mr. BELL].

Mr. BELL of California. Mr. Speaker, the Senate amendment under discussion provides that the two colliers mentioned in the naval appropriation bill shall be constructed in the navy-yards, one on the Pacific and the other on the Atlantic coast. In the time that has been allotted to me I shall confine myself to a brief statement of the most cogent reasons for building ships in the public yards. In the first place, we can do the same work in the navy-yards for less money. This is not a mere theory or conjecture, but an absolute fact that has been demonstrated by experience. Let me cite you just one instance in support of this assertion. In 1903 the Government decided to convert the transport *Grant* into a dredge for use at the mouth of the Columbia River.

The Navy Department called for bids, and the lowest figure submitted by private contractors was that of the Risdon Iron Works, of San Francisco, for $265,000. The authorities at the Mare Island Navy-Yard requested the privilege of submitting a bid, which was granted. The navy-yard's figure was $235,000, or $30,000 less than that of the Risdon Iron Works. The work was given to the yard and was actually completed at a cost of only $181,985.25, a saving of $83,014.75 on the lowest private bid that had been received. In other words, the Government saved over 31 per cent by having the work done in one of its own yards. [Applause.] The quality of the work done by the Mare Island Navy-Yard in this case is best shown by the following letter:

WAR DEPARTMENT,
Washington, January 25, 1904.

SIR: Referring to the work performed by the Navy Department at the Mare Island (Cal.) Navy-Yard in the conversion of the former army transport *Grant* (now named the *Chinook*) into a seagoing hydraulic dredge, the Department is just in receipt of a report from the Chief of Engineers, United States Army, stating that since her completion the *Chinook* has been at work, during favorable weather, at the mouth of the Columbia River, Washington, on the Columbia River bar, and has been tested sufficiently to demonstrate the care and efficiency with which the work at the navy-yard has been executed, and indicating that the boat will prove a valuable acquisition to the plant of the Engineer Department. The War Department, therefore, desires to express its appreciation of the action of the Navy Department in undertaking this work, and the ability and zeal displayed by the officers of Mare Island Navy-Yard in carrying it out.

Very respectfully,
ROBERT SHAW OLIVER,
Assistant Secretary of War.

THE SECRETARY OF THE NAVY.

Do not these facts completely refute the repeated argument that better work and better prices are secured to the Government by having its vessels of war built by private yards? Again, there are other inestimable advantages to be attained by the policy of building some of our ships in the navy-yards. It keeps up the efficiency of our yards: it maintains a high standard of workmanship and general equipment; it guarantees us prompt high-class work in the hour of emergency and need. Every argument in favor of a greater navy is an argument in favor of greater navy-yards. Our pride in the latter should not be less than our pride in the former. We ought to make it a part of the general policy of our Government to construct a portion of its ships. In this way we become a competitor of the private contractor, and thereby guard ourselves against the extortionate bids of any shipbuilding trust or combine. Once let it be seen that we intend to pursue this course and the danger of a "pool" will be overcome and reasonable contracts can be made for the work that is let to bids. England, Germany, France, and Italy have long since adopted this plan, about one-half their ships being built in public yards, and the results have fully demonstrated the wisdom of the policy.

We ought to hasten the day when the two navy-yards on the Pacific coast shall be able not only to repair our largest battle ships, but to construct new ones. Prior to the sixteenth century the Mediterranean Sea was the center of the world's maritime activities. With the exploration and settlement of America the theater of the world's commercial and naval contests was shifted to the Atlantic. But now the Pacific is the cynosure of all eyes, and upon its broad bosom must be fought out, by diplomacy or by force of arms, the great problems of the twentieth century. Does any thinking man believe that with our commercial interests in the Orient and our possessions over sea America is destined to play a light part in the settlement of these momentous questions? Let us hope that our participation in the affairs of the Far East may always be attended with peace; that our Navy may be persuasive only in its deep silence rather than destructive in its mighty power; but come what may, let us begin now to strengthen our navy-yards as we strengthen our Navy, so that our rapidly increasing fleets, in seasons of peace and in seasons of war, may have yards at ready hand in a state of constant preparedness either to repair or to rebuild.

There is another phase of this question that demands our earnest attention. The moneys expended in the construction of a ship in a navy-yard are distributed among a large number of peo-

ple. It means more happy homes, more of the comforts of life for more of the people, more contentment, more prosperity. It means that many shall enjoy what otherwise a few may hoard. It means much to the laboring men of America—the men who toil for a daily wage and live by the sweat of their brow. To them it means better hours, better conditions of labor, better pay. And if we are now in favor of these things, if we really intend to act for the greatest good to the greatest number, let us right here and now take advantage of this opportunity to effect so much good; let us vote for a policy that will ultimately bring manifold blessings to many citizens of our land and at the same time bring profits to our Government. I sincerely hope that this occasion will not only witness the rallying of the old friends of the navy-yards, but will also mark the conversion of many others to our cause. [Applause.]

Mr. FOSS. Mr. Speaker, this Senate amendment provides that both colliers shall be built in navy-yards. The House will recall that we provided when the bill was here that one collier should be built in a navy-yard. This amendment provides that both shall be built in navy-yards, one on the Atlantic and one on the Pacific coast.

I have a letter here from the Secretary of the Navy which explains the situation so far as the Navy Department is concerned. It says:

> In response to your verbal request I beg to advise you of the necessity of making some specific appropriation for equipping navy-yards for the construction of vessels should the Senate provision with relation to the building of two colliers in navy-yards be concurred in by the House.

Then the Secretary goes on and states that it will be necessary to appropriate $175,000 for each yard in order to put the yards in such a condition that they can build these colliers. That means, first, the preparation of a suitable slip. We have no navy-yard in the country where there is a suitable slip, except the New York yard, where we are building the battle ship *Connecticut*.

Mr. BELL of California. Will the gentleman yield for a question?

Mr. FOSS. In just a moment. We must have two things. First, we must provide a slip, and then we must provide an overhead crane. These two things, the slip and the crane, will cost $175,000 for each yard.

Mr. WYNN. Will the gentleman yield for a question?

Mr. FOSS. Yes.

Mr. WYNN. Is it not a fact that when this appropriation of $175,000 is expended for the construction of the crane and the slip, that it becomes a permanent addition to the plant for future use.

Mr. FOSS. Oh, yes; it will be a permanent addition to the plant.

Mr. WYNN. And that it could be used for any future ship-building in those yards.

Mr. FOSS. Yes; it could be used at any future time.

Mr. HERMANN. Is it permanent and durable?

Mr. FOSS. Yes; it is permanent and durable.

Mr. BELL of California. Then the expenditure of that money would go toward a permanent improvement. Now, is it not a fact that this year in the naval appropriation bill, without any reference to this Senate amendment, the following large sums were appropriated for various navy-yards in the country: New York, $371,500; League Island, $712,970; Washington, $575,000; Charlestown, $880,500; Norfolk, $1,159,000; while for Mare Island, which is one of the best yards in America to-day, we only appropriated $260,000?

Now, then, I want to ask you the further question. That appropriation which may become necessary, about which there is now some doubt, can be met at the next session of Congress in ample time if these colliers go to the navy-yards.

Mr. FOSS. Oh, yes. I am giving, as far as the committee is concerned, the facts entirely as they come to the committee from the Navy Department, and after that leaving it to the judgment of the House. If the House sees fit to concur in the Senate amendment, all well and good; or if they decide otherwise, all well and good. It is a matter entirely with the House.

Mr. GAINES of Tennessee. Is the gentleman from Illinois opposed to building these two colliers in the navy-yards?

Mr. FOSS. Oh, I do not know that I am opposed to it particularly; only I think it is going to cost more money to build them in navy-yards than in private yards. Speaking generally, we are building a battle ship in the navy-yard at New York and comparing the cost of its construction with the cost of a similar ship constructed in the navy-yard, and we are trying to find out the difference between the two. Now, the House had this provision, which was on the bill, that one of these colliers should be built in the navy-yard and one at a private yard, so that we might thereby find out the difference in the cost of building these colliers. Now, the Senate put in this provision and say, "Let us build both of them in navy-yards."

Mr. GAINES of Tennessee. Is it not a fact that the Government is making its own smokeless powder, and making a great many of our firearms, and making them better and cheaper than when they had them made by private individuals? Is not that why Congress is having them made by the Government?

Mr. FOSS. I do not know how much cheaper they are making the smokeless powder. They claim to make it a little cheaper.

Mr. GAINES of Tennessee. Did not Mr. Secretary Long send two communications to Congress asking it to give him money to build this factory; and did we not build it; and are we not now making our own powder?

Mr. FOSS. The Government never takes into consideration the amount invested in the plant, but the private individual takes that into consideration.

Mr. GAINES of Tennessee. But the Government owns the improvement. The Government was held up during the Spanish war by this powder trust, and that is one of the reasons why this plant was established, and it has worked admirably.

Mr. FOSS. Is there any other discussion on it?

Mr. MEYER of Louisiana. I yield five minutes to the gentleman from Virginia.

Mr. RIXEY. Mr. Speaker, the naval bill of this year as it passed the House had provision for one battle ship, two armored cruisers, three protected cruisers, three scout cruisers, and two colliers. The colliers are the smallest ships. The Senate provision provides that these two smallest ships shall be built in two of the navy-yards of the country. There is not one of the important navy-yards but what can take care of these two smaller ships. The best constructors who were in the Navy two or three years ago, including Admiral Hichborn, had recommended that there should be navy-yard construction upon the ground that the Government could construct as cheaply and as well, and that the Government should keep a trained force on hand all the time.

Now, when the repair of a ship is completed in a navy-yard the mechanics are discharged, and when another ship goes in to be repaired it is difficult to get these men back. If you have navy-yard construction they can keep the mechanics all the time. This reasoning is justified by the facts. On one occasion, two or three years ago, this House provided that a battle ship, an armored cruiser, and a protected cruiser should be built in the navy-yards of the country.

Now, Mr. Speaker, in foreign countries every great naval power builds a portion of its ships in its navy-yards. Two years ago Great Britain was building eight battle ships and a number of cruisers in her navy-yards. Russia, France, and Germany are also building a portion of their ships in their navy-yards.

Now, as to the question of this expenditure of $175,000 to make the necessary improvements, I can not understand that. Ten years ago one of the battle ships and one of the cruisers—the battle ship *Texas* and the cruiser *Raleigh*—were built at the navy-yard at Norfolk. A battle ship and cruiser were built at other navy-yards. Since then we have spent many millions on the navy-yards, and I have no hesitation in stating that if they are not ready and prepared to build a little ship like this collier, then it must be the fault of the people who have expended the money. If the navy-yards are not prepared to build these small ships they should be put in condition, and that without delay.

I do not believe, Mr. Speaker, that the building of these small ships in the navy-yards will cost the Government any more than we are now paying. The fact is that the private contractors have about sixty vessels building for the Government, and it is reasonable to put some little of this work with the navy-yards. The Secretary in his letter calls attention to the fact that in the navy-yards he is already building at Portsmouth, N. H., a training brig, at Boston a training brig and a steam tug, and at New York a battle ship; but I want to call attention to the fact that there are yards south of New York, and it seems to me that a yard which ten years ago built a battle ship and a cruiser ought to be ready now to build this little collier. There is also an important yard upon the Pacific coast. The amendment of the Senate is so reasonable that it does seem to me that the House should with practical unanimity concur in the amendment and build these two colliers in the navy-yards.

Mr. DAYTON. Mr. Speaker, I would like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DAYTON. This clause provides that these two colliers shall be built in the navy-yards—that is, the Senate amendment provides that. The matter in controversy, as I understand it, is the question whether one or two shall be built in the navy-yards. Now the information comes from the Department that before any navy-yard in the country can build the colliers it will be necessary to enact an additional appropriation of from $150,000 to $175,000 to prepare and fix that yard to do that work. The parliamentary inquiry I want to ask is, whether it is within the power of the conferees to provide an extra appropriation under

this Senate amendment, so that there will be no delay in the building of the colliers?

The SPEAKER. Well, that is hardly a parliamentary inquiry.

Mr. DAYTON. Well, I doubted whether the Speaker would regard it as such, but it is very important for us to understand the situation.

The SPEAKER. The Chair can give his opinion——

Mr. DAYTON. I would very much like to have the Chair's opinion.

The SPEAKER (continuing). Upon the Senate amendment that will control the Chair's vote if it is necessary for him to vote, but that would not be answering his parliamentary inquiry.

Mr. DAYTON. Mr. Speaker, I simply called attention to this fact because I have a desire that these colliers shall be built, because they are desired by the Department now.

The SPEAKER. It seems to the Chair the gentleman has gotten in his speech. The question is on agreeing to the motion of the gentleman from Louisiana [Mr. MEYER] that the House do recede from its disagreement to the Senate amendment and concur therein.

The question was taken, and the Speaker announced that the Chair was in doubt.

Mr. FOSS. Division, Mr. Speaker!

The House accordingly divided; and there were—ayes 118, noes 57.

So the motion to concur was agreed to.

Mr. FOSS. Mr. Speaker, I ask if there are any other amendments?

The SPEAKER. This disposes of all the amendments.

Mr. FOSS. Then, Mr. Speaker, I move that the House agree to the conference asked for by the Senate.

The SPEAKER. Without objection, it is so ordered.

The SPEAKER announced the following conferees: Mr. FOSS, Mr. DAYTON, and Mr. MEYER of Louisiana.

ALLOTMENT OF LANDS IN SEVERALTY TO INDIANS IN THE STATE OF NEW YORK.

Mr. GROSVENOR. Mr. Speaker, I offer the following report from the Committee on Rules.

The SPEAKER. The gentleman from Ohio reports the following resolution, which the Clerk will report.

The Clerk read as follows:

The Committee on Rules, to whom was referred House resolution No. 308: "*Resolved*, That immediately upon the adoption of this resolution it shall be in order to consider in the House the bill (H. R. 7262) entitled 'A bill to provide for the allotment of lands in severalty to the Indians in the State of New York, and extend the protection of the laws of the United States and of the State of New York over such Indians, and for other purposes'"—has had the same under consideration, and asks leave to report it with the recommendation that the House agree to it with the following amendment: Add after the word "purposes," in line 7, the following: "and after forty minutes of debate, to be divided equally between those favoring and those opposing, such amendments as may be offered shall be voted on without debate, and thereupon the previous question shall be considered as ordered on the bill to its final passage."

Mr. GROSVENOR. Mr. Speaker, this is a rule to bring forward a bill that was presented in the House some days ago under a motion to suspend the rules, and for which a very large majority of the House voted. If there is anyone who desires now to oppose this resolution I will yield to him.

Mr. FITZGERALD. Mr. Speaker, I wish to ask the gentleman some question in reference to the rules.

The SPEAKER. Does the gentleman yield?

Mr. GROSVENOR. Certainly.

Mr. FITZGERALD. Under this rule, will it be in order to offer amendments to the bill?

Mr. GROSVENOR. Mr. Speaker, I shall ask unanimous consent that the rule may be read again.

Mr. FITZGERALD. I could not catch it as it was read.

The SPEAKER. The gentleman asks unanimous consent that the resolution be again reported. Is there objection?

There was no objection.

The Clerk again reported the resolution.

Mr. SULZER. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. GROSVENOR. Does the gentleman desire time in opposition to the rule?

Mr. SULZER. I do.

Mr. GROSVENOR. How much time?

Mr. SULZER. I would like to have ten minutes.

Mr. GROSVENOR. Will not the gentleman be content with five minutes?

Mr. SULZER. Yes.

Mr. GROSVENOR. I yield five minutes to the gentleman from New York.

Mr. SULZER. Mr. Speaker, this is the same bill which was before the House a few days ago on a motion of the gentleman from New York [Mr. VREELAND] to suspend the rules and consider the bill. At that time I opposed the motion and the House, by an overwhelming vote, refused to suspend the rules and pass this bill. I explained the objects of the bill then, and I think the Members of this House now know about what this bill is intended to do. I have not the time to go into the matter fully at this moment, but the real purpose and purport of this bill is to take away the Indian lands in the State of New York and incidentally give a legal satus in court to what is known as the "Ogden land-grant claim." In other words, this bill divides up the lands of the Indians—fixes it so these lands will be sold to the white people and out of the proceeds $200,000 be paid to the assigns of the Ogden Land Company. That land grant claim has no more legal standing in court than the man in the moon. It is without merit and absolutely indefensible. The courts have so held over and over again.

The people of the State of New York who are disinterested in this matter are absolutely opposed to this bill. These lands are now owned by the Indians in common, and New York is opposed to taking away these Indian lands by a process of allotment, because if these lands are taken away from the Indians in this way it will only be a question of a few years when the lands will be sold, the money gone, and then the Indians will become a public charge on the taxpayers of this country.

Mr. GAINES of Tennessee. Are the Indians opposed to the bill?

Mr. SULZER. Yes; they are unalterably opposed to the bill.

Now, the friends of the Indians in New York declare that much of the money that will be derived from the sale of these Indians' lands will go to pay the Ogden land-grant claim of $200,000 which has been pending in the courts for a number of years and which the courts over and over again have declared has no merit whatever. This entire proposition is unjust and unconscionable. The bill is a bad one in its every aspect and should be beaten in this House.

Mr. STEPHENS of Texas. Mr. Speaker, will the gentleman yield for a question?

Mr. SULZER. Not just now. I only have a few minutes time. There is not, Mr. Speaker, in my opinion, the slightest reason why this House should waste its time considering a bill which has so little merit—an indefensible bill, which is opposed, in the first instance, by the Indians against whom it is aimed, and, secondly, by all of the people of the State of New York save a few who are to be benefited by it. These Indian lands are very valuable to-day. They contain great natural resources in oil and gas, and a considerable portion of the lands are leased to white people and to oil and gas speculators, who have much influence here.

Mr. GAINES of Tennessee. And who are they?

Mr. SULZER. They are the people who are now leasing the lands from the Indians for homes, for gas and oil, and for other purposes, and are tired of paying rent, and who believe it will be to their material benefit to get a fee simple title. These people have much influence in western New York, in some parts of Pennsylvania, and, it must be apparent to the most unthinking, much influence in Congress. I could name some of them, but it is unnecessary. The trail of oil is all over this bill. Will it slip through? That is for you to say.

Mr. Speaker, I take it for granted that few Members have read this bill and are familiar with its provisions. It is a queer bill in more ways than one, and some of its sections would be ludicrous if it were not for the sad and deplorable results it is destined ultimately to accomplish. It provides, among other things, that these lands of the Indians shall be taken after allotment by condemnation proceedings for private use. Who ever heard of taking lands from an individual by condemnation proceedings for another individual?

The Constitution provides, I believe, that private property shall not be taken by condemnation proceedings except for a public purpose, and it is not contended here, and the gentleman from Ohio [Mr. GROSVENOR] will not urge, I hope, that the purpose contemplated in the bill is of a public character. It is entirely a question of a few individuals who know the value of these Indian lands, who know of the minerals, the oil, and the gas that they contain, and who want to get it all as easily as possible, and the easiest way is by the passage of this bill.

This bill, Mr. Speaker, in a word, is an outrage on these Indians—these wards of the nation. This bill has been condemned by the Historical Society of New York and by every friend of the Indian in the State. If we did our duty here, we should guard their interests and protect their rights instead of legislating them away. Pass this bill and we will pauperize them and rob them of their heritage—a crime against them and their posterity. These Indians to-day are self-supporting, happy, self-reliant, prosperous, and contented. They are educated; they maintain themselves; they have good homes, of which they are proud; they annoy no one, harm nobody; they have good farms, which they cultivate; they have good schools, and they are not now and never

have been a burden upon the taxpayers of the State of New York nor the slightest expense to the taxpayers of this country.

Now, why in the name of honesty, justice, and common sense should we take away their lands by allotment, to soon be sold to a few individuals? Then the Indians, when the proceeds are spent, will sooner or later become a public charge.

I submit to this House that this rule to now consider and pass this bill in forty minutes is unjust and iniquitous, and I hope the adoption of the rule will be defeated.

Why all this haste? Why single out this bill from hundreds and hundreds of others—honest and meritorious bills—for hasty consideration? There must be some good reason for it. Will some Member tell us? No. Who will be benefited by it? That is the question. The land and the oil and the gas speculators? Yes; they will reap a golden harvest. The Ogden Land Company? Yes; it will ultimately get its $200,000 less the amounts it has assigned to the lobbyists who for years have been behind this legislation. These are some of the reasons. Should they appeal to us?

Mr. FINLEY. Will the gentleman yield for a question?

Mr. SULZER. Yes, for a question.

Mr. FINLEY. Have not the rights of this land company been adjudicated in the courts, and has not the decision been against them and in favor of the Indians?

Mr. SULZER. Yes, that is the fact; such a finding by the courts in favor of the Indians has been rendered time and again. The Ogden Land Company has not now, and never did have, any standing in court.

Now, this bill seeks to give that Ogden Land Company a legal status in the courts and compel the Attorney-General to take up its case and prosecute it. Who ever heard of such a proceeding? This bill is unjust and indefensible; it has absolutely no merit; it is hoary with age; it is looked upon by people who have investigated it and know something about it as a contemptible steal through and through. I hope the resolution will not be adopted. It ought not to be, if we do our duty and keep our contract, our treaty obligations, with the Indians, the wards of the Republic. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. GROSVENOR. Mr. Speaker, the argument made by the gentleman from New York [Mr. SULZER], who has just taken his seat, seems to me as strong an argument as can be presented why the bill ought to be taken up and disposed of. After a long debate in this House, in which that gentleman participated, and also the gentleman from New York [Mr. FITZGERALD] now on his feet——

Mr. FITZGERALD. I hope that I may be allowed a little time upon the adoption of this rule.

Mr. GROSVENOR. I hope the gentleman will take the time on the bill itself.

Mr. FITZGERALD. I wish to call attention to the gross injustice which will be done by the adoption of the rule; and I should like to have five minutes.

Mr. GROSVENOR. I am not willing to yield further. The House has had this question before it heretofore, has spent considerable time upon it, and voted by almost a two-thirds majority in favor of its passage. The argument made by the gentleman from New York [Mr. SULZER] is conclusive as showing the necessity that something be done in this matter; and the opportune time to do it is when the bill is pending before the House.

Mr. FITZGERALD. I ask the gentleman to yield me five minutes. I am a member of the committee that considered this bill.

Mr. GROSVENOR. I will yield to the gentleman five minutes, with the understanding that immediately upon the close of that time I shall ask the previous question upon the adoption of the rule.

Mr. FITZGERALD. Mr. Speaker, I hope that this rule will be voted down. The Committee on Rules, apparently in a spirit of fairness, brings in a rule to permit this bill to be considered. It allows only forty minutes' debate, to be followed by the offering of amendments, without any possibility whatever of a word of explanation of those amendments. This is a farce, from a legislative standpoint. The bill involves vast property interests. It should be fairly considered in the House. There are many persons who believe it should be passed; but after an examination and investigation for more than three years of many of the matters connected with it I am convinced that certain amendments should be adopted in order to perfect the bill.

Mr. VREELAND. Will the gentleman allow an interruption?

Mr. FITZGERALD. Yes, sir.

Mr. VREELAND. I ask the gentleman from New York to indicate any amendments he would like to offer to the bill. There may be no objection to them.

Mr. FITZGERALD. If I can have the opportunity to offer and explain amendments which seem to me essential, I shall be glad.

Mr. Speaker, if the committee, in addition to allowing twenty minutes' debate on each side, had permitted the bill to be even read for the purpose of offering amendments, with discussion under the five-minute rule, there would be some fairness in the proceeding. Few Members of this House outside of the members of the Committee on Indian Affairs know anything about this bill. Members in general have no knowledge of what it contains; they have no knowledge of the matters which it affects; yet it is proposed to adopt this rule, which prevents the bill from being read for the offering in good faith of amendments.

When this House faces a condition like that, I sincerely hope that in the interest of fairness and justice it will vote down this proposed rule.

Mr. GAINES of Tennessee. Will the gentleman explain what reason there is for this proposed division of these lands?

Mr. FITZGERALD. I am not "hankering" for a division of these lands at all, but a great many persons believe it should be done. If it is to be done, I hope that amendments, which I have prepared after some time spent in the examination of the bill, may be presented and explained to the House.

Mr. GAINES of Tennessee. Are not these Indians getting along all right now on these lands?

Mr. FITZGERALD. A great many persons think so.

Mr. GROSVENOR. I yield five minutes to the gentleman from New York [Mr. VREELAND].

Mr. VREELAND. Mr. Speaker, no Indian bill that has ever come before this House, with the exception of the original Dawes bill, has received longer or more careful consideration from all those who are interested in the welfare of the Indians than this bill before us. The opposition to the bill comes from New York City—400 miles away from the reservations.

It comes, among others, from my colleague from New York [Mr. SULZER], who, I venture to say, never was on one of these reservations except to ride over it on the railroad; who never saw an Indian except those who have filled him up with misinformation which he has poured out upon this House; who knows absolutely nothing about Indians, unless it be the wooden Indians that they have down on the Bowery [laughter]; whose statements in regard to this bill and in regard to the author of it are absolutely untrue.

I stand behind every line of this bill. I hold myself personally responsible for every line in it. I have lived for thirty years near these reservations, and I know all about the conditions that prevail there. Every line in that bill I stand for and vouch for of my own personal knowledge. The statement that it is an attempt to steal lands from the Indians I pronounce to be absolutely untrue. Not an acre of land is taken from these Indians under this bill. No Indians in the United States have been more generously and fairly treated than these Indians. The insinuation that the Standard Oil Company is interested in this bill in any way, shape, or manner is a fact that my friend from New York must have pulled down out of the air. It exists nowhere else.

Mr. GILBERT. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. VREELAND. Yes.

Mr. GILBERT. I want to know what provision there is in this bill for the disposition of the money? Is it to be paid directly to the Indians, or invested, or how?

Mr. VREELAND. It is to be divided among the Indians.

Mr. GILBERT. Individually?

Mr. VREELAND. Individually; yes.

Mr. GAINES of Tennessee. Will my friend yield a moment?

Mr. VREELAND. Yes.

Mr. GAINES of Tennessee. The gentleman from New York says that the Standard Oil Company is trying to get this land.

Mr. VREELAND. I heard him.

Mr. GAINES of Tennessee. On page 7 of the bill I find a line about oil.

Mr. VREELAND. Yes.

Mr. GAINES of Tennessee (reading):

That nothing in this act contained shall in any manner affect the payment of royalties or rents under any oil lease of lands upon either of said reservations, but such royalties shall continue to be paid the same as heretofore.

Mr. VREELAND. Yes.

Mr. GAINES of Tennessee. Who owns these oil leases?

Mr. VREELAND. I would say that the Standard Oil Company—that is, the South Penn Oil Company—has a lease on the oil lands. The money derived from those leases belongs to the Seneca Nation. This bill provides that that land shall not be allotted, because it is evident that it could not be, but that the income from it shall continue to be paid to the United States Indian agent for distribution among all the Indians.

Mr. GAINES of Tennessee. How did this oil company get these oil lands away from the Indians?

Mr. VREELAND. They were leased in the regular way and the leases ratified by act of Congress, the same as leases are made anywhere.

Mr. GAINES of Tennessee. Who wants this allotment made?

Mr. VREELAND. Let me state another fact to the gentleman, if he is interested in oil matters.

Mr. GAINES of Tennessee. I only want to take care of the Indians, that is all.

Mr. VREELAND. This bill not only does not make it easy to lease their lands for oil purposes, but it makes it impossible for the Indians to lease them for oil purposes.

Only a few days ago a bill passed this House by unanimous consent, and the gentleman from New York [Mr. SULZER] withdrew his objection to it. That bill provided that a whole great tract or territory there should be leased for oil and gas purposes. Under this bill, when these lands are allotted in severalty among the Indians, they are forbidden to alienate them for twenty-five years, and such a bill as that could not pass.

Mr. GAINES of Tennessee. What right has Congress to allow the President to appoint commissioners to go up there and take charge of this land under what you may term a species of eminent domain?

Mr. VREELAND. The United States has full charge of it as the guardian of the Indians, and has been so recognized by the courts since the time of Chief Justice Marshall.

Now, Mr. Speaker, this bill passed the House of Representatives last winter——

The SPEAKER. The time of the gentleman has expired.

Mr. GROSVENOR. Mr. Speaker, I ask the previous question.

Mr. SULZER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. SULZER. I hope the gentleman will not insist on the previous question. I want to say just a word or two more in answer to the gentleman from New York [Mr. VREELAND].

Mr. GROSVENOR. How much time does the gentleman want?

Mr. SULZER. Three minutes.

Mr. GROSVENOR. Could not the gentleman compromise on two? [Laughter.] I yield to the gentleman two minutes.

The SPEAKER. The gentleman has two minutes.

Mr. SULZER. Mr. Speaker, in that two minutes I ask the Clerk to read a letter to me from the editor of Puck, Mr. Joseph Keppler, which I send to the desk.

The Clerk read as follows:

NEW YORK, *April 19, 1904.*

Hon. WM. SULZER,
Washington, D. C.

MY DEAR MR. SULZER: Your kind favor of April 15 is just received. Be assured of my keen appreciation and thanks.

The Vreeland bill is certainly a very bad one from the viewpoint of the Indian. Its provisions benefit the white land and oil speculators only. These plotters have all to gain and the Indians everything to lose.

The Indians' consent to allotment can not be obtained without fraud or forgery. They are practically unanimously opposed to this bill. Their daily prayer is to be spared its—to them—terrible enactment.

Your assurance, therefore, to strenuously oppose this bill and all future legislation detrimental to the welfare of the Indians of New York State is most welcome and gratifying to me, who have always considered you a stanch friend of our cause. I now know that I may rely upon you.

It may please you to learn that your loyalty and fearlessness in behalf of our Indian people have caused you to be referred to among themselves as "our friend who wields the tomahawk in Congress."

[Laughter and applause.]

With all good wishes, and trusting that I may have the opportunity of assuring you of my appreciation at some future time, believe me,

Very truly, yours,

JOS. KEPPLER.

The SPEAKER. The gentleman's time has expired.

Mr. VREELAND. May I ask the Clerk what the signature was?

The SPEAKER. Without objection, the signature will be announced.

The Clerk read as follows:

Joseph Keppler.

Mr. VREELAND. Who is he?

Mr. SULZER. Mr. Keppler is the editor of Puck.

Mr. GROSVENOR. I yield five minutes to the gentleman from Pennsylvania [Mr. SIBLEY].

Mr. SIBLEY. Mr. Speaker, I will not use the five minutes. "The Tomahawk of Congress" has stated that there is no Member on the floor outside of the committee who knows anything about this bill. I believe I am not to be included in that. I do not know much about the bill, but I was born within a few miles of that reservation, and I live very near to it. It is a contiguous tract alongside my Congressional district. I have been over every inch of the ground on foot, on horseback, and by all means of transportation, including floating down the river. I believe that this Congress can do no wiser act for the benefit of the people living on that reservation, to better their condition, than to make an allotment of these lands. Under the provisions of their tribal relations, no matter how well a man cultivates his tract, the council may take his little farm away from him for his newly acquired son-in-law.

Mr. FITZGERALD. The gentleman is entirely mistaken in that statement.

Mr. SIBLEY. I think the chief and the tribal council can so determine. There are very few men, I believe, who are opposed to the bill. I believe my friend who has just risen and other Members on your side believe that this bill ought to pass, although you believe it ought to be amended; but of that I have nothing whatever to say. But I do speak of the justice of this bill. I believe as sincerely as I have ever made a statement looking into the eyes of my colleagues that there is not one vicious thing about this bill, and I believe also that my friend has offered it with the sole purpose of benefiting these people among whom he lives. If for the purpose of betterment it were to be amended, I should not object.

I believe that my friend from New York, who has been designated "The Tomahawk of Congress," makes a mistake, and he is wrong when he imputes to other gentlemen any motives other than those which ought to actuate any high-minded Member of this House who has taken an oath to respect the laws and Constitution of this country, and I hope he will withdraw his reference in this that the gentleman from New York has acted or attempted to act in any way except for the benefit of those among whom he resides and for the benefit of those men who are entitled to some property rights on the reservation.

Mr. GILBERT. What do the Indians want done about it?

Mr. SIBLEY. I believe I am not qualified to state what the Indians want.

Mr. LITTLE. The bill requires their consent.

Mr. SIBLEY. The bill requires their consent, as my friend the gentleman from Arkansas states. I think the gentleman from Arkansas has been on that committee a number of years, and I believe that he recognizes that the time has come—I think I betray no confidence when I say he has come to the belief that the time has come—when this allotment shall be made. I agree with you all that it should be made properly; but I do want to disclaim improper motives upon the part of the gentlemen who are supporting this measure. [Applause.]

Mr. VREELAND. I ask for three minutes.

Mr. GROSVENOR. I yield three minutes to the gentleman from New York.

Mr. VREELAND. I stated to the House a few moments ago that no better considered bill had been brought to the consideration of the House during this session than this one. My colleague from New York [Mr. SULZER], who is undoubtedly full of kindness to the Indians, but lacks information about them, was entirely correct when he stated that this is an old matter—that this is an old steal, I think was the way he referred to it—that this is not the first attempt to bring this matter before Congress. It was once recommended by Secretary of the Interior Mr. Hoke Smith and also by Judge Browning, who was the Commissioner of Indian Affairs under President Cleveland. In that report Judge Browning, who was one of the ablest Indian Commissioners, I think, we have ever had, makes unqualifiedly and without reservation a strong appeal in favor of passing the same legislation which I am offering here to-day.

I have not time to read his report. On page 22 of that report you will find that Judge Browning takes exactly the same ground that I take in this bill.

The only previous bill that has been introduced here, so far as I know, was in 1897, which was in response to a report of Judge Browning, the Indian Commissioner at that time. It was introduced in the Senate by Senator David B. Hill, of New York.

That bill called for an appropriation to pay off a land company which claimed to have title to these Indian lands. That bill, which was introduced by Senator Hill, of New York, whose name, I have no doubt, is familiar to my colleague from New York [laughter], was introduced here and passed through the Senate of the United States. So far as I know the only previous legislation to which my colleague can refer is the bill introduced by Senator Hill and passed in the Senate in 1897.

The same bill as we are now considering, with some changes, was introduced by myself in the last Congress. It was fully considered for many weeks, with many hearings before the Committee on Indian Affairs; it was reported favorably from that committee; it was discussed in this House and passed under a suspension of the rules. The board of Indian commissioners in this city, appointed by the President, has passed resolutions, which I have here, in favor of this bill for two successive years. The Commissioner of Indian Affairs, on page 196 of his last report, favors the passage of this legislation.

The Conference of Friends of the Indians at Lake Mohonk, which is known all over the country, has for two successive years passed resolutions in favor of this particular bill. The United States Indian attorney, the missionaries among the Indians, the Indian Rights Association, Mr. Philip Garrett, of Philadelphia

who represents the interest of the Friends—all of these various bodies have time and time again considered this legislation in detail and recommended its passage.

The SPEAKER. The time of the gentleman has expired.

Mr. GROSVENOR. Mr. Speaker, I ask for a vote on the previous question.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. SULZER. Division, Mr. Speaker.

The House accordingly divided; and there were—ayes 139, noes 81.

Mr. SULZER. Yeas and nays, Mr. Speaker.

The SPEAKER. Twenty gentlemen have arisen—not a sufficient number; and the yeas and nays are refused, and the resolution is agreed to. The resolution provides for forty minutes' debate—twenty minutes to be controlled by those in favor of the bill and twenty minutes by those opposed to it, members of the Committee on Indian Affairs having preference.

Mr. VREELAND. Mr. Speaker, I ask unanimous consent to control the time on this side in favor of the bill.

The SPEAKER. The gentleman from New York asks unanimous consent that he may control the twenty minutes' time of those in favor of the bill. Without objection, it is so ordered; and the gentleman from New York on the Committee on Indian Affairs [Mr. FITZGERALD] will control the other twenty minutes. [After a pause.] The Chair hears no objection.

Mr. VREELAND. Mr. Speaker, it has been the policy of this Government for more than twenty years to allot lands among the Indians and eventually to make citizens of them. This policy has been pursued for years throughout the West with the Indians who were only semicivilized and with many who were not civilized at all. Ever since the passage of the Dawes bill, introduced by Senator Dawes nearly twenty years ago, that has been the established policy of this Government.

We have had, Mr. Speaker, several different stages of treatment of the Indians of the United States. We have had the first stage, where the policy of the Government seemed to be to consider that the only good Indian was a dead Indian. That, Mr. Speaker, has long since passed by. Then we had the second stage, where it was considered to be for the benefit of the Indians to herd them upon reservations and keep them by themselves and maintain their tribal relations and keep white men away from among them and maintain them as tribes of Indians. I say, Mr. Speaker, that that stage has also passed away.

Mr. STEPHENS of Texas. Will the gentleman yield for a question?

Mr. VREELAND. Certainly.

Mr. STEPHENS of Texas. I will ask the gentleman if we have not passed several bills this session of Congress, coming from the Committee on Indian Affairs, providing for breaking up reservations and allotting lands among the Indians?

Mr. VREELAND. I understand that that is true.

Mr. STEPHENS of Texas. And I will ask if it is not also a fact that we have spent more time upon this bill than any other bill before the Committee on Indian Affairs.

Mr. VREELAND. I think, Mr. Speaker, I may say in reply to the question of my friend from Texas, who is also on the Committee on Indian Affairs, that it is true that in this session more time has been spent in hearings and consideration upon this bill than any other one bill or two bills before that committee.

Not only that, but in the last House, at the session a year ago last winter, many weeks were spent by the members of the Indian Committee of the House in hearings and in considering every detail of this legislation. I want to say that I am interested in this legislation for two reasons, and I am perfectly frank to state to the House what those reasons are: In the first place, every Commissioner of Indian Affairs for the last ten years has been urging upon Congress to pass legislation looking to making citizens of these Indians and allotting their lands.

Mr. STEPHENS of Texas. I would like to ask another question, if the gentleman will yield.

Mr. VREELAND. Yes.

Mr. STEPHENS of Texas. Is the gentleman aware of the amendments to be offered by the gentleman from New York [Mr. FITZGERALD], who is a member of the committee?

Mr. VREELAND. I know of some of the amendments to be offered by the gentleman from New York, and I do not know that I would object to them. Some of the other amendments, in my judgment, would be fatal to the bill.

Mr. BREAZEALE. How many Indians are affected by this particular bill?

Mr. VREELAND. About 2,700 Indians, who are living upon about 56,000 acres of land; living under tribal relations; living outside the law of the State of New York; living where their property and domestic relations are outside of the laws of the State of New York and of the United States. These Indians, Mr. Speaker, are perhaps more civilized than any other tribe of Indians in this United States.

For nearly a century they have lived there, in the State of New York, surrounded by civilization, occupying in their reservations, following the Allegheny River, about half a mile on each side of that river a strip nearly 40 miles long, stretching through an old and rich and thickly settled part of the State of New York. Now, it has been impossible to prevent white people from interfering with and from mixing in business relations with these Indians. The railroads had to be built over these reservations in order to get by the hills and through the valleys on their way to the great West.

Therefore, in 1876, after the Erie Railroad had been built through western New York, on its way to Chicago, the railroad men were obliged to settle along the line of raiiroads and obliged to settle on these reservations. There was no way to get around them. In that way these communities of white people that are now contained in villages first settled on the Indian lands.

It was done with the consent of the Indians. These Indians are as intelligent, in my judgment—many of them—as the farmers throughout western New York. They are men who know how to do business. They are men who know how to protect themselves in their business intercourse with white men. These Indians voluntarily made leases with the white people and permitted them to settle upon the reservations in the so-called "villages."

In 1876 these villages had become so large that Congress ratified the leases and authorized the Indians to make further leases with the white people.

So then to-day we find that there are about 8,000 people, who are constituents of mine, who are residing upon these reservations, upon lands which they have leased from the Indians under leases which have been ratified by act of Congress. These leases are perpetual, having been so decided by the supreme court of the State of New York, and are renewable once every ninety-nine years for the purpose of readjustment of rent.

Now, Mr. Speaker, outside of these villages, which the Indians have parted with in perpetuity by their own action, not an acre of land is taken away from them, except that which they have voluntarily parted with. Not only that, but all of the provisions of the Dawes Act have been put around this bill to protect the interests of the Indians. Before introducing the bill in Congress I submitted it to the board of Indian commissioners, to the Indian Rights Association, to the Commissioner of Indian Affairs, and I asked them to suggest any provisions which should be added to care for the rights of Indians under this bill.

Many amendments were made, and I say here, Mr. Speaker, that this bill is a perfected bill, made jointly with all of these societies that make it their business to look after and protect the interests of the Indians.

Mr. GILBERT. Mr. Speaker, I will ask the gentleman what is the necessity for the bill at all?

Mr. VREELAND. I will say to my friend the gentleman from Kentucky [Mr. GILBERT] that all of these societies that are urging the passage of this bill are doing it entirely on account of the Indians. I will say to him that here are 2,700 people who are civilized people, people who take newspapers, who cultivate their lands, who have their own parties among themselves and conduct their elections, who have a tribal government, who are as intelligent as nine out of ten of the immigrants who land on our shores to become American citizens.

Here are 2,700 of these Indians settled down in one of the old States of this Union, outside of the law, without any law to govern their own property relations, without any property rights which go to the individual, but all of them possessed only of tribal rights. All of their domestic relations are outside of the law. There is no law of the State of New York that can reach one of these Indians. If the husband of a woman deserts his family and goes and lives with some other woman, they are entirely outside of the law.

I say that it has created a condition of affairs here which has attracted the attention of all the societies that exist for the benefit of Ind ans and has caused these societies to urge here, year after year, the passage of this legislation. Now, I say that I want to be entiirely frank with this House. I am not sure that that reason alone, while I understand and believe in it and know the necessity of this legislation on account of these Indians, is what has prompted me to spend so many days in urging this legislation.

I am not sure that I would have done it had it not been for the 8,000 white people who live there and who are asking of me that I endeavor to settle up these affairs; that I endeavor to put these Indians where, while every right they have is to be respected, they will be brought under the laws of the State; that each one shall have his own lot of land, protected against alienation for twenty-five years, so that these lands in the State of New York shall be made a place of peace and prosperity and contentment for their Indian owners.

Mr. GILBERT. What about their mining or mineral rights?

Mr. VREELAND. I will say to my friend from Kentucky [Mr. GILBERT] that about eight years ago oil was found on their reservation; that oil has been developed. The Indians leased those oil lands in the ordinary way, under a lease ratified by Congress, and they are now receiving from that oil property the royalty, amounting to a good many thousand dollars a year.

So far as I know—and I am familiar with the subject—there is no other land in that reservation—and I am familiar with the oil business—that I would take and put down a well upon if they would give me a lease of the whole of it.

Mr. CAMPBELL. In allotting the lands to these Indians, is any provision made in this bill for segregating the developed oil lands from those which are to be allotted to the Indians?

Mr. VREELAND. There is provision that the oil lands shall be allotted the same as the other; but the money coming from the oil lands is to be paid to the United States Indian agent, as is now done, for distribution among the Indians.

Mr. CAMPBELL. Then the benefit of the developed oil lands will accrue to the entire nation?

Mr. VREELAND. Yes, sir.

Mr. STEPHENS of Texas. Will the gentleman from New York [Mr. VREELAND] explain to the House how the claim of the Ogden Land Company is to be disposed of? There seems to be some question about that claim.

Mr. VREELAND. The reason why these lands were not included in the original Dawes bill was because there is a question in regard to the title to these lands. I wish to read a letter in relation to this matter, which I received from ex-Senator Dawes shortly before his death. He says:

> No man can be more impressed than I have been for the last dozen years with the deplorable condition of the New York Indians, as well as the incubus of these reservations upon the future development of western New York. There is no cure that I know of but allotment. They would have been included in the operation of the severalty act of 1887—

That is the allotment act, known as the "Dawes bill"—

but for the trouble about their title.

There is a company—not a corporation, but the heirs of four or five men of Revolutionary times—that claims to hold the preemption right to these reservations; that is, that claims to have the first and sole right to buy these lands when the Indians shall be through with them.

Not only that, but all of you gentlemen who are familiar with Indian laws know that the right of the Indians to occupy lands which are preempted exists as a tribal right; that the United States Supreme Court has decided that the Indians must exist as a tribe in order to hold their rights to these lands. Therefore, it has been necessary through all these years that these Indians should maintain their existence as a tribe in order to protect their title from the company called the "Ogden Land Company."

I referred a moment ago to the bill which the late Senator Hill introduced in the Senate of the United States in 1897, upon the recommendation of Secretary Hoke Smith and Judge Browning, Commissioner of Indian Affairs. That bill provided that the claims of the Odgen Land Company should be paid off and that $270,000 should be appropriated for that purpose.

Mr. LITTLEFIELD. What provision does this bill make in regard to adverse claims? Does it impair or validate them?

Mr. VREELAND. This bill provides that the Attorney-General of the United States shall bring suit to quiet the title to these lands; that he shall endeavor to find out whether the Odgen Land Company has any interest at all, and if so, how much; and if that company has no interest, then the allotments shall go on.

Mr. LITTLEFIELD. This bill does not confer any rights upon that company?

Mr. VREELAND. Not the least; it simply proposes to find out the existing legal status of that company, whatever it may be.

Mr. Speaker, the United States has now reached the third and, I trust, the last stage in its treatment of its Indian wards; that is, to them not as tribes of Indians, but as individuals capable of development along civilized lines. To develop habits of industry among them, to awaken among them the property instinct by giving to each one his own individual allotment of land, there must be among them a survival of the fittest. They must either survive as individuals or perish as tribes of Indians. The present policy of the Government aims to develop them into useful citizens, who shall be absorbed into and become part of the citizenship of our country.

Mr. Speaker, I reserve the balance of my time.

Mr. FITZGERALD. Mr. Speaker, it is proper to state at the outset that while a great many people favor the passage of this bill, yet there is one gentleman, at least, who opposes it, whose knowledge of the conditions of the Indians affected by the bill is as accurate and as great as that of any other person, with the exception, perhaps, of the gentleman who introduced the bill. Bishop Walker, of Buffalo, an Episcopalian, whose diocese includes the reservations affected by this measure, is heartily opposed to the bill.

The bill provides for the allotment of the lands of the Seneca Indians in New York State in the Allegany and Cattaraugus reservations. It first provides that the consent of a majority of the Indians shall be obtained before anything can be done to render the legislation effective. Although the United States Supreme Court has decided in the Lone Wolf case (1 U. S., —) that Congress has the absolute power to dispose of Indian lands as it deems proper without the consent of the Indians affected, yet I deem it advisable to make provision for the obtaining of their consent to any proposed legislation unless there be peculiar reasons to dispense with such consent, so that their interests may be properly safeguarded and their just demands respected.

With the addition of certain amendments that I shall ask the House to adopt, the bill is less objectionable than any that has ever been urged for the allotment of the lands of these Indians. I am inclined to believe from investigations made as a member of the Committee on Indian Affairs that a condition exists on the reservations that should in some way be changed. Many who have given close attention to the matter—persons who are entirely disinterested—insist that legislation along the lines suggested in the pending bill is imperative.

Could I have my way, Mr. Speaker, I would not at this time provide for the allotment of the lands of these Indians. Since the bill is before the House, however, I shall endeavor to have adopted some amendments that in my opinion will somewhat improve it. The following provision is found on page 5 of the bill:

> *Provided further*, That at any time after the expiration of six years after such allotments have been made the Secretary of the Interior, upon presentation of a certificate signed and acknowledged by the county judge, the surrogate, and the clerk of the county in which any such allottee may reside, stating that such allottee in their knowledge and opinion is temperate, industrious, competent to manage his affairs, and qualified for citizenship, may cause such patent in fee simple to issue at once to such allottee under such regulations as the Secretary of the Interior may prescribe.

I shall ask the House to adopt an amendment striking out the following language:

> Upon presentation of a certificate signed and acknowledged by the county judge, the surrogate, and the clerk of the county in which any such allottee may reside, stating that such allottee, in their knowledge and opinion, is temperate, industrious, competent to manage his affairs, and qualified for citizenship—

and inserting after the word "cause," in line 23, the words "in his discretion."

The effect of this amendment will be to give the Secretary of the Interior authority to issue a patent in fee to any allottee after six years if he deems it proper so to do. I shall ask to have the provision for a certificate from the county judge, clerk, and surrogate eliminated, for a reason very obvious to those who are familiar with the conditions about Indian reservations.

Before I call attention to that phase of the matter, however, I desire to point out that in no legislation allotting Indian lands, where, for any cause, the power to alienate the allotment has been permitted within twenty-five years from the date of the allotment, have the local authorities been clothed with power to pass upon the qualifications of the allottees for citizenship, so that a patent in fee to their lands might be obtained.

The reason is quite obvious, Mr. Speaker. In this case, for instance, the lands to be allotted are rich in gas, in oil, and in minerals. So long as the power of alienation is suspended the Indian is in no danger of having his land taken improperly. In the communities wherein the lands affected by this bill are located the interests of the white people are considered much superior to those of the Indians. It is the same in all communities under similar circumstances.

The officials named in the bill to furnish the certificate required would be so strongly predisposed in favor of the whites and the desire to have the Indian land given to him with such a title as to make it part of the taxable property of the county would be so strong that the entire matter might better be left to the Secretary of the Interior, so that a thorough investigation by an Indian Office inspector may be assured for every application made for a patent in fee by an allottee.

It can readily be seen that if an allottee be permitted to come to the Department with such a certificate as is required by this provision of the bill that there shall be less disposition on the part of the Department to make the thorough and independent investigation that each case should have.

Another amendment that it is my purpose to offer will place in the bill a provision contained in the bill as it passed Congress on a previous occasion. It is provided that none of the land in the villages of Salamanca, West Salamanca, Red House, Vandalia, Carrollton, and Great Valley shall be allotted; but the lessees shall be permitted to obtain a patent to the leased lands by paying a sum of money which, if invested at 4 per cent, would yield the annual rental of the leased land.

Mr. VREELAND. Mr. Speaker, will the gentleman permit an interruption?

Mr. FITZGERALD. Yes.

Mr. VREELAND. I did not understand the gentleman exactly. Did he say that he wished to offer an amendment in regard to the terms under which an individual after six years could become a citizen?

Mr. FITZGERALD. I have already stated that.

Mr. VREELAND. Will the gentleman be kind enough to state it again?

Mr. FITZGERALD. I will move to strike out on page 5 all contained in lines 18 to 23, commencing with the words "upon presentation" and down to the word "citizenship," and after the word "cause," in line 23, I shall move to insert the words "in his discretion," so that the Secretary of the Interior in his discretion may have that power.

On page 7, in line 2, after the word "*Provided*," I shall offer an amendment which will restore to the bill a provision which was in it when it passed the last Congress. As I have already stated, the lessees in these villages, who pay in rent for lots from six to ten dollars a year, may obtain patents to those lots upon paying a sum of money which, if invested at 4 per cent, will yield the annual rental they now pay.

In the former bill it was also provided that in case $200,000 was paid to the so-called "Ogden Land Company" to extinguish the interest or lien or claim which it is said they have to these reservations, the lessees should pay in addition a sum which would be so proportionate to the sum paid to the Ogden Land Company as the area of the land that they have under lease would bear to all of the land covered by the claim of the Ogden Land Company.

It was estimated by the gentleman from New York that if $200,000 were paid to extinguish this so-called claim, the lessees in the villages would be compelled to pay at least $20,000 in addition to the other sums.

I know of no reason for omitting this provision from this bill. If the lands are to be allotted; if by any possibility the so-called "Ogden Land Company" has any interest in these lands for which compensation must be made; if the lessees in the villages are to obtain patents in fee to the lands occupied by them, they should pay their proportionate share of the amount required, if any, to acquire the interest of the Ogden Land Company.

There is one other amendment which I shall offer to the bill. The right or claim of the so-called "Ogden Land Company" has been the subject of controversy for many years. Some contend that the persons known as the "Ogden Land Company" have the fee of these reservations, subject to the tribal right of occupancy of the Indians; many others insist that the so-called "company" has the right of preemption or, as it is described, the first right to purchase from the Indians if the tribal relation is to be destroyed.

If there be any right whatever possessed by this so-called "company" in these lands, I am quite satisfied, after an exhaustive examination of the authorities, that it is merely a right to negotiate with the Indians for the lands before they are otherwise disposed of. With a former Member of this House, who gave the subject much consideration, a man eminent on the bench, a Republican, and of great legal acumen, the late Charles H. Daniels, I believe that the Ogden Land Company's claim is a myth, for it has been repeatedly defeated in the courts of the State of New York, with the exception of the case of Chrystie against The Seneca Nation (126 N. Y.)

In that case it appears that to lands apart from those contained in the reservations affected by this bill the company had negotiated with the Indians, had agreed upon terms, had fully complied with the conditions of the agreement, and under the circumstances were held to have a good title. That is not the condition of the lands in this bill.

The bill in its present shape provides that the right or claim of the so-called "Ogden Land Company" shall be determined in the courts in an action or proceeding brought or participated in by the Attorney-General of the United States. Then if it be found that the Ogden Land Company has some interest that has some value this bill provides that the Secretary of the Interior shall ascertain the value of the interest and negotiate for its purchase in the name of the United States and in trust for the Indians.

If unable to agree with the so-called "Ogden Land Company" within four months, then provision is made to condemn the interest or right that may be found to exist. I shall offer an amendment that will take from the Secretary of the Interior the power to negotiate for the purchase of any right that may be found to exist, and leave the bill in such a way that the right or interest, if any, shall be obtained by condemnation. I shall do this because of the very great difference of opinion that exists regarding the value of the supposed rights of this company.

In the language that I shall ask to have stricken out, too, there is, in my opinion, words which may give a right never urged by the representatives of this so-called "company." The bill directs that if it be adjudged that the company have "a valid interest to, or vested interest in, said lands, or entitled to recover damages as for a breach of contract for the purchase of such lands," the interest shall be acquired.

Should it be determined that this company has a right to negotiate for the purchase of these lands, before it could be entitled to recover damages it would be obliged to show that it was in a position—able to purchase—to acquire the land. The language just read would make such proof unnecessary. It should be stricken out.

Mr. VREELAND. I would ask my colleague from New York if this bill does not provide that the Ogden Land Company must prove their claim in court, whether they have any title, and, if so, how much?

Mr. FITZGERALD. It provides that they may recover damages for a breach of contract of purchase, and that is reading into their claim something that they have never made.

Mr. VREELAND. Has the gentleman prepared an amendment to cover that? If so, I will not object to it.

Mr. FITZGERALD. I want to strike out the provision which permits the Secretary of the Interior to negotiate for the purchase of any interest it may be determined the company has. If he is to do that, there should be some limitation upon the amount he shall pay; or, better, leave it to be acquired by condemnation proceedings.

Mr. VREELAND. I do not want to interrupt my friend unless with his permission. I would ask him if the Secretary of the Interior can do anything more than negotiate under this bill, providing the Ogden folks can establish the claim, without coming back to Congress to obtain money whereby to carry it out?

Mr. FITZGERALD. I do not know, I will say to the gentleman. Although I have read this bill carefully, I do not know.

Mr. LACEY. I would like to ask my colleague on the committee if he thinks it is possible that the rights of the Ogden Land Company could be reached by condemnation?

Mr. FITZGERALD. I do not think so.

Mr. LACEY. How could they take private property for private use?

Mr. FITZGERALD. I do not think we could make it a public use merely by declaring in the bill that it is a public use.

Mr. LACEY. I would also like to ask the gentleman if there is not a suit pending in the supreme court of New York in which this same question is involved, and in which they directed the attorney-general to investigate?

Mr. FITZGERALD. There is, and that meets with my approval. I ask, Mr. Speaker, if it be necessary that amendment be offered during the discussion?

The SPEAKER pro tempore (Mr. OLMSTED). They can be offered when the discussion is closed.

Mr. FITZGERALD. How much time have I left, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has eleven minutes remaining.

Mr. FITZGERALD. I yield ten minutes to my colleague [Mr. SULZER], who is opposed to the bill in its entirety.

Mr. SULZER. Mr. Speaker, as I said before, the real purpose of this bill is to take away the Indians' land, and incidentally to revive and give a legal status to what is known as the "Ogden land-grant claim." I speak from personal knowledge, having been more or less familiar with this subject for the last fifteen years, both as a member of the New York legislature and as a Member of Congress, and I stand here to-day and declare that if this bill becomes law in less than twenty years the white people will have the Indians' lands, the Indians will not have a dollar of the money left, and then they will be a public charge on the taxpayers of the State of New York or on the citizens of the United States.

The Government of the United States more than a hundred years ago gave these lands to the Indians under a solemn treaty, by which it was agreed that the Government under no circumstances nor at any time would ever take these lands away from the Indians. That is a contract. We should not break it now. The Government never would attempt to take these lands away from the Indians, and the few people in the western part of the State of New York, represented by the gentleman from New York [Mr. VREELAND], would not now want to take these lands away from the Indians if it were not for the fact that recently it has been discovered that these lands contain valuable deposits of oil and natural gas. This is the chief reason this iniquitous bill is now to be jammed through this House by a special and peremptory rule.

Mr. VREELAND. Will the gentleman permit me to interrupt him?

Mr. SULZER. I have not time now, for I want to read what a distinguished Republican, a former Member of this House, a gentleman who occupied for many years a very conspicuous position on the other side of this Chamber, a man who is well known

in the State of New York, who has given this subject a great deal of careful study and who knows whereof he speaks—I say I want to read what the Hon. John Van Voorhis, formerly a Member of this House, from the city of Rochester, says in regard to this bill. He says in a recent address:

Mr. VREELAND says he represents 100,000 people in his district. That means white people, of course. It doesn't mean a single Indian, because an Indian has no vote and no representation. As a matter of fact, the Indians are against Mr. VREELAND'S bill. They dislike its terms and its features. And if the Indians don't want it, what have the rest of us to say? By a treaty made with the Indians at Canandaigua in 1794 this Government has guaranteed to them the absolute ownership and control of those lands in question.

Why, then, should white people poke their noses into this affair under the pretense of bettering the Indian's condition? Because the white people have an interest of their own in this matter. They are trying to get these lands away from the Indians. There has never yet been a Representative from that district who wasn't inimical to their interests, in fact, if he wanted to be elected to Congress. I look upon this bill of Mr. VREELAND'S, therefore, as an entering wedge in an effort that is about to be made to drive those Indians off their lands.

White speculators want to get at the valuable oil privileges that are on those reservation lands, as they have in the past secured most of them for nothing. I would like at this moment to put Mr. VREELAND on the witness stand under oath, and ask him if it is not a fact that he himself has got rich off these very Indians, and if one corporation formed to exploit these lands was not formed by himself.

I state these things only to show the animus which brought forth this bill. There is always some measure of this kind before Congress, and the Indians are continually being compelled to go to Washington to fight these things, until it appears almost that the Government, instead of being the guardian of the Indians, is in reality their oppressor.

Mr. Speaker, that is from a Republican—from a recent speech of John Van Voorhis, a former Member of this House. He knows, no doubt, whereof he speaks. But let me read what Charles T. Andrews says in the New York Sun in regard to this bill. I have only time to read the concluding paragraph. Mr. Andrews is the New York State inspector of Indian schools. He says:

But let not Congress, deceived by sophistry or overpersuaded by importunities, dishonor itself, disgrace the nation, and make its last transaction with the Iroquois Indians infamous by robbing the helpless remnants of that once powerful tribe of $200,000 for the benefit of the most unscrupulous land speculators, who for two-thirds of a century have robbed, cheated, and debauched the Indians of the great Six Nations.

[Applause on the Democratic side.]

I wish I could read all of this masterly article, but I have not the time. Now, you listened a few moments ago to a letter written to me by Mr. Joseph Keppler, the editor and proprietor of Puck. Mr. Keppler is a patriotic and disinterested citizen; he is a public-spirited man who has taken a great deal of interest in these Indians; he has looked into this matter and he knows the evil this bill will accomplish if it becomes a law. He raises his voice to-day as a citizen of this country in protest to this bill, and says:

The Vreeland bill is certainly a very bad one. * * * Its provisions benefit the oil and land speculators only. These plotters have all to gain and the Indians everything to lose. The Indians' consent to allotment can not be obtained without fraud or forgery. They are practically unanimously opposed to the bill. Their daily prayer is to be spared from its enactment.

Let me now read, Mr. Speaker, a brief extract from a letter to me from W. H. Samson, the president of the Rochester Historical Society, a very distinguished gentleman of New York, who resides in Rochester. He says:

The purpose of the Vreeland bill, in my opinion, is to get the Indians' land and not to Christianize the Indians, not to civilize them, and one of the saddest and most discouraging things about the whole business is that Mr. VREELAND has deluded a whole lot of good people into the idea that its purpose is strictly philanthropical.

Mr. Speaker, I quote from these statements and letters to show how utterly iniquitous and indefensible this legislation really is. This bill should be defeated. It has been in Congress in one shape or another for years, but the purpose is always the same—to get the lands of the Indians and out of the proceeds of their ultimate sale pay the Ogden land-grant claim.

When De Witt Clinton was governor he told the Indians that "all the right which the Ogden Company has to your reservations is the right of purchase when you deem it expedient to sell them." In 1840 the committee of the general council of Massachusetts said, in regard to the claim that under the agreement with New York, "Massachusetts held the sole and exclusive right to purchase the lands whenever the Indians should voluntarily dispose of them. * * * The sole and exclusive right to purchase the lands of the Indians gave no other title or interest in the land whatever. * * * Such interest or title could be assigned only by a sale or conveyance thereof by the Indians."

The Constitution of the United States provides that "all treaties shall be the supreme law of the land." On November 11, 1794, a treaty was negotiated at Canandaigua between the United States and the Six Nations of Indians. It was ratified by the Senate of the United States on January 21, 1795. The council with the Indians was solicited by the United States, and the purpose thereof, as stated in the treaty itself, was to remove from the minds of the Indians "all cause of complaint and establishing a firm and permanent friendship with them." The treaty described in detail the boundaries of the Seneca Indian lands, and then said:

Now, the United States acknowledge all the land within the aforementioned boundaries to be the property of the Seneca Nation, and the United States will never claim the same nor disturb the Seneca Nation nor any of the Six Nations or their Indian friends residing thereon and united with them in the free use and enjoyment thereof, but it shall remain theirs until they choose to sell the same to the people of the United States, who have the right to purchase.

This treaty is a part of "the supreme law of the land," is as binding as any treaty with a foreign power, and it gives to the Seneca Indians a much stronger title to their lands than that of aboriginal occupancy. This point was emphasized by the Supreme Court of the United States in 1866, when it declared that the rights of these particular Indians do not depend upon statutes, "but upon the treaties," and "it is to these treaties that we must look to ascertain the value of these rights and the extent of them." (5 Wall., 768.)

And so the matter stands. The Indians of western New York own their lands, and the United States has not only said so, but has solemnly pledged itself never to claim the lands and never to disturb the Indians "in the free use and enjoyment thereof." The Ogden Land Company has the first right to buy, but it has nothing more than that. To compel the Indians to pay $200,000 for the extinguishment of the right would be a monstrous outrage. It seems to me, therefore, that it is the imperative duty of all friends of the Indians and of all who believe in honesty and fair dealing to oppose the passage of the Vreeland bill.

The SPEAKER pro tempore. The gentleman will suspend for one moment. The Chair feels it his duty to remind the gentleman that the rule of the House forbids reference to Members by name, and it is just as much a violation of the rule to read something somebody else has said as if the gentleman had stated it himself. It is also against the rules of the House to impugn the motives of other gentlemen.

Mr. SULZER. I am not impugning motives. The gentleman's own statement does that. I am stating facts. These letters I read violate no rule.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SULZER. I ask for a few minutes more.

The SPEAKER pro tempore. The gentleman from New York [Mr. FITZGERALD] has one minute remaining.

Mr. FITZGERALD. I have only one minute, and I promised that to the gentleman from Arkansas [Mr. LITTLE].

Mr. SULZER. Then one word more, Mr. Speaker. I think I have made this matter clear to the House. I have no more to say. I leave it now to the judgment and conscience of Members. My vote now, as in the past, will be cast against this infamous and iniquitous Indian land steal. [Applause.]

Mr. FITZGERALD. Mr. Speaker, I yield the balance of my time to the gentleman from Arkansas [Mr. LITTLE].

The SPEAKER pro tempore. The gentleman from Arkansas is recognized for one minute.

Mr. LITTLE. Could the gentleman from New York [Mr. VREELAND] yield me some time?

Mr. VREELAND. I have five minutes, and I yield three minutes to the gentleman from Arkansas.

The SPEAKER pro tempore. The gentleman from Arkansas is recognized for four minutes.

Mr. LITTLE. Mr. Speaker, I rise principally for the purpose of expressing the hope that the amendments offered by the gentleman from New York [Mr. FITZGERALD] will be adopted by the House. With these amendments on the bill I have no hesitancy in saying that in my opinion it ought to pass. I say that in the face of the extravagant statements made by my friend the gentleman from New York [Mr. SULZER]. The trouble is that the oil companies have already got the reservation under leases approved by the Congress of the United States, so that question is not in this proposition at all. It simply is a proposition to divide the lands of these Indians among themselves, each getting the part to which he is entitled. That can not be done except by their consent, according to the provisions of the bill; and if they are all opposed to it, as the gentleman from New York [Mr. SULZER] suggests, there will be no division of the lands.

In the next place, there is no such thing as a $200,000 steal proposition in this bill. There was at the time the statement was written which the gentleman has just read to the House. A bill was reported to pay the Ogden Land Company $200,000 for its claim, which I believe was a wild-cat claim, and if the gentleman wants to use that word as referring to that claim I have no objection; but I know the gentlemen upon the Committee on Indian Affairs all know that for five years I have stood against the payment of that claim and in part contributed my influence to defeat this bill, both in the committee and in the House. It is not treating either the committee or the House fairly to charge them

with infamy in regard to this matter. [Applause.] I know that we investigated it, and that we investigated it carefully, day after day and week after week, and the charge is wholly unjust and unfounded, and the bill that we are now asked to vote upon provides that whatever claim the Ogden Land Company has or claims to have shall be determined by the courts of the country, as they have a right to have it determined, and then if that company has any just claim let it be paid.

So far as I am concerned, I do not believe it has any just claim; but it insists upon the justice of the claim which it asserts, and it is necessary to clear the title to these lands in order to give the Indians a clear title to their lands, so that they can dispose of them in the future if they desire to do so. If the white men propose to rob these Indians of their little allotments when they get them, if the laws of the country are enforced they will wait twenty-five years before they get many acres of it under the provisions of this bill. As to the sale of the town lots in the villages and the provisions for the payment in this bill, I am not sufficiently familiar with the facts to be prepared to speak with reference to their sufficiency. Those who are familiar with it, more so than I am, think it a just compensation, so I do not hesitate, especially on that score. But one of the amendments offered by the gentleman from New York [Mr. FITZGERALD] provides that in the event in the future it is determined that the Ogden Land Company has any claim and it must be paid, the people who own these town lots shall pay their pro rata share of the money to go to the Ogden Land Company. That was in the bill last year. With these amendments I hope the bill will pass. [Applause.]

Mr. VREELAND. Mr. Speaker, I do not know that I desire to occupy any more time except to say that the communication read by the gentleman from New York [Mr. SULZER] emanates from the lawyer for the Indian council—the officeholders who would be out of a job in case this bill passes, and who are therefore against it. He is a man of somewhat violent expressions, who lives about 125 miles away from the reservation and never was there, I think, but once.

He was at one time a Member of this body and was on the point of being turned out of it for the violence of his expressions in this House.

I now yield whatever time I have remaining to the gentleman from Texas [Mr. STEPHENS]. [Applause.]

Mr. STEPHENS of Texas. Mr. Speaker, it will be impossible for me in the brief time I have to address the House to explain this bill. I will therefore content myself with the statement that I think the bill should pass. It has been well considered by the Committee on Indian Affairs and has passed the House once, and with the amendment suggested by the gentleman from New York [Mr. FITZGERALD], who is also a member of the committee, I think that it would be nothing but right to pass the bill.

The SPEAKER pro tempore. The time for debate fixed by the rule having elapsed, the question is on the passage of the bill.

Mr. FITZGERALD. Mr. Speaker, I have some amendments which I wish to offer.

The SPEAKER pro tempore [Mr. OLMSTED]. Do the amendments of the gentleman propose to amend the amendments of the committee?

Mr. FITZGERALD. One of the amendments is an amendment to a committee amendment.

Mr. VREELAND. I ask that the vote be first taken on the amendments of the Committee on Indian Affairs.

The SPEAKER pro tempore. Those will be first in order. Additional amendments, unless offered as amendments to committee amendments, will be reserved until all the committee amendments have been disposed of. The Clerk will read the first committee amendment.

The following amendments reported by the committee were read and agreed to:

On page 5, in line 17, strike out "one year" and insert "six years."
On page 6, in line 14, strike out "and one-half."

The following amendment reported by the committee was read:

On page 6, at the end of line 23, insert, after the word "patent," the following:

"*Provided*, That to secure the said patents, payment must be made by the lessees of said lands within four years from the date of the extinguishment of the said Ogden Land Company's title or claim, if such title or claim be found to exist by the decision of the courts as herein provided."

Mr. FITZGERALD. As an amendment to that amendment, I offer what I send to the desk.

The Clerk read as follows:

Page 7, at end of line 2, add:

"*And provided further*, That in case it shall be determined that the so-called Ogden Land Company has a valid claim, lien, interest in, to, or upon the lands to be allotted hereunder, each lessee in the towns shall pay in addition to the sum to be computed as aforesaid a further sum, which shall bear the same proportion to the sum which shall be paid in extinguishment of the claim, interest, or lien of the so-called Ogden Land Company as the area of the lands so leased by him bear to the total area of the lands to which the claim of the so-called Ogden Land Company attaches on the Cattaraugus, Allegany, and Tuscarora reservations."

The amendment of Mr. FITZGERALD was agreed to.

The committee amendment as amended was adopted.

The following amendments, reported by the Committee on Indian Affairs, were read and adopted:

Page 7, line 12, after the word "pending," insert "or such other action as may be hereinafter authorized."

Page 8, end of section 5, insert "or such other action, either in State or Federal court, as will, in his judgment, best determine the question."

The SPEAKER pro tempore. The committee amendments are now concluded.

Mr. FITZGERALD. I offer the amendment which I send to the desk.

The Clerk read as follows:

On page 5, strike out from the "upon" in line 18, down to and including the word "citizenship" in line 23; and insert, after the word "cause," in line 23, the words "in his discretion."

The amendment was agreed to.

Mr. FITZGERALD. I offer a further amendment, which I ask the Clerk to read.

The Clerk read as follows:

On page 8, strike out, commencing with the words "or entitled" in line 2 down to and including the word "land" in line 14.

Mr. VREELAND. I offer an amendment to an amendment, which I ask the Clerk to read.

The Clerk read as follows:

Strike out on page 8, in line 2 to line 4, the words "or entitled to recover damages as for a breach of contract for the purchase of such land."

Mr. FITZGERALD. Mr. Speaker, that is not an amendment to my amendment.

The SPEAKER pro tempore. One moment. Does the Chair understand that the gentleman from New York [Mr. VREELAND] proposes an amendment to the amendment offered by his colleague [Mr. FITZGERALD]?

Mr. VREELAND. Yes.

The SPEAKER pro tempore. Or does he propose a new amendment?

Mr. VREELAND. As I understand it, my colleague from New York [Mr. FITZGERALD] offers an amendment, that on page 8, line 2, commencing at the word "or," the remainder of the page shall be stricken out down to and including the word "land," in line 14. I offer as a substitute for that on page 8, commencing at the word "or," in line 2, that all shall be stricken out down to and including the word "lands," in line 4, and that the balance shall stand.

The SPEAKER pro tempore. The Chair will state the parliamentary situation to be that the gentleman from New York [Mr. FITZGERALD] offers to amend by striking out certain words. The other gentleman from New York [Mr. VREELAND] offers an amendment, which is to strike out certain words which are within and much less than the part proposed to be stricken out by the first amendment.

Mr. VREELAND. I offer that as a substitute.

The SPEAKER pro tempore. And under the rules the amendment offered by the second gentleman from New York [Mr. VREELAND] is in the nature of a perfection of the paragraph, and is therefore a preferential amendment, to be voted upon before the amendment offered by the gentleman from New York [Mr. FITZGERALD] is put. The question is upon the adoption of the amendment offered by the gentleman from New York [Mr. VREELAND].

The amendment of Mr. VREELAND was agreed to.

The SPEAKER pro tempore. The question now is upon the adoption——

Mr. FITZGERALD. Now, Mr. Speaker, I will modify the amendment. As a part of it has been adopted already, I will now move to strike out all that part of the bill commencing with the word "then," in line 4, down to and including the word "land," in line 14.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Beginning with line 4, strike out the following words: "then, and in that case, the Secretary of the Interior be, and he is hereby, authorized, empowered, and directed to ascertain the value of such interest and to negotiate for the purchase of the same in the name of the United States and in trust for the benefit of said Indians, as provided in this act; and in case the Secretary of the Interior is unable within the period of four months from the final determination of said action to agree with the said Ogden Land Company, or the individuals composing the same, upon the value of its or their right, title, interest, claim, and demand in and to said land."

The SPEAKER pro tempore. Without objection, the amendment originally offered by the gentleman from New York [Mr. FITZGERALD] will be modified as he has suggested.

Mr. FITZGERALD. I ask unanimous consent that we devote about five minutes to the explanation of this, to be divided between my colleague and myself.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that there may be five minutes debate

upon this subject, the time to be equally divided between himself and his colleague from New York. Is there objection?

Mr. MAHON (from his seat). Regular order!

The SPEAKER pro tempore. The regular order is demanded. The question is upon the adoption of the amendment offered by the gentleman from New York.

Mr. VREELAND. A parliamentary inquiry. Was there objection to the request of the gentleman from New York [Mr. FITZGERALD]? If so, who made the objection?

The SPEAKER pro tempore. The Chair will state that the regular order was demanded, which is equivalent to an objection.

Mr. VREELAND. By whom?

Mr. FITZGERALD. Mr. Speaker, I submit that nobody arose to demand the regular order.

The SPEAKER pro tempore. The Chair will again put the question, in order that there may be no doubt. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent that five minutes may be devoted to debate upon this amendment, one-half to be used by himself and the other by his colleague [Mr. VREELAND]. Is there objection?

There was no objection.

Mr. FITZGERALD. Mr. Speaker, I will take two minutes and give my colleague three.

The language that I desire to strike from this bill permits the Secretary of the Interior to negotiate for the acquisition of any right or interest that the courts may find the Ogden Land Company to have. It also provides that if he can not get an agreement on the price within a certain time he shall ascertain the value of the interest by condemnation proceedings.

It seems to me, considering the wide difference of opinion that has been expressed regarding the value of this so-called "right," that it would be unwise to leave it, without any restriction whatever, in the power of the Secretary to negotiate for the purchase of the rights, if any. If the amendment offered by me is adopted, the right or interest of this company, if any, will be fixed by condemnation. I believe that that is the proper way to do it.

Mr. VREELAND. Mr. Speaker, as I understand the desire of my friend and colleague [Mr. FITZGERALD] in this matter, this does just what he proposes to do.

In the first place, this bill sends the Ogden people to the courts to prove their claim, if they have any. Many gentlemen for whose opinion I have much respect declare that they believe the courts will decide that this company has no claim.

I trust that they may be right about it. But suppose that the courts declare that they have a vested interest there which must be disposed of before allotment can take place, what then? Under the provisions of this bill, instead of waiting to come back to Congress for the passage of further legislation, the Secretary of the Interior is directed to find out what their interest is worth to the best of his ability.

He is directed to do just what Congress would direct him to do if we came back here for further legislation under this bill. Therefore I say that the amendment of my friend from New York would mean nothing but delay in carrying out the provisions of the bill.

Mr. FITZGERALD. The gentleman is mistaken about the amendment. The amendment I offer compels him at once to condemn this interest, instead of permitting the Secretary of the Interior to negotiate for its purchase. It merely strikes out that part of the bill which empowers the Secretary to negotiate, and in case he does not get an agreement within four months, to proceed to condemnation. My amendment compels him to condemn, at once, without negotiation.

Mr. VREELAND. I sympathize entirely, Mr. Speaker, with the object desired by my colleague; but from my understanding of the bill, which has been reached after many years of familiarity with it, I think that the object which he desires would better be arrived at by defeating the amendment to strike out.

The SPEAKER pro tempore. The question is upon the adoption of the amendment offered by the gentleman from New York.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. FITZGERALD. I ask for a division.

The House divided; and there were—ayes 74, noes 110.

So the amendment was rejected.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. SULZER. A point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SULZER. I would like to know whether the bill has been engrossed.

The SPEAKER pro tempore. The Chair states that the bill has been ordered to be engrossed for a third reading, and has been read a third time. The question is on the passage of the bill.

Mr. SULZER. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. SULZER. My point of order is that if the bill has not been engrossed it can not be passed.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SULZER. Division, Mr. Speaker.

The House divided: and there were—ayes 187, noes 55.

So the bill was passed.

The SPEAKER. Without objection, the title will be amended.

On motion of Mr. VREELAND, a motion to reconsider the vote by which the bill was passed was laid on the table.

MINERAL LANDS.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 13298.

The bill was read, as follows:

A bill (H. R. 13298) to amend section 2327 of the Revised Statutes of the United States, relating to lands.

Be it enacted, etc., That section 2327 of the Revised Statutes of the United States be, and the same is hereby, amended to read as follows:

"SEC. 2327. The description of vein or lode claims upon surveyed lands shall designate the location of the claims with reference to the lines of the public survey, but need not conform therewith: but where patents have been issued for claims upon unsurveyed lands, the surveyors-general, in extending the public survey, shall adjust the same to the boundaries of said patented claims so as in no case to interfere with or change the true location of such claims as they are officially established upon the ground. Where patents have issued for mineral lands, those lands only shall be segregated and shall be deemed to be patented which are bounded by the lines actually marked, defined, and established upon the ground by the monuments of the official survey upon which the patent grant is based, and surveyors-general in executing subsequent patent surveys, whether upon surveyed or unsurveyed lands, shall be governed accordingly.

The said monuments shall at all times constitute the highest authority as to what land is patented, and in case of any conflict between the said monuments of such patented claims and the descriptions of said claims in the patents issued therefor the monuments on the ground shall govern, and erroneous or inconsistent descriptions or calls in the patent descriptions shall give way thereto.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

Mr. BROOKS. Mr. Speaker, the purpose of this bill is to direct and prescribe the practice with reference to determining the relations of patented mining claims to the public domain and ascertaining, in case of controversy, what land the Government has really conveyed. It amends section 2327 of the Revised Statutes, which is the section now in force with regard to this matter. But in thus amending the statute it does not, in the opinion of its framers and supporters, change the existing law or do anything more than to put in statutory form what the law really is and always has been since the time of the yearbooks. The bill is substantially the same as Senate bill 3596, which passed the Senate on March 5 last. Indeed, the language of the two bills is identical to and through the word "accordingly," in line 7, page 2, of the bill. Thereafter the Senate bill reads as follows:

The said monuments shall at all times constitute the highest authority as to what land is patented, and erroneous calls in the patent description shall give way thereto.

And the bill now under consideration reads as follows:

The said monuments shall at all times constitute the highest authority as to what land is patented, and in case of any conflict between the said monuments of such patented claims and the descriptions of said claims in the patents issued therefor the monuments on the ground shall govern, and erroneous or inconsistent descriptions or calls in the patent descriptions shall give way thereto.

It will be seen that the only difference between the two bills is that the language of the House bill is slightly more specific and seeks more in detail to correct the evils which both bills are designed to remedy. Both bills prescribe that the patented area shall be held and considered to be that ground which is actually marked, defined, and established on the ground and inclosed within the actual monuments, and the House bill merely follows this requirement to its conclusion, and provides that erroneous and inconsistent "calls" and descriptions in the patents shall not prevail as against the actually established physical boundaries of the property patented. The proposer of the Senate bill has accepted the amendment effected by the House bill, and, indeed, it seems transparent to anyone who considers it for a moment that the language of the Senate bill limited to erroneous "calls" might be held to be inadequate to reach the point of an inconsistent description.

In other words, the "calls" in the patent, which are the ties or distances to corners of the public survey, may be absolutely accurate, and yet, for some reason or another, the description

itself may be erroneous or inconsistent with the actual ground. Thus a patent description may describe accurately a segment of the earth's surface correctly connected with the public survey and still may not be the claim which the miner thought he was patenting.

The evil that these bills seek to remedy is one that can hardly be appreciated in its full extent by those not familiar with the great and growing industry which has been so potent in the wonderful growth and prosperity of our western country, namely, the development of our mineral resources.

The matter, however, has received the consideration of three committees of this Congress and has been made the subject of strong favorable reports from each one. The Senate bill was passed after an elaborate report from the Senate Committee on Mines and Mining. That bill, when brought to this House, was referred to the Committee on the Public Lands. Meanwhile the House bill, introduced prior to the passage of the Senate bill, was referred to the Committee on Mines and Mining, and the favorable reports of both these committees are now on file in the House. The committees of both Houses have also had the benefit of the views of eminent counsel who have made mining rights and litigation their specialty, and these gentlemen also urge very strongly the adoption of some such measure. I quote from the language of the chairman of the House Committee on the Public Lands:

> The general rule of law is that where there is a conflict between the description in a conveyance and an actual, natural, or artificial boundary that the monuments prevail over the description in the conveyance.
>
> This rule of law, we believe, is applicable to patents as well as in every other kind of conveyance. There is some conflict with this rule of law in the administration of the law in the Land Department, so it is claimed; and it is further claimed that in construing the effect of a patent, where there is a conflict between the monuments and a patent, that the patent is held to control as against the actual location of the monuments as located upon the grant.
>
> In a matter of this kind there should be uniformity between the courts and in the Department.
>
> Your committee believe that this bill is only declaratory of existing law; but to secure uniformity of construction your committee believe that this bill ought to be enacted into law.

The difficulty which is thought to justify this legislative action is of comparatively recent origin, but it is growing, and unless something is done very promptly almost incalculable injury will be done to the mining interests of the country and a cloud and uncertainty will be cast over the security of ownership in mining property that will be absolutely ruinous to individuals and work great detriment to those large, progressive, and rapidly growing sections to whose prosperity the mining industries have contributed in so marked a degree.

The mining laws require, in addition to a discovery of mineral and the several acts of location of a claim, the expenditure of a considerable sum of money upon the claim and then a formal survey and location by an officer of the Government—viz, a deputy mining surveyor—as prerequisites to the issuance of a patent.

This surveyor is required to permanently mark by substantial boundaries the ground which the prospector and locator has thus appropriated and for which he is seeking a Government title. The claim then becomes a definite, certain tract of ground, whose boundaries and extent can be ascertained by the eye or by physical inspection. The act of the survey and the determination of its position is hedged about by many formalities, and it should be and is, under the intention of the law, the conclusive determination of that which the owner claims and holds. Conflicts and intersections with existing claims are required to be set forth, and every possible step is taken to render the location definite and certain. So far all is well. But the laws further require the deputy surveyor to report the results of his work to the surveyors-general in the various States and Territories, and then official maps of the public domain upon which the claims are situated are made from these results, and these become a part of the permanent records of the Interior Department.

These surveys are required to be connected, when situated upon surveyed public domain, with corners of the public survey. It often happens that these surveys, made many years ago and indistinctly marked, are in themselves faulty, and that the corners of the ground are not in the places indicated on the maps. The plats of these surveys, however, as they appear in the offices of the surveyors-general in many cases show these surveys as they hypothetically should be, regardless of the real facts. All the errors which attended the original survey and all the possibilities of error therein become applicable to the survey of a mining claim, or rather to the written description of it, and these errors are aggravated, when transcribed, by the above-mentioned discrepancies, sometimes occurring between the real and the assumed position of the monuments of the public surveys. Add to these difficulties the fact that the deputy surveyors do not always agree in their work; that the surveys are often made, particularly in periods of rapid development and mining excitement, in great haste and in exceedingly rugged and difficult country, and it is not to be wondered at that many and serious errors do creep in.

In the last few years it has been the practice of the Interior Department to regard the official data collated from various sources and then transcribed upon plats, showing the positions of the boundaries of the public surveys according to the office memoranda with regard thereto and comprised in what are called "extended sheets," as the final authority for the location of a mining claim. When an application is made for patent on supposedly vacant ground and the preliminary surveys are made, the question as to whether or not the ground is open to appropriation and patent is determined by what is shown upon the plats, regardless of what may be the fact on the ground. In this way it is claimed that in actual cases mining locations which are many feet, sometimes appreciable fractions of a mile, apart are made to show a paper conflict; and, on the other hand, ground which is located, appropriated, and patented, and in actual physical occupation, shows as unappropriated ground, subject to location and patent.

The statement of these conditions is enough to show how great is the hazard and what a disastrous effect this ruling has and is bound to have upon the mining industry of the country.

Time and again have we heard that one of the great causes of our recent national prosperity, which is our common cause of congratulation, is the wonderful increase in the mineral output of the country in the last decade—an output which for the fiscal year ending January 1, 1903, reached the tremendous aggregate, according to the very conservative figures of the Director of the Mint, of $151,758,000 in gold and silver alone, or nearly three times as much as it was for the corresponding period thirty years ago. The influx of this great amount of precious metals into the avenues of trade and the marts of the world is agreed by all to have been one of the great determining factors of our national wealth and progress during the last decade.

The further continuance of this source of wealth is absolutely dependent upon the security which the investor has in the safety of the title to his mining property, and anything that Congress may do or fail to do which interferes in any way with this feeling of security is bound to have a prejudicial influence far wider than the particular industry affected. Moreover, not only will the developing of mines and prospects be retarded by the continuance of this uncertainty, but the search for minerals and the discovery of new mines will be even more seriously interfered with.

Hitherto the hardy prospector who has braved all the hardships and inclemencies of a mountain region in his search for wealth at the hand of nature, a wealth, too, that is untainted by any oppression of the sweat shops and the grinding down of labor, a wealth the acquisition of which makes no one poorer but everyone richer, will have little reason to continue in his arduous labors. Hitherto he has had sublime confidence in the protection which the Government has thrown around his little holding so soon as it has given him his title thereto. If, now, this faith is shattered and if he must maintain a constant watch and ward to protect his property, he certainly will find other avenues for his enterprise, and the country must suffer accordingly.

Every consideration of justice, prudence, and wise legislation, every regard for simply self-interest, demands the immediate enactment of this measure.

Mr. Speaker, before the bill is ordered to be engrossed I would like to offer a formal amendment, which is to change the language on the first page.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

> Amend by inserting in line 9, page 1, after the words "have been," the words "or shall be."

The question was taken; and the amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. BROOKS, a motion to reconsider the vote by which the bill was passed was laid on the table.

CLERKS OF COURTS AT NEWBERN AND ELIZABETH CITY, N. C.

Mr. THOMAS of North Carolina. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The Clerk read as follows:

> A bill (H. R. 14467) to amend chapter 508 of the United States Statutes at Large, volume 32, part 1, Fifty-seventh Congress, entitled "An act to establish and provide for a clerk for the circuit and district courts of the United States held at Wilmington, N. C."
>
> *Be it enacted, etc.*, That chapter 508 of the United States Statutes at Large, volume 32, part 1, Fifty-seventh Congress, entitled "An act to establish and provide for a clerk for the circuit and district courts of the United States held at Wilmington, N. C.," approved April 15, 1902, be, and the same is hereby, amended so that the same shall read as follows:
>
> "That section 3, chapter 282, of the United States Statutes at Large, volume 17, be amended by adding thereto, at the end of said section, the following:
>
> "'And the circuit and district judges for the eastern district shall appoint, besides a clerk of said court, held at Raleigh, additional clerks, who shall re-

side and keep their offices at Wilmington, Newbern, and Elizabeth City, and be clerks both of the district and circuit courts held at Wilmington, Newbern, and Elizabeth City, and who shall have the custody and control of the records of said courts, shall give the same bonds required of the clerk of circuit and district courts of said district, and shall receive the same fees and compensation for services performed by clerks of such courts now fixed by law.'"

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. THOMAS of North Carolina, a motion to reconside rthe vote by which the bill was passed was laid on the table.

AMENDING LAWS RELATING TO SHIPPING COMMISSIONERS.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (S. 3118) to amend the act approved February 18, 1895, entitled "An act to amend an act entitled 'An act to amend the laws relative to shipping commissioners,' approved August 19, 1890, and for other purposes."

Be it enacted, etc., That so much of the act approved February 18, 1895, entitled "An act to amend an act entitled 'An act to amend the laws relative to shipping commissioners,' approved August 19, 1890, and for other purposes," as reads "shall be liable to a penalty of not exceeding $100" is hereby amended to read "shall be deemed guilty of a misdemeanor, and shall be imprisoned not more than six months or fined not more than $500, or both."

The SPEAKER. Is there objection?

Mr. BAKER. Mr. Speaker, I would like to have an explanation of this bill.

Mr. GROSVENOR. Mr. Speaker, as the law now stands——

Mr. WILLIAMS of Mississippi (to Mr. BAKER). The bill is all right.

Mr. BAKER. This makes a misdemeanor for what the penalty is now a fine, and we have already got penalties enough.

Mr. GROSVENOR. Well, the gentleman is flying in the face of all the friends of organized labor all over the country. Does the gentleman want to hear an explanation?

Mr. BAKER. I do. I am listening to an explanation.

Mr. GROSVENOR. As the law now stands, for fraud on a sailor in undertaking to secure him a job by the man ordinarily called "a professional crimp" the penalty is in a civil action.

Mr. BAKER. This makes that a misdemeanor, and if so I am in favor of the bill.

Mr. GROSVENOR. It does exactly that thing. Mr. Speaker, I guess we can go on. [Laughter.]

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. GROSVENOR, a motion to reconsider the vote by which the bill was passed was laid on the table.

LOCK AND DAM IN THE TENNESSEE RIVER NEAR CHATTANOOGA, TENN.

Mr. MOON of Tennessee. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from Tennessee asks unanimous consent for the present consideration of the following bill, which the Clerk will report.

The Clerk read the bill as amended, as follows:

A bill (H. R. 15014) to enable the Secretary of War to contract for the erection of lock and dam in aid of navigation in the Tennessee River near Chattanooga, Tenn.

Be it enacted, etc., That the Secretary of War be, and he is hereby, fully authorized and empowered to grant permission to the city of Chattanooga, Tenn., or to a private corporation or company, or to individuals, as provided in section 5 of this bill, to build and construct a lock and dam across the Tennessee River at "Scott Point," near Chattanooga, Tenn., under his direction, supervision, and control, and in accordance with and conformity to the plans and designs made by Maj. Dan C. Kingman, an engineer of the United States Army, in pursuance of an act of Congress passed on March 3, 1899, with such changes and modifications as the Secretary of War may direct: *Provided*, That the said contracting municipality or parties shall purchase and pay for all lands on either side of the river that may be necessary to the successful construction and operation of said lock and dam, including flowage rights and rights of way for ingress and egress from public highways, and deed the same to the United States, and make all excavations, erect all stone, concrete, and timber work, furnish all materials of every character, and pay for all labor employed in the construction of said lock and dam, and give said lock and dam to the United States completed, free of all cost, expense, claims, or charges of any kind whatsoever, except for expenses connected with the preparation of plans and the superintendence, as provided in section 5 of this act, and further excepting the cost of the lock gates and ironwork and machinery necessary to operate the lock when completed, which shall be furnished by the United States.

SEC. 2. That the said municipality, corporation, company, or individuals undertaking the construction of said work shall begin the building of said lock and dam within eighteen months from the passage of this act, and the same shall be completed within four years from the date of beginning the construction, the right being reserved to the United States to enter on the construction of said lock and dam if deemed advisable at any time before the work is commenced by said contracting parties; or if begun and not carried on in strict accordance with the directions of the Secretary of War, then the United States may assume the further construction and completion of said work at its option, the cost of such further construction and completion to be paid by the said contracting municipality, corporation, company, or individuals.

SEC. 3. That the deed to the United States to the land to be purchased and donated to the same, as mentioned in the first section of this act, shall be executed and delivered within twelve months after the passage of this act; and, further, that the Secretary of War shall determine from time to time whether the work is being properly done, and may require an increase in force to be employed by the contractor so as to force the work to completion within the limit mentioned in the act.

SEC. 4. That in consideration of the construction of said lock and dam, free of cost to the United States except as provided in section 1 of this act, the United States hereby grants to the municipality, corporation, company, or persons constructing said lock and dam under the provisions of this act such rights as it possesses to use the water power produced by said dam, and to convert the same into electric power or otherwise utilize it for a period of ninety-nine years: *Provided*, That it or they shall furnish the necessary electric current while its or their power plant is in operation to move the gates and operate the locks and to light the United States buildings and grounds, free of cost to the United States: *And provided further*, That the plans for the necessary works and structures to utilize said water power shall be approved by the Secretary of War, and that nothing shall be done in the use of the water from said dam or otherwise to interfere with or in any way impede or retard the proper and complete navigation of the river at all times, nor in any way to interfere with the use and control of the same by the United States for the purposes of navigation: *And provided further*, That the Secretary of War is hereby authorized to prescribe regulations to govern the use of the said water power and the operations of the plant and force employed in connection therewith; and no claim shall be made against the United States for any failure of water power resulting from any cause whatever.

SEC. 5. That it shall be the duty of the Secretary of War in contracting for the erection of the said lock and dam to give the preference, option, or first right to contract to do said work to the city of Chattanooga, Tenn., but if said city of Chattanooga shall fail within four months from the passage of this act to formally notify the Secretary of War of its intention to construct said lock and dam and to enter into contract to do so, then to C. E. James and J. C. Guild, residents of Chattanooga, Tenn., their heirs and assigns. In case of failure on the part of said C. E. James and J. C. Guild, residents of Chattanooga, Tenn., their heirs and assigns, for a further period of eight months to formally notify the Secretary of War of their intention to proceed with the construction of the lock and dam as herein provided, then it shall be lawful for the Secretary of War to contract with any private corporation, company, firm, or persons for the construction of said lock and dam on the terms and in the manner herein provided: *Provided*, That the Secretary of War may require the contracting party to execute a bond, with proper sureties, before the commencement of the work in such amount as he may consider necessary, not exceeding $100,000, to insure the commencement, prosecution, and completion of the work herein authorized and compliance with the terms, conditions, and requirements of this act: *Provided further*, That the plans, including specifications and drawings for the work, shall be prepared at the expense of the United States, under the direction and subject to the approval of the Secretary of War and the Chief of Engineers, United States Army, by the officer of the Corps of Engineers, United States Army, having under his charge the work of improving the Tennessee River, who shall at the expense of the United States maintain a suitable force of inspectors upon the work to see that the plans and specifications are strictly carried out, and such conditions or safeguards as the Secretary of War and the Chief of Engineers may deem essential to securing proper results shall be made a part of the contract.

The expense for plans as well as for the maintenance of the force of inspectors herein referred to shall be paid from the amount appropriated for preliminary examinations, surveys, contingencies, etc., made in section 2 of the river and harbor act of June 13, 1902.

SEC. 6. That in the event the city of Chattanooga undertakes the erection of said lock and dam the Secretary of War shall extend the time provided herein for beginning the work on the same for a period not exceeding twelve months from the passage of the enabling act that the general assembly of the State of Tennessee may pass at its next regular session, enabling said municipality to undertake said work, if the same be necessary; and in the same event he shall extend the time for the completion of said lock and dam twelve months.

SEC. 7. That the right is expressly reserved in the United States to revoke by act of Congress the rights, privileges, and benefits conferred by this act; but in the event of such revocation the United States shall pay to the municipality, corporation, company, firm, or persons who may erect said lock and dam under the provisions of this act, as full damage, the reasonable value of all properties erected and lands purchased by them necessary for the enjoyment of the benefits conferred upon them by the provisions of this act: *Provided*, That to insure compliance with the terms of the contract and of this act, or to protect the interests of navigation, the Secretary of War shall have power at any time, before or after the completion of the work, to order a suspension of all privileges granted by this act: *And provided further*, That compliance with such order of suspension may be enforced by the injunction of the circuit court of the United States exercising jurisdiction in the district in which the work is situated, and proper proceedings to this end shall be instituted by the Attorney-General upon request of the Secretary of War.

SEC. 8. That nothing in this act shall be construed as in any way interfering with the exclusive jurisdiction over and control by the United States of the Tennessee River and the lock and dam therein to be erected for the purpose of navigation, nor as repealing or modifying any of the provisions of law now existing in reference to the protection of navigation.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendments were agreed to.

Mr. BURTON. Mr. Speaker, as I understand, the substitute is to be adopted in place of the original bill. I did not follow exactly the different amendments prescribed, but take it for granted they have all been enumerated.

Mr. MOON of Tennessee. I will say to the gentleman the amendments are those that the gentleman and the Secretary of War placed in the bill, and the bill as now read to the House is identical with the substitute.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, was passed.

On motion of Mr. MOON of Tennessee, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER. Without objection, the title will be amended.

LAWS RELATING TO AMERICAN SEAMEN.

Mr. GROSVENOR. Mr. Speaker, I sent up to the Clerk's desk the wrong bill. I sent up a bill relating to the clothing of the seamen, which bill already has been passed by the House. I now ask unanimous consent to vacate the order.

The SPEAKER. Without objection, the order will be vacated.

Mr. GROSVENOR. And I now ask unanimous consent to pass the bill S. 4375.

The SPEAKER. The gentleman from Ohio asks unanimous consent for the present consideration of the following bill, which the Clerk will report.

The Clerk read as follows:

An act (S. 4375) to amend section 24 of the act approved December 21, 1898, entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce."

Be it enacted, etc., That so much of paragraph (a) of section 24 of the act approved December 21, 1898, entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," as reads "If any person shall demand or receive, either directly or indirectly, from any seaman or other person seeking employment as seaman, or from any person on his behalf, any remuneration whatever for providing him with employment, he shall for every such offense be liable to a penalty of not more than $100," is hereby amended to read "If any person shall demand or receive, either directly or indirectly, from any seaman or other person seeking employment as seaman, or from any person on his behalf, any remuneration whatever for providing him with employment, he shall for every such offense be deemed guilty of a misdemeanor and shall be imprisoned not more than six months or fined not more than $500."

SEC. 2. That this act shall take effect on and after July 1, 1904.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, was read the third time, and passed.

OZARK AND CHEROKEE CENTRAL RAILROAD COMPANY AND ARKANSAS VALLEY AND WESTERN RAILWAY COMPANY.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to pass the bill (S. 5454) which is now on the Speaker's table.

The SPEAKER. The gentleman from Kansas asks unanimous consent to take from the Speaker's table and pass the Senate bill, which the Clerk will report.

The Clerk read as follows:

A bill (S. 5454) permitting the Ozark and Cherokee Central Railroad Company and the Arkansas Valley and Western Railway Company, and each or either of them, to sell and convey their railroads and other property in the Indian Territory to the St. Louis and San Francisco Railroad Company or to the Chicago, Rock Island and Pacific Railway Company, and for other purposes.

Be it enacted, etc., That the Ozark and Cherokee Central Railroad Company may sell and convey to the St. Louis and San Francisco Railroad Company or to the Chicago, Rock Island and Pacific Railway Company all that part of the railroad of said first-named railroad company extending from Fayetteville to Okmulgee which is situate in the Indian Territory, together with all the property, rights, privileges, and franchises appurtenant or relating thereto, such sale and conveyance to be made upon such terms and conditions as may be agreed upon by the boards of directors of the respective companies parties thereto.

SEC. 2. That the Arkansas Valley and Western Railway Company may sell and convey to the St. Louis and San Francisco Railroad Company or to the Chicago, Rock Island and Pacific Railway Company all of the railroad of said Arkansas Valley and Western Railway Company extending from Tulsa Junction, Ind. T., to Enid and Avard, Okla., together with all the property, rights, privileges, and franchises appurtenant or relating thereto, such sale and conveyance to be made upon such terms and conditions as may be agreed upon by the boards of directors of the respective companies parties thereto.

The SPEAKER. Is there objection?

Mr. SULZER. Mr. Speaker, reserving the right to object, I would like to ask for some explanation of this bill.

Mr. CURTIS. This bill was recommended by the Department and unanimously reported from the Committee on Indian Affairs.

Mr. SULZER. What Department?

Mr. CURTIS. Department of Interior, and simply permits two short railroads to be sold that now belong to the stockholders of the parent companies. The stock is all owned by the stockholders of the Rock Island and Frisco Company. They are not competing lines, but are feeders. They consist of 200 miles of road.

Mr. SULZER. These are competing lines?

Mr. CURTIS. Not at all. They are branches of the same company now. They are feeders; they are not parallel lines.

Mr. SULZER. Why does not this bill provide this transfer shall be made upon consent of the stockholders or two-thirds of the stockholders? Why should it be on consent of majority of the board of directors?

Mr. CURTIS. Because they have control of the matter under their charter.

Mr. SULZER. Are there no individual stockholders outside of the directory?

Mr. CURTIS. Oh, I suppose there are a few.

Mr. SULZER. I do not care to object.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; and being engrossed, was read the third time, and passed.

HARRY C. MIX.

Mr. BARTLETT. Mr. Speaker, I ask unanimous consent to pass the bill H. R. 875.

The SPEAKER. The gentleman from Georgia asks unanimous consent to pass the following bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 875) for the relief of Harry C. Mix.

Be it enacted, etc., That Harry C. Mix, of Bibb County, Ga., be, and he is hereby, relieved from any and all liability to pay a certain recognizance given by A. F. Holt and the said Harry C. Mix as security for the said A. F. Holt on the 23d day of January, 1895, in the penal sum of $1,500, by which recognizance they acknowledged themselves to be held and firmly bound to the United States of America that the said A. F. Holt should personally appear at the then next term of the district court of the United States for the southern district of Georgia, to be held at Savannah, Ga., in said district, on the first Monday in January, 1895, and at the succeeding term or terms, should the case be continued, the said A. F. Holt being charged with the embezzlement of postal funds: *Provided, however*, That the said Harry C. Mix shall first pay to the Government of the United States all costs that may have accrued upon any proceeding instituted for the purpose of forfeiting such recognizance.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

On motion of Mr. BARTLETT, a motion to reconsider the vote by which the bill was passed was laid on the table.

REIMBURSING GOVERNORS OF STATES AND TERRITORIES.

Mr. MAHON. Mr. Speaker, I ask unanimous consent for the present consideration of the following bill, which I will send to the desk and ask to have read.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the present consideration of the bill which he sends to the desk and of which the Clerk will report the title.

The Clerk read as follows:

A bill (S. 1343) to amend an act approved March 3, 1899, entitled "An act to amend an act entitled 'An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain,' approved July 8, 1898," and so forth, and for other purposes.

The SPEAKER. Is there objection?

Mr. WILLIAMS of Mississippi. Mr. Speaker, I reserve the right to object for the purpose of making a statement, that punctually at and after twelve minutes past 5 o'clock I shall object to any more unanimous consents. I do not want to be invidious, but I think this is rather important. I now withdraw the objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 6 of the act of Congress approved March 3, 1899, entitled "An act to amend an act entitled 'An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain,' approved July 8, 1898, and for other purposes," be, and the same is hereby, amended by striking therefrom the words "nineteen hundred and two" and inserting in lieu thereof the words "nineteen hundred and six;" so that the same shall read:

"SEC. 6. That all claims for reimbursement under this act or the act approved July 8, 1898, shall be presented in itemized form to the Treasury Department on or before January 1, 1906, or be forever barred."

SEC. 2. That any claim or any item of a claim heretofore presented under the provisions of said acts approved July 8, 1898, and March 3, 1899, respectively, and disallowed by any Auditor, the Comptroller, or any other officer of the Treasury Department, shall, on application of the governor or other duly authorized officer or agent of the State or Territory, made on or before the 1st day of January, 1906, be reopened, considered, audited, and settled anew by said officers of the Treasury Department in accordance with the provisions of said acts.

The following committee amendment was read:

Strike out all of section 2 and insert the following:

"That where the governor of any State or Territory has furnished military transportation, or has purchased or authorized the purchase of supplies, or incurred expenses for services rendered, and which purchases of supplies and expenses for military transportation and services rendered have been certified by the governor of such State or Territory as necessary, just, and reasonable for the organization, maintenance, transportation, and comfort of troops raised by him and accepted into the service of the United States Army in the said war with Spain, the Secretary of the Treasury be, and he is hereby, authorized to allow in the settlement of claims for reimbursement now on file in the office of the Auditor for the War Department, such items or parts thereof as have been disallowed in the consideration of said claims, for the reason that they appear to have been for stores furnished or expenses incurred or transportation furnished after the troops raised had been mustered into the service of the United States, and the certificate of the governor of any such State or Territory that such expenses were incurred in good faith, for the sole purpose of aiding the United States in the raising, organization, transportation, and equipment of troops, shall be held to be sufficient to authorize the final settlement and payment in full of such claims for reimbursement."

The SPEAKER. Is there objection?

Mr. POU. Mr. Speaker, I desire to send forward an amendment.

The SPEAKER. Is there objection?

Mr. UNDERWOOD. Mr. Speaker, reserving the right to object, I would like to hear from the gentleman from Pennsylvania.

Mr. MAHON. Mr. Speaker, this bill interests nearly all of the

States. During the war with Spain the original act required the governors of States by the 1st of January, 1904, to have their claims in. The Comptroller of the Treasury made his decisions about the time the act was expiring, but the governors did not receive or have any knowledge of those decisions. It is merely to let in two classes of claims. These troops were in the field. The States had their troops in their different camps. The United States mustering officer went to these camps and mustered them into service.

By telephone message the Secretary of War requested the governors to take care of these troops until they could be taken and moved by the United States War Department. These governors did so. When it came to the Comptroller of the Treasury, he suspended all these claims—he did not reject them—holding that under the original act he could not allow any money for the maintenance and support of the troops after they had been mustered into the United States service. This is simply to authorize the Treasury Department, on claims that have been suspended, to pay these governors the amount they paid for clothing, food, and for taking care of these troops.

I want to state further, Mr. Speaker, that when the Senate bill came to the Committee on War Claims section 2 of it provided that all the accounts should be reopened and reaudited. The Committee on War Claims struck that section out and confined it to the claims that I have just mentioned.

Mr. UNDERWOOD. As I understand the gentleman from Pennsylvania [Mr. MAHON], this is a bill which provides on what terms the Auditor shall audit these accounts?

Mr. MAHON. Yes.

Mr. UNDERWOOD. And it is intended to allow the claims of soldiers from the time they went to the mustering camp and not from the time they were actually mustered in?

Mr. MAHON. No, no. They have been paid up to the time they were mustered, but these troops were held in the State camps, and by order of the Secretary of War the governors took care of them for some ten or twelve days or two weeks, until the United States Government marched them out of the State camps. The States provided all the rations and food, and took care of them during that time. The Comptroller holds that after they were mustered in he can not pay them, under the original act.

Mr. UNDERWOOD. And that is all that is covered under this bill?

Mr. MAHON. Yes.

Mr. UNDERWOOD. Mr. Speaker, I will ask the gentleman from Pennsylvania whether, if unanimous consent is given, he will yield for an amendment?

Mr. MAHON. That depends on what the amendment is.

Mr. POU. Mr. Speaker, I sent forward an amendment which I think will improve the bill.

Mr. MAHON. Oh, no; the gentleman submitted that amendment to the committee, and the committee rejected it unanimously. Its adoption would open up the whole matter.

Mr. GAINES of Tennessee. Does this bill apply to all the States alike?

Mr. MAHON. All the States alike.

The SPEAKER. Is there objection?

Mr. ROBINSON of Indiana. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if the Indianapolis claim is embodied in this?

Mr. MAHON. There are nothing but State claims.

Mr. ROBINSON of Indiana. I mean the claim now growing out of the fact of soldiers being taken to Indianapolis and destroying property at the camp. Would this bill open up the matter so as to allow that kind of a claim?

Mr. MAHON. No; the claim must come from the governor of a State.

Mr. POU. Mr. Speaker, reserving the right to object, I would like to ask the gentleman to permit the amendment to be read. No harm can be done by that.

Mr. MAHON. Well, read it. I have no objection to that.

The SPEAKER. Is there objection?

Mr. POU rose.

The SPEAKER. Does the gentleman from Pennsylvania yield for the offering or for the reading of the amendment?

Mr. MAHON. Just for the reading.

Mr. POU. Mr. Speaker, I will say to the gentleman that if the amendment is voted down I propose to support the bill in its original form.

Mr. MAHON. Let it be read for information.

Mr. POU. I do not care to withdraw my objection unless the gentleman will agree to permit me to offer the amendment.

Mr. MAHON. Well, read it.

Mr. THOMAS of North Carolina. Mr. Speaker, we want also to have some arrangement or understanding about being heard on this amendment. We desire, on behalf of the State of North Carolina at any rate, to be briefly heard.

Mr. GAINES of Tennessee. Mr. Speaker, I think the House has gotten into a little confusion on this subject. The gentleman from Pennsylvania [Mr. MAHON] is asking for unanimous consent, and, as I understand, no unanimous consent has been granted. Yet I think some gentlemen are laboring under the contrary impression. I ask the Chair what is the parliamentary status?

The SPEAKER. Unanimous consent has not been given. And now the Chair will ask, Is there objection?

Mr. THOMAS of North Carolina. I reserve the right to object unless some arrangement such as I have indicated can be made.

Mr. POU. There is an agreement, as I understand, that my amendment may be read.

The SPEAKER. During the delay of ascertaining whether there is unanimous consent, many other gentlemen are waiting to submit their propositions.

Mr. ROBINSON of Indiana. In order to dispose of this matter for the present, I object.

RICHARD T. CORBIN.

Mr. HUGHES of West Virginia, from the Committee on Accounts, reported back with amendments House resolution 279, which was read as follows:

Resolved, That the Clerk of the House is hereby authorized and directed to pay, out of the contingent fund of the House (miscellaneous items, 1903), to Richard T. Corbin the sum of $60, for services rendered as a laborer in the Doorkeeper's department during the month of April, 1903.

The amendments reported by the committee were read, as follows:

In line 3 strike out the words "miscellaneous items, 1903."
In lines 5 and 6 strike out the words "during the month of April, 1903."

The amendments were agreed to; and the resolution as amended was adopted.

STENOGRAPHER IN OFFICE OF JOURNAL CLERK.

Mr. HUGHES of West Virginia, from the Committee on Accounts, reported back House resolution 314, which was read, as follows:

Resolved, That for the remainder of this session there shall be employed and paid out of the contingent fund of the House, at the rate of $6 per day, a stenographer in the office of the journal clerk.

The resolution was agreed to.

CAMPBELL SLEMP.

Mr. HUGHES of West Virginia, from the Committee on Accounts, reported back favorably House resolution No. 322, which was read, as follows:

Resolved, That the Clerk of the House is hereby authorized and directed to pay, out of the contingent fund of the House, to CAMPBELL SLEMP, the sum of $1,500, being the amount expended by and recommended to be paid to him, as shown in House report from the Committee on Claims, No. 2374, second session Fifty-eighth Congress, on account of mandamus proceedings before the supreme court of the State of Virginia in the case of Slemp against Rhea, growing out of the election in 1902 of a Representative to the Fifty-eighth Congress from the Ninth Congressional district of said State of Virginia, said amount to be paid upon vouchers to be approved by the Committee on Accounts.

Mr. MADDOX. Mr. Speaker, I should like to understand something about this resolution.

Mr. HUGHES of West Virginia. Mr. Speaker, I wish to say for the information of gentlemen that this is merely a resolution for the payment of the expenses of CAMPBELL SLEMP in connection with the election contest of Slemp *v.* Rhea for his seat in the Fifty-eighth Congress. The claim was favorably reported by the Committee on Claims in this Congress, but on account of the difficulty of getting a bill for payment considered, the session being so near its close, the matter was re-referred to the Committee on Accounts.

The committee has carefully investigated the whole matter and has unanimously reported this resolution, and while the committee hesitated to consider this resolution to be paid out of the contingent fund, as the Committee on Claims has stated in their report, it is unquestionably a saving to the Government of the difference between $10,000 and $1,500. Had Mr. Slemp left this contest to be settled by the House of Representatives, which he had a right to do, each one of the contestants would have been entitled to $2,000, and Rhea would have drawn the salary for at least one year, making a total cost of $10,000, and this resolution pays all for $1,500.

Mr. MANN. May I ask the gentleman a question?

Mr. HUGHES of West Virginia. Yes.

Mr. MANN. Is this for the payment of any expenses which have been incurred in connection with the House of Representatives?

Mr. HUGHES of West Virginia. In connection with a Member of the House of Representatives.

Mr. MANN. Oh, well, suppose a Member incurs a board bill. Does that give the Committee on Accounts jurisdiction? Is this item for anything that has occurred in connection with the House of Representatives?

Mr. HUGHES of West Virginia. Only in this way——

Mr. MANN. Mr. Speaker, I do not think the time has gone by. I make the point of order against this being a privileged resolution.

Mr. MADDOX. I am glad the gentleman did that, because I was going to make the same point.

The SPEAKER. The Chair asks unanimous consent that the matter go over until to-morrow morning, so that the point of order may be passed upon. It has proper clothing from the contingent fund, but the point of order is made, and the Chair is not prepared to rule upon it. The Chair asks unanimous consent that the matter may go over until to-morrow morning. Is there objection?

There was no objection.

FOLDING SPEECHES AND PAMPHLETS.

Mr. HUGHES of West Virginia, from the Committee on Accounts, submitted the following resolution, which was read:

Resolved, That the sum of not exceeding $3,000 is hereby authorized to be expended, under the direction of the Doorkeeper of the House, for the purpose of folding speeches and pamphlets, at a rate not exceeding $1 per thousand; and the Clerk of the House is authorized to make payment hereunder out of the contingent fund of the House upon vouchers approved by the Committee on Accounts.

The resolution was agreed to.

ADDITIONAL CLERK TO COMMITTEE ON ENROLLED BILLS.

Mr. HUGHES of West Virginia, from the Committee on Accounts, submitted the following resolution, which was read:

Resolved, That the chairman of the Committee on Enrolled Bills be, and he is hereby, authorized to appoint an additional clerk to said committee, who shall be paid out of the contingent fund of the House at the rate of $6 per day during the remainder of the present session.

The resolution was agreed to.

B. B. HARE.

Mr. HUGHES of West Virginia, from the Committee on Accounts, submitted the following resolution, which was read:

Resolved, That the Clerk of the House is hereby authorized and directed to pay, out of the contingent fund of the House, to B. B. Hare the sum of $32.26, for services rendered as clerk to the late Representative G. W. Croft, of South Carolina, from March 1, 1904, to March 10, 1904, inclusive.

The resolution was agreed to.

JOEL GRAYSON.

Mr. HUGHES of West Virginia, from the Committee on Accounts, submitted the following resolution, which was read:

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay to Joel Grayson, for services and expenses incurred by him on the compilation of the antitrust laws, the sum of $800, to be paid out of the contingent fund.

A committee amendment, striking out $800 and inserting $400 was read.

Mr. WILLIAMS of Mississippi. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS of Mississippi. Is this a privileged matter?

The SPEAKER. It seems to the Chair that under the rules it is. The rule is very broad. It covers all matters—

Touching the expenditure of the contingent fund of the House.

Mr. WILLIAMS of Mississippi. Does this matter properly come under the head of an expenditure from the contingent fund?

The SPEAKER. On its face it is for an expenditure from the contingent fund, for an employee of the House.

Mr. MADDOX. I should like to have the Chair tell us what it is for and what it is about.

The SPEAKER. The Chair yields to the gentleman from West Virginia. [Laughter.]

Mr. HUGHES of West Virginia. I will say for the information of the gentleman that it is for compiling the antitrust laws. No doubt the gentleman has received some copies of this book for distribution through the folding room. As I am not an attorney I will yield to the gentleman from Georgia [Mr. BARTLETT] to make the explanation more full.

Mr. MADDOX. I should like to inquire who authorized this gentleman to do this, and why he now comes here to ask payment for it?

Mr. BARTLETT. Mr. Speaker, I will undertake to explain this resolution to my colleague and to the House. The compilation is a very valuable one. It was made by Mr. Grayson, a House employee in the document room. It is a compilation of all the antitrust laws. It took a great deal of work. It has been printed by the Government, and this simply pays for the work of the compilation. I do not know that it was authorized by the House in the first place, but the Government has accepted the compilation, has published it as a document, and has put it to the credit of Members of the House in the folding room. This is simply to pay $400, the amount that the committee have recommended.

Mr. MADDOX. And all this was done without any authority of law up to date.

Mr. BARTLETT. I do not think so. The House has had it printed—ratifying the work—has accepted it; and on the quantum meruit this gentleman, I should think, would be entitled to what it was reasonably worth. The resolution as introduced provided for the payment of $800; but after hearing the evidence on the matter the committee concluded that $400 would be a very moderate and reasonable compensation.

Mr. MADDOX. I agree, if I may be allowed a minute or two, with all you say as to the document being a valuable one; but, gentlemen, this is an infamous system of business. Now, the idea that a man may undertake to do a work that he thinks is valuable and then come to Congress and unload it upon us!

Mr. BARTLETT. He has not unloaded it upon us?

Mr. MANN. Will the gentleman permit an interruption?

Mr. MADDOX. Yes, sir.

Mr. MANN. The gentleman will remember that there was some so-called "antitrust" legislation enacted in the closing days of the last Congress?

Mr. MADDOX. Yes.

Mr. MANN. Mr. Grayson went to work and got up all this compilation. He made no pretense that Congress was pledged to pay him anything for doing it. He never has made any pretense that Congress has to make any payment. It was necessary to make the compilation, not only for the benefit of Congress, but for the country, and it was distributed very widely, because there was a very great demand for such information. Now, the question simply is, having made that compilation, without any claim of liability on the part of the Government, whether it is our part to recompense him for that service.

Mr. MADDOX. Your explanation is full and satisfactory. But what I want to fight as long as I can is the idea of a man getting up a publication and then coming to Congress. But if this was done voluntarily, why that does away with my objection, and I am just as willing to pay him as any man in this House.

Mr. BARTLETT. My colleague will understand me, and he understands me as well as any man in the House, so far as I am concerned I am fully in accord with him. This compilation was made at the end of last Congress at the suggestion of some very prominent gentlemen who took part in the antitrust legislation. Mr. Grayson went to work and overhauled the statutes and collated them and made them easily accessible. It was necessary in order that the country might know what really were the laws upon this subject.

Mr. PAYNE. The suggestion is whether this ought to go over with the other and have it decided whether the Committee on Accounts have jurisdiction to pay claims for which there is no law and no employment. I think that is a matter that ought to be determined. I think the thing ought to be determined here and determined now, whether the Committee on Accounts may make expenditures from the contingent fund of the House and have them privileged where there is no law upon which they are based.

Mr. BARTLETT. I want to say to the gentleman from New York, the Chair can have no doubt about this being within the jurisdiction of the Committee on Accounts, because it proposes——

The SPEAKER. If the gentleman will allow the Chair, it is not necessary for the Chair to hear the gentleman from Georgia further. The Chair will say to the gentleman from New York that the Chair is quite well satisfied, after something of an examination, that this is a privileged report and that it is not upon all fours with the other resolution.

Mr. PAYNE. I want to suggest right there whether the chairman of the Committee on Accounts can under the law make payments that are not in pursuance of law. If this contingent fund, which is provided by law, can be expended for all sorts of purposes, it ought to be known to the House. As I understand it, this man was never employed by the House in any capacity, but was employed by one Member of the House.

Mr. MANN. The gentleman is entirely mistaken. He is an employee of the House all the time, provided for in the legislative, executive, and judicial appropriation bill by name, because he is the most valuable man connected with the House as an employee. [Applause.]

Mr. PAYNE. Was he employed for this purpose?

Mr. MANN. He was not employed for this purpose. He voluntarily did this work in the document room.

Mr. PAYNE. Because he happened to be an employee of the House he did this work. Now, the question is whether that is a proper expenditure for the Committee on Accounts to make.

Mr. HUGHES of West Virginia. I want to say for the information of the gentleman from New York that the Committee on Accounts does not bring in any resolution appropriating money out of the contingent fund until they have carefully investigated each case. They have done so in this case, and they think this gentleman entitled to this money; and therefore they bring in this resolution.

Mr. GROSVENOR. I would like to ask the gentleman a question. Is this document in the nature of ammunition for the trust busters to send out?

Mr. HUGHES of West Virginia. I guess you might consider that it was.

Mr. GROSVENOR. I hope the House will not refuse to pay for it, then.

Mr. BARTLETT. Mr. Speaker, I want to say in reference to the services that this employee rendered that these laws were passed at various times. There were some of them incorporated in appropriation bills, and this employee, at the suggestion of some very prominent gentlemen of this House, went to work and compiled them. This work has been one of the most valuable that has been done. It has been distributed by Members of the House to their constituents all over the country. It is now ready for distribution, and is accessible. The House has availed itself of the work, and the sum proposed to be paid is a very reasonable one, and the man who performed the work ought to receive it.

The SPEAKER. Is the point of order made against the resolution?

Mr. PAYNE. Mr. Speaker, as I understand, the point of order has been raised against the other resolution which is to be considered in the morning, and I want simply a decision as to what the rights of the Committee on Accounts are.

Mr. BARTLETT. If the gentleman from New York——

Mr. PAYNE. If the gentleman will allow me, I will not make the point of order on this.

The SPEAKER. It seems, on second thought, it is perhaps too late to make the point of order, because this matter has been debated. Now, a motion to postpone would be in order.

Mr. HAY. Regular order, Mr. Speaker!

Mr. PAYNE. I understand there is but one other report from the Committee on Accounts; therefore a motion to adjourn will be in order and take it over until to-morrow morning. [Cries of "Let us vote!"] I will not press the motion.

Mr. BARTLETT. May I say a word? Mr. Speaker, I desire to say, as a member of the minority of the Committee on Accounts, we have been very careful and have never undertaken to attempt any legislation on any matter which we did not believe we ought to have, and we have refused time and time again and have sent bills back which were referred to us upon the ground that we had no jurisdiction, and both the majority and minority members have endeavored to confine themselves strictly——

Mr. PAYNE. I am making no reflection upon the committee.

The amendment was agreed to.

The question was taken; and the resolution was agreed to.

G. S. W. LEWIS.

Mr. HUGHES of West Virginia. There is one more report, Mr. Speaker.

The Clerk read as follows:

House resolution No. 273.

Resolved, That the Doorkeeper of the House be, and he is hereby, authorized to pay, out of the contingent fund of the House, G. S. W. Lewis, colored, for services rendered as a laborer from January 12, 1904, to and including January 16, 1904, at the rate which he was receiving on January 12, 1904.

The amendments were read, as follows:

In line 3, after the word "colored," insert the words "the sum of $10."
Strike out lines 6 and 7.

The amendments were agreed to.

The resolution as amended was agreed to.

SENATE DOCUMENT NO. 235, FIFTY-EIGHTH CONGRESS, SECOND SESSION.

Mr. CHARLES B. LANDIS. Mr. Speaker, I desire to present the following House resolution.

The SPEAKER. The gentleman from Indiana presents the following resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That there be printed for the use of the House of Representatives, to be distributed through the House document room, 100,000 copies of Senate Document No. 235, Fifty-eighth Congress, second session.

Mr. TAWNEY. What is that?

Mr. CHARLES B. LANDIS. This is a document including the order of the Commissioner of Pensions, under the date of March 15, 1904, concerning pensions under the act of June 27, 1890.

Mr. GAINES of Tennessee. How many thousand?

Mr. CHARLES B. LANDIS. One hundred thousand. I will say that the superintendent of the document room states that—

Mr. GAINES of Tennessee. It has been printed twenty-five or thirty times in the CONGRESSIONAL RECORD, about 15,000 daily copies of which go out all over the country——

The SPEAKER. Does the gentleman from Indiana yield?

Mr. CHARLES B. LANDIS. I do not. I was saying the superintendent of the document room states from the demands already made he is satisfied that 100,000 copies of this order will not be sufficient.

Mr. GAINES of Tennessee. Sufficient for whom?

Mr. CHARLES B. LANDIS. For the people—for the demands of Members of Congress, and the demands on the Pension Bureau.

Mr. GAINES of Tennessee. How are you going to distribute them?

Mr. CHARLES B. LANDIS. They will be distributed through the House document room.

Mr. FITZGERALD. I suggest to the gentleman they be put in the folding room.

Mr. CHARLES B. LANDIS. No; they will be distributed from the House document room.

Mr. TAWNEY. Mr. Speaker, if they are to be distributed through the House document room, it is the most industrious Member, the one who gets there first, who will get as many as he wants. I believe they ought to be distributed through the folding room and distributed equally among the Members.

Mr. CHARLES B. LANDIS. I will say the total cost of the 100,000 copies will not be in excess of $500, and if an additional demand is made more will be printed.

Mr. GIBSON. Let one-half be distributed through the document room and the other half through the folding room.

Mr. MANN. If it goes through the folding room the expense of distribution will be a good deal more than $500 and if it goes through the document room anyone will get as many as they want without trouble. I think 100,000 will do and leave plenty over.

Mr. CHARLES B. LANDIS. The committee thought it best to have them distributed through the House document room.

The question was taken, and the resolution was agreed to.

NORTHERN PACIFIC RAILROAD COMPANY, ETC.

Mr. LACEY. Mr. Speaker, I offer the following conference report, to be printed in the RECORD.

The SPEAKER. It will be printed under the rules.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill S. 4769, entitled "An act validating certain conveyances of the Northern Pacific Railroad Company and the Northern Pacific Railway Company," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede.

JOHN F. LACEY,
JOS. M. DIXON,
Managers on the part of the House.
KNUTE NELSON,
CHARLES W. FAIRBANKS,
E. W. PETTUS,
Managers on the part of the Senate.

The statement is as follows:

The effect of the agreement is to place the conveyances of lots in the railway right of way in the even sections on the same footing as those in the odd-numbered sections.

The United States Supreme Court in its decision holds that the right-of-way title is a base fee with reverter to the Government, and that no title has vested in the owners of the adjacent land. This being the case, it is deemed necessary and proper to validate the conveyances in all the sections.

JOHN F. LACEY.
JOS. M. DIXON.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 11128. An act to modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect;

H. R. 8378. An act to extend the provisions of the act of January 21, 1903, to the Osage Reservation, in Oklahoma Territory, and for other purposes;

H. R. 9648. An act to amend the first section of an act providing that the circuit court of appeals for the fifth judicial circuit of the United States shall hold at least one term of said court annually in the city of Montgomery, in the State of Alabama, approved January 30, 1903;

H. R. 12147. An act to amend chapter 749, second session Fifty-seventh Congress, approved February 23, 1903, being "An act to establish United States courts at Wilkesboro, N. C.;"

H. R. 7634. An act to establish a life-saving station in Sussex County State of Delaware;

H. R. 15121. An act for the extension of Twenty-third street from S street to California avenue;

H. R. 10418. An act to ratify and amend an agreement with the Sioux tribe of the Indians of the Rosebud Reservation in South Dakota, and making appropriation and provision to carry the same into effect;

H. R. 13509. An act authorizing the Secretary of War to transfer to the Columbia Military Academy certain property in Maury County, Tenn.;

H. R. 11968. An act to incorporate the Washington Sanitary Housing Company;

H. R. 12655. An act for the relief of John Bremond;

H. R. 10891. An act for the relief of Julius A. Kaiser;

H. R. 14413. An act permitting the building of a dam across the Mississippi River between the counties of Stearns and Benton, in the State of Minnesota; and

H. R. 14901. An act to provide for payment of damages on account of changes of grade due to construction of the Union station, District of Columbia.

REGULATING PRACTICE OF MEDICINE IN INDIAN TERRITORY.

The SPEAKER laid before the House the bill (H. R. 11963) regulating the practice of medicine and surgery in the Indian Territory, with a Senate amendment.

The Senate amendment was read.

Mr. CURTIS. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

Then, on motion of Mr. PAYNE (at 5 o'clock and 35 minutes p. m), the House adjourned until to-morrow, at 12 o'clock m.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Treasury, transmitting, in response to the inquiry of the House, a statement of national banks that have applied to the Secretary of the Treasury for the retirement of national-bank notes—to the Committee on Banking and Currency, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. HENRY of Texas, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 15228) establishing a regular term of the United States circuit and district courts at East St. Louis, Ill., reported the same without amendment, accompanied by a report (No. 2683); which said bill and report were referred to the House Calendar.

Mr. MARTIN, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 3165) providing for second and additional homestead entries, and for other purposes, reported the same with amendment, accompanied by a report (No. 2684); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 15087) to amend an act entitled "An act authorizing the construction of a bridge across the Cumberland River at or near Carthage, Tenn.," approved March 2, 1901, reported the same without amendment, accompanied by a report (No. 2685); which said bill and report were referred to the House Calendar.

Mr. HEPBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 5342) to provide for the temporary government of the canal zone at Panama, the protection of the canal works, and for other purposes, reported the same with amendment, accompanied by a report (No. 2688); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. VOLSTEAD, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 13052) for the disposition of certain school lands in Oklahoma Territory, reported the same with amendment, accompanied by a report (No. 2689); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 14590) to authorize the courts of county commissioners of Houston and Dale counties, Ala., to construct a bridge across the Choctawhatchee River between Houston and Dale counties, Ala., reported the same with amendment, accompanied by a report (No. 2691); which said bill and report were referred to the House Calendar.

Mr. JENKINS, from the Committee on the Judiciary, to which was referred the House resolution (H. Res. 283) that the Attorney-General of the United States is requested to inform the House of Representatives whether any investigation was ever had of the so-called "anthracite coal trust," etc., reported the same without amendment, accompanied by a report (No. 2694); which said resolution and report were referred to the House Calendar.

He also, from the same committee, to which was referred the House resolution (H. Res. 284) that the Attorney-General is requested to inform the House of Representatives whether any criminal prosecutions have been instituted against the individuals or corporations in the Northern Securities cases, etc., reported the same without amendment, accompanied by a report (No. 2695); which said resolution and report were referred to the House Calendar.

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 1380) to provide for a site for a depot for the Revenue-Cutter Service, reported the same without amendment, accompanied by a report (No. 2696); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SHACKLEFORD, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 15195) authorizing the construction of a wagon, toll, and electric railway bridge over the Missouri River at Lexington, Mo., reported the same with amendment, accompanied by a report (No. 2697); which said bill and report were referred to the House Calendar.

Mr. CURRIER, from the Committee on Elections No. 2, to which was referred the House resolution (H. Res. 306) relating to the contested-election case of Bonynge against Shafroth, reported the same with amendment, accompanied by a report (No. 2705); which said resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15183) granting a pension to Ella F. Kennealy, reported the same with amendment, accompanied by a report (No. 2608); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3924) granting an increase of pension to Ira Waldo, reported the same with amendment, accompanied by a report (No. 2609); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14876) granting an increase of pension to Francis Stadler, jr., reported the same with amendment, accompanied by a report (No. 2610); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4152) granting an increase of pension to George B. Hartley, reported the same with amendment, accompanied by a report (No. 2611); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7373) granting a pension to Harriet J. Woodbury, reported the same without amendment, accompanied by a report (No. 2612); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 740) granting an increase of pension to Ira Meserve, reported the same with amendment, accompanied by a report (No. 2613); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14481) granting an increase of pension to Charles W. Lee, reported the same with amendment, accompanied by a report (No. 2614); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15076) granting an increase of pension to Lawrence Le Bron, reported the same

with amendment, accompanied by a report (No. 2615); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8280) granting an increase of pension to James A. Morrison, reported the same with amendment, accompanied by a report (No. 2616); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14490) granting a pension to Degraphenreed P. McKinley, reported the same with amendment, accompanied by a report (No. 2617); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 13605) granting a pension to Elizabeth E. Conatt, reported the same with amendment, accompanied by a report (No. 2618); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 14890) granting an increase of pension to Allen R. Harris, reported the same with amendment, accompanied by a report (No. 2619); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 14343) granting an increase of pension to William Neuborg, reported the same with amendment, accompanied by a report (No. 2620); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14612) granting an increase of pension to Myron Imas, reported the same with amendment, accompanied by a report (No. 2621); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15148) granting an increase of pension to Armour W. Patterson, reported the same with amendment, accompanied by a report (No. 2622); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11336) granting an increase of pension to Samuel R. Hazen, reported the same with amendment, accompanied by a report (No. 2623); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13378) granting an increase of pension to William W. Dennis, reported the same with amendment, accompanied by a report (No. 2624); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9394) granting an increase of pension to Mrs. John Leffler, reported the same with amendment, accompanied by a report (No. 2625); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12348) granting an increase of pension to John Pickering, reported the same with amendment, accompanied by a report (No. 2626); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10851) granting an increase of pension to Nancy Smallwood, reported the same with amendment, accompanied by a report (No. 2627); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11827) granting an increase of pension to Daniel Smith, reported the same with amendment, accompanied by a report (No. 2628); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 934) granting an increase of pension to Frank Brock, reported the same with amendment, accompanied by a report (No. 2629); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10334) granting an increase of pension to John S. Allison, reported the same with amendment, accompanied by a report (No. 2630); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1305) granting an increase of pension to Gilbert A. Kenney, reported the same with amendment, accompanied by a report (No. 2631); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3107) granting an increase of pension to James E. Chappell, reported the same with amendment, accompanied by a report (No. 2632); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11374) granting an increase of pension to William Wells, reported the same with amendment, accompanied by a report (No. 2633); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3431) granting an increase of pension to William Basnett, reported the same without amendment, accompanied by a report (No. 2634); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4341) granting a pension to Henry Armstrong, reported the same without amendment, accompanied by a report (No. 2635); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4340) granting an increase of pension to Rose MacFarlane, reported the same without amendment, accompanied by a report (No. 2636); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5125) granting an increase of pension to William O. White, reported the same without amendment, accompanied by a report (No. 2637); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3203) granting an increase of pension to George W. Foster, reported the same without amendment, accompanied by a report (No. 2638); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3616) granting an increase of pension to Frances E. Plummer, reported the same without amendment, accompanied by a report (No. 2639); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3335) granting an increase of pension to John Waldo, reported the same without amendment, accompanied by a report (No. 2640); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 538) granting an increase of pension to Alice W. Stoodley, reported the same without amendment, accompanied by a report (No. 2641); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2399) granting a pension to Michael Nelligan, reported the same without amendment, accompanied by a report (No. 2642); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3989) granting an increase of pension to Eugene Schilling, reported the same without amendment, accompanied by a report (No. 2643); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3915) granting an increase of pension to Benjamin F. Bollinger, alias Benjamin Bell, reported the same without amendment, accompanied by a report (No. 2644); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5349) granting an increase of pension to Rebecca Aumen, reported the same without amendment, accompanied by a report (No. 2645); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5372) granting an increase of pension to Jesse W. McGahan, reported the same without amendment, accompanied by a report (No. 2646); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5230) granting an increase of pension to John D. Inger, reported the same without amendment, accompanied by a report (No. 2647); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1564) granting an increase of pension to Daniel W. Working, reported the same without amendment, accompanied by a report (No. 2648); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1808) granting a pension to James L. Dyer,

reported the same without amendment, accompanied by a report (No. 2649); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5265) granting an increase of pension to James Stout, reported the same without amendment, accompanied by a report (No. 2650); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5289) granting an increase of pension to Peter Baker, reported the same without amendment, accompanied by a report (No. 2651); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5161) granting an increase of pension to William H. Seip, reported the same without amendment, accompanied by a report (No. 2652); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2183) granting an increase of pension to David L. Miller, reported the same without amendment, accompanied by a report (No. 2653); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5270) granting an increase of pension to Ellen R. Ostrander, reported the same without amendment, accompanied by a report (No. 2654); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3432) granting an increase of pension to Rosaline V. Campbell, reported the same without amendment, accompanied by a report (No. 2655); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2730) granting an increase of pension to Jasper N. Jennings, reported the same without amendment, accompanied by a report (No. 2656); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 433) granting an increase of pension to William L. Johnston, reported the same without amendment, accompanied by a report (No. 2657); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5205) granting an increase of pension to Joseph Dickinson, reported the same without amendment, accompanied by a report (No. 2658); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4187) granting an increase of pension to William G. Tompkins, reported the same without amendment, accompanied by a report (No. 2659); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 493) granting an increase of pension to Richard E. Bouldin, reported the same without amendment, accompanied by a report (No. 2660); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S.2116) granting an increase of pension to Edna Stevens, reported the same without amendment, accompanied by a report (No. 2661); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2803) granting an increase of pension to William H. Ijams, reported the same without amendment, accompanied by a report (No. 2662); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5179) granting an increase of pension to Alonzo Gardner, reported the same without amendment, accompanied by a report (No. 2663); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4337) granting an increase of pension to William H. Hess, reported the same without amendment, accompanied by a report (No. 2664); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 405) granting an increase of pension to Darius W. Owens, reported the same without amendment, accompanied by a report (No. 2665); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5076) granting an increase of pension to Stacy Williams, reported the same without amendment, accompanied by a report (No. 2666); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5034) granting an increase of pension to George A. Miller, reported the same without amendment, accompanied by a report (No. 2667); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5101) granting an increase of pension to Lewis Y. Foster, reported the same without amendment, accompanied by a report (No. 2668); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3304) granting an increase of pension to Andrew A. Kelley, reported the same without amendment, accompanied by a report (No. 2669); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4679) granting an increase of pension to Samuel R. Shankland, reported the same without amendment, accompanied by a report (No. 2670); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5282) granting an increase of pension to William P. Vohn, reported the same without amendment, accompanied by a report (No. 2671); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 741) granting an increase of pension to William D. Woodworth, reported the same without amendment, accompanied by a report (No. 2672); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4223) granting an increase of pension to William P. Jackson, reported the same without amendment, accompanied by a report (No. 2673); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5213) granting an increase of pension to Theodore J. Widvey, reported the same without amendment, accompanied by a report (No. 2674); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5111) granting an increase of pension to Charles W. Barrett, reported the same without amendment, accompanied by a report (No. 2675); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3890) granting an increase of pension to James N. Culton, reported the same without amendment, accompanied by a report (No. 2676); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5191) granting an increase of pension to Elizabeth C. Way, reported the same without amendment, accompanied by a report (No. 2677); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referrred the bill of the Senate (S. 103) granting an increase of pension to Alexander D. Tanyer, reported the same without amendment, accompanied by a report (No. 2678); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 73) granting an increase of pension to William H. Colville, reported the same without amendment, accompanied by a report (No. 2679); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3666) granting an increase of pension to James W. Carrier, reported the same without amendment, accompanied by a report (No. 2680); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3245) granting an increase of pension to Oscar F. Bartlett, reported the same without amendment, accompanied by a report (No. 2681); which said bill and report were referred to the Private Calendar.

Mr. PATTERSON of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 5309) granting an increase of pension to John McConnell, reported the same with amendment, accompanied by a report (No. 2682); which said bill and report were referred to the Private Calendar.

Mr. THOMAS of Iowa, from the Committee on the Judiciary, to which was referred the bill of the Senate (S. 4683) for the relief of Henry Bradley, reported the same without amendment, accompanied by a report (No. 2686); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 10077) granting a pension to Julia A. Henderson, reported the same with amendment, accompanied by a report (No. 2690); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 13911) granting an increase of pension to Calvin Hitt, reported the same with amendment, accompanied by a report (No 2693); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 10343) granting a pension to Anna Mansfield—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 10918) for the relief of W. M. Coulling—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 15186) granting a pension to Albert Sidney Coomer—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. RIXEY: A bill (H. R. 15253) to protect the monuments already erected on the battlefields of Bull Run, Virginia, and other monuments that may be there erected—to the Committee on Military Affairs.

By Mr. GILLETT of Massachusetts: A bill (H. R. 15254) to prevent superannuation in the public service—to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 15255) to reclassify employees in the civil service—to the Committee on Reform in the Civil Service.

By Mr. RODEY: A bill (H. R. 15256) to authorize the appointment of police judges in incorporated cities, towns, and villages in the several Territories—to the Committee on the Territories.

By Mr. MORRELL: A bill (H. R. 15257) extending the provisions of the pension laws of the United States to persons engaged in the operation and construction of military telegraph lines during the war of the rebellion—to the Committee on Invalid Pensions.

By Mr. BUCKMAN: A bill (H. R. 15258) authorizing the town of Otsego, in the county of Wright, and the village of Elk River, Minn., to construct a bridge across the Mississippi River—to the Committee on Interstate and Foreign Commerce.

By Mr. BARTHOLDT: A bill (H. R. 15259) to amend section 3255 of the Revised Statutes of the United States, concerning the distilling of brandy from fruits—to the Committee on Ways and Means.

By Mr. HAY: A resolution (H. Res. 342) relative to fund of the Soldiers' Home, District of Columbia—to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARTHOLDT: A bill (H. R. 15260) for the relief of Edward Cahalan—to the Committee on War Claims.

By Mr. BINGHAM: A bill (H. R. 15261) granting an increase of pension to Elizabeth Kane—to the Committee on Invalid Pensions.

By Mr. BRICK: A bill (H. R. 15262) granting an increase of pension to Charles Brick—to the Committee on Invalid Pensions.

By Mr. BROOKS: A bill (H. R. 15263) granting an increase of pension to Henry Hatch—to the Committee on Invalid Pensions.

By Mr. DRESSER: A bill (H. R. 15264) to correct the military record of George Stroop—to the Committee on Military Affairs.

By Mr. DRISCOLL: A bill (H. R. 15265) for the relief of the heirs of Asa O. Gallup—to the Committee on Claims.

Also, a bill (H. R. 15266) for the relief of John Kurtz—to the Committee on Claims.

By Mr. GOLDFOGLE: A bill (H. R. 15267) granting a pension to Thomas C. Hughes—to the Committee on Invalid Pensions.

By Mr. HASKINS: A bill (H. R. 15268) granting an increase of pension to Francis E. Brigham—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: A bill (H. R. 15269) granting a pension to Anna C. Owen—to the Committee on Invalid Pensions.

By Mr. JACKSON of Maryland: A bill (H. R. 15270) granting a pension to George Todd—to the Committee on Invalid Pensions.

By Mr. KYLE: A bill (H. R. 15271) granting an increase of pension to Gavin W. Ryan—to the Committee on Invalid Pensions.

By Mr. LESTER: A bill (H. R. 15272) for the relief of the heirs at law of William C. Dixon, deceased—to the Committee on War Claims.

By Mr. LLOYD: A bill (H. R. 15273) granting an increase of pension to Thomas Hancock—to the Committee on Invalid Pensions.

By Mr. MARSH: A bill (H. R. 15274) granting an increase of pension to Richard Wareham—to the Committee on Pensions.

By Mr. McCREARY of Pennsylvania: A bill (H. R. 15275) to correct the military record of John Flaherty—to the Committee on Military Affairs.

By Mr. MOON of Pennsylvania: A bill (H. R. 15276) granting an increase of pension to N. Warren Pulsifer—to the Committee on Invalid Pensions.

By Mr. PUJO: A bill (H. R. 15277) granting an increase of pension to Samuel H. Whatley—to the Committee on Invalid Pensions.

By Mr. ZENOR: A bill (H. R. 15278) for the relief of the legal representatives of Peter Glenn, deceased—to the Committee on War Claims.

By Mr. BELL of California: A bill (H. R. 15279) to remove the charge of desertion against J. J. Fisher—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS of Pennsylvania: Three petitions of citizens of Philadelphia, Pa., against the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURNETT: Petition of citizens of Winston County, Ala., in favor of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. CAMPBELL: Petition of Rev. L. D. Noel and 105 others, of Howard, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CAPRON: Petition of Councilman D. F. Grady, Dr. W. H. Jordan, Eugene J. Dullea, and P. J. Finneran, of Providence, R. I., committee representing the Ancient Order of Hibernians, advocating the passage of the bill to erect a monument to Commodore John Barry—to the Committee on the Library.

By Mr. CONNELL: Petition of the International Association of Machinists, Electric City Lodge, No. 230, of Scranton, Pa., in favor of the passage of an eight-hour law—to the Committee on Labor.

Also, petition of A. A. Chase, of Scranton, Pa., in favor of bill H. R. 8678, to increase the appropriation for agricultural experiment stations—to the Committee on Agriculture.

By Mr. DRAPER: Petition of Norton Brothers and others, of Granville, N. Y., against the passage of bill H. R. 11964—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the United Laborers and Pavers' Union, Local No. 9750, of Troy, N. Y., in favor of the eight-hour and anti-injunction bills—to the Committee on the Judiciary.

By Mr. DRESSER: Papers to accompany bill to correct the military record of George Stroop—to the Committee on Military Affairs.

By Mr. GRANGER: Petition of the Bronson Chemical Company and others, of Providence, R. I., in favor of the passage of bill H. R. 9303—to the Committee on Ways and Means.

By Mr. HERMANN: Petition of Shipwrights, Joiners, and Caulkers, Local No. 12, of Portland, Oreg., in favor of an eight-hour bill and an anti-injunction bill—to the Committee on the Judiciary.

By Mr. HILDEBRANT: Petition of riflemen of Ohio, in favor of bills H. R. 14047 and S. 5094 and 4875—to the Committee on Militia.

Also, petition of B. Schlesinger, of Xenia, Ohio, in favor of bill H. R. 13997—to the Committee on the Judiciary.

Also, resolution of the general assembly of Ohio, relative to the advancement of T. M. Anderson to the grade of major-general—to the Committee on Military Affairs.

Also, papers to accompany bill to correct the military record of Samuel Anderson—to the Committee on Military Affairs.

By Mr. HOWELL of New Jersey: Resolution of the Twenty-seventh District Republican Club, of New York City, urging an amendment of the contract-labor clause of the immigration law—to the Committee on Immigration and Naturalization.

Also, resolution of soldiers and sailors of the civil war, of Ocean County, N. J., against placing a statue of Gen. R. E. Lee in Statuary Hall—to the Committee on the Library.

By Mr. LAMB: Petition of the Chelf Chemical Company, in favor of bill H. R. 9302—to the Committee on Ways and Means.

By Mr. LINDSAY: Petitions of John Decker, Joseph Huchin, and Bernard Mintzer, of Brooklyn, N. Y., favoring clause in post-office appropriation bill relative to convict labor—to the Committee on the Post-Office and Post-Roads.

By Mr. McMORRAN: Petition of citizens of Detroit, Mich., in favor of the passage of bill H. R. 14620—to the Committee on the Merchant Marine and Fisheries.

By Mr. MARTIN: Petition of N. A. Swickard and 41 others, of Canton, S. Dak., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MORRELL: Petition of the International Brotherhood of Steam Shovel Dredge Firemen, Deck Hands, and Scowmen, of Chicago, Ill., against the United States Government constructing steam dredges, etc.—to the Committee on Rivers and Harbors.

Also, resolutions of the Catholic Total Abstinence Union and Division No. 16, Ancient Order of Hibernians, of Philadelphia, Pa., in favor of bill for erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.

By Mr. PAYNE: Petition of Timothy G. Darling and 27 others, of Auburn, N. Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. REID: Petition of G. H. Cunningham and 12 others, of Moulton, Ark., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. RICHARDSON of Alabama: Petition of S. P. Johnson and others, of New Decatur, Ala., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ROBINSON of Arkansas: Petition of W. B. Alexander and others, of Pine Bluff, Ark., against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. STEPHENS of Texas: Papers to accompany bill H. R. 5383, granting an increase of pension to Samuel Shafer—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 707, for the relief of W. R. McGuire—to the Committee on War Claims.

By Mr. VREELAND: Petition of the M. M. Fenner Medicine Company, of Fredonia, N. Y., in favor of the passage of bill H. R. 9302—to the Committee on Ways and Means.

Also, petitions of Isaac M. Longworthy and A. J. Armstrong, of Alfred, N. Y., in favor of bill H. R. 9313—to the Committee on Invalid Pensions.

SENATE.

THURSDAY, *April 21, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on the request of Mr. NELSON, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection.

EASTERN RAILROAD AND BOSTON AND MAINE RAILROAD.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of March 3, 1903, a report from the Commissioner of Internal Revenue relative to the amounts paid as taxes by the Eastern Railroad Company and the Boston and Maine Railroad in excess of the amount legally due under the acts of Congress; which, on motion of Mr. LODGE, was, with the accompanying paper, ordered to lie on the table, and be printed.

REJECTED OR SUSPENDED CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 16th instant, a report from the Auditor of the War Department relative to all claims for horses and other property lost in the military service of the United States; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to printed.

ESTATE OF JAMES BOYCE, DECEASED.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney-General, transmitting, in further response to a resolution of the 16th instant, an additional judgment rendered by the Court of Claims in the Indian depredation case of Henry W. Boyce, administrator of James Boyce, deceased, not heretofore reported to Congress; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

LIST OF JUDGMENTS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 16th instant, an additional list of judgments rendered by the Court of Claims amounting to $4,235.73, which have been presented to the Treasury Department, and require an appropriation for their payment; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 2816) to amend section 3095 of the Revised Statutes of the United States, relating to manner of importation;

A bill (S. 4375) to amend section 24 of the act approved December 21, 1898, entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce;" and

A bill (S. 5454) permitting the Ozark and Cherokee Central Railroad Company and the Arkansas Valley and Western Railway Company, and each or either of them, to sell and convey their railroads and other property in the Indian Territory to the St. Louis and San Francisco Railroad Company or to the Chicago, Rock Island and Pacific Railway Company, and for other purposes.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 11963) regulating the practice of medicine and surgery in the Indian Territory.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 875) for the relief of Harry C. Mix;

A bill (H. R. 7262) to provide for the allotment of lands in severalty to Indians in the State of New York, and extend protection of the laws of the United States and of the State of New York over them; to provide for the sale of lands now leased in perpetuity, and to provide for disposition of the so-called "Ogden claim;"

A bill (H. R. 8690) to amend the law relating to taxation in the District of Columbia;

A bill (H. R. 13298) to amend section 2327 of the Revised Statutes of the United States, relating to land;

A bill (H. R. 14467) to amend chapter 508 of the United States Statutes at Large, volume 32, Part I, Fifty-seventh Congress, entitled "An act to establish and provide for a clerk for the circuit and district courts of the United States held at Wilmington, N. C.; and

A bill (H. R. 15014) to enable the Secretary of War to permit the erection of a lock and dam in aid of navigation in the Tennessee River, near Chattanooga, Tenn., and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 7634) to establish a life-saving station in Sussex County, State of Delaware;

A bill (H. R. 8878) to extend the provisions of the act of January 21, 1903, to the Osage Reservation, in Oklahoma Territory, and for other purposes;

A bill (H. R. 9648) to amend the first section of an act providing that the circuit court of appeals for the fifth judicial circuit of the United States shall hold at least one term of said court annually in the city of Montgomery, in the State of Alabama, approved January 30, 1903;

A bill (H. R. 10418) to ratify and amend an agreement with the Sioux tribe of Indians of the Rosebud Reservation in South Dakota, and making appropriation and provision to carry the same into effect;

A bill (H. R. 10891) for the relief of Julius A. Kaiser;

A bill (H. R. 11128) to modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect;

A bill (H. R. 11968) to incorporate the Washington Sanitary Housing Company;

A bill (H. R. 12147) to amend chapter 749, second session Fifty-seventh Congress, approved February 23, 1903, being "An act to establish United States courts at Wilkesboro, N. C.;"

A bill (H. R. 12655) for the relief of John Bremond;

A bill (H. R. 13509) authorizing the Secretary of War to transfer to the Columbia Military Academy certain property in Maury County, Tenn.;

A bill (H. R. 14413) permitting the building of a dam across the

Mississippi River between the counties of Stearns and Benton, in the State of Minnesota;

A bill (H. R. 14901) to provide for payment of damages on account of changes of grade due to construction of the Union station, District of Columbia; and

A bill (H. R. 15121) for the extension of Twenty-third street from S street to California avenue.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented the petition of Elisha M. Kempton, of Newport, N. H., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah: which was referred to the Committee on Privileges and Elections.

He also presented a memorial of the White Swan Mines Company (Limited), of Concord, N. H., remonstrating against the fraud order issued by the United States authorities against that company restraining them from sending by mail certain remittances for balance of amounts owed by them on subscriptions for stock; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented memorials of sundry citizens of College View, Nebr.; of Rome and New York City, in the State of New York; of Grand Rapids, Mich.; of Minneapolis, Minn.; of Baltimore, Md.; of Alexandria, Va., and of Washington, D. C., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

Mr. FAIRBANKS presented a petition of Lincoln Relief Corps, No. 249, of New Albany, Ind., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. FOSTER of Washington presented a petition of Long Pine Lodge, No. 107, Brotherhood of Boiler Makers and Iron-ship Builders, of Hillyard, Wash., praying for the enactment of legislation to develop the American merchant marine; which was referred to the Committee on Commerce.

He also presented a petition of Typographical Union No. 202, American Federation of Labor, of Seattle, Wash., praying for the passage of the so-called "eight-hour bill," and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

He also presented a memorial of the Retail Hardware Dealers' Association of Tacoma, Wash., remonstrating against the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of sundry citizens of Tacoma, Wash., remonstrating against the action of the Mine Owners' Association and the Citizens' Alliance of the State of Colorado, and praying that an investigation be made of the labor troubles in that State; which was referred to the Committee on Mines and Mining.

Mr. BEVERIDGE presented a petition of sundry citizens of South Bend, Ind., praying for the passage of the so-called "pure-food bill;" which was ordered to lie on the table.

He also presented a petition of George H. Chapman, Woman's Relief Corps No. 10, of Indianapolis, Ind., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. LONG presented a petition of the Pharmaceutical Association of Fort Scott, Kans., praying for the passage of the so-called "Mann bill" regarding patent law as applied to pharmaceutical products; which was referred to the Committee on Patents.

He also presented a petition of the congregation of the Baptist Church of Jamestown, Kans., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. PENROSE presented a petition of Local Division No. 16, Order of Hibernians, of Philadelphia, Pa., praying that an appropriation of $50,000 be made for the erection of a statue of Commodore John Barry at Washington, D. C.; which was ordered to lie on the table.

He also presented the petition of Robert N. Willson and sundry other citizens of Philadelphia, Pa., praying for the enactment of legislation to establish a world's congress or parliament to convene periodically for the consideration of all international matters; which was referred to the Committee on Foreign Relations.

Mr. MITCHELL presented a petition of sundry citizens of Nestucca Valley, Oregon, praying for the construction of a jetty at the mouth of and on the south side of Nestucca Bay, to intercept and exclude the washing of sand over the south spit into and obstructing the channel at the bar; which was referred to the Committee on Commerce.

Mr. HOPKINS presented petitions of sundry citizens of Peoria, Ill., praying for the passage of the so-called "anti-injunction bill;" which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Club of Bement, Ill., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. HALE presented a petition of the Twentieth Century Club of Patten, Me., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Board of Trade of Rumford Falls, Me., praying for the passage of the so-called "good-roads bill;" which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Lamoine, Me., and a petition of sundry citizens of Stonington, Me., praying for the passage of the so-called "dogfish-shark bounty bill;" which were referred to the Committee on Fisheries.

Mr. QUARLES presented the petition of Isabella Beecher Hooker, Lucius F. C. Garvin, Olympia Brown, William Canfield Lee, Clara Bewick Colby, Clara W. McNaughton, and 912 other citizens of the United States, praying for the enactment of legislation to enable women citizens of the United States having certain qualifications to vote for Members of the House of Representatives; which was referred to the Select Committee on Woman Suffrage.

Mr. SPOONER presented a memorial of sundry citizens of Milwaukee, Wis., remonstrating against the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented a petition of Harrison Post, No. 91, Department of Wisconsin, Grand Army of the Republic, of Depere, Wis., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. BARD, from the Committee on Public Lands, to whom was referred the bill (S. 5567) to exclude from the Yosemite National Park, California, certain lands therein described, and to attach to and include the said lands in the Sierra Forest Reserve, reported it without amendment, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Pensions, to whom was referred the bill (S. 5184) granting a pension to Ethel Talley, reported it with an amendment, and submitted a report thereon.

Mr. PLATT of Connecticut, from the Committee on Indian Affairs, to whom was referred the bill (S. 4657) authorizing the payment of the Choctaw and Chickasaw town-site fund, reported it with an amendment.

MODERN PRISON SYSTEMS.

Mr. PLATT of New York, from the Committee on Printing, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed and bound in cloth, for the use of the Department of State, fifteen hundred copies of House Document No. 452, second session Fifty-seventh Congress, on Modern Prison Systems, and that this edition shall include a page of errata submitted by said Department.

LANDS AT ERIE, PA.

Mr. NELSON. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 13300) granting certain rights and privileges to the commissioners of waterworks in the city of Erie, Pa., to report it favorably without amendment, and I ask for its present consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGE.

Mr. STONE. I am directed by the Committee on Commerce, to whom was referred the bill (S. 5549) authorizing the construction of a wagon, toll, and electric-railway bridge over the Missouri River at Lexington, Mo., to report it favorably with amendments, and as amended to recommend its passage. I submit a report thereon. I ask for the present consideration of this measure.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendments of the Committee on Commerce were in section 1, on page 1, line 7, after the word "point," to strike out the words "at least one-third of a mile from any other bridge;" on page 2, line 1, before the word "said," to strike out "its" and insert "the;" and on page 2, line 13, after the word "prescribe," to insert:

And provided further, That all street-railway companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of cars over the same and over the approaches thereto, upon payment of a reasonable compensation for such use, and in case of dis-

agreement, upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in interest.

In section 3, on page 3, line 18, after the word "fifty" and before the word "feet," to strike out "five;" and in line 19, after the word "above," to strike out the word "mean;" so as to make the bill read:

Be it enacted, etc., That the Lexington Suburban Railway Company, duly incorporated under the laws of Missouri, is hereby authorized to construct and maintain a bridge, and approaches thereto, across the Missouri River, between the city of Lexington, Mo., and Ray County, Mo., at a point to be selected consistent with the interests of navigation. Said bridge shall be constructed to provide for the passage of wagons and vehicles of all kinds, street-railway cars, electric motors, railway cars (but not steam locomotives), animals, foot passengers, and for all road travel, for such reasonable rates of toll and under such reasonable rules and regulations as may be prescribed by the said company, and to be approved from time to time by the Secretary of War: *Provided*, That the said company, or its successors and assigns, shall build and maintain at all times, as accessory works to said bridge, such booms, piers, dikes, guard fences, and similar devices as may be necessary, in the judgment of the Secretary of War, to insure at all times a permanent channel for a sufficient distance above and below the bridge site, and for the guiding of rafts, steamboats, and other water craft safely under said bridge: *Provided further*, That the said company, or its successors and assigns, shall maintain on said bridge, from sunset to sunrise, such lights and other signals as the Light-House Board shall prescribe: *And provided further*, That all street railway companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of cars over the same, and over the approaches thereto, upon payment of a reasonable compensation for such use, and in case of disagreement, upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in interest.

SEC. 2. That said bridge shall not be built or commenced until the plan and specifications for its construction have been submitted to the Secretary of War for his approval, nor until he shall approve the plan and location of said bridge and accessory works; and if any change be made in the plan of construction of said bridge and accessory works at any time, such change shall be subject to the approval of the Secretary of War, and any change in the construction or any alteration of said bridge and accessory works that may be directed at any time by Congress or the Secretary of War shall be made at the cost and expense of the said company or its successors and assigns; that the said bridge shall be constructed without interference with the security and convenience of navigation of said river beyond what is necessary to carry into effect the rights and privileges hereby granted, and in order to secure that object the said company, or its successors and assigns, shall submit to the Secretary of War, for his examination and approval, a design and drawings of said bridge and accessory works and a map of the proposed location, giving for the space of 1 mile above and 1 mile below such proposed location the topography of the banks of the river with shore lines and soundings, and such other information as may be required for a full understanding of the subject; and until the said plan and location of the bridge are approved by the Secretary of War the construction of said bridge shall not be commenced.

SEC. 3. That said bridge shall be built as a high bridge with unbroken and continuous spans, all spans over the waterway to have a clear channel way of not less than 400 feet and a clear headroom of not less than 50 feet above high-water mark; and the piers of said bridge shall be parallel with the current of said river, and the bridge itself at right angles thereto.

SEC. 4. That the Secretary of War is hereby authorized and directed, upon receiving such plan and other information, and upon being satisfied that a bridge so built will conform to the requirements of this act, to notify the company authorized to build the same that he approves of the same; and upon receiving such notification the said company may proceed to erect said bridge, conforming strictly to the approved plan and location, and should any change be made in the plan of the bridge or accessory works during the progress of the work thereon, such change shall be subject likewise to the approval of the Secretary of War.

SEC. 5. That any bridge built under this act and subject to its limitations shall be a lawful structure, and shall be recognized and known as a post route, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for the transportation over the street railways or public highways leading to the said bridge, and it shall enjoy the rights and privileges of other post-roads in the United States; and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies, and the United States shall have the right of way across said bridge and its approaches for postal telegraph purposes.

SEC. 6. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date thereof, and the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CARNEGIE INSTITUTION OF WASHINGTON.

Mr. GALLINGER. I am directed by the Committee on the District of Columbia to report back favorably with amendments the bill (H. R. 14093) to incorporate the Carnegie Institution of Washington, and I submit a report thereon. I will venture to ask unanimous consent for the consideration of the bill.

Mr. LODGE. I wish to have an opportunity to examine the bill. I think I shall desire to offer an amendment to it. I object to its present consideration.

The PRESIDENT pro tempore. The bill goes to the Calendar.

Mr. GALLINGER. I ask that the bill may take the place on the Calendar of Order of Business 1791, Senate bill 5167, being a favorable report on the same subject upon a Senate bill, and I would ask that the Senate bill be indefinitely postponed.

The PRESIDENT pro tempore. The bill (S. 5167) to incorporate the Carnegie Institution of Washington will be indefinitely postponed, and the bill just reported by the Senator from New Hampshire will take its place on the Calendar.

BILLS INTRODUCED.

Mr. BEVERIDGE introduced a bill (S. 5606) to amend section 6 of "An act to authorize the construction of a bridge by the New York, Chicago and St. Louis Railroad Company and the Chicago and Erie Railroad Company across the Calumet River at or near the city of Hammond, Ind., at a point about 1,200 feet east of the Indiana and Illinois State line and about 100 feet east of the location of the present bridge of the New York, Chicago and St. Louis Railroad Company across said river; also to authorize the construction of a bridge by the Chicago and State Line Railroad Company across said river at the point where said company's railroad crosses said river in Hyde Park Township, Chicago, Ill., being at the location of the present bridge of said company across said river in said township," approved July 1, 1902; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PLATT of New York introduced a bill (S. 5607) for the relief of Roswell M. Shurtleff; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. GORMAN introduced a bill (S. 5608) for the relief of the legal representatives of James Legg; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5609) for the relief of Urias D. Ramsburg; which was read twice by its title, and referred to the Committee on Claims.

Mr. McLAURIN introduced a bill (S. 5610) for the relief of the heirs of Thomas Duty; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5611) making an appropriation for the improvement of the Tallahatchie River; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MONEY introduced a bill (S. 5612) for the relief of the estate of Franklin S. Whitney, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. PETTUS introduced a bill (S. 5613) for the relief of J. W. Smart; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. NELSON (by request) introduced a bill (S. 5614) for the relief of Philip Epstein, Mordecai David, Henry Stein, Julius Louis, and Herman Somers; which was read twice by its title, and referred to the Committee on Claims.

Mr. McENERY introduced a bill (S. 5615) for the relief of the estate of Marcellin Gillis, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. BALL introduced a bill (S. 5616) granting a pension to Samuel Derry; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. ALDRICH submitted an amendment proposing to appropriate $960 to pay Harry A. Nelson for extra services as mail messenger in United States Senate post-office from July 1, 1900, to March 1, 1903, inclusive, intended to be proposed by him to the general deficiency appropriation bill; which was ordered to lie on the table, and be printed.

CIVIL GOVERNMENT OF THE PHILIPPINE ISLANDS.

Mr. CULBERSON submitted an amendment intended to be proposed by him to the bill (H. R. 14623) to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an act approved March 8, 1902, entitled "An act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an act approved March 2, 1903, entitled "An act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes; which was ordered to lie on the table and be printed.

INVESTMENT OF CAPITAL INDEPENDENT OF TRUSTS.

Mr. BACON. I desire to submit a proposed amendment to the following resolution, which is now pending, submitted by the Senator from Iowa [Mr. DOLLIVER] on the 18th instant:

Resolved, That the Secretary of Commerce and Labor be, and he is hereby, directed to prepare and send to the Senate a statement showing what companies have been incorporated in the United States and what investments of capital made by individuals or copartnerships since the year 1900, outside and independent of the so-called "trusts," and the aggregate capital, compared with the total capitalization of the trust combinations.

I offer a proposed amendment, which I ask may be read and printed and lie on the table with the original resolution.

The PRESIDENT pro tempore. The amendment will be read.

The Secretary read the amendment, as follows:

Resolved further, That the Secretary of Commerce and Labor be, and he is hereby, directed to procure, so far as practicable, the information hereinafter specified, and report the same to the Senate during the present session of Congress if practicable.

First. What classes of goods manufactured in the United States have, during the year ending December 31, 1903, been sold or offered for sale in foreign countries, or for export to foreign countries, by the manufacturers thereof, or through their representatives or agents, at prices less than the same classes of goods were during the same period sold in the United States by the manufacturers thereof, or through their representatives or agents; the said report, while including so far as practicable all classes of goods so manufactured and sold, to have special reference to manufactures of iron and steel and other metals, of glass and crockery, textile goods and the manufactures thereof, boots, shoes, and other manufactures of leather, hats and caps and other wearing apparel, household and kitchen utensils and wares, household and kitchen furniture, sewing machines, vehicles of all kinds, farm implements and farm machinery and other machinery of all kinds, cutlery and tools of all kinds, watches, jewelry, and other articles for household and personal use, comfort, or adornment; and the said report to give the comparative prices in said sales separately for each of the said classes of goods, and the fore gn countries in which or for export to which said sales were made.

Second. What, separately stated as to each class of goods, was the general average during the said period of the said comparative prices in sales in the United States and in the several foreign countries.

Third. If, during the said period, the said comparative prices in any instances fluctuated materially from said average, then stated separately, what were, in such instances, the comparative prices in said sales, in the several classes of goods embraced in such instances, at different periods in the year when said fluctuations occurred.

The Secretary of Commerce and Labor is further directed to make said reports as soon as practicable, and if, when the same shall be completed, the Senate shall not be then in session, he is hereby directed to file same with the Secretary of the Senate, and there shall thereupon be copies of said reports immediately printed for the use of the Senate.

The PRESIDENT pro tempore. The amendment will lie on the table and be printed.

LAST SPEECH OF THE LATE PRESIDENT M'KINLEY.

Mr. FAIRBANKS. I ask an order for printing 5,000 extra copies of Senate Document No. 268, Fifty-eighth Congress, being the last speech of President McKinley, delivered at Buffalo, September 5, 1901. The demand for the speech is very large and the copies authorized are insufficient to meet it.

The PRESIDENT pro tempore. Has the Senator any idea of the cost?

Mr. FAIRBANKS. I understand that it is comparatively only a small sum.

The PRESIDENT pro tempore. Less than $500?

Mr. FAIRBANKS. Considerably less than $500.

There being no objection, the order was agreed to, as follows:

Ordered, That there be printed for the use of the Senate 5,000 extra copies of Senate Document No. 268, Fifty-eighth Congress, second session, being the last speech of President McKinley, delivered at Buffalo, September 5, 1901.

THOMAS J. CAMPTON.

Mr. PERKINS submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 10046) granting an increase of pension to Thomas J. Campton, the beneficiary of the said bill having died.

GENERAL FEDERATION OF WOMEN'S CLUBS.

The PRESIDENT pro tempore. There is a bill on the table introduced by the Senator from Indiana [Mr. FAIRBANKS] day before yesterday, which was read once.

Mr. FAIRBANKS. I ask that it be read the second time, and I ask also for its present consideration. It is a very brief amendment, to which there is no objection, I presume.

The bill (S. 5583) to amend an act entitled "An act granting a charter to the General Federation of Women's Clubs," approved March 3, 1901, was read the second time by its title.

The PRESIDENT pro tempore. The Senator from Indiana asks that the bill may be now considered. It will be read.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to amend the act approved March 3, 1903, by adding thereto one section, to be designated as section 4, which will read as follows:

SEC. 4. That said corporation be, and it is hereby, authorized to hold its biennial meetings at such places outside of Washington, in the District of Columbia, as it from time to time may deem best.

Mr. BACON. May I ask the Senator a question? I do not know whether I caught the phraseology aright. The bill limits the meeting to the District of Columbia, but authorizes it outside the city. Is that it?

Mr. FAIRBANKS. Their biennial meetings are held in different cities throughout the United States. Under the charter as it was enacted by Congress the opinion prevails that they are forbidden from holding their biennial meetings in different cities throughout the country. This amendment simply makes that clear, giving them the authority to do so.

Mr. BACON. I have no objection, of course, to the bill, because the character of the organization is such that no harm can come from it.

Mr. FAIRBANKS. No.

Mr. BACON. But as a principle, it is beyond the power of Congress to give any corporate powers in a State, unless it is some matter which relates to Federal functions or the public necessities of the Government. With that statement I am willing that the bill should pass, it not being designed, I understand, to confer any power in the States.

Mr. FAIRBANKS. None whatever.

Mr. BACON. I was sure that was not the reason, but I thought it better that the bill should not pass without this statement, because otherwise it might be taken as a precedent.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ESTATE OF SVEN J. JOHNSON.

Mr. CULLOM. I ask leave to call up the bill (H. R. 2009) for the relief of the estate of Sven J. Johnson.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of the Treasury to issue duplicates to the legal representative of Sven J. Johnson, also known as John Johnson, in lieu of United States 4 per cent registered bonds, funded loan of 1907, Nos. 45369, 45370, 45372, 45373, for $100 each, inscribed in the name of John Johnson, and alleged to have been stolen after having been assigned in blank.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 15th instant approved and signed the following acts and joint resolution:

An act (S. 2259) to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes;

An act (S. 5438) making an appropriation to supply a deficiency in the contingent fund of the United States Senate; and

A joint resolution (S. R. 9) authorizing the issue of duplicate medals where the originals have been lost or destroyed.

The message also announced that the President of the United States had on the 16th instant approved and signed the following acts:

An act (S. 94) granting a pension to Alvin Rine;

An act (S. 1310) granting a pension to Ella C. Tupper;

An act (S. 2458) granting a pension to John H. Oney;

An act (S. 3986) granting a pension to Cynthia Speaks;

An act (S. 4001) granting a pension to Benjamin A. Provoost;

An act (S. 4381) granting a pension to Mary P. Wilson;

An act (S. 4759) granting a pension to John M. Manlove;

An act (S. 10) granting an increase of pension to Albert H. Taft;

An act (S. 208) granting an increase of pension to Alfred Kent;

An act (S. 320) granting an increase of pension to Hiram W. White;

An act (S. 329) granting an increase of pension to Bushnell B. Loomis;

An act (S. 725) granting an increase of pension to Amanda L. Mardin;

An act (S. 1478) granting an increase of pension to Leroy R. Hawthorne;

An act (S. 1570) granting an increase of pension to Jasper Robinson;

An act (S. 1572) granting an increase of pension to Isaac N. Hughey;

An act (S. 1618) granting an increase of pension to Thomas Herran;

An act (S. 1989) granting an increase of pension to John McCabe;

An act (S. 2030) granting an increase of pension to Elias L. Fidler;

An act (S. 2046) granting an increase of pension to William G. Scott;

An act (S. 2124) granting an increase of pension to David W. Johns;

An act (S. 2248) granting an increase of pension to Frederick Sommers;

An act (S. 2252) granting an increase of pension to David Inches;

An act (S. 2423) granting an increase of pension to Benson C. Bellamy;

An act (S. 2645) granting an increase of pension to La Roy B. Church;

An act (S. 2711) granting an increase of pension to Fannie S. Moore;

An act (S. 3018) granting an increase of pension to George W. Sullivan;

An act (S. 3029) granting an increase of pension to Margaret French;

An act (S. 3030) granting an increase of pension to Charles O. Fargo;

An act (S. 3198) granting an increase of pension to Samuel D. Reynolds;
An act (S. 3305) granting an increase of pension to James K. Deyo;
An act (S. 3308) granting an increase of pension to Jesse C. Lott;
An act (S. 3327) granting an increase of pension to Isaac N. Moor;
An act (S. 3490) granting an increase of pension to Bucklin H. Wood;
An act (S. 3493) granting an increase of pension to John C. Van Campen;
An act (S. 3561) granting an increase of pension to Anna E. Draper;
An act (S. 3778) granting an increase of pension to Joseph L. Cotey;
An act (S. 3867) granting an increase of pension to Osmer S. Deming;
An act (S. 3956) granting an increase of pension to Patrick Fleming;
An act (S. 3988) granting an increase of pension to John L. Hughes;
An act (S. 4056) granting an increase of pension to George G. Wright, alias George Gravett;
An act (S. 4192) granting an increase of pension to James H. Whaley;
An act (S. 4242) granting an increase of pension to Andrew Fisher;
An act (S. 4249) granting an increase of pension to Mary Gilroy;
An act (S. 4364) granting an increase of pension to Joshua McCormick;
An act (S. 4428) granting an increase of pension to Edwin W. Ford;
An act (S. 4487) granting an increase of pension to Aaron M. Mason;
An act (S. 4496) granting an increase of pension to Harvey Fletcher;
An act (S. 4507) granting an increase of pension to Francis G. Hoffmire;
An act (S. 4602) granting an increase of pension to Hiram Imus;
An act (S. 4621) granting an increase of pension to George Draper;
An act (S. 4635) granting an increase of pension to David Misener;
An act (S. 4670) granting an increase of pension to Thomas H. Devine;
An act (S. 4678) granting an increase of pension to John W. Paris;
An act (S. 4742) granting an increase of pension to Earl B. French;
An act (S. 4811) granting an increase of pension to Phebe Sibley;
An act (S. 4815) granting an increase of pension to Angeline P. Root;
An act (S. 4827) granting an increase of pension to John F. Burkholder;
An act (S. 4842) granting an increase of pension to Siloam Williams;
An act (S. 4846) granting an increase of pension to John Taylor;
An act (S. 4891) granting an increase of pension to Elizabeth G. Illsley;
An act (S. 4920) granting an increase of pension to Mary Jane Mullins;
An act (S. 4948) granting an increase of pension to Elijah A. Peyton;
An act (S. 5056) granting an increase of pension to James D. Folsom;
An act (S. 5112) granting an increase of pension to Kittil Torgeson;
An act (S. 5124) granting an increase of pension to Charles H. Avery;
An act (S. 5149) granting an increase of pension to Charles A. McKean;
An act (S. 5181) granting an increase of pension to John W. Pearson;
An act (S. 5182) granting an increase of pension to Charles B. Davis;
An act (S. 5208) granting an increase of pension to William A. Bentley;
An act (S. 5211) granting an increase of pension to Mary A. Hayward; and
An act (S. 5243) granting an increase of pension to Benjamin F. Ross.

The message further announced that the President of the United States had, on the 18th instant, approved and signed the joint resolution (S. R. 44) as to the provisions of "An act for the relief of certain settlers on the public lands, and to provide for the payment of certain fees, purchase money, and commission paid on void entries of public lands," approved June 16, 1880.

The message also announced that the President of the United States had on the 19th instant approved and signed the following acts:

An act (S. 987) for the relief of certain settlers upon Wisconsin Central Railroad and The Dalles military road land grants; and

An act (S. 1607) granting to the State of Oregon certain lands to be used by it for the purpose of maintaining and operating thereon a fish hatchery.

The message further announced that the President of the United States had on the 20th instant approved and signed the following act and joint resolution:

An act (S. 4576) transferring the custody of certain obsolete ordnance to the city of Boston; and

A joint resolution (S. R. 54) to permit Maj. Thomas W. Symons, Corps of Engineers, to assist the State of New York by acting as a member of an advisory board of consulting engineers in connection with the improvement and enlargement of the navigable canals of the State of New York.

MARY HEANEY.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 13850) granting an increase of pension to Mary Heaney, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

P. J. McCUMBER,
N. B. SCOTT,
Managers on the part of the Senate.

W. A. CALDERHEAD,
THOMAS W. BRADLEY,
JOHN S. SNOOK,
Managers on the part of the House.

The report was agreed to.

ENOCH STAHLER.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9256) granting an increase of pension to Enoch Stahler, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House concur in the Senate amendment.

P. J. McCUMBER,
N. B. SCOTT,
Managers on the part of the Senate.

W. A. CALDERHEAD,
ELIAS DEEMER,
R. W. MIERS,
Managers on the part of the House.

The report was agreed to.

DAVID T. TOWLES.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1851) granting an increase of pension to David T. Towles having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House concur in the Senate amendment.

P. J. McCUMBER,
N. B. SCOTT,
Managers on the part of the Senate.

HENRY R. GIBSON,
ROBERT W. MIERS,
C. A. SULLOWAY,
Managers on the part of the House.

The report was agreed to.

JOHN WEAVER.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8925) granting an increase of pension to John Weaver having met,

after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House concur in the Senate amendment.

P. J. McCUMBER,
N. B. SCOTT,
Managers on the part of the Senate.

W. A. CALDERHEAD,
ELIAS DEEMER,
ROBERT W. MIERS,
Managers on the part of the House.

The report was agreed to.

CARE OF THE INSANE IN THE DISTRICT OF COLUMBIA.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8692) to authorize the apprehension and detention of insane persons in the District of Columbia, and providing for their temporary commitment in the Government Hospital for the Insane, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

J. H. GALLINGER,
H. C. HANSBROUGH,
THOMAS S. MARTIN,
Managers on the part of the Senate.

S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.

The report was agreed to.

EAST WASHINGTON HEIGHTS TRACTION COMPANY.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9331) to extend the time for completion of the East Washington Heights Traction Railroad Company, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: Strike out all the matter inserted by said amendment and insert in lieu thereof the following: "That failure to complete any portion of the routes as provided in the charter of said company within the time herein limited shall operate to repeal the authority to build such portion and shall not repeal the charter of said company; and that any connecting company may lease or purchase the portion of said routes which is completed within the said eighteen months;" and the Senate agree to the same.

J. H. GALLINGER,
H. C. HANSBROUGH,
THOMAS S. MARTIN,
Managers on the part of the Senate.

J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.

The report was agreed to.

HOUSE BILLS REFERRED.

The bill (H. R. 8690) to amend the law relating to taxation in the District of Columbia was read twice by its title, and referred to the Committee on the District of Columbia.

The bill (H. R. 875) for the relief of Harry C. Mix was read twice by its title, and referred to the Committee on Claims.

The bill (H. R. 7262) to provide for the allotment of lands in severalty to Indians in the State of New York, and extend protection of the laws of the United States and of the State of New York over them, to provide for the sale of lands now leased in perpetuity, and to provide for disposition of the so-called Ogden claim, was read twice by its title, and referred to the Committee on Indian Affairs.

The bill (H. R. 14467) to amend chapter 508 of the United States Statutes at Large, volume 32, part 1, Fifty-seventh Congress, entitled "An act to establish and provide for a clerk for the circuit and district courts of the United States held at Wilmington, N. C.," was read twice by its title, and referred to the Committee on the Judiciary.

The bill (H. R. 15014) to enable the Secretary of War to permit the erection of a lock and dam in aid of navigation in the Tennessee River near Chattanooga, Tenn., and for other purposes, was read twice by its title, and referred to the Committee on Commerce.

ESTATE OF WARREN MITCHELL.

Mr. WARREN. I move that the Senate take up the bill (H. R. 1700) for the relief of the legal representatives of Warren Mitchell, deceased.

The PRESIDENT pro tempore. The Senator from Wyoming asks unanimous consent for the present consideration of House bill 1700, which will be read.

The Secretary read the bill.

Mr. SPOONER. Mr. President, I do not think that bill ought to be considered hastily. It is an old acquaintance of mine. When I was chairman of the Committee on Claims a number of years ago it was considered, and the claim has been considered a number of times. I remember making a very elaborate and laborious report adverse to it, and I supposed it had gone to sleep. If there is some new evidence, I should want to look it over.

Mr. WARREN. I observe the Chair stated that I asked unanimous consent. I moved to take up the bill. It is one that has passed the House unanimously. It is a bill too large in amount, perhaps, to be considered in an omnibus claims bill, and one that I should like to have the sense of the Senate upon. I believe it is worthy of consideration. I therefore moved to take it up.

Mr. SPOONER. Has the motion been adopted? Of course the motion is not debatable, I know.

Mr. ALDRICH. Let us have a vote by yeas and nays.

The PRESIDENT pro tempore. If the bill is taken up at this time on motion, the Chair would hold that it would be under Rule VIII.

Mr. WARREN. And subject to objection?

The PRESIDENT pro tempore. Which would subject it to objection and also to a limitation of debate.

Mr. SPOONER. I shall be obliged to object.

Mr. WARREN. Mr. President, if I may be allowed, I desire to say a word in regard to the conduct of the business of the Senate. It does seem to me that where a bill has passed the House after a thorough consideration it ought at least to have the sense of the Senate taken upon it.

I think the Chair and the Senate will understand the embarrassment under which the Committee on Claims is laboring in attempting to bring in here an omnibus claims bill, which should naturally be confined to Court of Claims findings and such bills as have passed one or the other of the Houses of Congress, and which are for small or moderate amounts.

Here is a bill which is clearly within the rule adopted by the committee, clearly within all committee rules, as to going upon the omnibus claims bill. But I think it too large in amount and too important to be put in an omnibus with a lot of others, and therefore I consider that it ought to be treated alone.

I have no remarks to make upon the bill unless debate is provoked by others. I hope the Senator will let it come to a vote of the Senate, and I will be content.

Mr. SPOONER. It can not come to a vote of the Senate in five minutes. It will be necessary to read the report which was years ago made on the bill. I then spent a great deal of time on it. I was at first favorably inclined to the bill. It had been reported a number of times favorably. But my investigation made it very obvious to me that the bill ought not to pass; and it can not pass now without debate, and full debate.

If there is any new evidence, that is another proposition. I have no objection to the bill being taken up, but it will be debated.

Mr. WARREN. Mr. President, one word further. I want the attention of the Senate to this matter, so that Senators may understand where we are as to this and similar bills.

It seems useless to have the Committee on Claims burn up time day after day and the midnight oil night after night and after careful, laborious, and painstaking work bring matters in here favorably reported for which we can not get consideration. I care not whether the bill passes or does not pass, as may be the sense of the Senate upon it. I should not have presented the bill here on a favorable report unless I had given it sufficient study and sufficient attention to convince me that the bill was equitable and ought to pass. But be that as it may, I am willing to submit it to the Senate for a vote.

If we are in the condition the Chair assumes we are in and which of course I grant we must be, as the Chair is always correct—that a bill of this kind can not be taken up except subject to objection and for only five-minute speeches—then of course every claim against the United States is subject to the capricious objection of any one Senator. That is the condition a creditor of the United States is in if there is the least point of controversy about his claim. If, unfortunately, some one has a claim against the United States and comes to the Senate for relief, any one man oc-

cupying a seat in this body as a member can prevent even the consideration of it.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. The Chair does not wish to be misunderstood. The Chair would hold that bills taken up before 2 o'clock are subject to objection, and that they are to be debated under Rule VIII. But if an objection is made and then a motion is made to proceed to its consideration notwithstanding the objection, and that motion prevails, it is not under Rule VIII.

Mr. ALDRICH. Mr. President, just a word as to the order of business in the Senate. We are approaching the end of this session. There are two general appropriation bills now before the Senate awaiting action. It seems to me that it should be the policy of the Senate——

Mr. BERRY. There are three, I will state to the Senate. There is the river and harbor bill.

Mr. ALDRICH. There are three now awaiting action. It seems to me the Senate should proceed with the public business first and pass the appropriation bills which are now pending. There certainly will be ample opportunity for any bill that receives the approval of a majority of the Senate to be considered and acted upon after the appropriation bills are out of the way.

Mr. WARREN. The Senator from Rhode Island knows very well that practically that is not true, while technically it may be true. He knows that there will not be ample time to take up the Calendar, because he knows from the pressure we have upon us——

Mr. ALDRICH. The Senator did not quite report my language correctly. I said any bill that the majority of the Senate is in favor of and desires to have considered.

Mr. WARREN. And that nobody objects to.

Mr. ALDRICH. I did not say that. It is always within the power——

Mr. WARREN. Practically that is what the Senator said.

Mr. ALDRICH. I beg the Senator's pardon. It is within his power as chairman of the Committee on Claims at any time, either in the morning hour or after the morning hour, to move to displace any order of business, any appropriation bill, or other bill which is before the Senate, and to proceed to the consideration of claims bills or a claims bill.

Mr. WARREN. I have just made the motion to take up a claims bill.

Mr. ALDRICH. And if a majority of the Senate is with the Senator, then he has a right to have the bill considered. But if a majority of the Senate should think that the public business should be proceeded with first and that private claims should be considered afterwards, his remedy will not be a good one.

Mr. WARREN. Mr. President, the appropriation bill that is supposed to just now have priority stands on the Calendar this morning as the unfinished business to come up at 2 o'clock. This leaves the time up to 2 o'clock for the consideration of any other bill or bills. I took the very course the Senator from Rhode Island suggested in moving to take up this bill, presuming that it would be disposed of soon, one way or the other. I have made a motion to take up the bill, and that motion is now before the Senate.

The PRESIDENT pro tempore. Objection being made to the request of the Senator from Wyoming, the Senator now moves——

Mr. ALDRICH. I beg the Chair's pardon; if he will permit me, the request was not made for unanimous consent. The Senator from Wyoming moved to take up the bill. He did not ask to have it considered.

The PRESIDENT pro tempore. The Chair put the question to the Senate in that way. Whether he did it understandingly or not the Chair does not know.

Mr. WARREN. The President of the Senate did put it as a request for unanimous consent, and that having been denied, I now move to take up the bill.

Mr. ALDRICH. That was not the suggestion made by the Senator from Wyoming.

Mr. WARREN. That is very true. I made the motion to take up in the first place.

The PRESIDENT pro tempore. The question is on the motion to proceed to the consideration of the bill. [Putting the question.] By the sound, the noes have it.

Mr. WARREN. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MONEY. Before the yeas and nays are called, let us have the bill read.

The PRESIDENT pro tempore. The title of the bill will be read.

Mr. MONEY. I should like to have the bill read.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed, out of any money in the Treasury not otherwise appropriated, to pay to the legal representatives of Warren Mitchell, deceased, late of Louisville, Ky., the sum of $128,692.22, being proceeds of captured property and found to be in the Treasury by the United States Supreme Court.

Mr. MONEY. I should like to ask for information, Is this one of the so-called "cotton claims?"

Mr. ALDRICH. Yes.

Mr. WARREN. I will say to the Senator from Mississippi that it is not one of the so-called "cotton claims" in the sense he perhaps considers it, with reference to other cotton-claims bills.

Mr. MONEY. If the Chair will bear with me for a minute I should like to ask the chairman of the committee if this is a claim for the proceeds of cotton captured under the act of March 13, 1863, called the "captured and abandoned property act?"

Mr. WARREN. It is for the payment of cotton which the books of the Treasury show was taken from this man Mitchell, particularly, and for which the Government received one hundred and twenty-odd thousand dollars in gold.

Mr. ALDRICH. Mr. President, I think I shall have to object to the consideration of the merits of the bill.

The PRESIDENT pro tempore. The Secretary will call the roll on the motion of the Senator from Wyoming to proceed to the consideration of the bill.

The Secretary called the roll.

Mr. MORGAN. I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

Mr. LODGE (after having voted in the negative). I have a general pair with the Senator from Georgia [Mr. CLAY]. I see that he is not present. I therefore transfer my pair with him to the Senator from Ohio [Mr. DICK], and will let my vote stand.

Mr. PETTUS. I am paired with the Senator from Massachusetts [Mr. HOAR].

Mr. MALLORY. I have a general pair with the senior Senator from Vermont [Mr. PROCTOR]. In his absence, I withhold my vote.

Mr. SPOONER (after having voted in the negative). I have a general pair with the Senator from Tennessee [Mr. CARMACK], who is necessarily absent from the city. I inadvertently voted, and I withdraw my vote.

Mr. BATE. I do not think that is necessary, this not being a political question.

Mr. SPOONER. Very well. Then, with the announcement that the Senator from Tennessee [Mr. CARMACK] is necessarily absent, I will allow my vote to stand in view of what his colleague [Mr. BATE] has said.

The result was announced—yeas 39, nays 19, as follows:

YEAS—39.

Alger,	Culberson,	Kearns,	Quarles,
Ankeny,	Cullom,	McComas,	Scott,
Bacon,	Daniel,	McCreary,	Simmons,
Bard,	Dubois,	McCumber,	Smoot,
Bate,	Fairbanks,	McLaurin,	Stewart,
Berry,	Foster, Wash.	Mitchell,	Stone,
Blackburn,	Fulton,	Money,	Teller,
Burnham,	Gorman,	Overman,	Warren,
Clark, Wyo.	Hansbrough,	Perkins,	Wetmore.
Cockrell,	Heyburn,	Platt, N. Y.	

NAYS—19.

Aldrich,	Dolliver,	Gamble,	Long,
Allison,	Dryden,	Hopkins,	Millard,
Ball,	Elkins,	Kean,	Platt, Conn.
Burrows,	Frye,	Kittredge,	Spooner.
Clarke, Ark.	Gallinger,	Lodge,	

NOT VOTING—32.

Allee,	Depew,	Hawley,	Newlands,
Bailey,	Dick,	Hoar,	Patterson,
Beveridge,	Dietrich,	Latimer,	Penrose,
Burton,	Dillingham,	McEnery,	Pettus,
Carmack,	Foraker,	Mallory,	Proctor,
Clapp,	Foster, La.	Martin,	Quay,
Clark, Mont.	Gibson,	Morgan,	Taliaferro,
Clay,	Hale,	Nelson,	Tillman.

So the motion of Mr. WARREN was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1700) for the relief of the legal representatives of Warren Mitchell, deceased.

The PRESIDENT pro tempore. The bill has been read.

Mr. ALDRICH. Do I understand that this bill is now to be considered under Rule VIII?

The PRESIDENT pro tempore. It is not, having been taken up by motion after objection was made.

Mr. ALDRICH. Then it is now open to indefinite debate. I ask for the reading of the bill. Mr. President.

Mr. SPOONER. Let the bill be reread. Mr. President.

The PRESIDENT pro tempore. The bill will be again read.

The Secretary read the bill.

Mr. ALDRICH. I ask for the reading of the report accompanying the bill.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the following report, submitted by Mr. WARREN March 2, 1904:

The Committee on Claims, to whom was referred the bill (H. R. 1700) for the relief of the legal representatives of Warren Mitchell, deceased, having carefully considered the same, hereby report it back to the Senate and recommend its passage without amendment.

The facts as set forth in House Report No. 21, Fifty-eighth Congress, second session, sustain your committee in its favorable action.

The report of the House is adopted by your committee and made a part of their report, as follows:

[House Report No. 21, Fifty-eighth Congress, second session.]

"The Committee on War Claims, to whom was referred House bill 1700, respectfully submit the following report:

"At the breaking out of the war of the rebellion Warren Mitchell resided at Louisville, Ky. He was a merchant with extensive interests and connections, and had large amounts owing him in various sections of the South. General Anderson, commanding the Department of Kentucky, gave him a pass to enter the Confederate lines, and he went South 'solely for the purpose of saving himself from financial ruin, leaving his wife at Louisville,' and engaged in the proper and legitimate occupation of collecting, in the most available commodities, the amounts due him.

"His base of operations was Memphis and Nashville, Tenn., and by December, 1864, he had gathered together 724 bales of cotton and had the same stored at Savannah, Ga., where it was seized by General Sherman, sold, and the proceeds, amounting to $128,692.22, turned into the Treasury.

"Mr. Mitchell's character for loyalty, truthfulness, integrity, and honor is amply sustained by such men as Virgil McKnight, ex-Senator John W. Stevenson, Hon. Benjamin H. Bristow, and Maj. Gen. L. H. Rosseau, nor is it to be presumed that General Anderson would have issued a pass to a Confederate sympathizer.

"Mr. Mitchell promptly brought his suit in the Court of Claims under the 'abandoned and captured property act,' and the court being equally divided upon his right to recover his petition was dismissed. On appeal to the Supreme Court of the United States the sole issue was, not his loyalty, nor the amount of his loss, but the question of his domicile. Attorney-General Williams thus stated the proposition:

"'If Mitchell acquired a domicile within the Confederate lines his business there was legitimate, and he is entitled to recover; if not, his business there was illegitimate, and he is not entitled to recover.'

"The Supreme Court stated the question thus:

"'Hence this case turns upon the point whether the appellant was domiciled in the Confederate States when he bought the cotton in question.' (21 Wall., 353.)

"As a matter of fact, Mitchell resided for over three years in Tennessee in the laudable endeavor to protect his property, and he exercised many of the rights of citizenship, and it may well be questioned whether, if the case had been differently presented, the decision would not have been different.

"In commenting on this feature of the case it is plain that the Supreme Court, in view of the petitioner's equities, must have felt a strong desire to be freed from the harsh rule of law under which they felt constrained to act, when they frankly tell us, at the end of their opinion, that 'obviously important further facts bearing on the question might have been put in evidence by either party. We regret that this was not done. As the case is presented, our conclusion must necessarily be against the appellant.'

"The court held, however, that it appeared from the record Mitchell was a citizen of the State of Kentucky at the time of the seizure, and that therefore and for no other reason his business was illegitimate and he acquired no title to the property taken in payment of debts due him, because Kentucky was a loyal State, and the nonintercourse laws prohibited traffic between its citizens and citizens of States in rebellion.

"In his brief before the Supreme Court John M. Harlan, now one of its justices, made the following unquestioned but startling proposition, when considered in the light of the court's decision:

"'Had Mitchell, upon his entering the Confederate lines in July, 1861, joined the rebel army and become the owner of this identical cotton while he was endeavoring to overturn the Government of the Union, it could scarcely be doubted that under the present course of decisions his right to recover the proceeds of the cotton could not be questioned.'

"The decision of the court, therefore, was to the effect that if Mr. Mitchell had denied his allegiance to the United States and had become a citizen of Tennessee, instead of remaining loyal to the Union and to the State of his birth, he could have recovered in his suit, because he would not have been amenable to the nonintercourse laws, and his disloyalty would have been condoned by the President's amnesty proclamations. (U. S. v. Klein, 13 Wall., 128.)

"The Supreme Court of the United States has repeatedly held that the proceeds of the abandoned and captured property now in the Treasury are merely 'trust funds' (U. S. v. Padelford, 9 Wall., 543), and millions of dollars have been distributed to the legal owners upon that theory, and since the decision in the Klein case, above, it has not been questioned that the amnesty proclamations restored all property rights, even to disloyal persons. If, as said by Mr. Harlan, this decedent claimant had been an active rebel in the field, he could still have recovered under the Klein decision. In this case the return of these 'trust funds' by the trustee, who holds and claims nothing but the naked legal title, is not prevented by disloyalty or fraud, but by the mere accident of domicile.

"Your committee does not doubt or criticise the decision of the Supreme Court, harsh and technical as it is, but the question now presented is, Shall this Government, by the mere exercise of an arbitrary power, longer keep from this claimant the proceeds of property which, in every sense except the technical one that the courts of law can not recognize his right to sue for it, is rightfully his; property to which the Government can make and does make no lawful claim; not confiscated or confiscable; not in its possession or control under any law except one that has been declared by its courts to make it a trustee of such property? The claimant appeals to the sovereign, whose citizen he is, for that justice which is his due.

"Here no technical construction of law can be held to overthrow the real merits or equities of a case. To do absolute justice is the highest duty, as well as the undisputed power, of Congress. It is hard to conceive upon what moral principle this money can be longer kept in the Treasury of the United States or the hand of arbitrary power be placed so heavily on the children of this man, who passed his old age and died in poverty merely because of the accident of his residence in the loyal State of Kentucky instead of the disloyal one of Tennessee.

"Your committee report back the bill and recommend its passage."

In Cutner v. United States (34 U. S., 517-520) the material facts were identical with those in this case. The Supreme Court held that:

"The sale being illegal, the suit can not be sustained for the benefit of the venders. It can not be sustained for Cutner's own benefit, because he received the full consideration of the cotton and has no interest remaining."

The Supreme Court has also held, in numerous cases, that the proceeds of abandoned and captured property in the Treasury constitute a trust fund, and that the title to the property was not divested from the original owners by operation of that act. (U. S. v. Klein, 13 Wall., 128; U. S. v. Padelford, 9 Wall., 531; Wylie v. U. S., 6 Ct. Cls., 295.)

The application of these rules to this case estops Mitchell's venders from maintaining an action for the value of the property, for the reason that they had received full consideration from Mitchell; they also prevent Mitchell from recovering, and thereby present practically the anomalous proposition that a trustee can, by his own acts, convert a trust estate into a fee, or in other words, that he can destroy the rights of a cestui qui trust by confiscation of the trust fund.

Mr. WARREN. Mr. President, I assume that it is due to the Senate that I should state some reason for reporting favorably this bill from the committee. I want to be absolutely fair with regard to it and to say that it has been reported adversely as well as favorably heretofore, both to the Senate and the House of Representatives. So far as I was personally concerned, I did not feel called upon to give the claim attention for the some nine years and over that it had been pending before Congress after I became a member of the Committee on Claims, because I noted that my honorable friend from Wisconsin [Mr. SPOONER] had once reported it adversely and that other Senators had done the same. But when it was considered in another place in this Capitol, fully debated, and finally unanimously passed, I felt it my duty to give it an examination, and I have given it a great deal of time and attention.

The circumstances are these: Warren Mitchell, at the time of the breaking out of the war, was a citizen of Kentucky, doing a mercantile business. He had something like $116,000 due him in Southern States, and was owing money himself. In a consultation with bankers and other creditors of his at his place, Mr. Mitchell was advised by them to go South and undertake to collect for the merchandise that he had sold, in merchandise or in cash, or to make the best settlement he could, in order that he might in turn pay his own creditors.

He received a pass from the highest officer and authority available—General Anderson, who was in command of that division—and crossed the line. He approached his debtors, taking cotton for their debts in some cases, and taking Confederate currency in others, and then exchanged that currency for cotton. He was thus engaged south of the line until 1864, when Sherman's army arrived at Savannah. His cotton was taken under the captured and abandoned property act.

Mr. Mitchell was a loyal supporter of the Union. His cotton is accounted for. I have here on my desk a statement from the Treasury Department showing an account of every bag of cotton and stating upon which particular books of the Treasury it is listed, and also a statement that the cotton was sold for the exact amount which this bill proposes to pay.

Mr. Mitchell went before the Court of Claims, as was provided——

Mr. SCOTT. Will the Senator allow me to interrupt him for just a moment?

Mr. WARREN. Certainly.

Mr. SCOTT. Was the amount of money for which the cotton was sold turned into the Treasury?

Mr. WARREN. It was; and it is there now. Mr. President, I wish it distinctly understood that this bill does not propose to pay one dollar of the money of the United States to this man. It simply restores to him, after some thirty-five or forty years of waiting, the exact amount of money that the United States got from the sale of his cotton and put into the Treasury.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Wyoming yield to the Senator from Rhode Island?

Mr. WARREN. Yes.

Mr. ALDRICH. I suppose the Senator from Wyoming is willing to admit that that is not conceded either by the Treasury Department or by a number of gentlemen who have given this subject consideration.

Mr. WARREN. What is not conceded?

Mr. ALDRICH. The fact that the money is in the Treasury of the United States belonging to this man.

Mr. WARREN. Mr. President, the Senator from Rhode Island intends perhaps to be captious, but the Secretary of the Treasury does say that that amount of money was received and put into the Treasury of the United States and that it has not been paid out to this claimant.

Mr. ALDRICH. It certainly has not been paid out to this man.

Mr. WARREN. Or to anybody else.

Mr. ALDRICH. There was unquestionably a large amount of money received into the Treasury of the United States, the proceeds of sales of captured and abandoned cotton, but that it belongs to Mr. Mitchell or to anybody else, or that Mr. Mitchell or anybody else has any legal or equitable right to it is denied both by the Treasury Department and by others who have examined this question.

Mr. WARREN. Well, the Treasury Department acknowledges a certain amount of money received from cotton, and states that

it is accounted for as being captured from the Confederacy. But as to this particular cotton, the Treasury Department does not maintain that position, because it traces the cotton and money all the way through. I have papers here from the War and Treasury Departments which account for this particular cotton and tell upon what pages of the Treasury books it is entered up. So there is no kind of question—I repeat, there is no kind of question—but that this cotton was sold by the United States and the amount stated received for it. It is so stated by the courts, as to the exact amount of money, and that that money went into the Treasury of the United States and has not been paid out to Mitchell or to anybody else for this cotton.

The Court of Claims divided evenly on this case. It is not stated how, but the Court of Claims report states that they divided equally, and the Supreme Court makes the same statement. I am assuming that there were four judges—two and two. Therefore the suit was lost, and it was appealed to the Supreme Court of the United States. The Supreme Court, after a hearing, decided against the claim on the sole ground that Mr. Mitchell was a resident of Kentucky, and therefore the court must apply the nonintercourse act, and it denied him the restitution which he sought.

This is the only question in this case. It may be well to note that Mr. Mitchell obtained his permission and went South before there was any proclamation carrying into effect the nonintercourse act; and in equity it may be well to note that he did not go down there to buy and sell cotton, with a capital in cash to speculate with and to make money, but went down there to collect his debts; and it is well also to note that the amount of the debts he went South to collect corresponds very closely with the amount the Government received for the cotton sold.

It is true—and any lawyer can state that much better than I—that the Supreme Court has passed on this question, but there are a great many such cases that come before Congress. That is what we have a Committee on Claims for, I assume, and I assume that is the reason why we take cases up here for settlement, because the Departments or the courts do not find themselves always able under the exact technical terms of the law to do that which is entirely and palpably equitable.

The Supreme Court, in trying this case, at the end of its opinion makes this significant statement:

> Obviously important further facts bearing on the question might have been put in evidence by either party. We regret that this was not done. As the case is presented, our conclusion must necessarily be against the appellant.

Mr. PLATT of Connecticut. I do not find that quotation in the opinion.

Mr. WARREN. If the Senator doubts it, I will send it to him.

Mr. SPOONER. It is not in the opinion.

Mr. PLATT of Connecticut. I do not find it.

Mr. WARREN. As it comes to a matter of veracity, the Senator will allow me to show him whether I am right or he is right.

Mr. SPOONER. I do not see it.

Mr. PLATT of Connecticut. I do not see it.

Mr. PETTUS. Would it interrupt the Senator from Wyoming if I asked him a question about this case?

Mr. WARREN. Certainly not.

Mr. PETTUS. I should like to know the difference between this case and the hundreds of others that have been pending here for years and years.

Mr. WARREN. I will get to that in a moment.

Mr. SPOONER (to Mr. WARREN). Here is the opinion.

Mr. WARREN. That is not the entire case or opinion. I have the complete opinion here for the inspection of the Senator if he wishes to see it.

Mr. PLATT of Connecticut. I have the complete opinion as published.

Mr. WARREN. I have it as published in the Court of Claims report.

Mr. PLATT of Connecticut. Oh, the Court of Claims!

Mr. ALDRICH. The decision of the Court of Claims!

Mr. LODGE. That is not the Supreme Court.

Mr. WARREN. Quoting the Supreme Court.

Mr. ALDRICH. I wish the Senator would read it, if it is there.

Mr. LODGE. There is nothing in Wallace about it.

Mr. WARREN. Was Mr. Justice Swayne on the Court of Claims or was he on the Supreme Court?

Mr. PLATT of Connecticut. On the Supreme Court.

Mr. WARREN. Very well. Mr. Justice Swayne delivered the opinion of the court. It passes along, and here in the syllabus is the last paragraph:

> Obviously important further facts bearing on the question might have been put in evidence by either party. We regret that this was not done. As the case is presented, our conclusion must necessarily be against the appellant. The judgment of the Court of Claims is affirmed.

Mr. LODGE. It is not in Wallace.

Mr. PLATT of Connecticut. Some one must have edited the opinion, then, because in the regular official edition of the United States Supreme Court Reports that language does not appear.

Mr. WARREN. That, in Wallace, does not claim to be a full report. This from which I am reading gives the argument and the entire report, and that is Judge Swayne's opinion, as I have read it. I am informed that another edition of Wallace, the one in the library of the Cooperative Association of Lawyers, or whatever it is called, publishes opinions in full as they are uttered and written. But certain I am that the opinion as written and in the archives of the court is as I have read it and as it is published in the volume from which I read.

Mr. BLACKBURN. That is simply a syllabus.

Mr. PLATT of Connecticut. This is the way the reports are published. That has been edited.

Mr. LODGE. Those are the Court of Claims Reports.

Mr. WARREN. This is not a Court of Claims Report.

Mr. LODGE. It is marked on the back "Court of Claims Report." It is not the official Supreme Court Report.

Mr. WARREN. Yes; but it quotes verbatim the opinion of the Supreme Court as uttered. If it is a question of veracity, we will leave it to the Supreme Court files; but I assert again that the Supreme Court found just that which I have stated.

Mr. LODGE. It is not in the Supreme Court Report.

Mr. WARREN. Here is a book which gives the entire argument and the entire finding or opinion. The other does not.

Mr. LODGE. That is the Court of Claims Report. They cite an opinion of Justice Swayne. The opinion of Justice Swayne in the official report of the Supreme Court—Wallace, the only official report—does not contain what is cited there.

Mr. WARREN. It does not pretend to contain the entire finding of the court.

Mr. LODGE. Then the Senator disputes the authenticity of the Supreme Court Report.

Mr. WARREN. Not at all. As far as it goes it is correct, but it does not include it all. That is the difference, as I have already explained.

Mr. SPOONER. Then it is not correct.

Mr. LODGE. It is not correct.

Mr. WARREN. I submit to the Senator the document I have here. The question may be between the Senators and the Court of Claims as to whether the Court of Claims forged an opinion of Judge Swayne. But the files of the Supreme Court will substantiate me in what I have asserted.

Mr. LODGE. If the correct report of the opinions of the Supreme Court is published in the Court of Claims Reports and not by the official reporter of the Supreme Court, it is a very serious matter indeed, because it invalidates all the Reports of the Supreme Court.

Mr. WARREN. There is no question of difference, except that the one is more ample than the other, and the one states the salient points of the opinion and the other is complete—the argument, as well as the finding and opinion.

Mr. LODGE. It seems to me the more ample one should be the Supreme Court Report.

Mr. WARREN. I will leave that with the Court of Claims and the Senator. I think as to the matter of verity between myself and the other Senators, I at least have already proven the authority from which I quoted. I will submit further proof later.

Mr. FULTON. I suggest to the Senator from Wyoming, although I have not examined either of these opinions, that oftentimes the opinion as published in the Supreme Court Reports gives only that portion of the opinion which deals with the issues, and this was not concerning any issue in the case. It may have been omitted from the report as published and still may be in the opinion of the Supreme Court on file.

Mr. WARREN. The Senator from Alabama [Mr. PETTUS] has asked me the difference between this and other claims. I have not had my attention called in my short service of nine years in the Committee on Claims to any similar case. The difference in this case and others is, first, that the party was loyal; second, that there is no evidence that he went into this cotton operation to take advantage of his Government, or to intentionally break or evade the law, but simply to collect the amount due him for merchandise previously sold. He was not caught trying to get cotton across the line surreptitiously. He was there pursuing his business. The cotton was taken under the abandoned-property act. As I said before, he did not allow the matter to rest, but took it promptly to court. The only question is whether the equities are persuasive enough to allow this man the money that undoubtedly belongs to him, the decision of the court against him on law points notwithstanding.

There is no claim, no shadow of a claim, made by anybody but Mitchell's heirs against this amount of money. The question is simply, Shall the United States take a bludgeon and go out on the streets and hold a man up and take from him a hundred and

twenty-odd thousand dollars and use and indefinitely hold it, or shall they return it to its proper owner, it being trust funds?

There is another matter. Mr. Mitchell, before the war, was in partnership with a man by the name of Armstrong. Armstrong had gone south at a prior date. While Mitchell was in the South he discovered that Armstrong had made a contract to do certain things—that was, to butcher cattle and to deliver the meat for parties who were in rebellion. He immediately protested against the use of his name and that of the partnership, but finding himself, by the use of his name by his partner, responsible under a large bond, he stayed there for nearly a month until he could get relieved from the contract and the work. For this suspicion or shadow of suspicion of disloyalty he took advantage later on, as many another did, to apply and receive a full and free pardon.

It is intimated in the trial all through that if Warren Mitchell had made his residence south of the line, there would have been no question; he would have received the pay for his cotton. On the other hand, others who were not loyal did receive money for cotton on the ground that general amnesty granted afterwards cleansed them from their disloyalty. So had he been disloyal, he could have been paid. Had he lied and claimed his home South, where he spent his time those two or three years, he would have been paid. Shall we rob him because he was honest? Mr. Mitchell is spoken of in the highest terms as an honest, worthy man by men like General Bristow, former Secretary of the Treasury, numerous former Senators in this body who knew him, Members of the House, and others; and I am impressed from all the evidence that he was a highly respected, straightforward, honest citizen, who would not stoop to any deception to undertake to prove he had moved his home south of the line, whatever might be the results of the trial. So in the Supreme Court the case turned on that one question alone—I think I can state it that strongly—of nonintercourse; that he lived on one side, and that his property was on the other.

Now, it is for Congress to say whether the United States, which at best and most was simply a trustee in fact for the abandoned and captured property which was taken, shall retain the money. The United States paid various people, certainly all the noncombatants. But such of the cotton as belonged to the Confederacy it confiscated. There is the whole question. The United States as trustee has this much cash. This man in pursuit of his business had that much cotton which produced the cash. Shall harsh and strict adherence to the rule cause him to lose that money and the Government to retain it? That is all there is to the case.

Mr. BLACKBURN. Mr. President, I knew the claimant in this case intimately pretty nearly all my life. He is entitled to every encomium that has been passed upon him, whether by the Senator from Wyoming [Mr. WARREN] or by former Senator Stevenson, of Kentucky, or former Secretary of the Treasury, General Bristow. They were all intimate personal associates of the claimant, and their testimony as to his character, as to his honesty, as to his status politically is all embraced in the record before the court.

Mr. ALDRICH. Will it be too much trouble to ask the Senator to put that into the record of the Senate?

Mr. BLACKBURN. To put what?

Mr. ALDRICH. To put those statements into the record of the Senate.

Mr. BLACKBURN. I would be very glad to do it, but I would have to get them from the records of the court. The report filed by the Committee on Claims in the Senate shows the Senator where they are. The report which I have in my hand recites the statements of all these gentlemen—Senator Stevenson, General Bristow, Virgil McKnight, the oldest and leading banker of the city of Louisville, and many others of similar character and standing, and this claimant was entitled to——

Mr. ALDRICH. As to his respectability.

Mr. BLACKBURN. Yes; as to his personal integrity, his high character, and all that. It is testified to in the record of the court by all these witnesses, and he was entitled to everything they said on his behalf.

The only objection I can see that can be fairly urged against the payment of this claim would be that there are many other claims equally as just and meritorious as this one which have not been favorably acted upon. I can not see how any other objection can fairly be urged against the passage of this bill. The Senator from Wyoming has stated the facts as developed in the record, and he stated them truthfully and candidly.

This case presents, then, this state of facts: Here was a citizen of Kentucky who had, at the outbreak of the war, a large amount of debts due him in the seceding rebellious States. He went there to collect those debts. I am not traveling outside of the record, nor am I perverting the testimony at all. He went there to engage in no business except to collect the debts that were due him before the outbreak of the war. In the prosecution of that effort he found it impossible to collect his debts in money, but the debtors advised him of their readiness and willingness to discharge their obligations if he would take it in cotton, which they owned, at an agreed price; which he did. Thus he succeeded in his mission. I repeat it was not a commercial or a business venture. It was simply an effort to collect what was due him from parties who were unable to pay in cash, but who were able to pay in the product of their labor and their farms.

He collected his debts in the shape of cotton. The record shows that the Federal Government came into possession of his cotton. Even the technical requirements of the law have been complied with, and the proof was furnished to the satisfaction of the Federal Government that his identical cotton was sold and the proceeds, amounting to a hundred and twenty-eight thousand dollars—I speak in round numbers—were covered into the Federal Treasury, where they are to-day. No man nor government has ever asserted an adverse title to that money. The fact that this is the identical $128,000 which the Senator——

Mr. WARREN. Will the Senator from Kentucky permit me?

Mr. BLACKBURN. Certainly.

Mr. WARREN. I am just now informed by the Senator from Oregon [Mr. FULTON] that during this debate he has visited the Supreme Court, examined the original opinion, and found it as I have said, and I am therefore assured again that the Supreme Court finding is exactly as I stated it, the abridged Wallace notwithstanding. Must I, a layman, instruct the lawyers of the Senate concerning the law? It seems there are times when I must.

Mr. BLACKBURN. Mr. President, resuming, there is no claimant to this amount of money except the one represented in this report and by this bill. It is denied by no one that the $128,000 in round numbers which this bill proposes to appropriate to pay off this claim is the identical $128,000 which the Government received as the proceeds of the sale of his cotton, and no adverse claim has been presented by anybody in this world.

Now, this bill has passed the House. It has been here, as the Senator from Wisconsin has told you, for many years. When he was the very efficient and able chairman of the Committee on Claims it was here. He did not at that time approve of the payment of this money. He has stated that fact to the Senate and stated it correctly.

The bill has been for all these years under the searchlight of the two Committees of Claims of the two Houses of Congress. It has at last passed the House. The severest scrutiny possible to which you may subject any measure this bill has endured, and here is the result—the Committee on Claims unanimously reporting in favor of the passage of this House bill. The question of loyalty was settled. The question of ownership was settled. Every bar that could be pleaded was interposed, and this is the result.

Now, I appeal to the Senate. If the Senate shall refuse to pass this House bill, thereby insisting upon the Government holding still longer the $128,000 which it is conceded the Government holds to-day as a trustee for the benefit of the owner, and there is but one claimant to the property, and there has been but one, I submit that it would be a declaration of a purpose of confiscation of private property. There is not a test to which this claimant has not been subjected in the courts of our country. He has gone through the Court of Claims, and he has gone through the court of last resort—the Supreme Court of the United States—and the result summed up in a single sentence is that his money lies in the vaults of the Treasury unclaimed by anybody, and when I say "unclaimed by anybody," I mean to include the Government of the United States, for it has no shadow of claim. Under these conditions it does seem to me that this bill should pass.

Mr. SPOONER. Mr. President, I can not give my concurrence to the proposition so often advanced here by the Senator from Wyoming [Mr. WARREN] and repeated by the Senator from Kentucky [Mr. BLACKBURN], that the Senate should pass this bill because the House has passed it.

Mr. BLACKBURN. I did not say that.

Mr. SPOONER. Practically that. This bill, the Senator said, was unanimously reported by the committee in the House—I assume that his statement is an accurate one—and that it was passed by the House. Of course, we know that. But the question is whether it shall be passed by the Senate. It never has been the rule of legislation that either House blindly passes a measure because it has passed another, and it never ought to become the rule.

Each House is confronted with its own obligation of duty and its own responsibility to the public, just as each and every member of each House is; and every measure which is presented to the Senate, as every measure which is presented to the House, should have the benefit of independent investigation and debate, and it should be, when it passes, the result of the intelligent judgment of Congress.

Mr. President, the vice of the statement so often reiterated by the Senator from Wyoming [Mr. WARREN], whose absence I regret——

Mr. WARREN. I am not very far off.

Mr. SPOONER. Whose presence delights me, and the Senator from Kentucky [Mr. BLACKBURN], that the $128,000 in the Treasury is the property of Warren Mitchell, and therefore his legal representatives are entitled to it, is this: There is not the slightest foundation in law or in fact, whatever conclusion the Congress might reach on general considerations, for that statement. The truth is that the pendency of this bill in the Congress is an appeal from a unanimous decision of the Supreme Court of the United States.

The Supreme Court of the United States decided in a case between the United States and Warren Mitchell, res adjudicata, a matter of eternal verity from the standpoint of the law, that Warren Mitchell was a citizen of Kentucky. He claimed, until an examination of the Confederate archives disclosed to the contrary, that he was a loyal citizen of Kentucky. He left Kentucky, being a member of the firm of Mitchell, Armstrong & Co., shortly after the proclamation of nonintercourse instead of before it, as I recollect the fact.

Mr. WARREN. I can say that his pass from General Anderson antedated the nonintercourse act, and I think his departure South also antedated the proclamation of the President putting into effect the nonintercourse act.

Mr. SPOONER. I care nothing about that. The Senator refers to leaving——

Mr. HALE Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Maine?

Mr. SPOONER. Certainly.

Mr. HALE. This is a very important matter, and the Senator's statements are most important. I think the Senate ought to hear them. I suggest the lack of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Frye,	Long,	Platt, Conn.
Alger,	Fulton,	McComas,	Platt, N. Y.
Bacon,	Gallinger,	McCreary,	Quarles,
Bard,	Gamble,	McCumber,	Scott,
Bate,	Gorman,	McLaurin,	Simmons,
Berry,	Hale,	Martin,	Spooner,
Blackburn,	Hansbrough,	Mitchell,	Stone,
Burnham,	Heyburn,	Money,	Teller,
Burrows,	Kean,	Morgan,	Warren.
Daniel,	Kearns,	Nelson,	Wetmore.
Dietrich,	Kittredge,	Penrose,	
Dryden,	Latimer,	Perkins,	
Fairbanks,	Lodge,	Pettus,	

The PRESIDENT pro tempore. Forty-nine Senators have responded to their names. There is a quorum present.

Mr. SPOONER. Mr. President, it is a matter of no consequence when Mr. Mitchell received the pass which enabled him to go across the line, or when he carried the pass in his pocket across the line.

That pass, although it was not offered in evidence, had the effect of necessity to prohibit him—and it was issued upon that condition, as all such permits were—from violating the nonintercourse act and from giving, of course, aid and comfort to the enemy.

Now, there is a wide distinction between this case and the cotton claims that are pending here.

Most of those claims, indeed all of them, so far as I know, are claims for the proceeds of cotton seized from individual owners who lived within the limits of the Confederacy, who were citizens of the Confederacy, and many of whom of course were loyal to the Confederacy, and therefore disloyal to the United States.

The Supreme Court of the United States did hold, as the Senator from Wyoming said, that the amnesty act as to such claims was an act of oblivion equal in measure to a pardon, and that disloyalty could not be, therefore, asserted by the Government against a claim by the individual owner who had been disloyal and who had been amnestied for the proceeds of cotton which had been captured or seized by the Government and sold and the proceeds deposited in the Treasury.

The court having held that to be a trust fund, not the property of the United States, what stands now between those claimants and that fund in the Treasury, if there be such, is the statute of limitations. In none of those cases has any question been raised, so far as I remember, as to the validity of the claim which is asserted. The ownership of the property claimed, of the cotton, the proceeds of which are claimed, of course must be proven.

But in this case the difficulty is that under the decision of the Supreme Court of the United States, which the Senate is asked to reverse, Warren Mitchell was not the owner of that cotton, and therefore he is not the owner of the proceeds of the sale of that cotton in the Treasury of the United States.

Mr. WARREN. If the Senator will permit me, will he state who does own the proceeds of the cotton?

Mr. SPOONER. Mr. President, that is another question. This property, as I recollect it, was seized at Savannah; and if Warren Mitchell did not become the owner of it, it may be that some other citizen of that State is the owner of it and would be entitled to the proceeds. That is an additional reason why this money should not be paid to the representatives of Warren Mitchell.

Mr. WARREN. If the Senator will permit me, the papers from the Treasury Department show there is no question as to that, and the court does not raise that question at all. The court admits the taking of the cotton, the amount of the proceeds, and rules against Mitchell upon the ground, as the Senator has stated, of the nonintercourse act.

Mr. SPOONER. That I need not question.

Mr. WARREN. The cotton certainly belonged to Mitchell and certainly was claimed by nobody else.

Mr. SPOONER. The Senator made a very capable statement of this case from his standpoint, as good and thorough as a layman could be expected to make; yes, better than the ordinary layman; but the Senator begs the question. The nonintercourse act being violated, Mitchell acquired no title in law to the cotton.

Mr. TELLER. Who had the title?

Mr. SPOONER. I think the United States probably had the title. At any rate, the court held that Mitchell did not have it, because he was a citizen of Kentucky trading across the lines in violation of the nonintercourse act.

Mr. WARREN. No; not trading across the line.

Mr. SPOONER. Yes.

Mr. WARREN. He made no attempt to trade across the line.

Mr. SPOONER. Yes, he did.

Mr. WARREN. He went across with his pass and did not cross the line to acquire the cotton there, and the United States came down and took it.

Mr. SPOONER. He could not go across with his pass without going across, and what he went across was the line which divided the forces of the United States from the forces of the Confederacy.

Mr. TELLER. He had a permit.

Mr. SPOONER. Yes; he had a permit to go across, but he did not have a permit to go across and trade with the enemy.

Mr. ALDRICH. Which he did.

Mr. SPOONER. And with the purpose of sending within the Union lines the cotton which was purchased of the enemy.

Mr. WARREN. There is no proof of that.

Mr. SPOONER. I think there is proof of it.

Mr. SCOTT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from West Virginia?

Mr. SPOONER. Certainly.

Mr. SCOTT. Does the Senator from Wisconsin hold, then, that the cotton belongs to the United States or does it belong to some person other than the United States?

Mr. SPOONER. It belongs to the United States certainly as against Warren Mitchell, and that is all that is involved in this discussion. The whole question raised in the Court of Claims and upon which that court evenly divided and carried to the Supreme Court of the United States was the question of Warren Mitchell's ownership of this cotton, and therefore the validity of his claim to the proceeds of the cotton sold to the Government.

That question turned on the question whether he had lost his residence in the State of Kentucky and had become a resident within the Confederate lines, a citizen of the Confederacy. If he had gone South, as his partner Armstrong did, when the war broke out, to cast in his fortunes with the Confederacy and aided it to his uttermost, his acquisition of this cotton would not have been a violation of the nonintercourse act, and this impeachment, absolutely irrefragable in law, of his ownership could not have existed.

His attitude, then, would have been the same as the attitude of some of the constituents of my friend the Senator from Alabama [Mr. MORGAN], who, in their acquisition of cotton, did not violate the nonintercourse act, and whose offense of disloyalty was obliterated, under the decision of the Supreme Court, by the amnesty. But that is not this case. Does the Senator from Wyoming contend that a contract made in violation of the nonintercourse act is valid as against the United States?

Mr. WARREN. The Senator has very kindly admitted that I made a very fair statement for a layman. Sometimes a lawyer makes a fair statement from a business point of view, but as a business man doing business with his brother business men it is natural to look at the equities of the case.

If this man went South to defraud anybody, to be disloyal to his country, to take advantage of anybody, there would be no equity. If he went South to save and collect the debts due him where he had previously given credit and thus obtain means with which to pay his debts where he owed them, then in equity, as a noncom-

batant and as a loyal citizen, and it does not matter whether he was or was not loyal, he should not have his property confiscated.

Mr. PLATT of Connecticut. Does the Senator think he entered into the butchering business, supplying——

Mr. SPOONER. I will get to that. There is no question of confiscating his property. The question I put to the distinguished Senator from Wyoming is whether, having acquired the property in violation of the nonintercourse act, he had any property in it in law.

Mr. WARREN. Mr. President, if Warren Mitchell had stayed, after he bought that cotton, south of the line and had claimed that that was his residence, and it was a mere matter of a statement or choice for him where he selected and designated, there would have been no question about his receiving the money for the cotton.

Mr. SPOONER. This claim has been pushed and pushed. It was once rejected by the Senate, three times adversely reported by the Committee on Claims, once by Senator Angus Cameron, once by Senator Jackson, of Tennessee, afterwards an associate justice of the Supreme Court of the United States, one of the ablest jurists who ever sat upon that bench, and one of the most faithful men who ever served in this Chamber.

Mr. WARREN. It was also reported favorably——

Mr. SPOONER. I was going to say that.

Mr. WARREN. By former Senator Gray, who is also a distinguished member of the United States circuit court, and by other distinguished Senators.

Mr. SPOONER. I was going to say that. Once there was a minority report signed by Senator HOAR, Senator Dolph, and myself.

One of the last reports I made before I left the Senate was a minority report, and an elaborate one, the result of very careful investigation, in which Senator HOAR concurred.

I assert, without fear of successful contradiction anywhere, Mr. President, that so far as the law is concerned, as settled by the Supreme Court of the United States, Warren Mitchell had no title whatever to this cotton, no matter who else may have.

It was contraband of war. He had acquired it in violation of the nonintercourse act, and it was seized at Savannah. Senators say that he went South simply to collect some debts. I ask the attention of the Senator——

The PRESIDENT pro tempore. The Senator will please suspend while the Chair lays before the Senate the unfinished business.

The SECRETARY. A bill (H. R. 6758) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1905, and for other purposes.

Mr. MCCUMBER. I understand that the bill which has been before the Senate can not be passed without considerable more debate.

Mr. SPOONER. The Senator from North Dakota is correctly informed.

Mr. MCCUMBER. So I suppose we may as well go on with the unfinished business.

Mr. SPOONER. Mr. President, my speech is to be continued at our next session at which this subject comes up.

Mr. WARREN. I have no wish to displace the appropriation bill, if I had the power. It has been perfectly apparent from the first that the time until 2 o'clock would be consumed in the debate. Of course, the hour of 2 o'clock having arrived, the bill must be laid aside for the present.

MINERAL LANDS.

The bill (H. R. 13298) to amend section 2327 of the Revised Statutes of the United States, relating to lands, was read the first time by its title.

Mr. HEYBURN. I ask that that bill may be taken up for present consideration and passed. The Sen te has passed a bill similar in almost every respect to that bill, and if the House bill is passed by the Senate I will withdraw the Senate bill.

The PRESIDENT pro tempore. The Senator from Idaho asks unanimous consent for the present consideration of the bill. It will be read.

The bill was read the second time at length, as follows:

Be it enacted, etc., That section 2327 of the Revised Statutes of the United States be, and the same is hereby, amended to read as follows:

"SEC. 2327. The description of vein or lode claims upon surveyed lands shall designate the location of the claims with reference to the lines of the public survey, but need not conform therewith; but where patents have been or shall be issued for claims upon unsurveyed lands, the surveyors-general, in extending the public survey, shall adjust the same to the boundaries of said patented claims so as in no case to interfere with or change the true location of such claims as they are officially established upon the ground. Where patents have issued for mineral lands, those lands only shall be segregated and shall be deemed to be patented which are bounded by the lines actually marked, defined, and established upon the ground by the monuments of the official survey upon which the patent grant is based, and surveyors-general in executing subsequent patent surveys, whether upon surveyed or unsurveyed lands, shall be governed accordingly. The said monuments shall at all times constitute the highest authority as to what land is patented, and in case of any conflict between the said monuments of such patented claims and the descriptions of said claims in the patents issued therefor the monuments on the ground shall govern, and erroneous or inconsistent descriptions or calls in the patent descriptions shall give way thereto."

There being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. HEYBURN. I move that the House of Representatives be requested to return to the Senate the bill (S. 3596) to amend section 2327 of the Revised Statutes of the United States, concerning mineral lands.

The motion was agreed to.

ADDITIONAL JUDGES IN INDIAN TERRITORY.

The bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes, was read twice by its title.

Mr. PLATT of Connecticut. On last Monday the Senate passed a bill on the same subject, and at the same time the House passed a bill. The House bill has come over here and our bill has gone to the House. I ask that the bill be now considered.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. PLATT of Connecticut. I move to strike out all after the enacting clause of the House bill and to substitute for it the bill which we passed in the Senate.

The PRESIDENT pro tempore. The Senator from Connecticut moves to strike out all after the enacting clause of the House bill and to substitute the bill as it passed the Senate.

The SECRETARY. Strike out all after the enacting clause of the House bill and insert the following:

That there shall be appointed by the President, by and with the advice and consent of the Senate, four additional judges of the United States court in the Indian Territory, one for the northern district, one for the western district, one for the central district, and one for the southern district. And said judges shall have all the authority, exercise all the powers, perform like duties, and receive the same salary as other judges of said court, and shall each serve for a term of two years from date of appointment, and shall be members of the court of appeals for the Indian Territory: *Provided*, That none of said judges shall have power to appoint clerks of courts, United States commissioners, or United States constables.

Mr. TELLER. Before that is done, I move an amendment to the bill if I am in order to move it now. I do not know whether I should wait until the substitute is adopted and then amend the amendment, or whether I should move to amend the bill as amended.

The PRESIDENT pro tempore. It would be entirely in order to amend the amendment.

Mr. TELLER. Then I move to add as an additional section the following:

That an additional recording district in the Indian Territory is hereby established, with a United States court at Wapanucka. The boundaries of said recording district shall be fixed by the judge of the central district of Indian Territory, who shall also have authority to appoint a commissioner and constable for said district.

Mr. PLATT of Connecticut. I hope the Senate will not assent to this amendment. I will state the difference between the House bill and the Senate bill. The Senate bill is for the appointment of four judges in the Indian Territory, who shall serve two years and who shall be members of the court of appeals. That is all there is of the Senate bill. The House bill provides for the appointment of three judges in the Indian Territory to serve four years, who shall not be members of the court of appeals, and they have added a provision for the making of five or six new recording districts there.

Now, the Senator from Colorado proposes to provide for the making of a new recording district, and wants to attach it as an amendment to the substituted Senate bill. I think it will embarrass us very much when we come into conference if we have added a recording district here. I do not think myself there ought to be any legislation on that subject, and if the conferees find that the Senate has provided for one recording district we can not very well say that the House bill should not be adopted in that respect. I do not think we ought to act on the subject of recording districts upon this bill. Now, that is all I desire to say about it.

Mr. TELLER. The question whether there are to be recording districts or not will not be the main question in controversy between the two Houses. It will be as to the judges. The House has put in a provision for recording districts. They ought to have put in another for which I think there has been a good deal more demand than for those they put in. The matter will be in conference as to whether there shall be any new recording dis-

tricts. If we put in this provision, it can be treated with the others and no harm can possibly come by our saying, "If you are going to make any recording districts, you should make this one." The population and everything else demands that if they make any they should make this district. If we fail to put it in now, there will be no opportunity to get it in during the present session. The committee of conference will have the matter before it. If the other body objects, they can drop it out. There can no harm come by putting it in, I am sure.

Mr. HALE. Mr. President, I rise to a question of order. What is the regular order?

The PRESIDENT pro tempore. The pension appropriation bill.

Mr. HALE. I will not shut off the Senators if the matter up can be got out of the way, but I do not consent that the regular order, an appropriation bill, shall be long suspended. I will withhold the call for a few moments.

Mr. TELLER. Can the bill be objected to now?

Mr. HALE. It is up only by unanimous consent.

Mr. TELLER. I think the Senator from Connecticut ought to consent to this amendment. I do not think that he should take up the bill now and cut us out of an opportunity to have the amendment considered.

Mr. PLATT of Connecticut. If that claim is made, of course I will not take the time of the Senate to obstruct or endanger the bill by further discussion.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Colorado.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. PLATT of Connecticut. I move that the House of Representatives be requested to return the bill (S. 4316) providing for the appointment of additional judges in the Indian Territory.

The motion was agreed to.

TIMBER AND STONE ACT.

Mr. COCKRELL. Will the Senator from North Dakota permit me to have two bills stricken from the Calendar, so as to dispose of them?

Mr. McCUMBER. I yield for that purpose.

Mr. COCKRELL. I move that the bill (S. 2860) to further amend an act to amend an act approved January 21, 1903, entitled "An act to amend an act entitled 'An act to provide for the use of timber and stone for domestic and industrial purposes in the Indian Territory,' approved June 6, 1900," be indefinitely postponed.

The motion was agreed to.

PIPE LINES IN INDIAN TERRITORY.

Mr. COCKRELL. I move that the bill (S. 2302) to amend section 3 of the act entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1902, and for other purposes," be indefinitely postponed.

The motion was agreed to.

PENSION APPROPRIATION BILL.

Mr. HALE. I demand the regular order.

The PRESIDENT pro tempore. The pension appropriation bill is before the Senate.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6578) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1905, and for other purposes, which had been reported from the Committee on Pensions with an amendment.

The amendment of the Committee on Pensions was, on page 2, line 2, to increase the appropriation for army and navy pensions from $136,800,000 to $137,010,600.

Mr. GORMAN. Mr. President, I should like to ask the Senator from North Dakota as to the amendment of the committee on page 2. Why has an increase been made there over the bill as it came from the House of Representatives to the Senate? I should like the Senator to explain that.

Mr. McCUMBER. I will do that, Mr. President. On account of Order No. 78 made by the Commissioner of Pensions, on account of the general demand for a service pension, and on account of the prominence that has been given to the Pension Bureau in the debate in this body during the last two or three weeks, it seems to me appropriate when bringing this bill before the Senate for consideration to discuss the bill very briefly, and also the order which has been many times referred to in the Senate Chamber.

Mr. President, this bill as it passed the House of Representatives recommended the following items of appropriation:

Title of expenditure.	Recommended for 1905.
Payment of pensions	$136,800,000
Fees of examining surgeons	800,000
Salaries of agents	72,000
Clerk hire at agencies	430,000
Stationery and other necessary expenses	35,000
Rent	10,600
Examination of pension agencies	2,500
Total	138,150,100

The Pension Committee has favorably reported Senate bill No. 671, to increase the pensions of those who have lost both eyes or have become totally blind from causes occurring in the naval or military service of the United States. That bill has since become a law. The total number of persons affected by that particular act are 600, and the necessary amount to raise their pensions from $72 per month, that they are now receiving, to $100 per month, the amount provided in the bill, will be $201,600. That would make a total recommended by the committee at the time the report was made and the bill was reported to the Senate of $138,351,700. That addition is the amendment to which the Senator from Maryland [Mr. GORMAN] has referred. It simply adds that amount, as that bill was not taken into consideration when the estimates were made upon which the House based their appropriation.

This sum of $138,351,700 is, of course, exclusive of the sums paid for the support of the Pension Bureau and the Soldiers' Homes. The number of pensioners upon the roll on July 1, 1903, including all of the wars and including widows and minor children, dependent parents, etc., was 996,545. The average value of each pension under the general law is $176.16. The average value of each pension under the act of June 27, 1890, is $108.82.

Mr. President, measured by the pensions granted by any other nation of the world, these pensions may be considered extremely liberal; but measured by any other war of modern history, we believe that justice demands liberality in favor of the survivors of the war of the rebellion.

It is true that not only by successive laws, but also by the orders of the Department, the pensions under the old law have gradually been raised for many disabilities; also the amount that is being allowed from day to day at the present time is greater than the amount that was allowed under the same law for the same disabilities ten, fifteen, or twenty-five years ago. But there are reasons for this, Mr. President. No other war in the history of this nation, in my humble opinion, has ever called for such courage, such self-sacrifice, such patriotic devotion on the part of soldiers as was exhibited by the soldiers of the war of the rebellion.

In the Revolutionary struggle our forefathers were called upon to do battle, not against another colony which had grown up under like conditions, but against a country which, in a certain sense and to a certain degree and extent, had become foreign to them. A century and a half, Mr. President, of life, separated by 3,000 miles of sea, without that communication which to-day brings all the nations together in neighborly fellowship, had developed on this side of the Atlantic Ocean practically a separate nation.

No such condition, Mr. President, confronted the veterans of the civil war. The soldiers of one State were summoned to do battle against the people of an adjoining State, against those of the same blood, against those of the same history, the same character, the same fighting qualities—men endeared to each other, Mr. President, by the memory of the wars wherein they had fought side by side and had won great victories by land and sea. Therefore it was not a slight demand when the northern soldier was called to a death struggle with the brave armies of the South.

Mr. President, the world at large has never, I believe, fully appreciated the deep devotion to the cause of the Union of our soldiers. When the soldiers of the civil war were summoned they knew they were called upon to fight not an inferior race, not even a different nation, but brothers of their own blood, men of their own fighting tenacity and character. They knew that they were called upon to meet an army as well armed, as well provided, as well commanded as were they themselves. They knew, Mr. President, that the chances of victory or defeat were nearly equally balanced. In the very beginning of the conflict they knew that the advantage must be necessarily with their opponents. The forts and the arsenals were in their hands; the skilled generals for the most part were on their side; the climatic conditions were favorable to the defenders and were unfavorable to the northern soldiers. They also knew that all along the line they must be the aggressors, and that aggression meant multiplied and disproportionate danger. It required patriotism and love of coun-

try and a conviction of right to face those conditions. They were not ordinary conditions.

Let us take, for example, the conditions in the State of Kentucky alone, where 80,000 men from that State joined the armies of the Confederacy and about 80,000 men from the same State joined the armies of the North. Those men, therefore, were required to fight, not against a foreign foe, not against an invader, but son against son and parent against his children.

This was a condition, I say, that appealed especially to patriotism and love of country. Well might the northern men have said, "These are of our own blood; these are our brothers; let them go out of the Union." There was a case entirely different from where a foreign force is upon our own soil. The case is entirely different from that where our armies are sent abroad to face their enemies. The case was one that called, as I say, for national patriotism; and the love of country was so deep in the hearts of all the American soldiers of the North that they laid aside all other sentiments.

Therefore, Mr. President, if the country is paying liberal pensions, it is paying also for a patriotism and for a duty performed toward itself that has never been exhibited in the history of any country or in any civil war.

The nation has not been ungrateful, Mr. President, for the sacrifices of that war. If our debt of gratitude has been great beyond measure, so, too, have we responded beyond measure to the patriotic impulses of the American people to pay so far as in our power we could pay that debt, by caring for every soldier, for his widow, and his children, whether the distress results from service, hardship, exposure, wounds, from the natural ills of life, from declining vigor, or from financial destitution. Under our liberal pension laws all alike may call upon the nation for assistance and protection, and the country regards it as a sacred duty, Mr. President, to respond to that call.

In no other country and to the soldiers of no other war has the generosity of an appreciative people been bestowed with such lavish hand as upon the soldiers of the Union; and if we point to the enormous sum of nearly $3,000,000,000 paid for pensions since 1861, we do it with a sense of pride and not of regret. We feel that it reflects the character of a people who are grateful to their benefactors, who have never forgotten and who will never forget their protectors.

While, on the whole, Mr. President, the pension laws have operated in the past with as little impartiality or injustice as could be expected, as the added years—nearly forty since the close of that war—have sapped the strength and vigor of those engaged in the conflict it has become more difficult to prove the service origin of any disability. It is becoming more and more apparent that our pension laws may be properly revised to meet present conditions. The many enactments out of harmony with each other, and not always so clearly expressed as to leave no doubt of their meaning, emphasize the propriety of a revision of our pension legislation.

In the year 1890 the number of cases of destitution in the ranks of the Army which had fought the civil war had become so marked that the act of June 27, 1890, was enacted, which allowed a pension of not to exceed $12 per month to every soldier who served ninety days and who was honorably discharged and suffering from permanent disability incapacitating him for manual labor and sufficient to render him unable to earn a support.

This was done, Mr. President, without any reference to the service origin of his disability. It was granted to his widow and to his children under 16 years of age. About three-fifths of all of our pensioners on the roll are receiving their pensions under this act.

The fourteen years which have elapsed since that act of 1890 added to the lives of these men, many of whom were at an advanced age even at that time, have increased the cases of destitution to such an extent as to render $12 per month inadequate to shield these defenders of the country from want. The result has been a greatly increased number of applications for private pension bills. The growth of this character of legislation in the last six years, Mr. President, is something of a prophecy of its continued growth for the next few years; and I desire to call the attention of the Senate to the encroachment of the Pensions Committee upon the Bureau of Pensions in granting the great number of invalid pensions, and possibly to suggest a remedy.

The number of pension bills reported favorably and enacted by special legislation from 1898 to 1903, inclusive, is as follows: 1898, 394; 1899, 300; 1900, 684; 1901, 707; 1902, 1,114; 1903, 1,057.

So far in any one session before the present session we have not passed the 1,150 limit. The number of pension bills reported favorably in both Houses during the present session up to the present time is 1,832, an increase of about one-third over that of any previous session. I think over 1,500 have already passed both Houses.

All of this suggests, Mr. President, at least to me, that we are reaching that period when a general service-pension bill should be considered by Congress.

I deem it proper at this time, Mr. President, to present in a very brief form a statement which will at a glance enlighten any Senator as to the present condition of our service pension. I have quoted copiously from the report of the Commissioner of Pensions, and yet I place it in such form that he who runs may read and understand at a glance the present status of our pension laws and the conditions in the Pension Bureau.

The number of pensioners, June 30, 1893:

Soldiers and sailors	729,356
Widows and dependents	267,189
Total	996,545

Under the act of June 27, 1890:

Soldiers and sailors	443,721
Widows and dependents	162,241
Total	605,962

This leaves for all soldiers, sailors, widows, and dependents under all other wars, 390,583.

Civil-war invalids	703,546
Widows of civil-war invalids	248,390
Total	951,936

There has been a loss to the rolls during the year, by death, remarriage, limitation, failure to claim, and other causes, 47,388.

There has been a net gain as follows:

By act of the Bureau of Pensions	44,256
By special act of Congress	231
Total	44,487

This seeming discrepancy, Mr. President, between the gain by special act (231) and the number of special acts (1,057) is explained by the fact that all the special acts, except these 231, were for increase of pensions and not for original pensions.

It is estimated that the death rate of pensioners for the ensuing year will be about 45,000 and the loss from other causes 6,000, or a total of 51,000.

Let us consider a moment what we have paid out for pensions. The total paid out for pensions for the year ending June 30, 1903, was $137,757,652; the cost of maintaining the Bureau of Pensions, $3,791,179; or a total of $141,148,832.

The average annual value of each pension was $133.49; the average annual value under the general law, $176.16; the average annual value under the law of 1890, $108.82; the average annual value, war with Spain, $137.25. More than one-half of the pensions paid out are at the rate of $10 and under.

The cost of the pension system since the beginning of the Government up to June 30, 1903, amounts to $3,134,271,254.87. The total amount paid out for pensions since 1866 is $2,942,178,145.93. This is exclusive, as I have stated, of Soldiers' Homes.

The cost of pension per capita of population in 1903 was $1.75. The aggregate wealth of the United States in 1903 was placed at $107,200,000,000. Then the cost of the pension per thousand dollars in 1903 was $1.32. The cost of pensions per thousand in 1893 was $2.24, or a decrease of almost $1 per thousand in ten years—nearly one-half.

I especially call the attention of Senators to the fact that while our pension appropriations may have increased the population and wealth of the country has so increased during that time that the amount per capita is much less, and the amount per each thousand dollars of wealth is only a little more than half what it was ten years ago.

Here is a matter of importance to consider. The total number of cases pending before the Pension Bureau, including minors and dependents and the war with Spain, was, on July 1, 1903, 120,729. That number has been reduced very materially, and this fact enters into consideration in the call of an extra two and a half million dollars to be added to the present pension appropriation.

The number of Spanish-war pensioners of all classes on June 30, 1903, was 12,862.

A word about the unknown army. It is estimated that this army numbers from two hundred to two hundred and twenty-five thousand. It is now applying for pensions at the rate of over 14,000 per annum.

The number of soldiers of the civil war was 2,213,363.

I referred, Mr. President, a moment ago to the fact that we were nearing a period when we should consider the matter of a general service pension, not only because of the forty years which have elapsed since the civil war, but for the other causes which I mentioned. A brief statement, therefore, of the precedents for service pensions in other wars would be appropriate here.

First, of the Revolutionary war. I want to take up now the acts that were passed and applied to soldiers of that war and to the subsequent wars. The following acts were passed:

The act of March 13, 1818—thirty-five years after the termination of the Revolutionary war—was the first act. The beneficiary under this act must have been in indigent circumstances and in need of assistance.

Second, the act of May 1, 1820. This was known as the "alarm act," and required pensioners to schedule property, and in some cases, where the property was shown to amount to $150, the claimant was dropped from the rolls.

The third act was that of May 15, 1828, forty-five years after the termination of the Revolutionary war. This act applied only to those who served to the end of the war. So up to this time we had not had a complete service pension.

The fourth act was that of June 7, 1832, forty-nine years after the close of the war. Under this act pensions were granted to those who had served not less than six months. This was practically the first general service-pension act of the Revolution.

The next act was that of July 4, 1836, fifty-three years after the war. This act granted pensions to Revolutionary war widows who were married before the close of the war.

It may be therefore said that the first general service-pension bill for Revolutionary soldiers was enacted forty-nine years after the close of that war.

Now as to the war of 1812. The first act was that of February 14, 1871—fifty-six years after the close of the war. This act required sixty days' service.

The next act was that of March 9, 1878, or sixty-three years after the war. This act reduced the period of service to fourteen days.

War with Mexico: The act of January 29, 1887—thirty-nine years after the close of the war—was the first service act. That act required sixty days' service and that the claimant should be 62 years of age or that he should be disabled or dependent.

Indian wars: On July 27, 1892—fifty years and over after the wars mentioned—service pensions were granted. Mr. President, to those who served thirty days in the Black Hawk, the Creek, the Cherokee, and the Seminole wars, and on July 27, 1893, the benefits of this act were extended to soldiers of other Indian wars.

Recapitulating, these service pensions were granted for service in the several wars and after the close of such wars as follows: Revolution, forty-nine years thereafter; war of 1812, fifty-six years thereafter; war with Mexico, thirty-nine years thereafter; Indian wars, fifty years and upward thereafter; average limitation, forty-eight years after the close of the war.

As indicating the life of the pensioners for any particular war it may not be uninteresting, Mr. President, to make record of the fact, very little known generally through the country, that we are now carrying upon our rolls two widows of Revolutionary war soldiers, two daughters of soldiers of that war, and, from information obtained from the secretary of the Association of the Daughters of the American Revolution, I find that there are 293 real daughters of soldiers of the Revolution who are members of that order.

It is fair to say that there are about an equal number of sons of veterans of the Revolutionary war. This would make of survivors, then, about 600 sons and daughters of real soldiers of the American Revolution.

Widows and daughters, of course, are carried on the pension rolls a great deal longer than survivors of the wars. It is perhaps a little strange to note that there is but one survivor of the war of 1812 upon the pension list; but there are 1,115 widows of soldiers of that war.

Mr. President, I think this presents as briefly as I can present it the matter of the present condition in the Pension Bureau. I however desire at this time to consider very briefly some suggestions relative to order No. 78, which has received so much attention in the Senate. I wish to call attention, in the first instance, to two general laws under which nearly all of the pensions are granted. The first is section 4692 of the Revised Statutes, which provides:

SEC. 4692. Every person specified in the several classes enumerated in the following section, who has been since the 4th day of March, 1861, or who is hereafter disabled under the conditions therein stated shall, upon making due proof of the fact, according to such forms and regulations as are or may be provided in pursuance of law, be placed on the list of invalid pensioners of the United States and be entitled to receive, for a total disability or a permanent specific disability, such pension as is hereinafter provided in such cases; and for an inferior disability, except in cases of permanent specific disability, for which the relative pension is expressly provided, an amount proportionate to that provided for total disability.

Now, this is what is known as the general law. I wish to call attention to the similarity between this law and the law of 1890. It provides:

All persons who served ninety days, etc., and who are now or may hereafter be suffering from any mental or physical disability or disabilities of a permanent character, not the result of their own vicious habits, which so incapacitates them from the performance of manual labor as to render them unable to earn a support shall, upon making due proof of the fact according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the list of invalid pensioners of the United States and be entitled to receive a pension not exceeding $12 per month and not less than $6 per month, proportionate to the degree of inability to earn a support.

Now, the first point of similarity to which I wish to call attention, and I direct attention to it because I desire to apply rule 78 to both cases, is the very important fact that a pension is granted only for physical disability. Whether under the general law or under the law of 1890, the question is whether the claimant is suffering physical disability. It makes no difference what his mental qualifications are. The question of the physical disability is considered as bearing only upon his ability to perform manual labor. So under either of these laws the real question is whether the claimant is disabled to perform manual labor. The law which I first quoted, the general law, provides that these facts shall be established according to such forms and regulations as may be provided in pursuance of law.

The law of 1890 provides that the claimant shall receive a pension upon making due proof of the fact, according to such rules and regulations as the Secretary of the Interior may provide. So, whether under one law or the other, the proof must be made according to regulations wh ch are provided by the Secretary of the Interior. Under the general law relief will be granted in sums ranging from $8 to $30. Under the law of 1890 the relief will be granted in sums ranging from $6 to $12, and in either instance it will be granted upon due proof under such rules and regulations as may be provided.

Several other sections of the law fix the amount that will be allowed for specific disabilities. Under the provisions of section 492 the Department has fixed rates independent of those that are fixed by law, covering some 51 different classes. I wish to ask Senators upon the other side of the Chamber who claim that order No. 78, of March 15, is an infringement of the right of the Congress of the United States to pass laws and an assumption upon the part of the Bureau not only to pass the laws, but to grant the pensions thereunder, whether or not if that be true, it has not existed for from thirty to forty years; and if it be true, why it is that in this year 1904, just before a general election, just before a Presidential campaign, it is suddenly found that this act on the part of the Bureau is a law, and not a mere rule, and that the Bureau is usurping the power of Congress.

Let me call attention to just a few of the amounts that have been fixed by the Bureau under the general law. You will notice, in the first instance, that the law simply grants a pension for disability. It does not decide what the disability is. It leaves the Pension Bureau to determine the amount of the disability and what shall be allowed therefor; and in pursuance of that the Bureau has fixed a number of rates. They were introduced the other day by the Senator from New Hampshire [Mr. GALLINGER], but what I especially wish to call attention to is the fact that these same items have been changed by a rule of the Commissioner from three to five times since they were first adopted.

Taking as a basis anchylosis of shoulder, elbow, knee, ankle, and wrist, thus:

Anchylosis of shoulder carries	$12
Anchylosis of elbow	10
Anchylosis of knee	10
Anchylosis of ankle	8
Anchylosis of wrist	8
Loss of thumb	8
Loss of thumb and little finger	10
Loss of thumb and index finger	12
Loss of sight of one eye	12
Loss of one eye	17
Slight deafness of both ears	6
Severe of one ear and slight of the other	10
Nearly total deafness of one ear and slight of the other	15

These rates have been fixed by the Bureau and not by any law. There is no law fixing these several amounts. They are determined arbitrarily by a rule which has been in force ever since 1861. They are presumptions of disability fixed by a rule and based upon common experience. Let us take the one instance of the amount that is allowed for the loss of an eye. That was raised, in the first instance, from $4 to $8, and then from $8 to $12, and from $12, where there is deformity, to $17. Where did you get the law for that? Where did you get the law to make it $8 or to make it $12, and if it was legal to declare that that was a disability for which a pension of $4 a month should be allowed by the Bureau, under what authority would the Commissioner of Pensions change that rule, make a new rule, and change it from $4 to $8 for the same disability? I repeat, it is under the general law which gives him the authority to determine by rules and regulations the amount that shall be allowed in any specific case.

In 1893, at the time when the Lochren order was carried into effect, which fixed the maximum rate of $12 per month which should be granted when a claimant had reached the age of 75 years,

there were very few soldiers who had reached the age of 62. The average age at that time was 53. While he fixed 65 years of age as evidence of such a degree of disability as would decrease the earning capacity of the average man one-half and would give him a rate of $6, he did not at that time have a sufficient number of those cases before him to justify that rule as establishing the particular age which should govern all future cases.

Since that time a majority have passed beyond 62 years of age, or more than one-half of them have passed beyond that age. More than a thousand of those applications are considered every day. After considering such applications for three hundred days in the year, is it surprising that the Commissioner of Pensions should arrive at the conclusion that 65 years of age is too high a term to be fixed as a basis for a decrease of one-half the physical ability to earn a support? Is it not natural that he should find that, and is not his conclusion correct?

Let us see how this matter is considered before the Bureau of Pensions. An application comes before that Bureau. There are, say, a thousand of them considered before that Bureau at one time by three or four hundred clerks. It goes to one clerk. He finds that the claimant is 65 years of age. He finds that he has a certain number of disabilities, or that his neighbors testify that he is unable to perform manual labor. He passes it at $6. It goes up one degree higher. It is taken then by a reviewer. He passes upon it, and he places it at $8. Another reviewer places it at $10. It goes finally to the last one, and he reduces it down to $6. Now, there will be, of course, a divergence running all the way from $6 up to $10, but in 99 per cent of the cases, we will say, it is found that when a man has reached the age of 62 years his ability to perform manual labor is decreased one-half.

Mr. MALLORY. Will the Senator from North Dakota permit me?

Mr. McCUMBER. With the greatest pleasure.

Mr. MALLORY. As I understand it, every one of these applicants under the act of 1890 bases his application on the fact that he is disabled from performing manual labor.

Mr. McCUMBER. That is absolutely true in both cases under both laws.

Mr. MALLORY. I am speaking now with reference to the act of 1890.

Mr. McCUMBER. That is correct; that is a part of the law.

Mr. MALLORY. If that is true, I do not understand how the Senator can reach the conclusion that because the Pension Office has a great number of such cases, all claiming to be disabled, to examine during a year or two years or three years, the Pension Office can reach as an average the conclusion that 62 years of age is a criterion whereby you can determine that a man is to a certain degree—that is, one-half or one-quarter—disabled.

Every one of those applicants comes before the Pension Office with the prima facie showing on his part, so far as he can, that he is disabled. It is not like taking a body of healthy men and striking an average as to their disability. It is taking a body of men who claim to be disabled and who probably are more or less disabled. Therefore I do not exactly see how the Senator can claim, as has been claimed here by others, that the Pension Office has a better opportunity for deciding on this point than we have in our common observation of the workings of life.

Mr. McCUMBER. It is simply because the Pension Office officers are taking evidence daily upon that specific disability, a disability which will decrease the amount of manual labor a man can perform, and if they find by the testimony in 99 cases out of 100 that a man 62 years of age is disabled one-half, they can take that as a criterion, as a presumption from experience, from facts which have been investigated for thirty or forty years, that when a man who has been a soldier has reached the age of 62 years he is disabled one-half simply because nearly all the cases so indicate.

Allow me to go a step further. He finds it by the same reasoning that the Senator himself would find from actual observation, that when any man has reached the age of 80 he is unable to perform any manual service at all whereby he may earn a living.

Mr. MALLORY. I do not know that the Senator has answered the point I endeavored to make. The point I make is that the Pension Office is not in a position to determine the question, because the only men whom it examines are men who themselves claim to be disabled. It does not examine men who are not disabled or who, at least, claim not to be disabled or who are in a normal condition. The men whom the Pension Office examines are generally in an abnormal condition.

Mr. McCUMBER. If we have 800,000 of those cases, it seems to me there are enough on whom to base a general opinion. There were over a million Union soldiers in the war of the rebellion, and there are about 700,000 of them living at the present time. That seems to me to be enough of an army for the Pension Commissioner to form a correct opinion as to what age will limit the ability to perform manual service. It seems to me the opportunities are very good, and they are opportunities that no Senator can have, because the Commissioner has the cases constantly before him. We could not do it any more than we could form an opinion on any disease as well as could a physician who is engaged daily in considering that disease.

Mr. SPOONER. Will the Senator from North Dakota permit me for a moment?

Mr. McCUMBER. With pleasure.

Mr. SPOONER. The Senator's phrase, "performing manual service," is not nearly so strong as the law. The law speaks of a disability from earning support by manual labor. That makes a difference.

Mr. McCUMBER. That is what I meant. It is the same thing. If they are unable to perform any service of that character, of course they necessarily could not earn a living.

Mr. McLAURIN. Will the Senator allow me to ask him a question?

Mr. McCUMBER. Certainly.

Mr. McLAURIN. Is this a presumption of law or a presumption of fact, as the Senator understands?

Mr. McCUMBER. It certainly can only be a presumption of fact.

Mr. McLAURIN. Is it not a rule of law that presumptions of fact are to be drawn by the trier of the question of fact and not by him who lays down the rule of law?

Mr. McCUMBER. Yes, certainly; but what is the fact? The fact to be determined is whether a person who is an applicant is incapable of performing manual labor, and if so, to what degree? The presumption of that will follow from another fact, and that fact may be either his age or any other disability. It is a fact which follows as a presumption from a previously established fact.

Now, what may be the authority of the Commissioner under this law, which states that the proof may be made under rules and regulations? What may the rules and regulations cover? First, they may cover the manner, and, secondly, they may cover the sufficiency of the evidence. Under a rule you determine how the evidence may be introduced, in what form it will be received; and under these regulations you determine or may determine the sufficiency of evidence, or the amount of evidence, that will be required to prove a given fact.

Let us take the case as it exists in the Bureau to-day. For instance, the Senator might claim that when a person has proved by his testimony alone that he was wounded in a certain battle it would be sufficient. But the Department requires him to go further. The Department has heretofore required other evidence than that of the claimant. It has required the corroborating testimony of two comrades in many cases. This was all under the regulations of the Department.

Mr. McLAURIN. Will the Senator allow me to read from section 43 of 1 Greenleaf on Evidence, Lewis's edition? In speaking of presumptions of fact he says:

> They differ from presumptions of law in this essential respect, that while those—

That is, presumptions of law—

> are reduced to fixed rules, and constitute a branch of the particular system of jurisprudence to which they belong, these—

Presumptions of fact—

> merely natural presumptions are derived wholly and directly from the circumstances of the particular case——

Mr. McCUMBER. Certainly.

Mr. McLAURIN (reading)—

> by means of the common experience of mankind without the aid or control of any rules of law whatever.

Mr. McCUMBER. Sure.

Mr. McLAURIN. Then it is to be left in each individual case to the trier.

Mr. McCUMBER. That is just exactly what I have been claiming.

Mr. McLAURIN. I did not so understand.

Mr. McCUMBER. That is just exactly the proposition that I made, and I certainly do not go back on it. I said that under this we can establish not only the manner of introducing the evidence, but the sufficiency of the evidence. Now, how may any fact be proven? Not alone by a statement directly bearing upon it, but by other facts and circumstances from which the particular fact will be deduced. That is the method adopted in this Bureau.

Let us suppose, now, that the Government takes all the testimony in a given case together. The claimant is not there, and for that reason alone it is absolutely necessary, I repeat, to have some kind of a rule that will apply in every case. Let us take the age of 62. If you leave it to a dozen or fifteen or twenty clerks, unless they followed some known rule established in all cases, they would be entirely at a loss. There would be no such thing as uniformity. There would be a greater amount granted in one

case than would be allowed in another. If you make a rule that consumption shall be rated at a certain degree, you will have to apply that rule in every one of the cases. If you make a rule that the loss of a thumb in one case shall be rated at one-fourth, then the loss of thumbs in every case must be rated at one-fourth. Otherwise you would have as many different ratings as you would have different claimants.

Now, a rule is necessary because the claimant is not present. When a man is present, you may not need to ask his age. You may not need to ask anything concerning his physical powers. You may tell by his voice. You may tell by his demeanor. You may tell by the vigor and elasticity of his step just about what his physical condition is. But he is not present before the Bureau. He can not be seen. These conditions can not be explained in writing or by any document that may be furnished by the examining physician, but they can be fixed by a general rule, and under the general rule you may know what the disability is and its proper rating.

Suppose you do not consider age at all. What would the result be? The Senator can see in a moment that one of the fundamental facts necessary to establish not only uniformity, but to determine the degree of disability, would be left out. While under the law you are to take into consideration every disability, according to the statement of the Senator you would not be allowed to take the disability of age into consideration. If, on the other hand, you say that it may be taken into consideration in a special case, for what purposes will it be taken into consideration?

Mr. McLAURIN. My contention is that this is executive legislation, and I believe all those who deny the right of the Secretary of the Interior to make this order contend that it is executive legislation, and that the Secretary of the Interior has no legal authority so to legislate. Does the Senator contend that the Secretary of the Interior could have fixed 52 years instead of 62 as the limit when the physical disability would attach?

Mr. McCUMBER. No.

Mr. McLAURIN. Why not?

Mr. McCUMBER. I assume that the Commissioner is a man of intelligence, of reason, one who will weigh the facts which are before him, and will therefore take into consideration what is reasonable and not what is unreasonable. The law must vest a certain amount of discretion in the mind of every Commissioner of Pensions.

The law itself can not fix rates for every man. It must leave the disability to be determined by rules, by regulations, by experience, by the common knowledge of humanity applied to the conditions as they exist.

Mr. McLAURIN. Will the Senator allow me, after premising, to ask another question?

Mr. McCUMBER. Certainly.

Mr. McLAURIN. The Senator must admit that all men's reasoning does not lead to the same conclusion. For instance, I believe the order of Judge Lochren is taken as an exemplar by Senators who contend for the legality of this order. Therefore they must defend that order, because if it is not such an order as ought to be followed, then it ought not to be cited as an exemplar for the action of the Secretary of the Interior in this case. Judge Lochren thought 75 years the age of disability; Mr. Ware thought 62 years. Now, supposing that the reasoning of the Secretary of the Interior and his judgment upon the facts should have led him to the conclusion that 53 years was the age at which disability would attach. It must be conceded that a man is not as able to work at manual labor at the age of 53 years as at the age of 21, and it has been argued that because he is not as capable of doing manual labor at 62 as at 21 it justifies this order.

Now, suppose this had led the Secretary of the Interior to the conclusion that 53 years was the age at which the disability obtained. Would he then have had the right to make this order?

Mr. McCUMBER. I assume that he has a right to make the order. If you give him the right to act upon the subject-matter at all, under rules and regulations he would have the right to make the order, though it might be an unreasonable order. Of course he might have a right to make an order that if the claimant was 25 years of age he was disabled from manual labor. That order would not stand, because it would not appeal to reason, simply because sensible men would not follow it.

Mr. McLAURIN. There would be only nine years between 53 and 62. Now, if he had a right to make the order fixing disability at 53 years, that in 1900, when the act was last amended, would have taken in every man who was 18 years of age at the conclusion of the war. So when the Congress of the United States did not see proper to say that every man would be considered disabled, then according to the Republican Senators the Secretary of the Interior had a right to supplement the legislation of Congress and to enact by order. Every soldier who was in the war at any time was to be considered disabled unless the Government proved him able.

Mr. McCUMBER. The mortuary tables show that the death rate for 62 years and up is much more rapid than it is from 53 up to 62.

I now place the matter directly to the Senator so that he can test this question. If the Senator claims that this is a law, or an attempt to make a law by the Commissioner of Pensions, he can test that matter very quickly.

The Commissioner of Pensions has no authority to make a law, and if he usurps the authority of Congress and assumes to make a law and pays out money under that law, you can reach him by an injunction. I am pretty sure that if a client would come to any Senator, as an attorney, and ask his legal advice as to whether he could sustain an injunction against the Commissioner of Pensions enjoining him from paying out any money under this order No. 78, there is not a Senator here who would advise that client that he could sustain it. If you claim that it is legally wrong, then certainly you would have to claim that you could sustain an injunction for that purpose.

I speak of the reasonableness of this order. We can not go beyond certain ages to draw certain reasonable conclusions. The Senator will remember in Holy Writ where Solomon at one time determined to which of two women a certain babe belonged. He ordered that the child should be cut in two in the presence of the two women. He knew then by their demeanor as a presumption of fact which was the real mother and which was not. Now, there was no extrinsic fact outside of the fact which every man knows and feels and comprehends. Let us suppose that the Senator himself was sitting upon the golden throne of Solomon and two women were claiming to be the mother of a babe; that one woman was 25 years of age and the other woman was 80 years of age, to which one would he award the babe without any other fact to guide his decision?

Mr. McLAURIN. Mr. President——

Mr. McCUMBER. Would he award it to the younger? Not because he could fix a time when it would be impossible that the child might be a babe of the older, but because there is a reasonable time known to everyone, and experience and observation teach us about what that age is, and so near that we can formulate a reasonable judgment upon it.

Now, that is just what is done by the Commissioner of Pensions. With all these cases before him he is able to determine to a reasonable certainty just what effect 62 years of age has upon the physical ability of any man who served in the Army of the United States. I will listen to the Senator now.

Mr. McLAURIN. Mr. President, I merely wanted to answer the question the Senator propounded. I would do the very best I could to ascertain to which one the child belonged, but I would not undertake to lay down any rule to guide anybody else in determining a fact of that kind. I would leave them to judge presumptions of fact, just as is laid down in the law books for each trier to judge according to his own experience as to the facts when they come before him.

Mr. McCUMBER. Suppose you had no other facts?

Mr. McLAURIN. The conclusion reached by the courts and put down in the law books as a principle of law is that presumptions of law are laid down by the court, by those who give rules, but the presumptions of fact are left in every instance to the trier—for instance, to the jury, if it is tried by a jury; to the chancellor, if it is tried by a chancellor; to the commissioner, if it is tried by a commissioner.

Whoever tries the question of fact must in that particular case apply presumptions of fact arising from his knowledge and his experience; but if he were sitting as a judge submitting the trial of a question of fact to somebody else he would not have any authority to lay down any rule governing it. So says Mr. Greenleaf in the section from which I read. In the case put by the Senator the trier would consider the age, just as the age of 62 years ought to be considered by the trier of the disability of the applicant for a pension, without any dictation to his judgment by any authority except the law. But by this legislative order the trier is not permitted to consider the extent of disability produced by sixty-two years, as the law says he shall, but the order concludes that arbitrarily.

Mr. McCUMBER. Just as the Senator says, it would be tried by a jury, it would be tried by a court commissioner if referred to a court commissioner, and it would be tried by the Commissioner of Pensions if referred to the Commissioner of Pensions.

But what I insist is that the jury would take into consideration the evidential fact of age. The commissioner would take that into consideration. The Commissioner of Pensions must be human and must take the same thing into consideration.

Now, if you admit that it is to be regarded as an evidential fact, it must be regarded as a fact for some purpose. For what purpose? For the purpose of determining disability. If you admit that it is for the purpose of determining disability, then you must admit that it must be given some value; and if it is given some value,

what value shall be given to it? Experience has determined that the value should be one-half of the ability to perform manual labor. That is all there is to it.

Mr. McLAURIN. Mr. President, doubtless every trier of the question of the disability of the applicant would take into consideration in connection with all other testimony the age of the applicant.

Mr. McCUMBER. That is just what I was going to say.

Mr. McLAURIN. Wait a moment. He would take that into consideration if it was shown in evidence in connection with other evidence of his disability. But the objection to this law enacted by the Secretary of the Interior is that it does not propose to take the age of the applicant into consideration in connection with evidence of other disability, but proposes to fix that as establishing absolutely in every case the disability of the applicant.

Mr. MALLORY. The fact that he is one-half disabled.

Mr. McLAURIN. Yes; one-half disabled. It must be a presumption of fact, then. The Commissioner or the Secretary of the Interior has no right to lay down presumptions of fact. He has no right to fix a rule of law, because the making of the law pertains to Congress. The legislative power is in Congress, and it can not be delegated to the Secretary of the Interior. It can not be delegated to courts; it can not be delegated to any other authority. But the presumption of fact is for the trier of the question in each particular case. You can not lay down any rule of presumptions of fact. They depend for their worth upon the case in hand and before the trier of the particular case, whether it is a jury or any other trier.

Mr. McCUMBER. Then the position of the Senator will be that when the Commissioner of Pensions makes an order that the loss of one eye diminishes the ability one-half to perform manual labor he is not justified in so doing, and he would also hold the position that the loss of both eyes as constituting a disability to perform any manual labor was not justified.

Now, Mr. President, the Commissioner has a right to take that into consideration in connection with others.

Mr. McLAURIN rose.

Mr. McCUMBER. Just a moment, if the Senator please. I will make this matter perfectly clear before I get through.

The Senator has contended, and contended incorrectly, that this was the only evidence that would be considered. It is not true. It is not the case. The Commissioner of Pensions simply provides that it shall be considered as an evidential fact.

Mr. SPOONER. Rebuttable.

Mr. McCUMBER. Yes, rebuttable; and if the contrary does not appear he will accord a certain presumption to that age, just the same as he allows a presumption of amount of disability from the loss of a thumb. All these things are taken into consideration. The Senator forgets that there is another portion of the law which the Commissioner can not refuse to consider, and it is this:

> And in determining such inability each and every infirmity shall be duly considered and the aggregate of the disabilities shown be rated, etc.

Can the Senator contend that with that law upon the statute books the Commissioner of Pensions can simply pay no attention to it—that he can disregard it? On the contrary, he must take into consideration all disabilities, whether they be from affection of lungs or heart or otherwise. But he also takes into consideration this other evidential fact and gives that evidential fact a certain value, so that the value may be the same in every case and before every clerk of the Department.

We know that the very foundation of the right of a pension under this law is disability, partial or complete, to perform manual labor. We must not forget that foundation. Any disease or failure of the vital organs affecting the physical ability must be considered. If it is found that the heart is weak, a presumption of fact arises from that finding. If it is found that the lungs are partially destroyed, a presumption of fact arises from that finding. If it be established that the stomach is impaired, a presumption of disability follows from that.

Now, a certain value is given to every one of those; and yet the Senator would say old age, which affects every one of these vital organs, which tends to destroy and weaken every one of them, shall not be taken into consideration. Mr. President, it should be taken into consideration.

Again, I put to the opposite side of the Chamber this proposition: If they maintain that this rule is an encroachment upon the authority of Congress and that it is in effect making a departmental law, then I submit that the Department can not make a law; it can pay nothing under that law, and any person can enjoin the payment of money under it.

But I do not believe there is a Senator here who is so firm in his position and attitude that he believes under this rule any action could be maintained to enjoin the Commissioner of Pensions from making payments thereunder. If he does the opportunity is open, and no doubt Congress and the Pension Bureau also would be desirous to learn the limit of their authority.

Mr. ELKINS and Mr. SCOTT addressed the Chair.

Mr. McCUMBER. I have not concluded, but I will yield the floor, so far as making any remarks are concerned, to the Senator from West Virginia, who desires to bring up some matter this afternoon that is quite urgent.

Mr. ELKINS. I ask unanimous consent that the pension appropriation bill be laid aside temporarily, and that the Senate proceed to the consideration of House bill 14754, the emergency river and harbor bill.

Mr. SCOTT. I had hoped that the Senator from North Dakota would yield to me a moment, I being a member of the Pension Committee, before yielding to my colleague, that I might say a word on the matter of pensions, but, of course, if he has yielded to the senior Senator from West Virginia, I must submit.

Mr. McCUMBER. I will yield to whoever the Chair recognizes first. I have no choice in the matter of yielding.

Mr. ALGER. Mr. President——

The PRESIDENT pro tempore. The Chair recognizes any Senator who rises and addresses the Chair and has an appropriation bill in charge.

RIVER AND HARBOR IMPROVEMENTS.

Mr. ELKINS. I ask that the present order of business be laid aside temporarily, and that the Senate proceed to the consideration of House bill 14754.

The PRESIDENT pro tempore. The Senator from West Virginia asks that the pension appropriation bill be laid aside temporarily and that the Senate proceed to the consideration of House bill 14754. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14754) providing for the restoration or maintenance of channels or of river and harbor improvements, and for other purposes; which had been reported from the Committee on Commerce with amendments.

Mr. ELKINS. I ask that the formal reading of the bill may be dispensed with and that it be read for amendment.

The PRESIDENT pro tempore. The Senator from West Virginia asks that the formal reading of the bill be dispensed with, that it then be read for amendment, and that the committee amendments shall first receive consideration. The Chair hears no objection.

The Secretary proceeded to read the bill. The first amendment of the Committee on Commerce was, on page 1, line 3, after the word "That," to strike out "the sum of $3,000,000 be, and the same is" and insert:

> In view of the fact that no general river and harbor bill is to be enacted during the present session, and in view of the necessity of temporary provision for the preservation of existing work, the following sums be, and the same are.

So as to read:

> That, in view of the fact that no general river and harbor bill is to be enacted during the present session, and in view of the necessity of temporary provision for the preservation of existing work, the following sums be, and the same are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to be immediately available, and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the following purposes and under the limitations herein set forth, to wit, etc.

Mr. GORMAN. I should like to have the Senator in charge of the bill give some explanation as to why it is that this extraordinary provision should be inserted in the bill:

> In view of the fact that no general river and harbor bill is to be enacted during the present session, and in view of the necessity of temporary provision, etc.

I ask the Senator from West Virginia why it is that no general river and habor bill can be considered at this session? We were a few moments ago considering a bill appropriating $138,000,000, and we find another on our desks, the general deficiency appropriation bill, which appropriates $3,000,000 or $4,000,000 more on account of pensions and various other things. Why is it that we can not consider and deal with the question of the improvement of the great harbors of the country?

Mr. ELKINS. Mr. President, this is a House bill. It came to the Senate from the House appropriating $3,000,000 for certain purposes recited in the act. The Committee on Commerce, to which the bill was referred, agreed with the House bill with a few additional amendments providing for surveys. It did not feel authorized to bring in a general river and harbor bill, especially after the action of the House. It did not think it could pass. That is the reason why the Committee on Commerce limited itself to the bill almost as it came from the House.

Mr. GORMAN. I do not quite understand the Senator from West Virginia. The Senator from West Virginia, I understand, simply says the only reason is because the bill comes here in a form appropriating $3,000,000 to be expended in the discretion of the Department. Do I understand him to say that that is the only reason why this bill can not be amended in the Senate?

Mr. ELKINS. I said further it was the judgment of the committee, in the condition of the public business and having regard

to appropriations heretofore made and the condition of the Treasury, that we were not authorized to go further than the action of the House, except the few amendments which the Committee on Commerce adopted.

Mr. GORMAN. Do I understand the Senator to say that the condition of the Treasury would not warrant an appropriation for the great improvements that are so absolutely necessary?

Mr. ELKINS. I do not know whether it would warrant it or not. I will say to the Senator from Maryland that I would be very glad to have a general river and harbor bill at this session if we could have it, but speaking for myself, I found that we could not, and we thought we would take the present measure as it came from the House with the amendments I referred to.

Mr. GORMAN. The Senator, I trust, will make it a little clearer to me why we could not have a river and harbor bill. I should like to know the reason why we can not have it. Why is it?

Mr. ELKINS. This is an emergency bill simply to keep in repair improvements already made and to maintain existing improvements. There is sufficient money, we know, to carry on the work to this extent.

Mr. GORMAN. What works? I should like to understand it. For instance, I should like to inquire of the Senator from West Virginia——

Mr. ELKINS. The bill as it came to the Senate is one "providing for the restoration or maintenance of channels, or of river and harbor improvements, and for other purposes." It relates to existing improvements. No new work is undertaken here.

Mr. ALDRICH. If the Senator will permit me, I suppose it was not the intention of the committee—the bill using this language—to prevent the Senator from Maryland from offering an amendment to the bill increasing an appropriation here proposed, or making a new one, as he sees fit.

Mr. ELKINS. Not at all.

Mr. GORMAN. I should like to ask my friend from Rhode Island whether he will be prepared to vote for any amendment looking to the improvement of New York Harbor?

Mr. ALDRICH. Probably not.

Mr. GORMAN. I understand perfectly, then, the situation. The Senator from West Virginia is not inclined to give a positive answer, but it is the determination on the part of our friends on the other side of the Chamber, as it has been intimated elsewhere by a distinguished gentleman, that we are to pursue unto the end of this session the policy that has been inaugurated, I assume, as a party matter.

It is decided that we shall place in the hands of an executive officer a given amount of money to be expended at his discretion, limited only to expenditures on improvements heretofore authorized, and in no case, as the bill came to us, shall a greater sum than $50,000 be expended on any one improvement; and, as proposed to be amended by the Senate Committee on Commerce, no greater sum than $100,000 shall be expended on any one improvement.

It is true, I believe, that on one or two occasions in an emergency, at the end of a Congress, when we had no time for the consideration of a river and harbor bill, a gross amount has been appropriated, to be expended under the direction of the Secretary of War.

If there were now an emergency, if there were a question of time, if Congress were about to expire by limitation of the Constitution, I could understand that it might be well to give such discretion as to a limited amount. But the Senator from Rhode Island [Mr. ALDRICH] was good enough to inform me—for I take it that is what this action means—that there is no intention on the part of the majority to consider, to give a day, or a week, if so much time should be necessary, to the great improvements in all the harbors in the United States. We have reached a point where party necessity, I take it, Mr. President, and party policy require that this Congress shall adjourn without giving these matters of internal improvement consideration.

Mr. ALDRICH. Will the Senator from Maryland permit me to interrupt him?

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from Rhode Island?

Mr. GORMAN. Certainly.

Mr. ALDRICH. I beg to assure the Senator from Maryland that this Congress will stay here as long as he is desirous that it shall stay here to deal with this matter or any other matter of public necessity. If he desires to go into an extension or an enlargement of the appropriations for rivers and harbors, I have no doubt the Senate will give respectful consideration to his views, whether it takes one day, one week, one month, or a year to do so.

Mr. GORMAN. Of course, Mr. President, the Senate is always very kind to every Senator in giving him all the time he desires; but, after all, the Senator from Rhode Island can not escape responsibility by such a reply.

Mr. ALDRICH. There is no disposition to escape responsibility. The Representatives of the people, who originate bills of this character, have sent us a bill here appropriating $3,000,000 for the preservation of existing works on rivers and harbors, and the Committee on Commerce, as I understand, by the unanimous vote of that committee, have recommended a concurrence, with minor amendments, in that policy. I assume that that is the wish not only of the House of Representatives, but of the Senate. If the Senator from Maryland has any other proposition to make or if he desires to change this policy, of course he has a right to try to do so; and if his judgment is concurred in by a majority of the Senate, it will stand.

Mr. GORMAN. Well, Mr. President, without the cooperation of my friend from Rhode Island I have no idea of the possibility of getting a majority of the Senate to agree with me. That distinguished Senator, I know, speaks by authority of the majority of the Senate on matters of policy.

Mr. ALDRICH. I am afraid not; but, in any event, the Senator from Maryland knows as well as I that any member of the Senate or anyone else who undertakes to prevent liberal appropriations for rivers and harbors is certainly doomed to defeat, and very properly so, because the sentiment of the country and the sentiment of this body is always in favor of liberal appropriations for river and harbor improvements.

Mr. GORMAN. Yes; I have no doubt that is true, and I have no doubt that the business interests of the country and the people of the country are very anxious for proper appropriations on this account. I have no doubt of the necessity for such appropriations, and I have no doubt that that policy is favored by the Committee on Commerce, of which you, sir [Mr. FRYE in the chair], are the honored chairman. I have said on many occasions, in this Chamber and out of this Chamber, that the country is more indebted to you than to any other man for the broad and liberal policy which has increased the commerce of the country to a greater degree than has been done by any other appropriation that is made by the Government. You inaugurated the system which has proved of great economy and which is far-reaching in its importance of providing for the great improvements in the harbors and rivers of the country by contracts binding Congress to appropriate a sufficient amount to complete such improvements. That has been the work, sir, of you and your committee.

But for the decree coming from a source all powerful in your party you could have and you would have taken this matter up, deliberated upon it, and prepared a bill to continue these improvements. I have no doubt that the chairman of the Committee on Commerce and the committee itself would have taken up the improvements at New York, at Baltimore, at Galveston, at Charleston, as well as at the interior ports on the Lakes and the ports on the Pacific, and made ample provision for them.

It is known to all men, and perfectly so to the members of that committee, that with the enlargement of the ships that are being used in commerce there is scarcely a port upon the Atlantic or on the Pacific that is in condition to accommodate the traffic.

So when the Senator from Rhode Island suggests that I should frame a bill or offer amendments he knows perfectly well that that is not feasible in our system of legislation, and that it would not be wise even if it were permissible.

I believe that all of these appropriations should have, as the rule of the Senate provides, careful scrutiny, after the estimates are made by the executive branch of the Government, by an honorable committee of this body and then be reported.

But, sir, from the explanation I have received from the Senator from Rhode Island [Mr. ALDRICH] and the frank statement of the distinguished Senator from West Virginia [Mr. ELKINS], I suppose we are compelled to accept the situation and to permit this bill to go through as it is, placing in the hands of an executive officer $3,000,000, to be expended without any limitation, except as to the amount of $50,000 as provided by the House or $100,000 as the Senate committee recommends, on one particular work, and that is only to preserve improvements heretofore made.

In addition to the amount contained in the great bill which we have just passed for continuing work under the contract system, with $700,000,000 practically to be provided for and appropriated at this session of Congress for other work; $100,000,000 for the Army, $100,000,000 for the Navy, and $140,000,000 for pensions, making practically $350,000,000 on account of expenditures growing out of the maintenance of the Army and the Navy, including pensions—such expenditures being largely increased on account of the new possessions of ours—we are to have liberal appropriations for every other object except this one which looks to the increase of the commerce of the country.

That having been determined upon, as I am now informed, and it being the policy to hurry away, with no intention to consider these matters so vital to our commerce, there is nothing, Mr. President, that can be done on this side, as suggested by the Senator from Rhode Island, except to enter a protest against a policy of this narrow character.

I would not offer amendments to the bill if that could properly be done, but under the rules it can not be. If the Senator from

Rhode Island intends to convey the impression that he would be glad to see it done—if he will say to me that he and other Senators on that side will vote for a motion to recommit this bill to the Committee on Commerce with instructions to bring in a regular river and harbor bill—I shall be very glad to unite with him; but I know it is useless to even make such a suggestion.

Mr. President, I suppose the decree has gone forth that only $3,000,000 shall be expended this year under the provisions of this bill for these great improvements, and that the country must be satisfied with the hundreds of millions of dollars expended for other purposes while we are to have only this meager appropriation for the benefit of the commerce of the country.

Mr. ELKINS. I will state for the satisfaction of the Senator from Maryland [Mr. GORMAN] that under advices from the War Department this $3,000,000 is considered to be sufficient to maintain the existing works, to keep them in good order and preservation, and that it is about as much moneya s can be economically expended until we make the regular appropriations for two years, which will come at the next session of Congress, when it is believed that a regular river and harbor bill will be passed.

The PRESIDENT pro tempore. The question is on agreeing to the first amendment of the committee, which has been stated.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in section 1, on page 2, line 7, after the word "improvements," to insert "$3,000,000;" so as to read:

For the restoration or maintenance of channels, or of river and harbor improvements, established or made by the Government, where the usual depth of such channels or customary use of such improvement has become, or may be, impaired and there is no sufficient fund available for such restoration or maintenance, with a view to preserve in their normal condition of efficiency existing channels and improvements, $3,000,000, etc.

The amendment was agreed to.

The next amendment was, in section 1, on page 2, line 17, before the word "thousand," to strike out "fifty" and insert "one hundred:" and in line 18, after the word "navigation." to insert "or to protect and preserve any existing Government work done on any river or harbor;" so as to make the proviso read:

Provided further, That no single channel or improvement shall be allotted a sum greater than $100,000, nor any portion of the said appropriation, unless the same is necessary in the interest of navigation or to protect and preserve any existing Government work done on any river or harbor.

The amendment was agreed to.

The next amendment was, on page 3, after line 2, to insert as a new section the following:

SEC. 3. That for preliminary examinations and surveys, $100,000: *Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some other act or resolution shall be made.

Mr. ELKINS. I move to strike out the word "That." at the beginning of section 3, and to make the letter "f," in the word "for," a capital letter.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 3, after line 7, to insert the following:

SEC. 4. That the Secretary of War is authorized to make such modification of the project for the improvement of New Haven Harbor, New Haven, Conn., adopted in the river and harbor act of March 3, 1899, and extended in the river and harbor act of June 13, 1902, so as to make the channel in Quinnipiac River from Tomlinson Bridge to Ferry Street Bridge 20 feet: *Provided*, That the cost of completing the project as fixed by the said act of March 3, 1899, shall not be increased by reason of such modification.

That the Secretary of War is authorized to make such modification of the project for the improvement of Bridgeport Harbor, Bridgeport, Conn., adopted in the river and harbor act of March 3, 1899, as in his judgment the commercial interests of the harbor require: *Provided*, That the cost of completing the project as fixed by the said act shall not be increased by reason of such modification.

The amendment was agreed to.

The next amendment was, in section 4, on page 4, after line 2, to insert:

That the unexpended balance of the amount authorized for improving Providence River and Narragansett Bay, Rhode Island, by the river and harbor act of June 3, 1896, is hereby made available for the project contained in House Document No. 108, Fifty-sixth Congress, first session, which was approved in the river and harbor act of June 13, 1902.

The amendment was agreed to.

The next amendment was, in section 4, page 4, after the amendment last adopted, to insert:

That the Secretary of War is hereby authorized, in his discretion, to utilize the unexpended balance of the appropriation made in accordance with the report submitted in House Document No. 76, Fifty-sixth Congress, second session, and contained in the act approved June 13, 1902, in dredging and otherwise improving the mouth of the Puyallup River, in the Tacoma Harbor, State of Washington, in a manner calculated to meet the demands of commerce within the limits of said unexpended balance, which is, inasmuch as an emergency exists, hereby made immediately available.

That the unexpended balance of the appropriation made by the river and harbor act of June 13, 1902, for improving Pagan River, Virginia, may, in the discretion of the Secretary of War, be expended in improving the said river by excavating a channel having an available width of not less than 40 feet and such depth as may be obtained without exceeding the said balance.

That the appropriation of $20,000 for improving Norfork Harbor, Virginia, and its approaches, continuing improvement made by act approved June 13, 1902, shall, in the discretion of the Secretary of War, be expended in accordance with the report submitted in House Document No. 74, Fifty-eighth Congress, second session.

That in order to repair the damage caused by the flood of 1903, and to restore and continue the progress of improvement in the levee system of the Mississippi River interrupted by that flood, the Secretary of War may, as recommended by the Mississippi River Commission, make contracts for $1,000,000 worth of levee work upon the Mississippi River between Cairo and the Head of the Passes, to be executed during the fiscal year ending June 30, 1905, but to be paid for out of the appropriation for that stretch of the river, authorized by the river and harbor act of 1902, for the fiscal year ending June 30, 1906, when the appropriation for the last-named fiscal year shall become available.

The amendment was agreed to.

The next amendment was, on page 5, after line 16, to insert as a new section the following:

SEC. 5. That no appropriations heretofore or hereafter made for improving harbors and deepening channels shall be used for the construction of Government dredges for use on the Great Lakes unless there shall be a specific appropriation for that purpose, designating the kind of dredge to be constructed and the place for use: *Provided, however*, That this provision shall not apply to the dredge now being constructed for use in Lake Michigan.

Mr. GORMAN. In my judgment, section 5, which limits the Department to an expenditure on account of these dredges to specific appropriations, is a very wise provision; but I should like to have inserted after the words "Great Lakes" the words "and on the North Atlantic coast." so as to embrace both.

Mr. ELKINS. What is the amendment proposed by the Senator?

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 5, line 20, after the words "Great Lakes," it is proposed to insert "and on the North Atlantic coast;" so as to read:

SEC. 5. That no appropriations heretofore or hereafter made for improving harbors and deepening channels shall be used for the construction of Government dredges for use on the Great Lakes and on the North Atlantic coast, unless there shall be a specific appropriation for that purpose, designating the kind of dredge to be constructed and the place for use, etc.

Mr. MALLORY. I do not know that there is any distinct point on the map to indicate exactly where the North Atlantic ends. I am opposed to such a provision applying to the South Atlantic or to the Gulf; but if the Senator will limit the amendment more definitely, I shall not object to it.

Mr. GORMAN. Very well; I will modify the amendment so as to read "and on the Atlantic coast north of Cape Henry."

The PRESIDENT pro tempore. The amendment as modified will be stated.

The SECRETARY. On page 5, line 20, after the words "Great Lakes," it is proposed to insert "and on the Atlantic coast north of Cape Henry."

The amendment to the amendment was agreed to.

Mr. BARD. I move to further amend section 5 by adding at the end of line 24 the words "or in San Pedro Harbor, California."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 5, section 5, at the end of the section, it is proposed to insert the words "or in San Pedro Harbor, California."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 5, after line 24, to insert the following:

SEC. 6. That the Secretary of War is hereby directed to cause preliminary examinations or surveys to be made at the localities named in this section as hereinafter provided. In all cases, unless a survey or estimate is herein expressly directed, a preliminary examination shall first be made, which shall embrace information concerning the commercial importance, present and prospective, of the river or harbor mentioned, and a report as to the advisability of its improvement. Whenever such preliminary examination has been made, in case such improvement is not deemed advisable, no survey thereof or estimate therefor shall be made without the direction of Congress; but in case the report shall be to the effect that such river or harbor is worthy of improvement, the Secretary of War is hereby directed, at his discretion, to cause surveys to be made and the cost of improving such river or harbor to be estimated and to be reported to Congress: *Provided*, That in all cases preliminary examinations, as well as surveys, provided for in this act shall be examined and reviewed by the board provided for in section 3 of the act approved June 13, 1902, to wit:

Mr. ELKINS. I desire to offer an amendment to that amendment. On page 6, lines 3 and 4, I move to strike out the words "unless a survey or estimate is herein expressly directed."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 6, section 6, line 3, after the word "cases," it is proposed to strike out "unless a survey or estimate is herein expressly directed:" so as to read:

SEC. 6. That the Secretary of War is hereby directed to cause preliminary examinations or surveys to be made at the localities named in this section as hereinafter provided. In all cases a preliminary examination shall first be made, which shall embrace information concerning the commercial importance, present and prospective, of the river or harbor mentioned, and a report as to the advisability of its improvement, etc.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in section 6, page 6, after line 20, to insert:

CALIFORNIA.

Oakland Harbor, with a view to obtaining a channel 500 feet wide and 25 feet deep from San Francisco Bay to Chestnut street, Oakland; thence 300 feet wide and 25 feet deep to Fallon street; thence 300 feet wide and 17 feet deep to the tidal basin; thence 300 feet wide and 12 feet deep around the tidal basin.

The amendment was agreed to.

The next amendment was, in section 6, page 7, after line 3, to insert:

DELAWARE.

Wilmington Harbor, Delaware (including the Christiana and Brandywine rivers), with the view to their improvement and to insure the permanency of the channel in the Christiana River to the depth of at least 21 feet.

The amendment was agreed to.

The next amendment was, in section 6, page 7, after line 8, to insert:

From the St. Jones River, at Dover, to a point on Little River, and thence to Delaware Bay, with a view to constructing a canal between the said river and the deepening and widening of Little River, so as to provide a channel suitable for the needs of commerce from Dover to Delaware Bay.

The amendment was agreed to.

The next amendment was, in section 6, page 7, after line 8, to insert:

FLORIDA.

The entrance of Alaqua Bayou on Choctawhatchee Bay, with a view of securing a depth of 6 feet of water across the bar.

Caloosahatchee River from Punta Rassa to Fort Myers, with a view of securing a practicable channel from Fort Myers to the sea of not less than 15 feet.

Harbor of Fernandina, with a view to establishing a harbor line and providing a harbor of uniform and adequate depth for ocean-going vessels.

Harbor of St. Petersburg, on Tampa Bay, with a view to securing an adequate basin at said point for loading and unloading ocean-going vessels, with a channel 200 feet in width and 24 feet in depth from said basin to the main ship channel in Tampa Bay.

The amendment was agreed to.

The next amendment was, in section 6, page 7, after line 23, to insert:

GEORGIA.

The outer bar and inner harbor of Brunswick, with a view to obtaining a channel of ample width to accommodate the commerce of said port, and extending from the wharves in said inner harbor, through said outer bar to the ocean, and of the following depths at mean high tide, to wit, 27 feet, 28 feet, 29 feet, and 30 feet, respectively, with a separate estimate of the cost of obtaining a channel at each of said depths; and the Secretary of War is hereby further directed to report whether or not in his opinion it is advisable, if these increased depths, or any one or more of them, shall be obtained, that the present channel across said outer bar should be straightened.

The amendment was agreed to.

The next amendment was, on page 8, after line 11, to insert:

IDAHO.

Salmon River, between Salmon, Idaho, and the mouth of said river, with a view to removing obstructions.

The amendment was agreed to.

The next amendment was, in section 6, page 8, after line 14, to insert:

ILLINOIS.

Ohio River at Metropolis, Ill., with the view of improving the harbor at that place and removing any obstruction to navigation in the river at that point.

The next amendment was, in section 6, page 8, after line 18, to insert:

LOUISIANA.

Mermenteau River, from its headwaters at the junction of Bayous Des Cannes and Nezpique (including those portions of Lake Arthur, Grand Lake, and White Lake lying directly across its course) to a point in the Gulf of Mexico beyond the bar at its mouth, with a view of ascertaining the cost of securing a permanent channel to a depth of at least 20 feet.

The amendment was agreed to.

The next amendment was, in section 6, on page 8, after the amendment last adopted, to insert:

MAINE.

Portland Harbor, to include Fore River above Portland Bridge and the entrance to Back Cove, with a view to widening and deepening the channels at those localities.

New Meadows River, with a view to its improvement from the head of navigation to deep water in Casco Bay.

Penobscot River, from Crosby Narrows to the Bangor Bridge, with a view to widening the channel.

South Branch of the Penobscot River near Frankfort, with a view to widening and deepening the channel.

The amendment was agreed to.

The next amendment was, in section 6, page 9, after line 4, to insert:

MASSACHUSETTS.

Plymouth Harbor, Massachusetts, the channel leading toward Kingston and Duxbury.

The amendment was agreed to.

The next amendment was, in section 6, on page 9, after the amendment last adopted, to insert:

NEW JERSEY.

From the present channel north of Corner Stake light in an easterly direction and north of Shooters Island to Kill von Kull, with a view to providing a 16-foot channel of suitable width and straightening and increasing the width of waterway at Shooters Island.

The reef at Bergen Point light, with a view to its removal; and the channel between Kill von Kull and Elizabethport, with a view to straightening the same and deepening it to 16 feet.

Harbor of Cold Spring Inlet, Cape May County.

For a ship canal extending from a point in the city of Newark, below the junction of the Pennsylvania and Lehigh Valley railroads, through the Newark Meadows and Newark Bay, to New York Bay, said ship canal to have a width of 300 feet and a depth of 35 feet.

The amendment was agreed to.

The next amendment was, in section 6, page 9, after line 20, to insert:

NEW JERSEY AND PENNSYLVANIA.

Delaware River, between Trenton, N. J., and Philadelphia, Pa., with a view to deepening the channel to 17 feet.

The amendment was agreed to.

The next amendment was, in section 6, at the top of page 10, to insert:

NEW YORK.

Lloyds Harbor, with a view to obtaining a depth of 12 feet and otherwise improving the channel between Huntington Bay and Cold Spring Harbor, Long Island, New York, so as to meet the demands of commerce.

The amendment was agreed to.

The next amendment was, in section 6, page 10, after line 5, to insert:

NORTH CAROLINA.

Shallotte River, from the bar at the mouth of said river to the town of Shallotte, with a view of dredging, cleaning out, and widening the channel.

North East River, North Carolina, from Wilmington to Hallsville, with a view to removing snags, stumps, and logs and overhanging trees and maintaining the natural channel of the river, removing sand bars and securing the depth in said river from Wilmington to Hallsville of 4½ feet at low water at all times in the year.

The amendment was agreed to.

Mr. SIMMONS. Mr. President, I desire to offer an amendment.

Mr. BERRY. I suggest to the Senator that if his amendment is not to one already pending it would be better for him to wait. Are the committee amendments disposed of, Mr. President?

The PRESIDENT pro tempore. They are not.

Mr. BERRY. I think we should dispose of the committee amendments first, and unless the Senator's amendment is to an amendment of the committee I suggest that he defer offering it until the committee amendments are acted on.

Mr. SIMMONS. It is not an amendment to an amendment. I will wait, as suggested by the Senator from Arkansas.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in section 6, page 10, after line 15, to insert:

OREGON.

Youngs Bay and that portion of the Columbia River between Tongue Point and Fort Stevens, commonly known and designated as the "Astoria Harbor," with a view to widening and deepening the channels and permanently improving said harbor.

The amendment was agreed to.

The next amendment was, in section 6, under the subhead "Oregon," page 10, after line 21, to insert:

Coos Bay, with a view to securing a depth of not less than 25 feet at mean low tide at the harbor entrance, and a navigable channel of not less than 20 feet at mean low tide from the harbor entrance to the industries at the head of Coos Bay; and with the view of ascertaining the feasibility of providing a mean low-water depth at the harbor entrance of 30 feet, and a 25-foot mean low-tide channel from the harbor entrance to the head of Coos Bay.

The amendment was agreed to.

The next amendment was, after the amendment just adopted, to insert:

Tillamook bar, with a view of ascertaining the cost of securing channels across said bar of 15 and 18 feet in depth, respectively.

The amendment was agreed to.

The next amendment was, in section 6, page 10, after line 21, to insert:

RHODE ISLAND.

Harbor at Newport, with a view to extending the area of light-draft anchorage in the southern part of said harbor.

Pawtuxet Cove, Narragansett Bay, with a view to obtaining a channel 5,000 feet in length from the head of the cove, 100 feet in width, and with a mean depth of 8 feet at low water.

The amendment was agreed to.

The next amendment was, in section 6, page 11, after line 3, to insert:

SOUTH CAROLINA.

Great Peedee River, between the Atlantic Coast Line Railroad bridge, in Marion County, and the city of Cheraw, with a view to improving the navigation of that part of said river by cutting across several bends or loops, thereby shortening and deepening the channel at those points.

Waterce River, from its mouth in Santee River to Camden, with a view to obtaining a channel of sufficient depth and width to render it navigable by any and all boats which can navigate Santee River as far up as the mouth of the Waterce.

The amendment was agreed to.

The next amendment was, in section 6, page 11, after line 14, to insert:

TEXAS.

The channel from Aransas Pass through what is known as Turtle Cove to Corpus Christi Bay.

The amendment was agreed to.

The next amendment was, in section 6, page 11, after line 17, to insert:

VIRGINIA.

The channel from deep water in Hampton Roads to the Norfolk Navy-Yard, with a view to widening and straightening the same and increasing the depth thereof to 30 and 35 feet, respectively.

The amendment was agreed to.

The next amendment was, in section 6, page 11, after line 22, to insert:

WASHINGTON.

Everett Harbor, Columbia River between Wenatchee and Kettle Falls, with a view to providing aids to navigation for flat-bottomed stern-wheel river steamboats.

Star Rock, Bellingham Bay, with a view to removing the same in accordance with recommendations heretofore made.

Harbor of South Bend, Willapa Harbor.

Chehalis River, between Aberdeen and Montesano.

The amendment was agreed to.

The next amendment was, in section 6, page 12, after line 7, to insert:

WEST VIRGINIA.

Deckers Creek, and the confluence of said creek with the Monongahela River, with the view of restoring, improving, and deepening the harbor destroyed by flood, formerly used for the accommodation of traffic at Morgantown.

The amendment was agreed to.

The next amendment was, in section 6, page 12, after line 12, to insert:

WISCONSIN.

Harbor at Oconto, in the State of Wisconsin, with a view to obtaining a depth of 18 feet and ascertaining the necessity for providing an interior basin outside the river channel to be used for a harbor.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. PLATT of Connecticut. On page 3, section 4, there is an omission. There was contained in the bill which passed the Senate, after the word "feet," in line 15, the words—

deep and of such increased width as may be desirable and practicable,

I ask that those words may be inserted. The amendment was put in as it was in the original bill in the Senate, but those words were suggested by the engineers of the War Department, and when the bill passed were in it.

The amendment was agreed to.

Mr. SIMMONS. I offer the amendment I send to the desk.

The SECRETARY. On page 10, after line 15, before the subhead "Oregon," it is proposed to insert:

That the Secretary of War is hereby directed to cause a preliminary examination and survey to be made of the Meherrin River, North Carolina, between the town of Murfreesboro and the mouth of said river, with a view of removing the obstructions to navigation therein and of securing a depth of water 9 feet and of the necessary width, and to report the same on or before December, 1904, with the cost thereof.

Mr. ELKINS. I think it would be best to omit when the report shall be made.

Mr. SIMMONS. I have no objection to that.

Mr. ELKINS. I would suggest that the general heading applies, and that the first words of the amendment are unnecessary.

Mr. SIMMONS. I have no objection to their omission, just so there is a provision for a survey.

The PRESIDENT pro tempore. The Senator can strike out the first two lines, "That the Secretary of War is hereby directed to cause a preliminary examination and survey to be made," and commence "Meherrin River, North Carolina."

Mr. ELKINS. And leave out the date when the report shall be made?

The PRESIDENT pro tempore. Yes; that will be stricken out. The question is on agreeing to the amendment offered by the Senator from North Carolina as amended.

The amendment as amended was agreed to.

Mr. GORMAN. I ask unanimous consent to offer an amendment to an amendment.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The SECRETARY. On page 5, at the end of line 24, it is proposed to insert:

Or any other dredge now being constructed for the Government.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. LATIMER. I desire to offer an amendment on page 11, line 14, after the words "Wateree River," to insert "also Congaree River from its mouth to the city of Columbia."

The amendment was agreed to.

Mr. SIMMONS. Mr. President——

Mr. ELKINS. I hope the Senator from North Carolina will not offer any more amendments. We have tried to divide this among the States evenly. We do not want to load down the bill with amendments.

Mr. SIMMONS. I hope the Senator will permit me to offer another amendment, and then I will stop.

Mr. ELKINS. I think the Senator's State has been treated with fairness and consideration.

Mr. SIMMONS. There are only three surveys authorized for North Carolina——

Mr. ELKINS. I make the point of order upon the amendment.

Mr. SIMMONS. I have not yet offered the amendment. I desire to offer the amendment which I send to the desk.

The SECRETARY. After the word "channel," in line 9, page 10, it is proposed to insert:

Pamlico and Tar rivers, with a view of securing an uninterrupted channel below the town of Washington of a depth of 10 feet at mean low water and 200 feet wide, and to determine whether there should be a change from the location of the channel for a distance of from 1 to 5 miles immediately below the town of Washington; also with a view of securing a channel in Tar River above the town of Washington and below the town of Greenville, inclusive, of a depth of 5 feet and a width of 100 feet, and to make report of such examination and survey with the estimated cost of such improvement.

Mr. ELKINS. I suggest to the Senator to strike out one of those amendments and leave one in—the one he wants most. I wish he would make a selection.

Mr. SIMMONS. It is very hard to make a choice between them, as they are both so meritorious. I did not go before the committee, because the committee acted so expeditiously that I did not know they were considering the bill until they were through with it.

Mr. ELKINS. Notices were given to Senators, and it was intended that every Senator should have one.

Mr. SIMMONS. I was one of the unfortunate Senators who did not get a notice. This is a small matter.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from North Carolina.

The amendment was agreed to.

Mr. BACON. I wish to amend the bill on page 8, at the conclusion of the provision in reference to Georgia.

I ask to be allowed to put in the RECORD a table of figures which shows the increases which have been made by the various ports of the United States in their commerce. I call attention to the fact that the increase in the port of Savannah was $35,000,000, and that there was but one Atlantic seaport which increased more than the city of Savannah, and that was the city of New York. The city of New York and the city of Galveston are the only two Atlantic and Gulf ports which exceeded Savannah in the amount of increase. I trust that it may be allowed to go in and also a short article on the subject.

The PRESIDENT pro tempore. The Chair hears no objection to the request of the Senator from Georgia.

The matter referred to is as follows:

[From the New York Sun.]

MONEY WELL SPENT—A STRIKING EXHIBIT—THIRTY-FIVE MILLIONS OF DOLLARS INCREASE IN EXPORTS IN TEN YEARS AT THE PORT OF SAVANNAH, GA.—OUR COMMERCE BY PORTS—COMPARISON SHOWING THE ASTONISHING GROWTH OF SOUTHERN BUSINESS.

TO THE EDITOR OF THE SUN.

SIR: Comparing our exports of 1893 with those of 1903, by principal ports of shipment, we have the following, in round millions of dollars:

Ports.	Exports, 1903.	Increase over 1893.
New York	$516,000,000	$158,000,000
New Orleans	149,000,000	64,000,000
Galveston	141,000,000	109,000,000
Boston	86,000,000	3,000,000
Baltimore	84,000,000	10,000,000
Philadelphia	73,000,000	30,000,000
Savannah	58,000,000	35,000,000
San Francisco	32,000,000	4,000,000
Puget Sound	27,000,000	23,000,000
Detroit	22,000,000	15,000,000
Buffalo	21,000,000	18,000,000
Newport News	20,000,000	10,000,000
Mobile	15,000,000	12,000,000
Pensacola	15,000,000	12,000,000
Port Huron	11,000,000	4,000,000
Niagara	11,000,000	8,000,000
Portland, Me	14,000,000	12,000,000
Wilmington, N. C	20,000,000	13,000,000
Charleston, S. C	3,000,000	a8,000,000
Norfolk	8,000,000	a2,000,000

a Decrease.

[From Savannah Morning News, March 29, 1904.]

A GRATIFYING PORT EXHIBIT.

In another column we publish some figures of exports by principal ports of shipment during the year 1903, showing increases and decreases as compared with the figures of 1893. The figures are from a report of the United States Department of Commerce and Labor, and are official. They show that at the port of Savannah the increase in the ten-year period amounted to the very handsome sum of $35,000,000. With the exception of New York, no other Atlantic port shows so large an increase. New York, New Orleans, and Galveston alone, of all American ports, show larger increases than Savannah. This is, indeed, a most gratifying exhibit.

In connection with this comparison of figures it is not out of place to direct attention to the fact that while there are ports where a great deal of money has been spent by the Government to secure deeper water, none has been spent at any port that can show greater results for the outlay than Savannah. In some places the expenditures have been followed by no marked improvements in rivers and harbors, and in other places the Government's work has produced good results in so far as deeper water is concerned, but no increase

in the volume of commerce has followed. But what has been expended on the improvements for Savannah has given all that the engineers' estimates called for, and the figures of the Department of Commerce and Labor show that a large increase in the business of the port has followed. The forecast of greater commerce to result from river and harbor improvements has been fulfilled.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Georgia [Mr. BACON] will be stated.

The SECRETARY. On page 8, after line 11, it is proposed to insert:

Savannah River and harbor, with the view of obtaining a channel of 30 feet at mean low water from the upper wharves of the city to the sea.

The amendment was agreed to.

Mr. BARD. To relieve the bill of unnecessary matter, I wish to withdraw the amendment I proposed.

The PRESIDENT pro tempore. What amendment is that?

Mr. BARD. On page 5, line 24.

The PRESIDENT pro tempore. The Senator withdraws the words "or in San Pedro Harbor, California."

Mr. BERRY. On page 6, just before the word "California," in line 21, I move to insert "Arkansas and Missouri" and then the matter I send to the desk.

The SECRETARY. On page 6, after line 20, insert:

ARKANSAS AND MISSOURI.

That part of the St. Francis River between the Missouri and Arkansas State line and its mouth, with a view of widening, deepening, and cleaning out the channel and permanently improving the same for the purposes of commerce, and to submit a plan and estimate for such improvements.

Mr. BERRY. It is a survey simply.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

PENSION APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6758) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1905, and for other purposes.

Mr. McCUMBER. Mr. President, I have here an estimate which has been prepared by the Commissioner of Pensions, showing the surviving soldiers of the civil war on July 1, 1904, etc. I ask that it may be inserted as a part of my remarks.

The PRESIDENT pro tempore. The Chair hears no objection.

The estimate referred to is as follows:

Surviving soldiers of the civil war, July 1, 1904.

Years of age.	Number of each age.	Continuous death rate.	Number of deaths in one year.
56 and under	25,000	1.80	0.450
57	22,000	2.02	.444
58	34,000	2.16	.734
59	49,000	2.31	1.132
60	59,000	2.47	1.457
61	66,000	2.65	1.749
62	62,000	2.85	1.767
63	60,000	3.07	1.842
64	58,000	3.31	1.920
65	55,000	3.57	1.964
66	52,000	3.86	2.007
67	49,000	4.18	2.048
68	46,000	4.53	2.084
69	42,000	4.90	2.058
70	38,000	5.32	2.022
71	33,000	5.78	1.907
72	28,000	6.28	1.758
73	22,000	6.82	1.500
74	16,000	7.41	1.186
75 and up	54,000	11.50	6.210
			36.239
Average			4.17

Mr. McCUMBER. Mr. President, the committee has reported an amendment calling for $4,000,000 in addition to what was reported before, and that those $4,000,000 may be available for the present fiscal year ending June 30, 1904. I wish to give a little explanation concerning this amendment. It is estimated that by reason of Order No. 78, between this time and the 1st of July, 1904, there will be required an additional sum to pay the claims that are now being considered, and upon which but little additional proof will be required, of $1,500,000. An estimate has been made of this, and it will be required this year, for the reason that nearly every claimant who has reached the age of 62 years and who has been granted a pension of less than $6 will individually make a reapplication, and in fact since the order of March 15 they have been making a great number of applications.

The Commissioner of Pensions is disposing of those cases very rapidly, and in order not to be behind in the payments he requires the additional sum of $1,500,000.

In addition to that, there have been passed in previous years and in recent years a number of what may be called special pension acts, covering certain classes of claimants. These could not be estimated for at the time the bills were passed. They were passed at divers times from 1893 to 1903, inclusive. The previous estimates have been found to be low, and therefore there will be a deficiency for the year ending June 30, 1904, in the Pension Bureau, of an estimated amount of $2,500,000, and therefore this amendment, which has been reported by the Committee on Pensions, is asked to be inserted in the bill. The amendment provides as follows:

For paying any deficiency which may arise during the fiscal year ending June 30, 1904, by reason of recent pension legislation, the sum of $4,000,000, which sum shall become immediately available.

This is necessitated by reason of the following laws, which I think should be made note of so that Senators may understand why this extra amount is required. Otherwise, it might be assumed that it was required on account of the new pension order.

These laws are, first, pensions to those who heretofore served in the Confederate army or deserted from the Union Army, but afterwards served in the Union Army. There were but few of the Confederates who afterwards served in the Union Army until 1898, when we had our war with Spain. Therefore, since that time there have been placed upon the pension rolls a large number of these soldiers, and this requires an amount which was not estimated for.

The second is the adding of certain organizations to the pension rolls, as, for instance, those who served in a number of Indian wars. This law was passed in 1902, and includes several Indian wars.

Third, the increasing of pensions for total deafness. This was increased to a considerable extent this year.

Fourth, the restoration of widows, dependent mothers or dependent sisters, and those who had remarried and who had become widows afterwards.

Fifth, the increase of pensions to those who lost limbs in the service of the United States. That was increased from seventy-two to one hundred dollars a month.

Sixth, the increase of pensions to Mexican-war survivors, which passed last year, when the amount was raised from eight to twelve dollars per month.

Seventh, a very large number of special acts bearing higher rates of pensions.

In addition to the foregoing, the Bureau is doing much more work than usual, and the result is a great many more rejections and a great many more additions and certificates. This increase in the amount of work in the Bureau accomplishes the finishing of a large amount of delayed and accumulated business.

So it is thought it will be necessary to provide two and a half million dollars more this year in the appropriation bill which may be immediately available. Also one million and a half on account of the extra number of applications which followed as a result of this order. I will now yield to the Senator from West Virginia.

Mr. SCOTT. Mr. President——

Mr. HALE. Before the Senator from West Virginia proceeds, I wish to ask the Senator from North Dakota a question. Does the bill which the Senator reports, through any appropriation carrying out order 78 apply to the time between now and July 1, the beginning of the next fiscal year?

Mr. McCUMBER. Yes; $1,500,000 is required by reason of the order and the extra number of cases by those who have reached 62 years of age, who have made new application, and whose applications will be passed upon and pensions allowed thereunder undoubtedly before the 1st of July.

Mr. HALE. The reason I ask is that in the House bill providing for deficiencies, this $1,500,000 has been inserted and has been reported by the committee of the Senate as a part of the bill. But if the Senator has included that in this bill, which should strictly be a bill for the next year and not covering deficiencies, I will make no question with him. It does not belong in this bill; but if it passes, then of course I shall move to strike that item out of the deficiency bill. Regular appropriation bills carry the estimates of appropriations for the fiscal year beginning with July 1.

The business of a deficiency bill is to provide items for the rest of the year up to the beginning of the next fiscal year. I shall make no question with the Senator because he has put a deficiency item in this year's bill, if he has the language sufficient, and I shall not ask to pass a duplicate bill.

Mr. McCUMBER. I call the attention of the Senator to the fact that the amount of the deficiency will be about $4,000,000 for all these cases, and the deficiency bill calls for only $1,500,000. Now, it is just as necessary to have the $2,500,000 on account of the recent laws as it is to have the $1,500,000.

It seems to me more appropriate that we should keep these pension appropriations upon the pension bill, and the amendment simply provides for $4,000,000 and does not designate the purpose

in detail, although, of course, the report shows what it is for, except as I have stated, "for paying any deficiency which may arise during the fiscal year ending June 30, 1904, by reason of recent pension legislation, the sum of $4,000,000, which sum shall become immediately available."

Mr. HALE. I did not know. I will withdraw what I said. But that process, carried out, would entirely abolish the deficiency appropriations. The deficiency bill is a bill that of itself, not for one Department, but for pensions, for the Navy and the Army, and every branch of the Government, takes into consideration the question whether the appropriations for the past are sufficient to run the rest of the year. If the Senator takes the ground that on an annual appropriation bill covering a fiscal year he should put in everything that is a deficiency, that is the end of the scrutiny that deficiency appropriations now receive. If the Senator does that, I shall certainly make a point of order that the amendment is not in order on this bill.

Mr. McCUMBER. It does not make the slightest difference to me whether this is allowed upon the pension bill or whether the amount is put in the deficiency bill. I supposed it would receive the same consideration upon the pension bill as upon the deficiency bill, and from the fact that the deficiency bill as reported by the House covered only one item, when there were expenses that related to many items and which increased the sum, I thought it best to do one of two things, either to consider the whole upon the pension bill or else to ask the Senator in charge of the deficiency bill to amend that bill so as to provide for $4,000,000 instead of $1,500,000.

Mr. HALE. If the Senator had examined the deficiency bill he would have seen that that is just what it does provide for—the whole $4 000.000 of which a million and a half is to carry out order 78. While I have no question of priority or jealousy, I can not consent, and I do not suppose the Senate will consent, that the whole system shall be changed, and that in an appropriation bill for the fiscal year beginning July 1, 1904, the Senator should put on items which are strictly deficiencies, and which are provided for in a deficiency bill that has been originated in the popular branch and sent over to us. They have put on the $4,000.000. It is on the deficiency bill as reported to the Senate. And under these circumstances I think the Senator had better strike that item out of his bill.

Mr. McCUMBER. If the Senator desires to raise the point of order, and if the matter is taken care of in the deficiency bill, I certainly shall not have the slightest objection to its being stricken out.

Mr. HALE. It is taken care of. The provision in the deficiency bill is for $4,000,000.

Mr. McCUMBER. I understood it was only $1,500,000.

Mr. HALE. No, it is for $4,000,000. The Commissioner of Pensions went before the House committee on the deficiency bill—I am not speaking for the committee here, but it is due to the House—and they put in the $4,000,000 altogether, including the one million and a half. It is in the bill already reported.

Mr. McCUMBER. I wish to ask in this connection whether it is a matter upon which a point of order could be raised that you are in a general appropriation bill making some of the money appropriated immediately available.

Mr. HALE That is another thing.

Mr. McCUMBER. That is all there is in this.

Mr. HALE. You make it available, but you have items which are not in themselves annual appropriations, but which are deficiencies, and which have always been considered as deficiencies and are considered by the House of Representatives as deficiencies and are in the bill.

Mr. McCUMBER. I can see that they could be placed upon the deficiency bill, but I can not see any real objection to their being upon this bill.

Mr. HALE. Then there would be no deficiency bill as to this service.

Mr. McCUMBER. Certainly.

Mr. HALE. That is not the habit or the practice. It is not the basis upon which appropriation bills are run. The House of Representatives does not make up its bill in that way. It sends this bill in. It did not put this item on the pension bill.

Mr. McCUMBER. I will say to the Senator I am not trying to make a new rule at all. I am perfectly willing, if the Senator considers that a point of order will lie upon the amendment, that he shall make the point of order.

Mr. HALE. Well, I make the point of order.

The PRESIDENT pro tempore. The Chair observes but one amendment to the bill.

Mr. McCUMBER. It is an amendment which has been reported, if the Chair please.

The PRESIDENT pro tempore. It has not been offered.

Mr. McCUMBER. It has not been heretofore offered, but is offered at this time.

Mr. HALE. The Senator, then, can settle the whole matter by not offering it, or I can make the point of order when he offers it.

Mr. McCUMBER. I will offer the amendment which has been reported and allow the Senator to make the point of order.

Mr. HALE. I make the point of order that it is a deficiency not to be provided for in the regular appropriation bill.

Mr. GORMAN. Let it be read.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. In line 3, page 2, after the word "dollars," insert:

For paying any deficiency which may arise during the fiscal year ending June 30, 1904, by reason of recent pension legislation, the sum of $4,000,000 which sum shall become immediately available.

Mr. HALE. It is even stronger than I supposed. It states that it is a deficiency.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. SCOTT. Mr. President, I desire to detain the Senate for only a moment to make a few observations on the bill and on the question that has been raised before the Senate.

I am very sorry indeed that the chairman of our committee felt it necessary to defend the action of the Department in granting pensions under the recent order of the Pension Bureau. My position is that every soldier who served his country from the year 1861 to 1865—and there was not one boy who was not needed—and who served, it may be, for only thirty days, it may be four years, and received an honorable discharge, is entitled to a pension under the understanding with this Government when the soldiers were called into service.

I speak of my friend here, the Senator from Minnesota [Mr. NELSON], who carried a knapsack like some of the rest of us, who did not wear epaulettes and a sword dangling by his side for honor. We went to the defense of our country because we believed it was our duty. The Senator here was wounded and imprisoned. He served his country for $13 a month. Does any Senator on the floor of the Senate believe that he went into the service of his country to get $13 a month?

No, Mr. President, the country said to him when he enlisted, "We will take care of you, your widow, and your orphan;" and it is the duty of the American people to-day to care for the widows and orphans of the men who enlisted in the service of their country in 1861 to 1865.

Mr. President, we all know the inducements that were held out when we were told in mass conventions and meetings—the young men 18, 19, and 20 years of age, my friend here being 19 when he enlisted—that this Government would care for the soldier and care for his mother and care for his widow—if it might be that he had a wife—and his children. It is our duty to-day to do that which the Government then promised.

It does not make a particle of difference whether the deficiency is $4,000,000 or $400,000,000; I am for the soldier and his widow and his orphans that they shall be cared for.

Who saved this country? Just such men as my friend here from Minnesota and my friend the Senator from Rhode Island [Mr. ALDRICH], who put their knapsacks on their backs and placed muskets on their shoulders and went to the front to defend their country. Those are the men—others like them—who are entitled to-day to the sympathy and the care of this great country of ours.

Mr. President, if my vote would carry it, every soldier to-day who can show that he had an honorable discharge would get $25 a month pension, whether he was a poor man, a rich man, or whether his widow or his orphan children were in need or not.

Mr. President, these pension laws of ours are a delusion and a snare. Nothing but red-tapism stands or has stood between the just claim of the soldiers of the Union and granting to them and to their widows and orphans their just rights.

It is all nonsense to say that the Government of the United States took into its service a man who was a wreck, who was an invalid at the time he enlisted. Every one of us was examined, as I can appeal to my friend from Minnesota here. We went through a rigid examination. Why should we be compelled to prove that we were healthy and strong and in good physical condition when we enlisted? If we were not, why were we accepted?

Mr. President, I tell you upon this subject I have no patience with this paring process. I say to my friends on the floor of the Senate that to the men who volunteered, to the men who carried knapsacks, to the men who had hardtack in their haversacks and a piece of salt meat, this country is to-day under obligation for the saving of our Union and our position as a power in the world's history.

Mr. President, I think that the pension laws to-day should be revised. As I stated in my remarks when I set out, I believe that every man who served his country, it does not matter whether for five days, five months, or five years, is entitled to a pension. The Scriptures tell us that the man who entered into the vine-

yard at the last hour is entitled to just as much pay as the man who went in and bore the heat and burden of the day.

I have no patience, Mr. President, with those who are continually talking about 62 years of age, 68 years of age, 70 years of age, or any other age. Any man who served his country faithfully and was honorably discharged should be entitled to a pension, and neither the Senate nor the House of Representatives should hesitate to appropriate a sufficient amount of money so that every one of them shall receive a pension.

Now, another consideration enters into this matter. As a member of the Committee on Pensions we are often confronted with the fact that some widow owns a house and lot, and consequently she is not entitled to a pension. The house she lives in is a home, to be sure, but it does not secure to her a maintenance or an income. And yet under the ruling of the Pension Bureau she is refused a pension. That is all wrong, Mr. President.

I do hope that the Senate will be generous and liberal in the construction of the laws and in appropriating money to the payment of pensions.

Mr. President, when the orators stood before us in the little country village, in the red schoolhouse, they told us what glory there was in front of us and what we were expected to do in defense of our country and what great heroes we would be if we enlisted. We went up and signed our names, and we were examined and mustered into the service of the United States. We know what it cost us to bid good-by to the old mother. We know what it cost many of us to say good-by to the little sweetheart.

I say we should not be disappointed. We expected this great country of ours to provide for us and those whom we left dependent. I thank God that I do not need personally anything from the Government of the United States, but I feel from the fullness of my heart that every man who served his country should be properly cared for, and that his widow and orphans should be properly cared for.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 2034) directing the issue of a duplicate of a lost check, drawn by Arthur J. Pritchard, pay director of the United States Navy, in favor of the Davis Coal and Coke Company;

A bill (S. 2385) providing for holding regular terms of the circuit and district courts of the United States at Great Falls, Mont.;

A bill (S. 2842) to amend an act entitled "An act to authorize the Montgomery Bridge Company to construct and maintain a bridge across the Alabama River near the city of Montgomery, Ala.," approved March 1, 1893;

A bill (S. 3292) amendatory of an act entitled "An act to provide a permanent census office," approved March 6, 1902; and

A bill (S. 5259) to amend an act entitled "An act authorizing the construction of a bridge across the Cumberland River at or near Carthage, Tenn.," approved March 2, 1901.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 14533) to change and fix the time for holding the district and circuit courts for the northern division of the eastern district of Tennessee;

A bill (H. R. 15010) to amend section 6 of "An act to authorize the construction of a bridge by the New York, Chicago and St. Louis Railroad Company and the Chicago and Erie Railroad Company across the Calumet River at or near the city of Hammond, Ind., at a point about 1,200 feet east of the Indiana and Illinois State line, and about 100 feet east of the location of the present bridge of the New York, Chicago and St. Louis Railroad Company across said river; also to authorize the construction of a bridge by the Chicago and State Line Railroad Company across said river at the point where said company's railroad crosses said river in Hyde Park Township, Chicago, Ill., being at the location of the present bridge of said company across said river in said township," approved July 1, 1902;

A bill (H. R. 15195) authorizing the construction of a wagon, toll, and electric-railway bridge over the Missouri River at Lexington, Mo.; and

A bill (H. R. 15228) establishing a regular term of the United States circuit and district courts at East St. Louis, Ill.

The message further announced that the House had agreed to the report of the committee on conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4769) validating certain conveyances of the Northern Pacific Railroad Company and the Northern Pacific Railway Company.

The message also announced that the House had agreed to the concurrent resolution of the Senate to print in two volumes, instead of one, a comprehensive index of Government publications, 1881 to 1903.

The message further announced that the House had agreed to the concurrent resolution of the Senate to print and bind 12,000 copies of the proceedings attending the unveiling of the statue of Gen. William T. Sherman.

The message also announced that the House had passed a concurrent resolution to print and bind in one volume, in cloth, 17,000 copies of the three separate memorial addresses on Abraham Lincoln, James A. Garfield, and William McKinley; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 10018) granting to the State of North Dakota 640 acres of land, embracing the White Stone Hills battlefield and burial ground of soldiers killed in that engagement;

A bill (H. R. 10670) making appropriation for the support of the Army for the fiscal year ending June 30, 1905, and for other purposes; and

A bill (H. R. 11518) to authorize the holding of a regular term of the district court of the United States for the western district of Virginia in the city of Bigstone Gap, Va.

GENERAL DEFICIENCY APPROPRIATION BILL.

Mr. HALE. I move that the Senate proceed to the consideration of House bill 15054, the deficiency appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes; which had been reported from the Committee on Appropriations with amendments.

Mr. CULLOM. Mr. President——

Mr. HALE. I wish to announce that to-morrow morning, after the routine morning business, I shall ask the Senate to continue the consideration of this bill.

UNRESERVED LANDS IN NEBRASKA.

Mr. DIETRICH. I am authorized by the Committee on Public Lands, to whom was referred the bill (H. R. 14826) to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska, to report it with amendments, and I ask for its immediate consideration.

Mr. PLATT of Connecticut. Let the bill be read for information.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The first amendment of the Committee on Public Lands was, in section 1, page 2, line 18, after the word "irrigate," to strike out "by means of water conducted from natural streams by gravity" and to insert "under the national irrigation law or by private enterprise;" and in line 23, after the word "aforesaid," to strike out "through operations under the national irrigation law or by private enterprise;" so as to make the section read:

That from and after sixty days after the approval of this act entries made under the homestead laws in the State of Nebraska west and north of the following line, to wit, beginning at a point on the boundary line between the States of South Dakota and Nebraska where the first guide meridian west of the sixth principal meridian strikes said boundary; thence running south along said guide meridian to its intersection with the fourth standard parallel north of the base line between the States of Nebraska and Kansas; thence west along said fourth standard parallel to its intersection with the second guide meridian west of the sixth principal meridian; thence south along said second guide meridian to its intersection with the third standard parallel north of the said base line; thence west along said third standard parallel to its intersection with the range line between ranges 25 and 26 west of the sixth principal meridian; thence south along said line to its intersection with the second standard parallel north of the said base line; thence west on said standard parallel to its intersection with the range line between ranges 30 and 31 west; thence south along said line to its intersection with the boundary line between the States of Nebraska and Kansas, shall not exceed in area 640 acres, and shall be as nearly compact in form as possible, and in no event over 2 miles in extreme length: *Provided*, That there shall be excluded from the provisions of this act such lands within the territory herein described as in the opinion of the Secretary of the Interior it may be reasonably practicable to irrigate under the national irrigation law or by private enterprise; and that said Secretary shall, prior to the date above mentioned, designate and exclude from entry under this act the lands, particularly along the North Platte River, which in his opinion it may be possible to irrigate as aforesaid, and shall thereafter, from time to time, open to entry under this act any of the lands so excluded, which, upon further investigation, he may conclude can not be practically irrigated in the manner aforesaid.

The amendment was agreed to.

The next amendment was, in section 2, page 3, line 13, after the word "entered," to insert "but final entry shall not be allowed

of such additional land until five years after first entering same;" so as to make the section read:

SEC. 2. That entrymen under the homestead laws of the United States within the territory above described who own and occupy the lands heretofore entered by them may, under the provisions of this act and subject to its conditions, enter other lands contiguous to their said homestead entry, which shall not, with the land so already entered, owned, and occupied, exceed in the aggregate 640 acres; and residence upon the original homestead shall be accepted as equivalent to residence upon the additional land so entered, but final entry shall not be allowed of such additional land until five years after first entering same.

The amendment was agreed to.

The next amendment was, in section 3, page 3, line 22, after the word "*Provided*," to strike out:

That a former homestead entry shall not be a bar to the entry under the provisions of this act of a tract which, together with the former entry, shall not exceed 640 acres.

And insert:

That the former homestead entryman within the area above described who yet owns and occupies such former entry shall not by reason of such former entry be barred from an entry under the provisions of this act of a tract which, together with the former entry, shall not exceed 640 acres.

So as to make the section read:

SEC. 3. That the fees and commissions on all entries under this act shall be uniformly the same as those charged under the present law for a maximum entry at the minimum price. That the commutation provisions of the homestead law shall not apply to entries under this act, and at the time of making final proof the entryman must prove affirmatively that he has placed upon the lands entered permanent improvements of the value of not less than $1.25 per acre for each acre included in his entry: *Provided*, That a former homestead entryman within the area above described who yet owns and occupies such former entry shall not by reason of such former entry be barred from an entry under the provisions of this act of a tract which, together with the former entry, shall not exceed 640 acres.

The amendment was agreed to.

Mr. TELLER. Is there a report with the bill? I do not know what it is. I never heard of it before.

The PRESIDENT pro tempore. There is no report.

Mr. DIETRICH. I will state that the bill was recommended unanimously by the Public Lands Committee in the House; it passed the House unanimously, and it has been favorably reported by the Public Lands Committee of the Senate. It is a bill which applies alone to the arid lands of Nebraska. We still have in Nebraska about 9,000,000 acres of land, mostly sand hills, where it is impossible for a family to make a living upon 160 acres. The object of the bill is simply to increase the homestead privilege in that portion of the State to 640 acres. I assure the Senate that any 40 acres in the eastern part of the State have more value than any 640 acres still remaining unappropriated.

Mr. CLARK of Wyoming. I wish to ask a question for information. Is the bill as reported by the committee, with the amendments, the same bill that passed the House yesterday?

Mr. DIETRICH. It is the same bill.

Mr. CLARK of Wyoming. Exactly the same?

Mr. DIETRICH. The amendments have been made to conform——

Mr. CLARK of Wyoming. I have not had time or opportunity to examine it. Then, if we pass the bill with the amendments, as reported, it would simply be concurring in the action of the House?

Mr. DIETRICH. We are concurring in the action of the House with the exception of the amendments.

Mr. CLARK of Wyoming. I should like to ask the Senator what will be the effect of the amendments? I could not catch them, there was so much noise in the Chamber. The bill has not been printed as proposed to be amended.

Mr. DIETRICH. The amendments that have been added require that persons must live upon the land five years before they can secure title, and they must also place permanent improvements thereon to the extent of a dollar and a quarter an acre.

Mr. CLARK of Wyoming. That provision was in the bill as passed by the House.

Mr. DIETRICH. Yes; but not the proviso that they must live five years upon the land.

Mr. TELLER. I wish to know whether the bill applies to any section except Nebraska?

Mr. DIETRICH. It applies to no section except Nebraska, and, as described in the bill, only to a portion of Nebraska, the extreme western part.

Mr. TELLER. I dislike to interfere with a bill of this kind, local in its character.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and fifteen minutes spent in executive session the doors were reopened, and (at 6 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Friday, April 22, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 21, 1904.

PROMOTIONS IN THE NAVY.

Lieut. (Junior Grade) William T. Tarrant to be a lieutenant in the Navy from the 18th day of March, 1904, vice Lieut. William R. Shoemaker, promoted.

Lieut. (Junior Grade) Walter B. Tardy to be a lieutenant in the Navy from the 2d day of April, 1904, vice Lieut. Isaac K. Seymour, promoted.

Asst. Surg. Samuel S. Rodman to be a passed assistant surgeon in the Navy from the 14th day of December, 1903, having completed three years' service in his present grade.

POSTMASTERS.

ARKANSAS.

William Miller to be postmaster at Dermott, in the county of Chicot and State of Arkansas. Office became Presidential April 1, 1904.

James E. Wickersham to be postmaster at Yellville, in the county of Marion and State of Arkansas. Office became Presidential April 1, 1904.

F. W. Youmans to be postmaster at Lewisville, in the county of Lafayette and State of Arkansas, in place of Mary J. Smith, resigned.

FLORIDA.

Harry C. Budge to be postmaster at Miami, in the county of Dade and State of Florida, in place of Harry C. Budge. Incumbent's commission expires May 4, 1904.

Roy S. Hanna to be postmaster at St. Petersburg, in the county of Hillsboro and State of Florida, in place of Roy S. Hanna. Incumbent's commission expired March 22, 1904.

GEORGIA.

Harry S. Edwards to be postmaster at Macon, in the county of Bibb and State of Georgia, in place of Harry S. Edwards. Incumbent's commission expires May 9, 1904.

ILLINOIS.

John Murvin to be postmaster at Louisville, in the county of Clay and State of Illinois. Office became Presidential January 1, 1904.

INDIANA.

Henry Wood to be postmaster at Loogootee, in the county of Martin and State of Indiana, in place of Henry Wood. Incumbent's commission expires May 4, 1904.

IOWA.

Ezra Bradford to be postmaster at Wellman, in the county of Washington and State of Iowa. Office became Presidential April 1, 1904.

KANSAS.

W. H. Smith to be postmaster at Colby, in the county of Thomas and State of Kansas, in place of Robert M. McGonigal. Incumbent's commission expired January 27, 1903.

MASSACHUSETTS.

Frank E. Nichols to be postmaster at Warren, in the county of Worcester and State of Massachusetts, in place of Frank E. Nichols. Incumbent's commission expires April 27, 1904.

MICHIGAN.

Henry S. Wickware to be postmaster at Cass City, in the county of Tuscola and State of Michigan, in place of Henry S. Wickware. Incumbent's commission expires April 27, 1904.

NEBRASKA.

James H. Overman to be postmaster at Stella, in the county of Richardson and State of Nebraska. Office became Presidential January 1, 1904.

Jessie W. Phillips to be postmaster at Table Rock, in the county of Pawnee and State of Nebraska, in place of Jessie W. Phillips. Incumbent's commission expired December 19, 1903.

NEW MEXICO.

Frank A. Hill to be postmaster at Raton, in the county of Colfax and Territory of New Mexico, in place of Thomas W. Collier, deceased.

NEW YORK.

Edward A. Cowles to be postmaster at Patchogue, in the county of Suffolk and State of New York, in place of Edward A. Cowles. Incumbent's commission expires May 4, 1904.

Anna V. T. Smith to be postmaster at Bronxville, in the county of Westchester and State of New York, in place of Anna V. T. Smith. Incumbent's commission expires May 4, 1904.

Oliver H. Tuthill to be postmaster at Rockville Center, in the county of Nassau and State of New York, in place of Oliver H. Tuthill. Incumbent's commission expires May 2, 1904.

OHIO.

Louis A. Koons to be postmaster at Massillon, in the county of Stark and State of Ohio, in place of Louis A. Koons. Incumbent's commission expires June 5, 1904.

OREGON.

William H. Leitner to be postmaster at Huntington, in the county of Baker and State of Oregon, in place of William H. Leitner. Incumbent's commission expired March 13, 1904.

PENNSYLVANIA.

Henry D. Ruth to be postmaster at Lansdale, in the county of Montgomery and State of Pennsylvania, in place of Henry D. Ruth. Incumbent's commission expired April 16, 1904.

Samuel A. Smith to be postmaster at Indiana, in the county of Indiana and State of Pennsylvania, in place of Samuel A. Smith. Incumbent's commission expires April 27, 1904.

Daniel Williams to be postmaster at Sharon, in the county of Mercer and State of Pennsylvania, in place of Daniel Williams. Incumbent's commission expires May 9, 1904.

SOUTH DAKOTA.

Joseph Kubler to be postmaster at Custer, in the county of Custer and State of South Dakota, in place of Joseph Kubler. Incumbent's commission expires May 4, 1904.

TENNESSEE.

Edwin C. Alexander to be postmaster at Elizabethton, in the county of Carter and State of Tennessee, in place of Senorita V. Alexander. Incumbent's commission expires May 7, 1904.

Gus Cate to be postmaster at Cleveland, in the county of Bradley and State of Tennessee, in place of James K. P. Marshall. Incumbent's commission expired March 31, 1904.

George B. Henegar to be postmaster at McMinnville, in the county of Warren and State of Tennessee, in place of Asa H. Faulkner. Incumbent's commission expired February 20, 1904.

TEXAS.

J. B. Campbell to be postmaster at Alvarado, in the county of Johnson and State of Texas, in place of George W. Cotter. Incumbent's commission expired January 10, 1903.

James I. Carter to be postmaster at Arlington, in the county of Tarrant and State of Texas, in place of James I. Carter. Incumbent's commission expired March 31, 1904.

Owen Ford to be postmaster at San Marcos, in the county of Hays and State of Texas, in place of Owen Ford. Incumbent's commission expired January 10, 1903.

Charles C. Littleton to be postmaster at Weatherford, in the county of Parker and State of Texas, in place of William F. Wieland, deceased.

Marion D. Townley to be postmaster at Valley Mills, in the county of Bosque and State of Texas. Office became Presidential April 1, 1904.

WASHINGTON.

George W. France to be postmaster at Hoquiam, in the county of Chehalis and State of Washington, in place of George W. France. Incumbent's commission expired December 14, 1903.

John O. Wilson to be postmaster at Cosmopolis, in the county of Chehalis and State of Washington. Office became Presidential October 1, 1903.

WEST VIRGINIA.

Albert G. Holt to be postmaster at Kenova, in the county of Wayne and State of West Virginia. Office became Presidential January 1, 1904.

WISCONSIN.

Murdick W. McAskill to be postmaster at Glidden, in the county of Ashland and State of Wisconsin. Office became Presidential April 1, 1904.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 21, 1904.

PROMOTIONS IN THE NAVY.

Lieut. Chester M. Knepper to be a lieutenant-commander in the Navy from the 1st day of January, 1904.

Ensign Walter M. Hunt to be a lieutenant (junior grade) in the Navy from the 28th day of January, 1904.

POSTMASTERS.

ILLINOIS.

Archibald W. Fletcher to be postmaster at Highland Park, in the county of Lake and State of Illinois.

John Grierson to be postmaster at Morrison, in the county of Whiteside and State of Illinois.

John F. Mains to be postmaster at Stronghurst, in the county of Henderson and State of Illinois.

Sealy B. Moody to be postmaster at Lagrange, in the county of Cook and State of Illinois.

Elmer E. Smith to be postmaster at Clayton, in the county of Adams and State of Illinois.

INDIANA.

Hugh S. Espey to be postmaster at Rising Sun, in the county of Ohio and State of Indiana.

John A. Hall to be postmaster at Cicero, in the county of Hamilton and State of Indiana.

Hamlin Smith to be postmaster at Brownstown, in the county of Jackson and State of Indiana.

TEXAS.

Frankie Houssels to be postmaster at Childress, in the county of Childress and State of Texas.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 21, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read, corrected, and approved.

AFFECTING MANNER OF IMPORTATION.

Mr. GROSVENOR. Mr. Speaker, I call up the privileged bill (S. 2816) to amend section 3095 of the Revised Statutes of the United States, relating to manner of importation, which I shall send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That section 3095 of the Revised Statutes is hereby amended so as to read as follows:

"SEC. 3095. Except in the districts on the northern, northwestern, and western boundaries of the United States, adjoining to the Dominion of Canada, or into the districts adjacent to Mexico, no merchandise of foreign growth or manufacture subject to the payment of duties shall be brought into the United States from any foreign port in any other manner than by sea, nor in any vessel of less than 0 net register tons, or landed or unladen at any other port than is directed by law, under the penalty of seizure and forfeiture of all such vessels and of the merchandise imported therein, laden or unladen in any other manner."

SEC. 2. This act shall take effect one month after its passage.

Mr. SMITH of Kentucky. Mr. Speaker, I would like to hear some explanation of the bill.

Mr. GROSVENOR. Mr. Speaker, the present law regulating the importation of goods into the northwestern sections of our country was passed prior to the creation of the Puget Sound district. The language in the law at present is "except into the districts hereinbefore described," and that description, therefore, did not cover the Puget Sound district. The creation of the Puget Sound district brings about this strange condition of facts, that the law is different, or rather, there is no law at all regulating this question in the matter of importations into that district. The Treasury Department asks that we make the present law conform to the present conditions of the districts in the Northwest.

Mr. SMITH of Kentucky. The bill comes from the Committee on Ways and Means?

Mr. GROSVENOR. It comes with a unanimous report from the Committee on Ways and Means, and is recommended by the Treasury.

Mr. LIND. Mr. Speaker, does it affect the imports from abroad?

Mr. GROSVENOR. Certainly not, because they can not do that. This is a simple change in the language of the present law. It strikes out the words "hereinbefore described" and puts it in the form as read by the Clerk.

Mr. LIND. It does not affect the bonding privilege?

Mr. GROSVENOR. Not at all. It simply conforms the law to the new condition of the districts.

Mr. PAYNE. It makes it the same as it is with Canada and Mexico.

Mr. GROSVENOR. It makes the law exactly as it is with Canada and Mexico; it makes a uniform operation throughout that whole section of the country.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, read the third time, and passed.

On motion of Mr. GROSVENOR, a motion to reconsider the last vote was laid on the table.

UNANIMOUS CONSENTS.

The SPEAKER. The Chair desires to state to the House that he has memoranda from many Members asking for the passage of court and bridge bills and bills that probably would not be ob-

jected to if the House would take the time to ascertain what they are. It is the desire of many Members that these requests shall be submitted to the House for unanimous consent. Of course each Member has the right, as gentlemen understand, to object to the consideration of any bill, or the consideration of all bills can be cut off by demand for the regular order. If such is the pleasure of the House, the Chair will devote one to two hours this morning in laying these matters before the House for unanimous consent, after having made this statement.

The Chair recognizes the gentleman from Missouri [Mr. HAMLIN].

BRIDGE OVER MISSOURI RIVER AT LEXINGTON, MO.

Mr. HAMLIN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 15195, which I send to the desk and ask to have read.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 15195) authorizing the construction of a wagon, toll, and electric-railway bridge over the Missouri River at Lexington, Mo.

The SPEAKER. Is there objection to the present consideration of the bill of which the Clerk has reported the title?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, with committee amendments thereto, in full.

The SPEAKER. The question is on agreeing to the amendments.

The question was taken, and the amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, read the third time, and passed.

On motion of Mr. HAMLIN, a motion to reconsider the last vote was laid on the table.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 10018. An act granting to the State of North Dakota 640 acres of land, embracing the White Stone Hills battlefield and burial ground of soldiers killed in that engagement;

H. R. 11518. An act to authorize the holding of a regular term of the district court of the United States for the western district of Virginia in the city of Bigstone Gap, Va.; and

H. R. 10670. An act making appropriation for the support of the Army for the fiscal year ending June 30, 1905, and for other purposes.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 11676. An act to ratify and amend an agreement with the Indians of the Crow Reservation in Montana, and making appropriations to carry the same into effect.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 10101. An act for the cession of 120 acres of land to the Beecher Island Battle Memorial Association.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 5597. An act to amend an act entitled "An act providing for public printing and binding and the distribution of public documents;" and

S. 5475. An act granting a pension to Mary M. Rice.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5597. An act to amend an act entitled "An act providing for public printing and binding and the distribution of public documents"—to the Committee on Printing.

S. 5475. An act granting a pension to Mary M. Rice—to the Committee on Invalid Pensions.

INDIANS ON SHOSHONE RESERVATION, WYO.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 13481) to ratify and amend an agreement with the Indians residing on the Shoshone or Wind River Indian Reservation, in the State of Wyoming, and to make appropriations for carrying the same into effect.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. JONES of Virginia. Reserving the right to object, I should like to hear the bill read.

The SPEAKER. The Chair will explain that his only reason for asking for objection before the reading of the bill was that when a bill is lengthy it may be well that the objection, if any, should be stated before time has been spent in the reading. The Chair can see the propriety in a case of this kind of asking for the reading of the bill before the question of unanimous consent is determined.

Mr. MONDELL. I ask unanimous consent that the reading of the preamble of the bill be dispensed with.

There was no objection.

The Clerk read the residue of the bill; which, in its entirety, is as follows:

Whereas Messrs. Joseph H. Brigham and Charles H. Merillat, two members of a commission consisting of Messrs. John D. Woodruff, Joseph H. Brigham, and Charles H. Merillat, did on the 2d day of October, 1891, conclude an agreement with the Shoshone and Arapahoe tribes of Indians residing on the Shoshone Indian Reservation in the State of Wyoming, which said agreement is in words and figures as follows, to wit:

Articles of agreement made and entered into at Fort Washakie, in the State of Wyoming, on the 2d day of October, 1891, by and between John D. Woodruff, Charles H. Merillat, and Joseph H. Brigham, commissioners on the part of the United States, and the Shoshone and Arapahoe tribes of Indians in the State of Wyoming.

ARTICLE I.

For the consideration hereinafter named the said Shoshone and Arapahoe tribes of Indians hereby cede, convey, transfer, relinquish, and surrender, forever and absolutely, subject to certain conditions hereinafter named respecting the right of individual Indians to retain allotments heretofore taken on the ceded part of the reservation, all their right, title, and interest of every kind and character in and to the lands and the water-rights appertaining thereunto, embraced in the following-described tract of country in the State of Wyoming:

All that portion of the Shoshone Reservation lying north and east of the following described lines, to wit: Beginning in the mid-channel of the Big Wind River at a point where the river crosses the western boundary of the reservation; thence in a southeasterly direction, following the mid-channel of the Big Wind River to a point known as the Wood Flat Crossing; thence in a line due east to the eastern boundary of the reservation; then, beginning where the line run due east from Wood Flat Crossing intersects the Big Wind River; thence in a line due south to the southern boundary of the reservation.

ARTICLE II.

In consideration for the lands ceded, sold, relinquished, and conveyed, as aforesaid, the United States stipulates and agrees to pay to the Shoshone and Arapahoe tribes of Indians the sum of $600,000 to bear interest until paid at the rate of 5 per cent per annum, and to be expended for the benefit of the Indians in the manner hereinafter described.

ARTICLE III.

Of the said $600,000, $170,000 is hereby set apart as a cattle fund, the interest on which, at 5 per cent per annum, shall be annually expended, under the direction of the Secretary of the Interior, in the purchase, maintenance, and support of a herd of cattle, to be held in common for the benefit of said Shoshone and Arapahoe tribes of Indians. The Indian agent shall select an appropriate and legal brand for the cattle, and it shall be his duty to see that all the cattle delivered at the agency for the Shoshone and Arapahoe Indians are suitably branded before being turned on the range. The Indian agent shall have full jurisdiction over the management of said herd of cattle. It shall be his duty to employ all necessary help and he shall have power to discharge said help at any time.

The range management of the herd shall be intrusted to the Indian or half-breed member of either of the tribes whom the Indian agent shall select as the person best qualified for the purpose: *Provided, however*, That if it be deemed advisable at any time for the proper care of said cattle the agent shall have power to employ a well-qualified white man as foreman. The employees under this foreman shall be selected from the Indian and half-breed members of the tribes. The foreman and herders shall furnish their own ponies, and shall receive a reasonable compensation, to be fixed by the agent and paid out of the money available each year for the running expenses of the cattle herd. The Indian agent alone shall have power to sell cattle from said Indian herd, under the following restrictions: No cattle bearing said Indian brand shall be sold or transferred in the State of Wyoming except for immediate slaughter. All cattle so sold or transferred shall be delivered by the Indian agent at some agreed-upon corral, and no claim or title of any individual, company, or corporation to any of said brand of cattle running upon the open range can be acquired or shall be recognized. The Indian agent, however, shall have power to ship beef cattle to eastern markets for sale whenever in his opinion such shipment would be to the advantage of the Indians. All sales of cattle shall be for cash, and the proceeds shall be turned into what shall be known as the Shoshone and Arapahoe cattle fund, and held by the agent for pro rata distribution to the Indians whenever said fund reaches an amount equal to $2 per capita.

Any unauthorized person found in possession of cattle from the Indian herd shall be liable to prosecution under the laws of the United States, and on conviction may be fined not exceeding $1,000 or imprisonment for not exceeding three years in the discretion of the court. The penalties provided for defacement of the Government brand on cattle shall apply to cases of defacement of the brand selected for cattle belonging to the Indian herd. Each year it shall be the duty of the Indian agent to make and forward to the Secretary of the Interior a careful estimate of the running expenses of the herd for the coming season, and the amount so estimated shall be reserved from the annual fund and the balance used, in the discretion of the Secretary of the Interior, in the purchase of stock cattle.

ARTICLE IV.

The further amount of $80,000 is hereby set apart as an irrigation fund, the interest on which, at 5 per cent per annum, or so much thereof as may be necessary, shall be annually expended, under the direction of the Secretary of the Interior, in building dams, constructing ditches and canals for irrigation within the diminished reservation, and in the maintenance, enlargement, repair, and management of such system of irrigation as may be established: *Provided*, That in the employment of persons for work, Indians, members of the Shoshone and Arapahoe tribes, shall be employed whenever practicable, and shall be paid the average wages paid to white laborers for the same service rendered.

ARTICLE V.

The further amount of $270,000 is hereby set apart as a general welfare and improvement fund, the interest of which, at 5 per cent per annum, shall be annually expended, under the direction of the Secretary of the Interior, for the civilization, industrial education, comfort, and improvement of the Indians, the money to be expended in the purchase of such articles and for such purposes as the Indians may request, and the Secretary of the Interior approve: *Provided, however*, That a reasonable amount of money may be expended each year in the erection, repair, and maintenance of bridges needed on the reservation, and in conducting an experimental farm on the reservation for the benefit of the Indians.

ARTICLE VI.

The further amount of $50,000 is hereby set apart as a school fund, the interest on which at 5 per cent per annum shall be annually expended, under the direction of the Secretary of the Interior, for the benefit of the industrial school on the reservation. The Commissioner of Indian Affairs shall designate some person to have under his or her charge the management and care of all property, of every kind and character, purchased under this article.

ARTICLE VII.

The funds provided for in the four preceding articles shall each run eight years or until the expiration of the present treaty with the Shoshones, and the future disposition of the funds shall then be subject to agreement between the United States and the Indians.

ARTICLE VIII.

The amount of $50,000 is hereby appropriated, to be immediately available, and shall be distributed per capita, in cash, among the Indians belonging on the reservation within sixty days after the ratification of this treaty.

ARTICLE IX.

It is further stipulated and agreed that the United States shall pay $100 each quarter to Washakie, the head chief of the Shoshones, this payment to continue during Washakie's lifetime.

ARTICLE X.

Five sections of land in proximity to the site selected for the new Government industrial school building is hereby reserved to the United States, and set apart to be used for the purpose of instructing the Indians in the knowledge of agriculture and stock raising, and for such other uses of an educational character as the Government may deem for the welfare of the Indians. The five sections of land shall be surveyed and set apart as Indian school lands at as early a date as the Secretary of the Interior may find practicable. No Indian or other person shall, from the date of signing this treaty on the part of the commissioners representing the United States, be permitted to settle upon any of the lands which, in the opinion of the Indian agent, are likely to be embraced within the five sections hereby reserved to the United States.

ARTICLE XI.

Any individual Indian or member of the Shoshone or Arapahoe tribes of Indians who has, under existing laws or treaty stipulations, selected a tract of land which falls within the ceded portion of the reservation, shall be entitled to have the same allotted to him or her under the terms of the act of February 28, 1891, upon application at the local land office for the district in which the lands are located within one year after the ratification of this agreement.

The list of names submitted by the Shoshones of Indians who have made locations, with the water rights appertaining to said locations, is as follows: Mrs. Agnes Lanigan and two children, Mrs. Louisa Boyd and seven children, Peter Robinson, William Brazill, Mrs. Stanger and children, John Enos and children, Louis Enos and children, George Enos and children, John Seminole, John Casouse and children, Poinyogo and children, Mrs. Belle Kinnear and children, Emily Creighton and children, Mrs. Harris and children, Bob Oneill, Mrs. Aragon and children, Mrs. George Wesaw, and Mrs. J. J. Atkins.

ARTICLE XII.

Nothing in this agreement shall be construed to deprive the Indians of any annuities or benefits to which they are now entitled under existing treaty stipulations. It is further stipulated and agreed that the United States shall maintain a garrison within the limits of such diminished reservation until after full investigation the Government shall determine that a removal of such garrison will not endanger the peace which now prevails between the two tribes located on the reservation, and also until such time as the Indians shall be adjudged to be qualified to protect their interests against the encroachments of unscrupulous persons of all classes.

ARTICLE XIII.

All public highways shall be kept open for travel, and passage along them shall be free and unobstructed.

ARTICLE XIV.

Persons whose cattle break into the properly inclosed farms, fields, or gardens of any Indian shall be liable for the damages sustained thereby, and the Secretary of the Interior may make suitable regulations for the carrying out of this provision.

ARTICLE XV.

The State of Wyoming shall have jurisdiction on this diminished reservation over all persons other than Indians, and the property of such persons, except that of the agents and employees of the Government used in the course of such agency or employment.

ARTICLE XVI.

The lands, except mineral lands, ceded, sold, relinquished, and conveyed to the United States by this agreement shall, upon proclamation by the President of the United States, be opened to settlement under the homestead and town-site laws only: *Provided, however*, That 1 section of land, embracing within its limits the Owl Creek Hot Springs, on the Big Horn River, about 3 miles below the canyon where the Wind River passes through the Owl Creek Mountains, be, and the same is hereby, reserved from settlement and entry and forever dedicated to the public. The Secretary of the Interior may lease this section of land and the springs for the maintenance of a hotel or hotels and bath houses, but ample facilities shall always be maintained by which the free use of a part of the baths may be enjoyed by the public and by the Indians: *And provided further*, That a half section of land shall also be, and the same is hereby, reserved around each other spring having medicinal properties, and may be leased under the same restrictions as are provided in the case of the Owl Creek Hot Springs.

ARTICLE XVII.

The boundaries of the diminished reservation, not already sufficiently marked by natural boundaries, shall be surveyed as soon as practicable, and definitely marked by suitable permanent monuments.

ARTICLE XVIII.

This agreement shall not be binding upon either party until ratified by the Congress of the United States.

Done at Fort Washakie, in the State of Wyoming, on the 2d day of October, A. D. 1891.

JOSEPH H. BRIGHAM,
CHARLES H. MERILLAT,
Commissioners.

WASHAKIE (his x mark). [SEAL.]
BLACK COAL (his x mark). [SEAL.]
(And 281 others.)

I certify that at the request of the Indians I read the foregoing treaty to them in joint council, and that it was explained to the interpreters paragraph by paragraph.

JAMES K. MOORE.

We certify that the foregoing treaty was fully explained in joint council to the Indians of the Shoshone and Arapaho tribes, that they fully understand the nature of the treaty, and agree to the same.

HENRY REED,
Arapaho Interpreter.
NORKOK (his x mark),
Shoshone Interpreter.

Witnesses:
J. J. ATKINES.
JOHN FESHER.

I certify that the foregoing names, though in some cases duplicate, in every instance represent different individuals.

JOHN C. BURNETT,
Special Interpreter.

Witnesses:
J. K. MOORE.
R. H. MAY,
Captain Eighth Infantry.
V. W. WELTY,
United States Agency Physician.
L. A. HOUESTEIN.
E. A. GUSTIN.
S. R. STAGNER.
J. J. ATKINS.

Therefore,

Be it enacted, etc., That the said agreement be, and the same is hereby, accepted, ratified, and confirmed as modified and amended, so as to read as follows:

ARTICLE I. That the said Shoshone and Arapahoe Indians of the Wind River Reservation in Wyoming do hereby cede, grant, and relinquish to the United States all right, title, and interest which they may have to all the lands embraced within the said reservation except the lands within and bounded by the following-described lines: Beginning in the midchannel of the Big Wind River at a point where said stream crosses the western boundary of the said reservation; thence in a southeasterly direction following the midchannel of the Big Wind River to its conjunction with the Big Popo-Agie, near the northeast corner of township 1 south, range 4 east; thence up the midchannel of the said Big Popo-Agie River in a southwesterly direction to the mouth of the North Fork of the said Big Popo-Agie River; thence up the midchannel of the said North Fork of the Big Popo-Agie to its intersection with the southern boundary of the said reservation, near the southwest corner of section 21, township 2 south, range 1 west; thence due west along the said southern boundary of the said reservation to the southwest corner of the same; thence north along the western boundary of the said reservation to the place of beginning.

ART. II. That in consideration for the lands ceded, granted, relinquished, and conveyed by Article I of this agreement the United States stipulates and agrees to dispose of the same as hereinafter provided under the provisions of the homestead, town-site, coal, and mineral land laws, or by sale for cash as hereinafter provided at the following prices per acre: All lands entered under the homestead law within two years after the same shall be opened for entry shall be paid for at the rate of $1.50 per acre, after the expiration of which period all lands entered under the homestead law shall be paid for at the rate of $1.25 per acre, and lands sold as hereafter provided for cash, within ten years after the opening of the ceded lands for settlement, shall in no event be sold for less than $1 per acre; lands disposed of under the town-site, coal, and mineral land laws shall be paid for at the prices provided for by law, and the United States agrees to pay the said Indians the proceeds derived from the sales of said lands, and also to pay the said Indians the sum of $1.25 per acre for sections 16 and 36 or an equivalent of 2 sections in each township of the ceded lands, the amounts so realized to be paid to and expended for the Indians in the manner hereinafter provided.

ART. III. That at least $170,000 of the moneys derived from land sales shall be expended, under the direction of the Secretary of the Interior, in the purchase of live stock for the said Indians and for instructing and training them in stock raising, such live stock to be managed and disposed of as the Secretary of the Interior may direct.

ART. IV. That the sum of $100,000, or so much thereof as may be necessary, shall be expended, under the direction of the Secretary of the Interior, for the construction and extension of an irrigation system within the diminished reservation for the irrigation of the lands of the said Indians: *Provided*, That in the employment of persons for the construction, enlargement, repair, and management of such irrigation system members of the said Shoshone or Arapahoe tribes shall be employed wherever practicable.

ART. V. That all of the moneys received in payment for the lands hereby ceded and relinquished, not set aside or required for the various specific purposes and uses herein provided for, shall constitute a general welfare and improvement fund, the interest on which at 4 per cent per annum shall be annually expended under the direction of the Secretary of the Interior for the benefit of the said Indians; the same to be expended for such purposes and in the purchase of such articles as the Indians in council may decide upon and the Secretary of the Interior shall approve: *Provided, however*, That a reasonable amount of the principal of said fund may be expended each year for the erection, repair, and maintenance of bridges needed on the reservation, in conducting an experimental farm on the reservation for the benefit of the Indians, or for such other purpose or purposes for the comfort, benefit, improvement, or education of said Indians as the Indians in council may direct and the Secretary of the Interior shall approve.

ART. VI. The sum of $50,000 shall be set aside as a school fund, the principal and interest on which at 4 per cent per annum shall be expended under the direction of the Secretary of the Interior for the erection of school buildings and maintenance of day and industrial schools on the reservation, which schools shall be under the supervision and control of the Secretary of the Interior.

ART. VII. The funds hereinbefore referred to shall, for the period of ten years after the opening of the lands herein ceded to settlement, be used in the manner and for the purposes herein provided, and the future disposition

of the said funds shall then be the subject of agreement between the United States and the said Indians.

ART. VIII. The sum of $85,000 shall be paid to the Indians of the Wind River or Shoshone Reservation, and shall be distributed among them per capita in cash within sixty days after the opening of the ceded lands to settlement.

ART. IX. Article 9 is hereby annulled.

ART. X. The Secretary of the Interior may, in his discretion, reserve, for the benefit of the said Indians, lands in the vicinity of the Wind River School on said reservation and elsewhere, not to exceed 5 sections in all; such lands to be reserved for the purpose of instructing the Indians in the knowledge of agriculture and stock raising, or in such other branches of an educational character as may be deemed beneficial to the Indians, and may instruct the allotting agent on said reservation to reserve lands for such purposes.

ART. XI. Any individual Indian, a member of the Shoshone or Arapahoe tribes, who has, under existing laws or treaty stipulations, selected a tract of land within the ceded portion of said reservation shall be entitled to have the same allotted and confirmed to him or her; and any Indian who has made or received an allotment of land within the ceded territory shall have the right to surrender such allotment and select other lands within the diminished reserve in lieu thereof at any time before the ceded lands shall be opened for entry.

ART. XII. Nothing in this agreement shall be construed to deprive the Indians of any annuities or benefits to which they may be entitled under existing treaty stipulations.

ART. XIII. All public highways now used and traveled on the diminished reserve shall be kept open for travel, and passage along them shall be free and unobstructed.

ART. XIV. Article XIV is hereby annulled.

ART. XV. Article XV is hereby annulled.

ARTICLE XVI. The lands ceded, sold, relinquished, and conveyed to the United States by this agreement shall, upon proclamation of the President, be opened to settlement under the homestead, town-site, mineral, and coal land laws; and all lands except coal and mineral lands remaining undisposed of six years after the said ceded lands shall be opened for entry shall be sold by the Secretary of the Interior to the highest bidder at not less than $1 per acre, and all lands except mineral and coal lands remaining unsold ten years after the opening of said lands to entry shall be sold for the best price obtainable.

SEC. 2. That the lands ceded to the United States under the said agreement, except sections 16 and 36 in each township, which shall be disposed of for the benefit of the common schools of Wyoming in accordance with the laws of said State, shall be disposed of under the provisions of the homestead, town-site, coal, and mineral-land laws of the United States, and shall be opened to settlement and entry by proclamation of the President of the United States not later than June 1, 1905, which proclamation shall prescribe the manner in which these lands may be settled upon, occupied, and entered by persons entitled to make entry thereof, and no person shall be permitted to settle upon, occupy, and enter said lands, except as prescribed in said proclamation, until after the expiration of sixty days from the time when the same are opened to settlement and entry, and the rights of honorably discharged Union soldiers and sailors of the late civil and of the Spanish wars, as defined and described in sections 2304 and 2305 of the Revised Statutes of the United States as amended by the act of March 1, 1901, shall not be abridged.

All homestead entrymen who shall make entry of the lands herein ceded within two years after the opening of the same to settlement shall pay $1.50 per acre for the land embraced in their entry, and for all of the said lands thereafter entered under the homestead law the sum of $1.25 per acre shall be paid, payment in all cases to be made as follows: Fifty cents per acre at the time of making entry and 25 cents per acre each year thereafter until the price per acre hereinbefore provided shall have been fully paid. Upon all entries the usual fees and commissions shall be paid as provided for in homestead entries on lands the price of which is $1.25 per acre.

Lands entered under the town-site and coal and mineral land laws shall be paid for in amount and manner as provided by said laws; and in case any entryman fails to make the payments herein provided for, or any of them, all rights of the said entryman to the lands covered by his entry shall cease, and any payments therebefore made shall be forfeited, and the entry shall be held for cancellation and canceled; that nothing in this act shall prevent homestead settlers from commuting their entries under section 2301 of the Revised Statutes of the United States by paying for the land entered the price fixed herein; that all lands except mineral and coal lands herein ceded remaining undisposed of at the expiration of six years from the opening of said lands to entry shall be sold to the highest bidder for cash at not less than $1 per acre under rules and regulations to be prescribed by the Secretary of the Interior: *Provided*, That any lands remaining unsold ten years after the said lands shall have been opened to settlement may be sold to the highest bidder for cash without regard to the above minimum limit of price.

SEC. 3. That the proceeds received from the sale of the said lands in conformity with this act shall be paid into the Treasury of the United States and paid to the said Shoshone and Arapahoe Indians or expended on their account only as provided in Articles III, IV, V, and VI of said agreement as herein amended.

SEC. 4. That there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $120,000, or so much thereof as may be necessary, to pay, at the rate of $1.25 per acre, for sections 16 and 36 of each township within the ceded territory granted to the State of Wyoming, as provided in section 2 of this act. And the sum of $35,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, for the survey and field and office examination of the unsurveyed portion of the ceded lands, and the survey and marking of the outboundaries of the diminished reservation where the same is not a natural water boundary.

SEC. 5. That nothing in this act contained shall in any manner bind the United States to purchase any portion of the land herein described, except sections 16 and 36 or the equivalent in each township, or to dispose of said land except as provided herein, or to guarantee to find purchasers for said land or any portion thereof, it being the intention of this act that the United States shall act as trustee for said Indians to dispose of said lands and to expend and pay over the proceeds received from the sale thereof only as received, as herein provided.

The amendments reported by the Committee on Indian Affairs were read, as follows:

On page 12, line 6, of the bill, strike out the word "which" and insert in lieu thereof the words "this two year."

After the word "law," in line 7, page 12 of the bill, insert "within four years therefrom."

On the same page, in lines 8, 9, 10, and 11, strike out the words "lands sold as hereafter provided for cash within ten years after the opening of the ceded lands for settlement shall in no event be sold for less than $1 per acre" and insert in lieu thereof the following:

"All lands, except coal and mineral lands remaining undisposed of six years after the said ceded lands shall be open for entry, shall be sold by the Secretary of the Interior to the highest bidder, at not less than $1 per acre, and all lands, except coal and mineral lands, remaining unsold ten years after the opening of said lands to entry, shall be sold by the Secretary of the Interior for the best price obtainable."

On page 14 of the bill, after the word "Reservation," in line 21, insert the words "from the proceeds of the sale of said lands:" and on said page, in line 23, after the word "settlement," insert the words "or as soon thereafter as such sum shall be available."

On page 15, line 10, after the word "has," insert the words "or shall have;" and on the same page, in line 11, after the word "stipulations," insert the words "prior to the opening of the ceded portion of said reservation."

On page 16, strike out all of lines 1 to 11, inclusive, and insert the following in lieu thereof:

"ART. XVI. Article XVI is hereby annulled.

"ART. XVII. Article XVII is hereby annulled.

"ART. XVIII. Article XVIII is hereby annulled."

On page 16, line 20, strike out the words "not later than" and insert in lieu thereof the word "on;" and at the end of line 20, same page, insert "and for entry on that date or as soon thereafter as surveyed."

On page 17, line 11, strike out the word "settlement" and insert in lieu thereof the word "entry."

On page 18, line 15, strike out the word "settlement" and insert the word "entry" in lieu thereof.

On page 19, line 8, after the word "appropriated," insert the words "the same to be reimbursed from the proceeds of the sale of said lands;" and at the end of the bill insert a new section, to be known as section 6, as follows:

"SEC. 6. That this amended agreement with the Shoshone and Arapahoe tribes of Indians in the State of Wyoming shall be in force and take effect when a majority of the adult males of the said tribes shall have agreed to the same."

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. FITZGERALD. Reserving the right to object, I wish to ask the gentleman from Wyoming [Mr. MONDELL] whether this bill does not provide that it shall not take effect until its provisions are ratified by the Indians to be affected.

Mr. MONDELL. One of the committee amendments provides that the amended treaty shall not be in force until ratified by the Indians.

Mr. FINLEY. I will ask the gentleman from Wyoming whether the appropriations contained in this bill are made in order to carry out the provisions of the enabling act admitting Wyoming into the Union.

Mr. MONDELL. The appropriations are for surveys; and per capita payments are to be made, which are reimbursable.

Mr. FINLEY. Then, as I understand, no appropriation is made directly from the Treasury.

Mr. MONDELL. No, sir.

Mr. FINLEY. I should like a word of explanation with reference to the school lands.

Mr. MONDELL. The bill originally provided for the purchase of the school lands at $1.25 an acre. As the bill now stands, that provision is made; but I propose to offer an amendment striking out all the provisions with regard to school lands. That will leave the State with the right under her constitution to take lieu lands; but the Government does not pay for those lands.

Mr. FINLEY. Is that because the enabling act admitting the State of Wyoming into the Union does not provide that sections 16 and 36 be set apart?

Mr. MONDELL. No; the enabling act authorizes the State to take lieu lands. While the bill originally provided that the State should take lands on the reservation, the amendment which will be offered strikes out those provisions and makes no provision at all with regard to school lands, leaving the State authorized under the enabling act to take lieu lands.

Mr. STEPHENS of Texas. It is perhaps proper that I should state that the amendment referred to has been authorized by the Committee on Indian Affairs. The bill was reported unanimously from that committee, with the understanding that the amendment should be offered on the floor.

Mr. MONDELL. That is the situation.

There being no objection, the House proceeded to the consideration of the bill.

The amendments reported by the committee were agreed to.

Mr. MONDELL. I offer the amendment which I send to the desk.

The Clerk read as follows:

Amend by striking out all of page 12 after the word "lands," in line 22.

After the word "dollars," in line 11, page 13, insert "of the moneys derived from land sales."

On page 14, line 13, after the word "dollars," insert "of the moneys derived from land sales."

On page 17, after the word "agreement," in line 1, strike out the following: "Except sections 16 and 36 in each township, which shall be disposed of for the benefit of the common schools of Wyoming in accordance with the laws of said State."

On page 19 of the bill, line 14, strike out the following words: "one hundred and twenty" and insert in lieu thereof "eighty-five."

On page 19, beginning on line 15, strike out the following: "Or so much thereof as may be necessary, to pay, at the rate of $1.25 per acre, for sections 16 and 36 of each township within the ceded territory granted to the State of Wyoming, as provided in section 2 of this act," and in lieu thereof insert the following: "To make the per capita payment provided in article 8, section 1, of this act, the same to be reimbursed from the first moneys received from the sale of the lands herein ceded and relinquished."

Page 20, after the word "described," on line 5, strike out the words "except sections 16 and 36, or the equivalent in each township."

The amendment of Mr. MONDELL was agreed to.

The bill as amended was ordered to be engrossed and read a third time: and it was accordingly read the third time.

The preamble was then agreed to.

The bill was passed.

On motion of Mr. MONDELL, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS ALABAMA RIVER, MONTGOMERY, ALA.

Mr. WILEY of Alabama. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2842) to amend an act entitled "An act to authorize the Montgomery Bridge Company to construct and maintain a bridge across the Alabama River near the city of Montgomery, Ala.," approved March 1, 1893.

The bill was read as follows:

Be it enacted, etc., That the said Montgomery Bridge Company shall have authority to construct said bridge mentioned in said act across the Alabama River, under and subject to the limitations and restrictions mentioned in said act, and in the amendment thereto approved March 3, 1897, if the actual construction of the bridge therein authorized shall be commenced within one year from the approval of this act and completed within three years from same date.

The SPEAKER. Is there objection?

Mr. MADDOX. Mr. Speaker, reserving the right to object, I should like to hear something about that bill.

Mr. WILEY of Alabama. I will state to the gentleman from Georgia that this is simply an extension of the time allowed for the construction of a bridge across the Alabama River near Montgomery.

Mr. MADDOX. What is it, a railroad bridge?

Mr. WILEY of Alabama. A bridge for equestrians and pedestrians.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to a third reading, was accordingly read the third time, and passed.

On motion of Mr. WILEY of Alabama, a motion to reconsider the last vote was laid on the table.

UNITED STATES COURTS AT EAST ST. LOUIS, ILL.

Mr. RODENBERG. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 15228) establishihg a regular term of the United States circuit and district courts at East St. Louis, Ill.

The bill was read, as follows:

Be it enacted, etc., That hereafter and until otherwise provided by law there shall be held annually on the first Monday in November a term of the circuit and district courts of the United States for the southern district of Illinois at the city of East St. Louis, in said district, said term to be in addition to the terms now required by law to be held at the cities of Springfield, Cairo, Quincy, and Danville, in said district.

SEC. 2. That the marshal and clerk of said district shall each, respectively, appoint at least one deputy to reside in said city of East St. Louis, unless he shall reside there himself, and also maintain an office at that place of holding court.

SEC. 3. That the judge of the United States circuit or district court for said district may, by order, from time to time appoint and hold additional special terms of said court in said district, for the disposal of the unfinished business thereof, whenever the interest of the public and the condition of the docket shall so require: *Provided, however*, That suitable rooms and accommodations are furnished for holding said courts free of expense to the Government of the United States until such time as a Federal building shall be erected in said city of East St. Louis.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

On motion of Mr. RODENBERG, a motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS RED RIVER, SHREVEPORT, LA.

Mr. BREAZEALE. Mr. Speaker. I ask unanimous consent for the present consideration of the bill (H. R. 14588) to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River, in the State of Louisiana, at or near Shreveport.

The Clerk read the bill as proposed to be amended, as follows:

Be it enacted, etc., That the act of Congress approved April 30, 1902, entitled "An act to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River, in the State of Louisiana, at or near Shreveport," which act has expired by limitation, be, and is hereby, revived and reenacted.

SEC. 2. That section 10 of said act is hereby amended to read as follows:

"SEC. 10. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from April 30, 1904."

The SPEAKER. Is there objection?

There was no objection.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

The title of the bill was amended so as to read: "A bill to revive and amend an act entitled 'An act to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River, in the State of Louisiana, at or near Shreveport.'"

On motion of Mr. BREAZEALE, a motion to reconsider the vote by which the bill was passed was laid on the table.

UNITED STATES COURTS AT GREAT FALLS, MONT.

Mr. DIXON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2385) providing for holding regular terms of the circuit and district courts of the United States at Great Falls, Mont.

The bill was read, as follows:

Be it enacted, etc., That hereafter, and until otherwise provided by law, regular terms of the circuit and districts courts of the United States for the district of Montana shall be held at Great Falls, Mont., on the first Monday in May and on the first Monday in October in each year, and causes civil and criminal may be transferred by the court or judge thereof from Helena or Butte to Great Falls or from Great Falls to Butte or Helena, in said district, when the convenience of parties or the ends of justice would be promoted by the transfer; and any interlocutory order may be made by the court or judge thereof in either place.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

On motion of Mr. DIXON, a motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS CUMBERLAND RIVER, CARTHAGE, TENN.

Mr. FITZPATRICK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 5259) to amend an act entitled "An act authorizing the construction of a bridge across the Cumberland River at or near Carthage, Tenn."

The bill was read, as follows:

Be it enacted, etc., That an act entitled "An act authorizing the construction of a bridge across the Cumberland River at or near Carthage, Tenn.," approved March 2, 1901, be, and the same is hereby, revived and declared to be in full force and effect, and that section 5 of said act is hereby amended so as to read as follows: "That this act shall be null and void if said bridge is not commenced within one year and completed within three years from the 1st day of April, 1904."

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. FITZPATRICK, a motion to reconsider the last vote was laid on the table.

On motion of Mr. FITZPATRICK, the corresponding House bill (H. R. 15087) was ordered to lie on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 14416. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes.

The message also announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

H. R. 9256. An act granting an increase of pension to Enoch Stahler;

H. R. 13850. An act granting an increase of pension to Mary Heaney;

H. R. 9331. An act to extend the time for completion of the East Washington Heights Traction Railroad Company;

H. R. 8693. An act to authorize the apprehension and detention of insane pensons in the District of Columbia, and providing for their temporary commitment in the Government Hospital for the Insane, and for other purposes;

H. R. 1851. An act granting an increase of pension to David T. Towles; and

H. R. 8925. An act granting an increase of pension to John Weaver.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 13298. An act to amend section 2327 of the Revised Statutes of the United States relating to lands;

H. R. 13300. An act granting certain rights and privileges to the commissioners of waterworks in the city of Erie, Pa.; and

H. R. 2009. An act for the relief of the estate of Sven J. Johnson.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 10046) granting an increase of pension to Thomas J. Campton, the beneficiary of said bill having died.

Also:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 4316) providing for the appointment of additional judges in the Indian Territory.

Also:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 3596) to amend section 2327 of the Revised Statutes of the United States, concerning mineral lands.

BRIDGE ACROSS CALUMET RIVER NEAR HAMMOND, IND.

Mr. CRUMPACKER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The bill was read, as follows:

A bill (H. R. 15010) to amend section 6 of "An act to authorize the construction of a bridge by the New York, Chicago and St. Louis Railroad Company and the Chicago and Erie Railroad Company across the Calumet River at or near the city of Hammond, Ind., at a point about 1,200 feet east of the Indiana and Illinois State line and about 100 feet east of the location of the present bridge of the New York, Chicago and St. Louis Railroad Company across said river; also to authorize the construction of a bridge by the Chicago and State Line Railroad Company across said river at the point where said company's railroad crosses said river in Hyde Park Township, Chicago, Ill., being at the location of the present bridge of said company across said river in said township," approved July 1, 1902.

Be it enacted, etc., That section 6 of "An act to authorize the construction of a bridge by the New York, Chicago and St. Louis Railroad Company and the Chicago and Erie Railroad Company across the Calumet River at or near the city of Hammond, Ind., at a point about 1,200 feet east of the Indiana and Illinois State line and about 100 feet east of the location of the present bridge of the New York, Chicago and St. Louis Railroad Company across said river; also to authorize the construction of a bridge by the Chicago and State Line Railroad Company across said river at the point where said company's railroad crosses said river in Hyde Park Township, Chicago, Ill., being at the location of the present bridge of said company across said river in said township," approved July 1, 1902, be, and the same is hereby, amended so as to read as follows:

"SEC. 6. That this act shall be null and void if actual construction of the bridges herein authorized be not completed within three years from the 1st day of July, 1902."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. CRUMPACKER, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS CHOCTAWHATCHEE RIVER BETWEEN HOUSTON AND DALE COUNTIES, ALA.

Mr. CLAYTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 14590.

The bill was read, as follows:

A bill (H. R. 14590) to authorize the courts of county commissioners of Houston and Dale counties, Ala., to construct a bridge across the Choctawhatchee River between Houston and Dale counties, Ala.

Be it enacted, etc., That the courts of county commissioners of Houston and Dale counties, in the State of Alabama, be, and are hereby, authorized to construct, maintain, and operate a bridge across the Choctawhatchee River, a navigable stream, 40 feet above low-water mark, at or near Trawicks Landing, between said counties of Houston and Dale in said State.

SEC. 2. That said bridge shall be located and built under and subject to such regulations for the security of navigation as the Secretary of War may prescribe; and to secure that object the said courts of county commissioners shall submit for his examination designs and drawings of the bridge and maps of the location, and until the said plans and location are approved by him the bridge shall not be commenced or built; and should any changes be made in said bridge, before or after completion, such changes shall be likewise subject to the approval of the Secretary of War.

SEC. 3. That the said bridge shall be so kept and managed as to offer reasonable and proper means for the passage of vessels and other craft through or under the same; and for the safety of vessels passing at night there shall be displayed on said bridge, from sunset to sunrise, at the expense of the owners thereof, such lights or other signals as the Light-House Board may prescribe. And any changes in said bridge which the Secretary of War may at any time deem necessary, and order in the interests of navigation, shall be made by the owners thereof at their own expense.

SEC. 4. That this act shall be null and void if actual construction of the said bridge be not commenced in one year and completed in three years from the date hereof.

SEC. 5. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment recommended by the committee was read, as follows:

In lines 6 and 7, page 1, strike out the words "a navigable stream, 40 feet above low-water mark."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. CLAYTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

RESURVEY IN CERTAIN TOWNSHIPS IN ROUTT AND RIO BLANCO COUNTIES, COLO.

Mr. HOGG. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 2382.

The bill was read, as follows:

A bill (S. 2382) providing for the resurvey of certain townships in Routt and Rio Blanco counties, in the State of Colorado.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to cause to be made a resurvey of the lands in Routt and Rio Blanco counties, in the State of Colorado, embraced in and consisting of townships 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and fractional township 12 north, of ranges 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, and fractional range 104 west, including a retracement of the base line and resurvey of the first and second correction lines north, through ranges 92 to 104 west, inclusive, and the eleventh auxiliary guide meridian west, the twelfth guide meridian west, and the twelfth auxiliary guide meridian west, from the base line to the north boundary of Colorado through townships 1 to 12 north, all of the sixth principal base and meridian; and all rules and regulations of the Department of the Interior requiring petitions from all settlers of said townships asking for resurvey and agreement to abide by the result of the same so far as these lands are concerned are hereby abrogated: *Provided*, That nothing herein contained shall be so construed as to impair the present bona fide claim of any actual occupant of any of said lands to the lands so occupied. And for the purpose of carrying out the provisions of this act, including office work and an examination of said resurveys in the field, there is hereby appropriated $120,000 out of any moneys in the Treasury not otherwise appropriated.

The amendment recommended by the committee was read, as follows:

Strike out all of the act after the word "occupied" in line 12, page 2.

Mr. STEPHENS of Texas. Mr. Speaker, I would like to ask the gentleman from Colorado a question with reference to this matter.

Mr. HOGG. Certainly.

Mr. STEPHENS of Texas. I desire to ask whether the Secretary of the Interior may not now have these surveys made without a special act of Congress?

Mr. HOGG. No; the law relating to this requires data of certain residents, and they can not do it as to all of them. The condition there is one of a great deal of danger to those occupying the lands. The survey made twenty years ago was very inaccurate and has resulted in a good deal of trouble between the settlers, and it is liable to produce a great deal more if it is not corrected. A railroad is going through there now, which is causing the country to be settled up very rapidly and makes this all the more important.

Mr. STEPHENS of Texas. I am not opposed to the bill, but I wanted to know whether it required a special act.

Mr. HOGG. It requires a petition of the residents.

Mr. STEPHENS of Texas. I had occasion recently to make an inquiry into a similar matter in Oklahoma and New Mexico.

Mr. HOGG. I will say to the gentleman that the bill is recommended by the Department.

Mr. STEPHENS of Texas. Understand, I have no objection. I simply wanted to make an inquiry as to whether or not the Secretary can now have this work done.

Mr. HOGG. No. That law, if you will examine it, provides otherwise.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. HOGG, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS THE NAVIGABLE WATERS OF ST. ANDREWS BAY.

Mr. ADAMSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 15165.

The bill was read, as follows:

Be it enacted, etc., That the Birmingham, Columbus and St. Andrews Railroad Company, a corporation duly created and existing, is hereby authorized to build and maintain a railroad bridge across the navigable waters of St. Andrews Bay, in Washington County, Fla., at or near a point on the north arm of said bay known as Gipsy Point, on North Bay, the said bridge to be so constructed as not to interfere with the navigation of said navigable waters.

SEC. 2. That any bridge constructed under this act shall be built and located under and subject to such regulations for the security of the navigation of said navigable waters as the Secretary of War shall prescribe, and to secure that object the said company shall submit to the Secretary of War, for his examination and approval, a design and drawing of the proposed bridge and a map of the location, giving, for the space of at least one-half mile above and one-half mile below the proposed location, the topography of the banks of the arm of the bay, the shore lines at high and low water, and the direction and strength of the current and the soundings accurately showing the bed of the stream, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until said plan and location of the bridge are approved by the Secretary of War the bridge shall not be built; and should any change be made in the plan of said bridge during the progress of construction or after its completion such change shall be subject to the approval of the Secretary of War.

SEC. 3. That the bridge constructed under this act shall be a lawful structure, and shall be recognized and known as a post route, upon which no higher charge shall be made for the transportation over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for transportation of said mails, troops, and munitions over the railroads and public highways leading to said bridge; and the United States shall have the right of way for a postal telegraph across said bridge; and said structure shall be so kept and managed at all times as to afford reasonable and proper means for the passage of vessels through or under said bridge; and for the safety of vessels passing at night there shall be displayed on said bridge, from sunset to sunrise, at the expense of the owners thereof, such lights and other signals as may be prescribed by the Light-House Board;

and the said bridge shall be changed or altered at the cost and expense of the owners thereof from time to time, as the Secretary of War may direct, so as to preserve the free and convenient navigation of said river.

SEC. 4. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the approval of this act.

SEC. 5. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments recommended by the committee were read, as follows:

On page 1, in line 8, strike out the word "Gipsy" and insert in lieu thereof the word "Grassy."

On page 2, in line 24, after the word "bridge," add the following: "and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies."

After section 3 add section 4, as follows:

"SEC. 4. That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains over the same, and the approaches thereto, upon payment of a reasonable compensation for such use, or, in case of disagreement, upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in interest."

Renumber section 4 to section 5 and section 5 to section 6.

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. ADAMSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

TIME FOR HOLDING UNITED STATES COURTS IN TENNESSEE.

Mr. GIBSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The bill was read, as follows:

A bill (H. R. 14533) to change and fix the time for holding the district and circuit courts for the northern division of the eastern district of Tennessee.

Be it enacted, etc., That the term of the circuit and district courts of the United States for the northern division of the eastern district of Tennessee, held at Knoxville, Tenn., shall commence on the first Monday in March of each year instead of the second Monday in March, as is now provided by law; and said term shall continue as long as the presiding judge may deem it necessary.

SEC. 2. That no action, suit, proceeding, information, indictment, recognizance, bail bond, or other process in either of said courts shall abate or be rendered invalid by reason of the change of time in the holding of the term of said courts, but the same shall be deemed to be returnable to, pending, and triable at the term herein provided for.

SEC. 3. That all laws and parts of laws conflicting with this act be, and are hereby repealed.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, was accordingly read the third time, and passed.

On motion of Mr. GIBSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

SELECTION OF CERTAIN LANDS IN MISSISSIPPI.

Mr. CANDLER. Mr. Speaker, I ask unanimous consent for the present consideration of the following bill.

The SPEAKER. The gentleman from Mississippi asks unanimous consent for the consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 4474) to authorize the governor of the State of Mississippi to select certain lands in part satisfaction of its grant for university purposes.

Be it enacted, etc., That the governor of the State of Mississippi be, and he is hereby, authorized, in part satisfaction of the grant heretofore made to said State by act of Congress approved June 20, 1894, entitled "An act to supply a deficiency in the grant of public lands to the State of Mississippi for the use of the State university," to select, under the provisions of said act, the lands formerly reserved for naval purposes, situated on Back Bay, west of the city of Biloxi, in the State of Mississippi, which were restored to disposition under the town-site laws under the act of Congress approved March 2, 1895, entitled "An act to authorize the Secretary of the Navy to certify to the Secretary of the Interior, for restoration to the public domain, lands in States of Alabama and Mississippi not needed for naval purposes," and so much of the second proviso of said act of March 2, 1895, as may prevent such selection is hereby repealed.

The amendment recommended by the committee was read, as follows:

Add at the end of the bill the following:

"*Provided*, That this act shall not invalidate or impair in any way the rights of bona fide settlers on the said land."

The SPEAKER. Is there objection?

Mr. SULZER. Mr. Speaker, reserving the right to object, I would like to have the gentleman give some explanation of this bill.

Mr. CANDLER. This bill is unanimously reported by the Committee on the Public Lands, and I have called it up at the request of my colleague, Mr. MCLAIN, who introduced the bill. The lands involved were in 1832 reserved for naval purposes by virtue of section 3 of the act of March 3, 1827.

Mr. SULZER. Let me ask the gentleman right there: Does this public land belong to the Government of the United States or to the State of Mississippi?

Mr. CANDLER. Well, I will tell you in just a moment, if you will just wait. It was restored to the public domain under the act of March 2, 1895, authorizing the Secretary of the Navy to certify such lands as were not needed for naval purposes for restoration to the public domain. Under that act it was certified by him and restored to the public domain, but was reserved by a proviso in the act for disposition under the town-site law. Under act of Congress of June 20, 1894, the governor of the State of Mississippi was authorized to select certain agricultural lands for the university of the State.

Under that act, he, on March 5, 1895, selected some lands and included in his selections these lands, but as they were reserved under the town-site law it was held by the Department they were not agricultural lands and therefore were not subject to selection under this act by the governor of the State in accordance with the terms prescribed therein. As a matter of fact——

Mr. SULZER. Let me ask the gentleman how many acres are there?

Mr. CANDLER. Three hundred and seventy-seven acres. As a matter of fact these lands are agricultural lands and should never have been reserved under the town-site law, and this is simply for the purpose of giving the governor of the State of Mississippi the right to select these lands along with the other agricultural lands selected by him, it being the same character of land as the other selections made.

Mr. SULZER. I want to ask the gentleman if this land is near the Tombigbee River?

Mr. CANDLER. It is not near the Tombigbee River; if it was it would be much more valuable. Being near the Tombigbee adds beauty, charm, and value to anything which is so fortunately situated, for it is a most beautiful river, and when improved by the Government, which it will be, it will be one of the greatest commercial waterways in this magnificent country of ours, and this Congress is being unjust to the Government and the country at large in delaying the improvement of this river. But it is coming, for it is right, and right is mighty and will prevail. [Applause.]

Mr. SULZER. I withdraw my objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

On motion of Mr. CANDLER, a motion to reconsider the vote by which the bill was passed was laid on the table.

BULL RUN FOREST RESERVE, OREG.

Mr. WILLIAMSON. Mr. Speaker, I desire unanimous consent to call up the bill S. 3036.

The SPEAKER. The gentleman from Oregon asks unanimous consent for the present consideration of the bill which the Clerk will report.

The Clerk read as follows:

An act (S. 3036) for the protection of the Bull Run Forest Reserve and the sources of the water supply of the city of Portland, State of Oregon.

Be it enacted, etc., That from and after the date of the passage of this act it shall be unlawful for any person or persons, except forest rangers and other persons employed by the United States to protect the forest, and Federal and State officers in the discharge of their duties, and the employees of the water board of the city of Portland, State of Oregon, to enter, for the purpose of grazing stock, upon any part of the reserve known as the Bull Run Forest Reserve, in the Cascade Mountains, in the State of Oregon, which reserve was established by proclamation of the President of the United States in 1892, as provided by section 24 of an act of Congress entitled "An act to repeal timber-culture laws, and for other purposes," approved March 3, 1891, and which reserve includes within its area the water supply of the city of Portland, State of Oregon; and any person or persons, save those hereinbefore excepted, who shall engage in grazing stock, or who shall permit stock of any kind to graze within said Bull Run Forest Reserve, or who shall enter upon said forest reserve, or be found therein or in any part thereof, shall be deemed guilty of a misdemeanor, and on conviction thereof in the district court of the United States for the district of Oregon shall be fined not less than $100 nor more than $1,000, in the discretion of the court. And the Secretary of the Interior is hereby authorized and directed to enforce the provisions of this act by all proper means at his command, and to exclude from said forest reserve stock of all kinds and all persons, save as hereinbefore excepted.

The amendment recommended by the committee was read, as follows:

Strike out all between the word "shall," in line 3, on page 2, and the word "shall," in line 9, on page 2, and insert in lieu thereof the words "knowingly trespass thereon."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. WILLIAMSON. Mr. Speaker, I desire to submit a slight amendment.

The SPEAKER. Is it an amendment to the committee amendment or an additional amendment?

Mr. WILLIAMSON. It is an amendment to another portion of the bill.

The SPEAKER. The question is on agreeing to the committee amendment.

The question was taken, and the amendment recommended by the committee was agreed to.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Oregon.

The Clerk read as follows:

Strike out, in lines 12, 13, and 14, on page 2, the words "not less than one hundred dollars nor more than one thousand" and insert in lieu thereof the words "not to exceed five hundred."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was read the third time, and passed.

On motion of Mr. WILLIAMSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

EXAMINATION AS A WITNESS OF THE HUSBAND OR WIFE OF THE DEFENDANT IN CRIMINAL CASES.

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from Iowa asks unanimous consent for the present consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 10142) authorizing the examination as a witness of the husband or wife of the defendant in criminal cases.

Be it enacted, etc., That in the trial of all indictments, informations, complaints, and other proceedings against persons charged with the commission of crimes, offenses, and misdemeanors, in the United States courts, Territorial courts, and courts-martial, and courts of inquiry, in any State or Territory, including the District of Columbia, the wife or husband of the party so charged shall, at the request of the party charged, but not otherwise, be a competent witness. And the failure to make such request shall not create any presumption against the party so charged, and such failure shall not be referred to by counsel or the court during any proceedings.

The SPEAKER. Is there objection?

Mr. SHERLEY. Mr. Speaker, I object.

SELECTION OF LANDS BY THE ABSENTEE WYANDOTTE INDIANS.

Mr. BOWERSOCK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2268) to authorize the Absentee Wyandotte Indians to select certain lands and for other purposes, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That each living adult Absentee Wyandotte Indian whose name appears upon a census roll of Absentee Wyandotte Indians made by Special Agent Joel T. Olive, as approved by the Secretary of the Interior December 7, 1896, may select in person, under such rules and regulations as the Secretary of the Interior may prescribe, from the public domain, 80 acres of agricultural land wherever there may be such lands subject to entry; and the heirs of any deceased Absentee Wyandotte Indian so enrolled may in like manner select a like quantity of land in the name of their deceased ancestor, and the natural or legal guardian of any minor Absentee Wyandotte so enrolled may in like manner select 80 acres of agricultural land for his ward, and when lands shall have been so selected by any person entitled to make such selection and such selection is approved by the Secretary of the Interior, he shall cause a patent to issue in the name of the enrolled Absentee Wyandotte by or for whom such selection has been made, which patent shall contain the condition that the lands covered thereby shall not be aliened without the consent of the Secretary of the Interior: *Provided*, That as soon as any such selection has been made and approved the pro rata share of the Indian by or for whom such selection was made in the funds provided in the acts of August 15, 1894, and March 2, 1895, shall thereby become relinquished to the United States and shall be covered into the Treasury as proceeds of the sales of public lands: *And provided further*, That the Secretary of the Interior may add to the said census roll the names of such persons, not exceeding seventeen in number, as he may find properly to have been entitled to enrollment by said special agent, Joel T. Olive.

The following committee amendments were read:

In line 8, page 1, after the word "the" at the end of said line, add the word "surveyed."

In line 9, page 1, after the word "public," add the word "nonmineral."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the amendments.

The question was taken; and the amendments were agreed to.

The SPEAKER. The question now is on the third reading of the Senate bill.

The bill was ordered to be read a third time, read the third time, and passed.

On motion of Mr. BOWERSOCK, a motion to reconsider the last vote was laid on the table.

HOMESTEAD SETTLEMENTS OF ROUND VALLEY INDIAN RESERVATION, CAL.

Mr. BELL of California. Mr. Speaker, I ask unanimous consent for the present consideration of the following bill.

The SPEAKER. The gentleman from California asks unanimous consent for the present consideration of the bill of which the Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 15011) to open to homestead settlement and entry the relinquished and undisposed-of portions of the Round Valley Indian Reservation, in the State of California, and for other purposes.

The SPEAKER. Is there objection?

Mr. LIVERNASH. Mr. Speaker, I object.

EXAMINATION AS WITNESS OF HUSBAND OR WIFE OF DEFENDANT IN CRIMINAL CASES.

Mr. SMITH of Iowa. Mr. Speaker, I again ask unanimous consent for the present consideration of the bill (H. R. 10142) authorizing the examination as a witness of husband or wife of a defendant in criminal cases, which was objected to a few moments ago by the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. Mr. Speaker, I will state that I am willing to withdraw my objection, provided a full statement of the purposes of the bill be made. My objection was based upon the ground that here was a bill relating to practice in Federal courts and not a bill of personal or private nature. If a full statement is made of the bill, I have no objection to it.

Mr. BREAZEALE. Mr. Speaker, I shall reserve the right to object until I hear the statement.

Mr. SMITH of Iowa. Mr. Speaker, I will make a brief statement, with the permission of the Chair. In 1878 a statute was passed changing the common law and allowing a defendant in criminal cases to testify in his own behalf. In the Graves case (150 U. S.) it was held that this law did not authorize the defendant to call the husband or wife of the defendant, as the case might be, as witness for the defense. Under this system we have the strange condition that the person who is principally interested is now a competent witness, but the person who is indirectly interested is not a competent witness. In practically every State in this Union the husband or wife of the defendant is a competent witness in behalf of a defendant, and this bill simply provides that the husband or wife of a defendant in a criminal case may be called by the defendant, but not by the State.

The SPEAKER. Is there objection?

Mr. BREAZEALE. Mr. Speaker, I dislike very much to do so, but I have some very strong objections to the general policy of such a bill, and I must object.

The SPEAKER. Objection is made.

LIFE-SAVING STATION AT EAGLE HARBOR, KEWEENAW POINT, MICHIGAN.

Mr. YOUNG. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 12044) to authorize the establishment of a life-saving station at or near Eagle Harbor, Keweenaw Point, Michigan, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to establish a life-saving station at or near Eagle Harbor, on Keweenaw Point, Michigan, in such locality as the General Superintendent of the Life-Saving Service may recommend.

SEC. 2. That the character of the equipments and appliances of the station, the number of men constituting its crew, and the portion of the year during which it shall be maintained shall be determined by the General Superintendent of the Life-Saving Service.

The following committee amendment was read:

Strike out all of section 2.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chairs hears none. The question is on the amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, read the third time, and passed.

On motion of Mr. YOUNG, a motion to reconsider the last vote was laid on the table.

DAM ACROSS MISSOURI RIVER.

Mr. PERKINS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11972) to authorize the Ox Bow Power Company, of South Dakota, to construct a dam across the Missouri River, which I send to the desk and ask to have read.

The Clerk read the bill as amended by the committee, in the nature of a substitute, as follows:

Be it enacted, etc., That the consent of the Government is hereby given to the Ox Bow Power Company, of South Dakota, its successors or assigns, to construct across the Missouri River, from lot 3, in section 26, township 14 north, range 3 west, of the Montana meridian, to the opposite bank of the same river, to be approved by the Secretary of War, a dam, causeway, and the appurtenances thereof, for water power and other purposes: *Provided*, That the plans for the construction of said dam and appurtenant works shall be submitted to and approved by the Chief of Engineers and the Secretary of War before the commencement of construction, and when so approved no change shall be made in said plans without the prior approval of the Chief of Engineers and the Secretary of War: *Provided further*, That the said company shall construct and maintain, in connection with said dam, a suitable boom and log sluice; that suitable fishways, to be approved by the United States Fish Commissioner, shall be constructed and maintained at said dam by said corporation, its successors or assigns; and shall obtain and convey to the United States, whenever requested to do so by the Secretary of War, clear title to such land as in his judgment may be required for constructions and approaches to said dam for transferring boats and freight around the same, and shall grant to the United States a free use of water power for operating such construction work; and to insure compliance with these conditions the said company shall execute and deliver to the Secretary of War a proper bond in such amount as may be fixed by him: *And provided further*, That the said company shall be liable for any damage to private property

resulting from the construction and operation of said dam and appurtenant works, either by overflow or otherwise, and proceedings to recover compensation for such damage may be instituted either in the State or Federal courts.

SEC. 2. That this act shall be null and void unless the structures herein authorized shall be commenced within one year and completed within three years from the date of approval hereof.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the committee amendment.

The question was taken, and the committee amendment was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill as amended.

The question was taken; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. PERKINS, a motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS THE NEWARK BAY.

Mr. BENNY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13472) to bridge the Newark Bay, which I will send to the desk and ask to have read, and also send with it certain amendments proposed by my colleague the gentleman from New Jersey [Mr. PARKER], to which I have agreed as a condition precedent for his withdrawal of opposition to the present consideration of the bill.

The Clerk read the bill as amended by the committee, in the nature of a substitute, as follows:

Be it enacted, etc., That the boards of chosen freeholders of the counties of Hudson and Union, in the State of New Jersey, or the legally constituted authorities of the city of Bayonne and the city of Elizabeth, as has been or may be determined by the legislature of the State of New Jersey, and when authorized by said legislature and subject to any limitations or conditions imposed by said legislature, shall be, and they are hereby, authorized to locate, build, maintain, equip, and operate a bridge across Newark Bay, in the State of New Jersey, between the city of Elizabeth, in the county of Union, and the city of Bayonne, in the county of Hudson, in such manner and position that the portion of the bridge herein authorized shall, between the pierhead lines established or to be established by the Secretary of War, be distant at least 2,000 feet from any other bridge: *Provided*, That the bridge herein authorized shall be built for a distance of at least 3,000 feet over the deep-water portion of Newark Bay, to be designated by the Secretary of War, upon permanent stone piers to be placed at least 150 feet apart, which piers shall be in line with the current and except at the draw shall not be more than 10 feet wide at right angles with the current, and said bridge shall contain a draw or draws with two openings of at least 100 feet each in the clear, said draw or draws to be constructed at right angles to the channel in said bay, and said bridge shall be located and built in such manner and under such regulations for the security of navigation as the Secretary of War may prescribe; and to secure that object the parties proposing to build said bridge shall submit to the Secretary of War, for his examination and approval, a design and drawing of the bridge and a map of the location, and until the said plan and location of the bridge are approved by the Secretary of War the bridge shall not be commenced or built; and should any change be made in the plans of said bridge during the progress of its construction such changes shall be subject to the approval of the Secretary of War: *Provided also*, That the draw or draws of said bridge shall be promptly opened, upon reasonable signal, for the passage of vessels and boats; and the owners of said bridge shall maintain thereon, from sunset to sunrise, such lights and other signals as the Light-House Board shall prescribe.

SEC. 2. That if at any time hereafter the interests of navigation shall require that the said bridge be lengthened or raised or the clear width of the openings of the draw, or draws, in said bridge be increased, or the nature or method of operating said draw, or draws, be changed, the Secretary of War after hearing may order such increase of length or height or such other changes as he finds necessary, which shall be made by the owners of said bridge at their expense: *Provided*, That no greater headroom over the waters of said bay shall be required in said bridge or width of openings (measured at right angles to the current) at the draw, or draws, than is required in any other bridge crossing Newark Bay.

SEC. 3. That the said bridge shall be a public highway and no railroad shall be laid thereon except passenger street railroads constructed and operated so as not to interfere with ordinary road travel under regulations established by the Secretary of War. All rates of toll charged upon said bridge shall be subject to the approval of the Secretary of War, and after twenty years from the approval of this act no tolls for ordinary road travel shall be charged.

SEC. 4. That all street railroad companies desiring the use of said bridge shall have equal rights and privileges relative to the passage of cars over same and over the approaches thereto upon payment of a reasonable compensation for such use, and in case the owners of said bridge and any street railroad company desiring such use shall fail to agree upon the sums to be paid or the conditions to be observed, all matters at issue shall be decided by the Secretary of War upon hearing the allegations and proofs of the parties; and equal privileges in the use of said bridge shall be granted to telegraph and telephone companies: *Provided*, That nothing herein contained shall prevent the said counties of Union and Hudson from lawfully building, maintaining, and operating a street passenger railway on said bridge, under regulations approved by the Secretary of War, to the exclusion of all other street railways.

SEC. 5. That the bridge constructed, maintained, and operated under this act and according to its limitations shall be a lawful structure, and shall be recognized and known as a post route, upon which also no higher charge shall be made for the transportation over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for such transportation over the railroad and public highways leading to said bridge, and the United States shall have the right of way for a postal telegraph across said bridge.

SEC. 6. If the persons authorized by said legislature to build said bridge shall make proper agreement therefor with the Central Railroad Company of New Jersey for the rebuilding of their railroad bridge in such manner as to fulfill the conditions of this act and to afford the highway facilities herein provided for, either above, below, or alongside of said Central Railroad, then, upon the filing of a copy of such agreement with the Secretary of War, the construction of such highway on said bridge of said railroad company is authorized hereby instead of on a separate bridge, the construction and operation whereof shall be subject to the conditions herein provided for such separate bridge, and in such case no separate bridge shall be constructed.

SEC. 7. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within two years and completed within four years from the approval of this act.

SEC. 8. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The following amendments proposed by Mr. BENNY were read:

1. Amend section 1, page 3, lines 10 to 14, by striking out the words "or the legally constituted authorities of the city of Bayonne and the city of Elizabeth, as has been or may be determined by the legislature of the State of New Jersey, and when authorized by said legislature," and insert in lieu thereof the words "when authorized by the legislature of said State."

2. In section 1, page 3, lines 24 and 25, and page 4, line 1, strike out the words "a distance of at least 3,000 feet over the deep-water portion of Newark Bay, to" and insert in lieu thereof the words "such distance over Newark Bay as will."

3. On page 4, lines 7 and 8, strike out the words "at least 100 feet each in the clear" and insert in lieu thereof the words "such width in the clear as shall be prescribed by the Secretary of War."

4. In section 2, page 5, lines 10, 11, and 12, strike out the words "or width of openings (measured at right angles to the current) at the draw or draws than is," and insert in lieu thereof the words "than is or shall be."

5. In section 4, page 6, line 9, after the word "Hudson," insert the words "themselves without assignment or permit to others by lease, sale, or otherwise."

Mr. PARKER. Mr. Speaker, I reserve the right to object. I shall make no objection if the amendments just read be adopted.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. BENNY, a motion to reconsider the vote by which the bill was passed was laid on the table.

REISSUE OF A LOST CHECK.

Mr. DAYTON. I ask unanimous consent for the present consideration of the bill (S. 2034) directing the issue of a duplicate of a lost check, drawn by Arthur J. Pritchard, pay director of the United States Navy, in favor of the Davis Coal and Coke Company.

The bill was read, as follows:

Whereas it appears that Arthur J. Pritchard, pay director of the United States Navy, did, on the 20th day of October, 1902, issue a check, No. 3341, upon the assistant treasurer of the United States at Baltimore, Md., in favor of the Davis Coal and Coke Company, of West Virginia, for the sum of $2,725.79, in payment for coal delivered to the bureaus of yards and docks and construction and repair, United States Navy-Yard, at Brooklyn, N. Y.; and

Whereas the said check was duly received at the offices of the said Davis Coal and Coke Company, No. 1 Broadway, New York, on October 27, 1902, and the same was forwarded immediately upon receipt to Arthur Lee, treasurer of the said Davis Coal and Coke Company, at Elkins, W. Va.; and

Whereas the said Arthur Lee, treasurer of the said Davis Coal and Coke Company, does not acknowledge the receipt of said check at the office of the said company at Elkins, W. Va., and which said check is alleged to have been lost in transmission through the United States mails, and the said check not having been presented to the said assistant treasurer of the United States at Baltimore, Md., for payment; and

Whereas the provisions of the act of February 16, 1885, amending section 3646, Revised Statutes of the United States, authorizing United States disbursing officers and agents to issue duplicates of lost checks, apply only to checks drawn for $2,500 or less: Therefore,

Be it enacted, etc., That said Arthur J. Pritchard, pay director of the United States Navy, be, and he is hereby, instructed to issue a duplicate of said original check to the Davis Coal and Coke Company, or, in case said Pritchard shall cease to be in the service of the United States, then the amount shall be paid under the provisions of section 3646 of the Revised Statutes of the United States and the regulations issued in pursuance thereof by the Secretary of the Treasury.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

On motion of Mr. DAYTON, a motion to reconsider the last vote was laid on the table.

MATERIALS AND LABOR ON PUBLIC WORKS.

Mr. THOMAS of Iowa. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13626) to amend an act approved August 13, 1894, entitled "An act for the protection of persons furnishing materials and labor for the construction of public works."

The bill was read, as follows:

Be it enacted, etc., That the act entitled "An act for the protection of persons furnishing materials and labor for the construction of public works," approved August 13, 1894, is hereby amended so as to read as follows:

"That hereafter any person or persons entering into a formal contract with the United States for the construction of any public building, or the prosecution and completion of any public work, or for repairs upon any public building or public work, shall be required, before commencing such work, to execute the usual penal bond, with good and sufficient sureties, with the additional obligation that such contractor or contractors shall promptly make payments to all persons supplying him or them with labor and materials in the prosecution of the work provided for in such contract; and any person, company, or corporation who has furnished labor or materials used in the construction or repair of any public building or public work, and payment for which has not been made, shall have the right to intervene and be made a party to any action instituted by the United States on the bond of the contractor, and to have their rights and claims adjudicated in such action and judgment rendered thereon, subject, however, to the priority of the claim and judgment of the United States.

"If the full amount of the liability of the surety on said bond is insufficient to pay the full amount of said claims and demands, then, after paying the full amount due the United States, the remainder shall be distributed pro

rata among said interveners. If no suit should be brought by the United States, then the person or persons supplying the contractor with labor and materials shall, upon application therefor, and furnishing affidavit to the Department under the direction of which said work has been prosecuted that labor or materials for the prosecution of such work has been supplied by him or them, and payment for which has not been made, be furnished with a certified copy of said contract and bond, upon which he or they shall have a right of action, and shall be, and are hereby, authorized to bring suit in the name of the United States in the circuit court of the United States in the district in which said contract was to be performed and executed, irrespective of the amount in controversy in such suit, and not elsewhere, for his or their use and benefit, against said contractor and his sureties, and to prosecute the same to final judgment and execution: *Provided*, That where suit is instituted by any of such creditors on the bond of the contractor it shall not be commenced until after the complete performance of said contract and final settlement thereof, and shall be commenced within one year after the performance and final settlement of said contract, and not later: *And provided further*, That where suit is so instituted by a creditor or by creditors, only one action shall be brought, and any creditor may file his claim in such action and be made party thereto within one year from the completion of the work under said contract, and not later.

"If the recovery on the bond should be inadequate to pay the amounts found due to all of said creditors, judgment shall be given to each creditor pro rata of the amount of the recovery. The surety on said bond may pay into court, for distribution among said claimants and creditors, the full amount of the sureties' liability, to wit, the penalty named in the bond, less any amount which said surety may have had to pay to the United States by reason of the execution of said bond, and upon so doing the surety will be relieved from further liability."

The following amendments, reported by the Committee on the Judiciary, were read:

After the words "United States," in line 16 of the bill, insert the words "within six months from the completion and final settlement of said contract."

And at the end of line 25, page 3, after the word "liability," add the following:

"*Provided further*, That in all suits instituted under the provisions of this act such personal notice of the pendency of such suits informing them of their right to intervene as the court may order shall be given to all known creditors, and in addition thereto notice of publication in some newspaper of general circulation, published in the State or town where the contract is being performed, for at least three successive weeks, the last publication to be at least three months before the time limited therefor."

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

Mr. LACEY. Just one question: As I caught the reading of the bill, it provides that suit shall not be brought in any court except a court of the United States. Is that correct?

Mr. THOMAS of Iowa. I believe that is the provision.

Mr. LACEY. That changes existing law as to the right of the creditor.

Mr. THOMAS of Iowa. Under the existing law a suit upon a bond given in a case of this kind can not be brought in any court except a court of the United States. This provides that such a suit may be brought in the United States circuit court.

Mr. LACEY. I have in mind a case where there has been a default in payment of the amount due upon a contract on a public building. This case has arisen in Iowa. All the bondsmen live in Chicago. Where would that suit have to be brought under this bill?

Mr. THOMAS of Iowa. In a United States court.

Mr. LACEY. Could it be brought in the district in Iowa against the parties in Chicago?

Mr. SMITH of Kentucky. As I understand, under this bill, the suit must be brought in the district where the work is being done.

Mr. PERKINS. Reserving the right to object, allow me to ask, where does this bill come from?

Mr. THOMAS of Iowa. It is a Treasury Department bill. It was prepared by the Attorney-General, at the request of the Treasury Department, to meet existing conditions, as I am advised.

Mr. PERKINS. Has it ever been submitted to the Attorney-General's office?

Mr. ALEXANDER. I understand it was prepared by the Attorney-General.

Mr. PERKINS. Was it prepared in the Attorney-General's office or prepared by the Solicitor of the Treasury?

Mr. THOMAS of Iowa. The bill was introduced by the gentleman from Wisconsin [Mr. JENKINS], and, as I understand, the bill was actually prepared by the Attorney-General, embodying recommendations of the Treasury Department.

Mr. ALEXANDER. And prepared by the Attorney-General?

Mr. PALMER. A very good lawyer appeared before the committee and explained the case. He satisfied the committee that the bill is all right and is needed to protect the interests of the United States under conditions that practically exist. I do not remember the name of the gentleman who appeared before our committee, but certainly he was a good lawyer and knew what he was talking about.

Mr. SHERLEY. Allow me to ask whether the bill contains any provision looking to the protection of the subcontractor?

Mr. THOMAS of Iowa. Oh, yes. It gives to the Government a superiority of lien, and then further provides that the Government may bring suit on the bond to recover its claim, and in that suit the subcontractors may intervene.

If the Government should fail to bring suit, any contractor may bring suit; and in that suit all subcontractors must be notified, and in the suit may have all their rights adjudicated.

The SPEAKER. Is there objection?

There was no objection.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. THOMAS of Iowa, a motion to reconsider the last vote was laid on the table.

SMELTER ON COLVILLE INDIAN RESERVATION.

Mr. OVERSTREET. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11586) to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes.

The bill was read.

The SPEAKER. Is there objection?

Mr. BAKER. Mr. Speaker, I object.

Mr. OVERSTREET. If the gentleman will withhold his objection until I can explain—the bill is unanimously recommended by the Committee on Indian Affairs.

The SPEAKER. Is there objection?

Mr. BAKER. Mr. Speaker, I object.

AMERICAN CITIZENS ABROAD.

Mr. HITT. Mr. Speaker, I ask unanimous consent for the present consideration of House resolution No. 113 as amended.

The resolution as amended was read, as follows:

Resolved, That the President be requested to renew negotiations with the governments of countries where discrimination is made between American citizens on the ground of religious faith or belief to secure by treaty or otherwise uniformity of treatment and protection to American citizens holding passports duly issued by the authorities of the United States, in order that all American citizens shall have equal freedom of travel and sojourn in those countries, without regard to race, creed, or religious faith.

The SPEAKER. Is there objection?

There was no objection.

The amendment recommended by the Committee on Foreign Affairs was agreed to.

The resolution as amended was agreed to.

On motion of Mr. HITT, a motion to reconsider the last vote was laid on the table.

GRANT OF CERTAIN LANDS TO OHIO.

Mr. KYLE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11444) to grant certain lands to the State of Ohio.

The bill was read, as follows:

Whereas the State of Ohio in the years 1828 to 1844, inclusive, constructed the Miami and Erie Canal; and

Whereas the State of Ohio, for the purpose of supplying the said canal with water, built and constructed certain artificial lakes or reservoirs known as the Mercer County Reservoir, in Mercer and Auglaize counties, and the Loramie Reservoir, in Auglaize and Shelby counties, the former being completed and flooded with water about the year 1842, and the latter about the year 1844; and

Whereas the said State of Ohio in the building, constructing, and flooding of said reservoirs reserved and appropriated, along with other lands, the following-described lands in township 6 south, range 3 east, in Mercer County, Ohio, to wit: The southeast quarter of the southeast quarter of section 2, township 6 south, range 3 east, 40 acres; the south half of the southwest quarter of section 3, township 6 south, range 3 east, 80 acres; the east half of the northeast quarter of section 8, township 6 south, range 3 east, 80 acres; the southwest quarter of the northeast quarter of section 8, township 6 south, range 3 east, 40 acres; the northwest quarter of section 8, township 6 south, range 3 east, 160 acres; the southwest quarter of section 8, township 6 south, range 3 east, 160 acres; the northeast quarter of section 9, township 6 south, range 3 east, 160 acres; the southeast quarter of section 9, township 6 south, range 3 east, 160 acres; the northwest quarter of section 9, township 6 south, range 3 east, 160 acres; the east half of the southwest quarter of section 9, township 6 south, range 3 east, 80 acres; the southwest quarter of section 10, township 6 south, range 3 east, 160 acres; the northeast quarter of section 11, township 6 south, range 3 east, 160 acres; the southeast quarter of section 11, township 6 south, range 3 east, 160 acres; the east half of the southwest quarter of section 11, township 6 south, range 3 east, 80 acres; the northwest quarter of section 17, township 6, south, range 3 east, 160 acres; the east half of the southwest quarter of section 17, township 6 south, range 3 east, 80 acres; also the whole of section 7, township 6 south, range 4 east, in Auglaize County, Ohio, 694 acres; also the north half of the southwest quarter of section 27, township 7 south, range 5 east, in Shelby County, Ohio, 80 acres; and containing in all 2,694 acres, more or less; and

Whereas the said reservoirs in said Mercer, Auglaize, and Shelby counties, in said State, between the years 1842 and 1844, became and were a part of the public works of the State of Ohio, and were necessary for the maintenance and operation of the said Miami and Erie Canal; and

Whereas the State of Ohio has, ever since said years 1842 and 1844, maintained said reservoirs as feeders for the said Miami and Erie Canal, and are a part of the public works of the State of Ohio, and now maintains and uses said reservoirs as feeders for said canal and as a part of the public works of the said State; and

Whereas the State of Ohio has flooded the lands above described and used the same as a part of the public works of the State since the years 1842 and 1844; and

Whereas it is still necessary for the State of Ohio to maintain said reservoirs as a part of the public works of the State and to use and flood the lands above described; and

Whereas it has recently come to the knowledge of the authorities of the State of Ohio that the title to the land above described is in the United States and not in the said State of Ohio: Therefore,

Be it enacted, etc., That all the land above described is granted unto the State of Ohio.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. KYLE, a motion to reconsider the last vote was laid on the table.

WESTERN ALASKA CONSTRUCTION COMPANY.

Mr. BRICK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 5088) to aid the Western Alaska Construction Company.

The bill was read.

The SPEAKER. Is there objection?

Mr. ROBINSON of Indiana. Mr. Speaker, reserving the right to object, I will ask the gentleman if he proposes to allow some time for the discussion of the matter? I desire to be recognized in opposition to the bill for at least a brief time; and unless we can make that arrangement I shall have to interpose an objection.

Mr. BRICK. Does the gentleman from Indiana object?

Mr. ROBINSON of Indiana. No; I say if the gentleman will make an arrangement——

The SPEAKER. The bill will have to be laid aside for the present. The Senate bill is not at the Clerk's desk.

ROAD DISTRICTS IN ALASKA.

Mr. BRICK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13014) to authorize the appointment of road overseers and to create road districts in the district of Alaska, and for other purposes.

The bill was read, as follows:

Be it enacted, etc., That it shall be the duty of the commissioner in each precinct in the district of Alaska, on the first Monday in the month of April in each year, to appoint a road overseer for the precinct in which he resides, and create a road district in the inhabited part of said precinct, which said district shall not include incorporated cities and towns.

To fill all vacancies in the office of road overseer in his precinct.

To cause a record to be made defining the boundaries of said road district

TERM OF OFFICE AND QUALIFICATION OF ROAD OVERSEERS.

All road overseers shall hold office for one year and until their successors are appointed and qualified.

Every person appointed to the office of road overseer of any road district shall reside in the road district to which he has been appointed, and shall, within thirty days after he shall have been notified of his appointment, take and subscribe to an oath of office obligating himself to the faithful performance of the duties of his office, and shall forthwith cause such oath to be filed in the office of the commissioner of his precinct, and in case any such road overseer shall become nonresident of his road district, his office shall at once become vacant.

Each road overseer shall, before entering upon the duties of his office, execute a bond to the United States in a sum not less than double the amount of money which will probably come into his hands at any time during his term of office, with two or more sureties, the amount and sufficiency of the bond to be approved by the commissioner of the precinct, conditioned for the faithful discharge of the duties of his office, which bond shall be by him forthwith filed in the office of the commissioner and ex officio recorder. The approval of such bond shall be indorsed thereon by the commissioner.

DUTIES OF ROAD OVERSEER.

The duties of road overseer shall be such as may be prescribed by law.

Each road overseer shall keep an accurate account of all money received by virtue of his office and the manner in which the same has been disbursed, and to whom, and shall, on the last Saturday of March in each year, exhibit such account, together with his vouchers, to the commissioner for adjustment and settlement. Such account shall be in writing, verified by affidavit of the overseer that the same is in all respects a full and true account of all money received by him during the full term for which he should make settlement and the amounts expended and the manner in which they were expended.

If any person appointed to the office of road overseer, unless unable from disease or other infirmity to discharge the duties of such office, shall refuse or neglect to serve therein, he shall be liable to a fine of $25; but no person so appointed who shall have served for a term next preceding such appointment shall be liable to such fine for refusing to serve if he shall have given notice in writing of refusal to the commissioner within twenty days after having been notified of his appointment.

Every road overseer who shall, after the expiration of his term of office, neglect or refuse to deliver on demand to his successor in office, after such successor shall have been duly qualified according to law, all moneys, records, books, papers, or other property appertaining to such office shall be liable to a fine of not less than fifty nor more than five hundred dollars.

Road overseers of the different precincts are authorized, and it is made their duty, to warn out all male persons between 18 and 50 years of age who have resided thirty days in the district of Alaska, who are capable of performing labor on roads or trails, and who are not a precinct charge, to perform two days' work of eight hours each in constructing, locating, or repairing public roads or trails, under the direction of the road overseer within whose precinct they may respectively reside, or furnish a substitute to do the same, or pay the sum of $4 per day for two days' labor, and said road overseer shall receipt for the same and shall expend it in repairs on the public roads and trails within his precinct; and any moneys so received and not expended shall be paid over to his successor in office, who shall expend the same as above provided.

The overseer of roads and trails in each precinct shall give notice to persons residing in his precinct liable to or charged with a road or trail tax of the time and place and the kind of work expected to be performed on the road or trail, and may direct what implements such persons shall bring with which to perform such work.

Whenever it shall happen, in consequence of sickness or absence from home, or any other cause, that the two days' work aforesaid shall not be performed within the time specified in this act, the overseer shall be authorized to require the performance of such work at any time prior to the 1st day of October then next ensuing; and in case any person shall neglect or refuse to do the two days' work, or furnish a substitute, or pay in money the price of two days' labor, as provided in this act, he shall be deemed guilty of a misdemeanor and shall be fined in the sum of $10 for each day refusing so to work upon conviction before any justice of the peace of the precinct.

If any person shall appear at the proper time and place as directed by the overseer and neglect or refuse to do a reasonable day's work according to his ability, he shall be liable the same as if he had neglected or refused to appear, or furnish a substitute, or pay the sum of money as provided herein.

Under the direction of the overseer, and at his discretion, the above road tax may be performed by an able-bodied man, and a two-horse team with wagon, or a dog team consisting of not less than five dogs and a sleigh, or a reindeer team of not less than two reindeer and sleigh or cart.

It shall be the duty of each road overseer to receipt to each person who performs labor on the public roads and trails of his precinct under the provisions of this act for the amount of labor so performed, and no person shall be compelled to pay road tax except in one precinct in the district of Alaska during one calendar year.

Each road overseer shall, on or before the 1st day of April in each year, report to the commissioner of the precinct the names of all persons subject to the two days' road tax for the preceding year, the names of those who have worked out said tax, the names of those who have paid the said tax in money, and the names of those delinquent, and also all moneys received by him from all sources, and how expended, and the account of said road overseer of the work performed by himself, which report shall be approved by said commissioner before any final settlement shall be made with such road overseer.

Each and every road overseer who shall neglect or refuse to perform the several duties enjoined upon him by this act, or who shall, under any pretense whatsoever, give or sign a receipt or certificate for labor performed or money paid, unless the labor shall have been performed or money paid prior to the signing or giving of such receipts or certificates, shall forfeit for every such offense not less than five nor more than fifty dollars, to be recovered by an action before any justice of the peace within the precinct where such overseer may reside, and it is hereby made the duty of every United States attorney or assistant to prosecute all offenses against the provisions of this act not otherwise provided for.

PER DIEM.

Road overseers shall be allowed $4 per day for all services required by this act and actually performed in their respective precincts, to be retained out of money paid said road overseers from persons paying money or fines in lieu of two days' labor, upon the certified statement of the overseers, approved by the commissioner of the precinct: *Provided*, That no overseer shall receive pay for more than ten days in any one year, and not until he has made the return as provided in the preceding section, in duplicate, one copy to be retained by the commissioner and one copy filed with the clerk of the district court in the division in which the said precinct is situated.

Any oath required to be taken by said overseer, acknowledgment of bond, or the filing or recording of any paper or plat authorized by this act shall be free of cost to said overseer.

Upon application of road overseers it shall be the duty of the clerk of the district court to furnish copies of this act and blank forms of notices warning persons to perform road work, receipts for road work, bond, and oath, and for overseer's report to commissioner, the expense of which shall be paid out of the fund for paying the incidental expenses of the court, and raised from local licenses.

The Attorney-General of the United States is hereby directed to furnish clerks of the district court in the different judicial divisions of Alaska a sufficient number of copies of this act and other road and trail laws that may now be upon the statutes relating to roads and trails in the district of Alaska for use of road overseers in each judicial division.

During the reading,

The SPEAKER said: There are three more pages of this bill. Is there objection to its consideration?

Mr. SMITH of Kentucky. Reserving the right to object, I should like to ask the gentleman from Indiana what salaries to these commissioners are carried in this bill?

Mr. BRICK. The commissioners are to get no salaries. There is no appropriation out of the Treasury of the United States in this bill. It is all carried on within the Territory of Alaska at their own expense.

Mr. SMITH of Kentucky. What pay do the commissioners get?

Mr. BRICK. They work without pay.

Mr. SMITH of Kentucky. Without pay either from the Territory or the United States?

Mr. BRICK. Yes.

Mr. SMITH of Kentucky. I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The Clerk resumed and concluded the reading of the bill.

The amendments recommended by the committee were read, as follows:

On page 4, line 10, after the word "in," insert the word "locating."

In line 11 strike out "locating."

In line 16, between the words "in" and "repairs," insert the words "location, construction, or."

On page 5, line 20, between the words "by" and "an," insert "one day's work together with."

In line 21 strike out "and."

On page 8, line 2, strike out the following: "and raised from local licenses."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. BRICK, a motion to reconsider the vote by which the bill was passed was laid on the table.

ORDER OF BUSINESS.

Mr. SULZER. Mr. Speaker, I call for the regular order.

The SPEAKER. There is a short bill in regard to which action was not taken.

Mr. SULZER. I reserve the demand for the regular order.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 5088) to aid the Western Alaskan Construction Company.

The SPEAKER. Without objection, the bill will be considered as read a third time and passed.

Mr. ROBINSON of Indiana. Mr. Speaker, the bill was considered a few minutes ago. Consent was not given to consideration, but we were trying to make an arrangement with the gentleman for a division of time for its discussion. I suggested that I would reserve the right to object and would interpose an objection unless that arrangement could be made.

Mr. BRICK. I ask unanimous consent that the gentleman may have two minutes' debate on the bill.

Mr. ROBINSON of Indiana. The bill has not gone through the usual process. The Senate bill has not been read. How much time did the gentleman say he would give me?

Mr. BRICK. Two minutes.

Mr. ROBINSON of Indiana. I think the bill has not been reported to the House.

The SPEAKER. The regular order is demanded, and if it takes any considerable time——

Mr. ROBINSON of Indiana. I only want ten minutes.

Mr. SULZER. Mr. Speaker, I insist on the regular order.

DEVELOPMENT OF AMERICAN MERCHANT MARINE.

Mr. DALZELL. Well, Mr. Speaker, I submit the following privileged report from the Committee on Rules.

The Clerk read as follows:

House resolution No. 282.

Resolved, That at any time during the remainder of this session the bill (H. R. 7056) creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes, may be considered in the House as in Committee of the Whole.

Mr. DALZELL. Mr. Speaker, House bill 7056 was reported by the Committee on Merchant Marine and Fisheries. Its title is "A bill creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes." The bill is very short. It provides for the appointment of a commission, consisting of five members of the Senate and five Members of the House of Representatives, to investigate and report to Congress on the first day of its next session what legislation is desirable for the development of the American merchant marine and American commerce.

Mr. GILBERT. Is there anything said about the political affiliation of the commission?

Mr. DALZELL. Two members of the Senate and two Members of the House of Representatives shall be members of the minority party. That is the whole scope of the bill. It simply appoints a commission to investigate and report.

Now, the purpose of this rule is to do two things. First, to make this bill in order for consideration; and, second, to make it in order for consideration in the House instead of in Committee of the Whole. That is the whole purpose of the rule. I do not know whether there is any gentleman who wants time on the other side or not.

Mr. SMITH of Kentucky. I would like to suggest to the gentleman from Pennsylvania that it would be agreeable to this side of the House, instead of taking up the time on the rule, to add that to the time for general discussion.

Mr. DALZELL. The gentleman understands there is no limit of debate in the rule.

Mr. GROSVENOR. Mr. Speaker, will the gentleman yield?

Mr. DALZELL. I yield.

Mr. GROSVENOR. I can state to the gentleman from Kentucky that a full agreement has been made with the minority members of the committee with which they are satisfied in regard to the limit of debate.

Mr. SMITH of Kentucky. All right.

Mr. DALZELL. Mr. Speaker, I ask for the previous question.

The question was taken, and the previous question was ordered.

Mr. BAKER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BAKER. I understand under the rules of the House when the previous question is ordered forty minutes is set apart for debate.

The SPEAKER. There has been debate, however, before the previous question was moved, and there is no debate afterwards.

Mr. BAKER. Well, I am opposed to this rule, whether anyone else is or not.

Mr. DALZELL. Oh, let us have the regular order, Mr. Speaker.

The SPEAKER. The question is on the amendments.

The question was taken, and the amendments were agreed to.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. DE ARMOND and Mr. BAKER. Division, Mr. Speaker.

Accordingly the House divided; and there were—ayes 145, noes 101.

Mr. ROBINSON of Indiana. I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 138, nays 108, answered "present" 15, not voting 120, as follows:

YEAS—138.

Adams, Pa.	Dixon,	Jackson, Md.	Payne,
Alexander,	Douglas,	Jackson, Ohio	Porter,
Ames,	Draper,	Jones, Wash.	Powers, Me.
Babcock,	Dresser,	Kennedy,	Powers, Mass.
Bartholdt,	Driscoll,	Ketcham,	Prince,
Bates,	Dunwell,	Kyle,	Reeder,
Bingham,	Dwight,	Lacey,	Rodenberg,
Birdsall,	Esch,	Lafean,	Scott,
Bishop,	Evans,	Landis, Chas. B.	Shiras,
Bonynge,	Flack,	Landis, Frederick	Slemp,
Boutell,	French,	Lanning,	Smith, Ill.
Bowersock,	Gaines, W. Va.	Lawrence,	Smith, Iowa
Bradley,	Gardner, Mass.	Lilley,	Smith, Samuel W.
Brandegee,	Gibson,	Littlefield,	Smith, Pa.
Brick,	Gillet, N. Y.	Livernash,	Spalding,
Brown, Pa.	Gillett, Cal.	Longworth,	Sperry,
Brown, Wis.	Goebel,	Lovering,	Steenerson,
Brownlow,	Graff,	McCreary, Pa.	Sterling,
Buckman,	Greene,	McLachlan,	Stevens, Minn.
Burke,	Grosvenor,	McMorran,	Sulloway,
Butler, Pa.	Hamilton,	Mahon,	Tawney,
Calderhead,	Haskins,	Mann,	Thomas, Iowa
Campbell,	Haugen,	Marsh,	Townsend,
Conner,	Hedge,	Marshall,	Van Voorhis,
Cooper, Pa.	Henry, Conn.	Miller,	Vreeland,
Cousins,	Hepburn,	Morgan,	Wachter,
Cromer,	Hermann,	Mudd,	Wadsworth,
Crumpacker,	Hill, Conn.	Needham,	Wanger,
Currier,	Hinshaw,	Norris,	Weems,
Curtis,	Hitt,	Olmsted,	Wiley, N. J.
Cushman,	Hogg,	Otis,	Wright,
Dalzell,	Howell, Utah	Otjen,	Wynn,
Daniels,	Huff,	Overstreet,	Young.
Davis, Minn.	Hughes, W. Va.	Palmer,	
Deemer,	Humphrey, Wash.	Parker,	

NAYS—108.

Adamson,	Emerich,	Kitchin, Wm. W.	Robertson, La.
Badger,	Field,	Kline,	Robinson, Ark.
Baker,	Finley,	Kluttz,	Robinson, Ind.
Bankhead,	Fitzgerald,	Lamb,	Rucker,
Bartlett,	Flood,	Legare,	Russell,
Bassett,	Gaines, Tenn.	Lever,	Ryan.
Beall, Tex.	Garner,	Lewis,	Shackleford,
Bell, Cal.	Gilbert,	Lind,	Sheppard,
Benny,	Goldfogle,	Lindsay,	Sherley,
Bowie,	Gregg,	Little,	Shober,
Brantley,	Gudger,	Livingston,	Shull,
Breazeale,	Hamlin,	Lloyd,	Sims,
Brundidge,	Hardwick,	Lucking,	Slayden,
Burleson,	Harrison,	McAndrews,	Smith, Ky.
Burnett,	Henry, Tex.	Macon,	Snook,
Candler,	Hill, Miss.	Maddox,	Southall,
Cassingham,	Hitchcock,	Maynard,	Spight,
Clark,	Hopkins,	Moon, Tenn.	Stanley,
Clayton,	Howard,	Padgett,	Stephens, Tex.
Cochran, Mo.	Hughes, N. J.	Page,	Sulzer,
Cockran, N. Y.	Humphreys, Miss.	Patterson, Tenn.	Swanson,
Cowherd,	James,	Pierce,	Talbott,
Crowley,	Johnson,	Pujo,	Thomas, N. C.
De Armond,	Jones, Va.	Rainey,	Van Duzer,
Denny,	Kehoe,	Randell, Tex.	Wallace,
Dinsmore,	Keliher,	Ransdell, La.	Wiley, Ala.
Dougherty,	Kitchin, Claude	Rixey,	Williams, Ill.

ANSWERED "PRESENT"—15.

Allen,	Gardner, Mich.	Meyer, La.	Richardson, Ala.
Bede,	Hay,	Miers, Ind.	Ruppert,
Cassel,	Jenkins,	Patterson, Pa.	Zenor.
Dovener,	Lamar, Fla.	Pou,	

NOT VOTING—120.

Acheson,	Foster, Vt.	Loudenslager,	Small,
Adams, Wis.	Fowler,	McCall,	Smith, Wm. Alden
Aiken,	Fuller,	McCarthy,	Smith, N. Y.
Beidler,	Garber,	McCleary, Minn.	Smith, Tex.
Benton,	Gardner, N. J.	McDermott,	Snapp,
Bowers,	Gillespie,	McLain,	Southard,
Brooks,	Gillett, Mass.	McNary,	Southwick,
Broussard,	Glass,	Mahoney,	Sparkman,
Burgess,	Gooch,	Martin,	Stafford,
Burkett,	Goulden,	Metcalf,	Sullivan, Mass.
Burleigh,	Granger,	Minor,	Sullivan, N. Y.
Burton,	Griffith,	Mondell,	Tate.
Butler, Mo.	Griggs,	Moon, Pa.	Taylor,
Byrd,	Hearst,	Morrell,	Thayer,
Caldwell,	Hemenway,	Murdock,	Tirrell,
Capron,	Hildebrant,	Nevin,	Trimble,
Castor,	Holliday,	Patterson, N. C.	Underwood,
Connell,	Houston,	Pearre,	Vandiver,
Cooper, Tex.	Howell, N. J.	Perkins,	Volstead,
Cooper, Wis.	Hull,	Pinckney,	Wade,
Darragh,	Hunt,	Reid,	Warner,
Davey, La.	Hunter,	Rhea,	Warnock,
Davidson,	Kinkaid,	Richardson, Tenn.	Watson,
Davis, Fla.	Knapp,	Rider,	Webb,
Dayton,	Knopf,	Robb,	Weisse,
Dickerman,	Lamar, Mo.	Roberts,	Williams, Miss.
Fitzpatrick,	Lester,	Scarborough,	Williamson,
Fordney,	Littauer,	Scudder,	Wilson, Ill.
Foss,	Lorimer,	Sherman,	Wilson, N. Y.
Foster, Ill.	Loud,	Sibley,	Woodyard.

So the resolution was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. SHERMAN with Mr. RUPPERT.

Mr. DAYTON with Mr. MEYER of Louisiana.

Mr. PATTERSON of Pennsylvania with Mr. DICKERMAN.
Mr. HUNTER with Mr. RHEA.
Mr. CASSEL with Mr. GOOCH.
Mr. CHARLES B. LANDIS with Mr. TATE.
Until further notice:
Mr. LOUD with Mr. GOULDEN.
Mr. DAVIDSON with Mr. SPARKMAN.
Mr. FULLER with Mr. BYRD.
Mr. WARNER with Mr. LESTER.
Mr. CONNELL with Mr. BUTLER of Missouri.
Mr. DARRAGH with Mr. DAVIS of Florida.
Mr. DOVENER with Mr. TRIMBLE.
Mr. WATSON with Mr. ZENOR.
Mr. HOLLIDAY with MIERS of Indiana.
Mr. LORIMER with Mr. MAHONEY.
Mr. ALLEN with Mr. SMALL.
Mr. KNOPF with Mr. WEISSE.
Mr. FORDNEY with Mr. GRIFFITH.
Mr. WARNOCK with Mr. ROBB.
Mr. WM. ALDEN SMITH with Mr. MCNARY.
Mr. GARDNER of Michigan with Mr. TAYLOR.
Mr. BEDE with Mr. BURGESS.
Mr. ACHESON with Mr. SCUDDER.
Mr. LOUDENSLAGER with Mr. RICHARDSON of Alabama.
Mr. BEIDLER with Mr. WILLIAMS of Mississippi.
For this day:
Mr. HULL with Mr. HAY.
Mr. CAPRON with Mr. GRANGER.
Mr. BURTON with Mr. BROUSSARD.
Mr. WOODYARD with Mr. REID.
Mr. WILSON of Illinois with Mr. GLASS.
Mr. ADAMS of Wisconsin with Mr. BOWERS.
Mr. METCALF with Mr. WEBB.
Mr. WILLIAMSON with Mr. FITZPATRICK.
Mr. SOUTHWICK with Mr. WILSON of New York.
Mr. SOUTHARD with Mr. SCARBOROUGH.
Mr. SMITH of New York with Mr. RIDER.
Mr. MURDOCK with Mr. PINCKNEY.
Mr. MONDELL with Mr. PATTERSON of North Carolina.
Mr. MCCLEARY of Minnesota with Mr. MCLAIN.
Mr. KNAPP with Mr. RICHARDSON of Tennessee.
Mr. HOWELL of New Jersey with Mr. HEARST.
Mr. HEMENWAY with Mr. UNDERWOOD.
Mr. GILLETT of Massachusetts with Mr. GARBER.
Mr. GARDNER of New Jersey with Mr. COOPER of Texas.
Mr. COOPER of Wisconsin with Mr. CALDWELL.
Mr. MORRELL with Mr. SMITH of Texas.
Mr. JENKINS with Mr. SULLIVAN of New York.
Mr. FOWLER with Mr. AIKEN.
Mr. MOON of Pennsylvania with Mr. VANDIVER.
Mr. CASTOR with Mr. GILLESPIE.
Mr. PEARRE with Mr. GRIGGS.
For the balance of the session:
Mr. SIBLEY with Mr. DAVEY of Louisiana.
Mr. SNAPP with Mr. FOSTER of Illinois.
For this vote:
Mr. BURKETT with Mr. BENTON.
Mr. HILDEBRANT with Mr. LAMAR of Missouri.
Mr. LITTAUER with Mr. MCDERMOTT.
Mr. FOSS with Mr. HOUSTON.
Until April 21:
Mr. ROBERTS with Mr. THAYER.
For the remainder of the week:
Mr. TIRRELL with Mr. SULLIVAN of Massachusetts.
April 13 to April 25:
Mr. BURLEIGH with Mr. HUNT.
From April 20 until further notice:
Mr. MINOR with Mr. LAMAR of Florida.

The result of the vote was announced as above recorded.

Mr. GROSVENOR. Mr. Speaker, I now call up the bill covered by the rule which has just been passed and ask to have it read.

The Clerk read as follows:

Be it enacted, etc., That a commission is hereby created, to be called "The Merchant Marine Commission," to be composed as follows: The Secretary of the Navy, the Postmaster-General, the Secretary of Commerce and Labor, the chairman of the Committee on Commerce of the Senate, the chairman of the Committee on the Merchant Marine and Fisheries of the House of Representatives, three Members of the Senate, to be appointed by the presiding officer thereof, and three Members of the House of Representatives, to be appointed by the Speaker: *Provided*, That at least two of the said Members of the Senate and two of the said Members of the House of Representatives shall be members of the minority party.

SEC. 2. That it shall be the duty of this commission to investigate and to report to the Congress at its next session what legislation is desirable for the development of the American merchant marine and American commerce, and incidentally for a national ocean mail service of adequate auxiliary naval cruisers and naval reserves.

SEC. 3. That the commission shall give reasonable time for hearings, if deemed necessary, and if necessary it may appoint a subcommission or subcommissions of its own members to make investigation in any part of the United States, and it shall be allowed actual necessary expenses for the same. It shall have the authority to send for persons and papers and to administer oaths and affirmations. All necessary expenses, including clerks, stenographers, messengers, rent for place of meeting, and printing and stationery, shall be paid from any money in the Treasury not otherwise appropriated; however, not to exceed $50,000 for expenditures under this section.

SEC. 4. That any vacancies occurring in the commission by reason of death, disability, or from any other cause, shall be filled by appointment by the officer and in the same manner as was the member whose retirement from the commission creates the vacancy.

The amendments were read, as follows:

On page 1, beginning with line 5, strike out all of lines 5, 6, 7, 8, 9, 10, and 11, and the word "Speaker," in line 1, page 2, and insert the following:

"Five members of the Senate of the United States and five Members of the House of Representatives of the United States, to be appointed by the presiding officer of each House of Congress, respectively: *Provided*."

In line 9, page 2, strike out the word "at" and insert "on the first day of."

In lines 12 and 13, page 2, strike out "and incidentally for a national ocean mail service of adequate auxiliary naval cruisers and naval reserves."

In line 24, page 2, strike out the word "fifty" and insert the word "twenty."

In line 1, page 3, after the word "section," insert "to be paid upon vouchers to be approved by the chairman of the commission."

So that the bill as amended will read as follows:

Be it enacted, etc., That a commission is hereby created, to be called "The Merchant Marine Commission," to be composed as follows: Five members of the Senate of the United States and five Members of the House of Representatives of the United States, to be appointed by the presiding officer of each House of Congress, respectively: *Provided*, That at least two of the said members of the Senate and two of the said Members of the House of Representatives shall be members of the minority party.

SEC. 2. That it shall be the duty of this commission to investigate and to report to the Congress on the first day of its next session what legislation is desirable for the development of the American merchant marine and American commerce.

SEC. 3. That the commission shall give reasonable time for hearings, if deemed necessary, and if necessary it may appoint a subcommission or subcommissions of its own members to make investigations in any part of the United States, and it shall be allowed actual necessary expenses for the same. It shall have the authority to send for persons and papers and to administer oaths and affirmations. All necessary expenses, including clerks, stenographers, messengers, rent for place of meeting, and printing and stationery, shall be paid from any money in the Treasury not otherwise appropriated; however, not to exceed $20,000 for expenditures under this section, to be paid upon vouchers to be approved by the chairman of the commission.

SEC. 4. That any vacancies occurring in the commission, by reason of death, disability, or from any other cause, shall be filled by appointment by the officer and in the same manner as was the member whose retirement from the commission creates the vacancy.

Mr. GROSVENOR. Mr. Speaker, it is not the purpose to proceed further with the bill at this time, and I therefore withdraw the bill under the order of the House and reserve the balance of my time.

The SPEAKER. The gentleman from Ohio [Mr. GROSVENOR] reserves the balance of his time.

CONFERENCE REPORTS.

Mr. BABCOCK. Mr. Speaker, I submit the following conference reports, to be printed under the rule.

The SPEAKER. They will be printed.

The conference reports and statements are as follows:

EAST WASHINGTON HEIGHTS TRACTION RAILROAD COMPANY.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9331) to extend the time for completion of the East Washington Heights Traction Railroad Company, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: Strike out all the matter inserted by said amendment and insert in lieu thereof the following: "That failure to complete any portion of the routes as provided in the charter of said company within the time herein limited shall operate to repeal the authority to build such portion and shall not repeal the charter of said company; and that any connecting company may lease or purchase the portion of said routes which is completed within the said eighteen months;" and the Senate agree to the same.

J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.
J. H. GALLINGER,
H. C. HANSBROUGH,
THOMAS S. MARTIN,
Managers on the part of the Senate.

The statement of the House conferees is as follows:

The Senate amended the House bill by giving the company eighteen months in which to complete the road. As passed by the House they were given one year. The Senate also struck out

the penalty clause and provided that the failure to build any portion of the route within the time specified should repeal their right to build such portion.

The House recedes from the first amendment of the Senate, and also recedes from the second amendment with an amendment giving the company authority to sell or lease the portions of the route completed within the time specified to any connecting company.

APPREHENSION AND DETENTION OF INSANE PERSONS IN DISTRICT OF COLUMBIA.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8692) to authorize the apprehension and detention of insane persons in the District of Columbia, and providing for their temporary commitment in the Government Hospital for the Insane, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.

J. H. GALLINGER,
H. C. HANSBROUGH,
THOMAS S. MARTIN,
Managers on the part of the Senate.

The statement of the House conferees is as follows:

The Senate amended the House bill in one slight particular, providing additional service upon all of the children of lawful age. The result of the conference report is that the Senate recedes and leaves the bill in exactly the same language as passed by the House.

CONNECTING EUCLID PLACE WITH ERIE STREET.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2134) to connect Euclid place with Erie street, having met, after full and free conference have been unable to agree.

J. W. BABCOCK,
S. W. SMITH.
ADOLPH MEYER,
Managers on the part of the House.

J. H. GALLINGER,
S. R. MALLORY,
Managers on the part of the Senate.

GOVERNMENT OF CANAL ZONE AT PANAMA, ETC.

Mr. HEPBURN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 5342) to provide for the temporary government of the canal zone at Panama, the protection of the canal works, and for other purposes, which I will send to the desk and ask to have read.

The SPEAKER. The gentleman from Iowa asks unanimous consent for the present consideration of the bill, of which the Clerk will report the title.

The Clerk reported the title of the bill.

The SPEAKER. Is there objection?

Mr. UNDERWOOD. Mr. Speaker, I would like to ask the gentleman from Iowa how much time for debate he expects to allow on this matter and how much consideration?

Mr. HEPBURN. I think probably an hour of debate would be sufficient. It is reported with a unanimous report.

Mr. UNDERWOOD. An hour on a side?

Mr. HEPBURN. Half an hour on a side.

Mr. UNDERWOOD. Has it been considered by the Committee on Interstate and Foreign Commerce?

Mr. HEPBURN. Oh, yes.

Mr. UNDERWOOD. And favorably reported?

Mr. HEPBURN. Oh, yes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HEPBURN. Mr. Speaker, I ask that the reading of the Senate bill, which the committee propose to strike out, be dispensed with and that the substitute proposed by the committee be read.

The SPEAKER. Without objection, it will be so ordered.

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That until the expiration of the Fifty-eighth Congress, unless provision for the temporary government of the territory acquired by the United States from the Republic of Panama by the terms of the treaty ratified on the 26th day of February, 1904, be sooner made by Congress, all the military, civil, and judicial powers exercised by the officers of the existing government of the said territory, or granted by the terms of said treaty to the United States, shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct for the government of said territory and maintaining and protecting the inhabitants thereof in the free enjoyment of their liberty, property, and religion.

Mr. HEPBURN. I yield to the gentleman from Georgia [Mr. ADAMSON] such time as he may desire.

Mr. ADAMSON. Mr. Speaker, under the terms of the act of Congress authorizing the President to acquire from the Republic of Colombia a strip of land in perpetuity for the construction of a canal to unite the two oceans, and also authorizing the President to acquire from the Panama Canal Company certain rights, concessions, and property, the President has negotiated a treaty with the new Republic of Panama, and the first power conferred upon the President has been exercised and its purpose accomplished. The strip has been gotten away from Colombia and has come to us. We have acquired it; there is no doubt about that.

The property of the canal company has been negotiated for, and at some time in the not distant future it is expected that we shall come into possession of that. A commission has been appointed, in accordance with the terms of the act of Congress, to proceed with the construction of the canal. That commission is studying conditions in Panama and ascertaining just what those conditions are and just what is to be done.

We have had considerable information from previous investigation and have examined the members of the present and preceding commissions upon the subject of the necessity for immediate legislation.

It will be borne in mind, Mr. Speaker, that our primary and main object in that country is to construct a canal. It was not the primary idea of any of the promoters of the grandest scheme of all the ages to go down there to exploit on the Isthmus our notions of government, practical or theoretical, but to proceed with the construction of a canal.

It is of course expected that, as the work proceeds, the formative period being over, the atmosphere being cleared, our rights and possessions all being clearly ascertained, the necessities of all the problems understood, population pouring into the zone, it will be necessary to legislate specifically as to the government of the people there. But at present we do not know enough about what will be there nor what the necessities will be. There is no population there except such as is incident to the canal project itself—from 2,000 to 5,000.

For some time there will be only those employed by the canal company or by the United States Government, or such as are there trading and prospecting. In view of all these facts, it is not deemed essential at this time to take up the subject of civil government of that zone.

Furthermore, Mr. Speaker, it is believed that when Congress once takes up this subject and legislates upon it, it will part with it forever, practically.

Theoretically we could take up the legislation and amend or repeal it; but when Congress has acted, when the commissioners have gone to work, when the system has been adopted and put into operation, it will be difficult to induce Congress to take up the subject again for the purpose of making changes, and we shall be prone to say, "Let well enough alone; we will stand pat on what has been done."

So we think, under all the circumstances, it is better that we reenact the legislation of 1803—the magnificent precedent set by the immortal Jefferson for the temporary government of Louisiana—until Congress may have time to take its bearings, to understand the situation, reflect upon and study the conditions and necessities, and legislate wisely and knowingly.

The committee therefore has unanimously agreed that for all purposes from now until the next session of Congress the bill which we have reported as a substitute for the Senate bill will be all sufficient to authorize the President, through such persons as he may choose, by whatever means he shall direct, to accept the property mentioned in the authorizing act of Congress heretofore passed, conveyed by the treaty with Panama and purchased from the Panama Company, and proceed to ascertain conditions and do the initial work toward the construction of the canal.

It is not believed that work of much consequence will be done within a year. It is not believed there will be any necessity for this legislation within a year.

It is not necessary, therefore, Mr. Speaker, that we should now in the hurry and confusion of an adjournment, enact hastily a system of legislation which we shall be loath to take up and amend in the future, even if such legislation shall have proved itself ill advised and improper. It would be better to await the next session of Congress and then knowingly do what is necessary. [Applause.]

I yield back to the gentleman the time at my command.

Mr. HEPBURN. I yield to the gentleman from Minnesota [Mr. STEVENS] five minutes.

Mr. STEVENS of Minnesota. Mr. Speaker, the gentleman from Georgia [Mr. ADAMSON] has stated so clearly and so thoroughly the reasons why the Committee on Interstate and Foreign Commerce reported the amendment to the Senate bill that it needs no further discussion by me. The committee had hearings on this general subject for several days. They received the views of different members of the Panama Canal Commission and other gentlemen interested and experienced in that great work.

They had the views of Secretary Taft, and had before them for consideration several bills embodying many wise provisions for the government of that canal strip. But when it came to enact legislation into concrete form and make it applicable to present conditions we realized the situation as forcibly and clearly outlined by the gentleman from Georgia [Mr. ADAMSON]; that the United States Government had not really begun that work; that there was on the ground a small and fluctuating population with whose customs and necessities we were not sufficiently acquainted for purposes of legislation, and that conditions will change so rapidly within the next year or two that we are now not informed as to what would be necessary when the actual stress of government will come; that we needed to retain in our own hands and under our own control the government of that great project, and we could best do that important thing by having as little government as possible during the next few months.

We realized, too, that some act was necessary now; that the old canal act originally authorizing the construction of the Panama Canal did not seem quite to give authority for the present control of that strip, and since something was necessary to be done, we thought that the least that could be done would be the better for the present. So we went back to the old original act of President Jefferson, thinking that if the great territory of the Louisiana purchase was wisely and well governed under that act for a time, it certainly could be trusted to control the little Panama strip until we meet next December. We carefully examined the several sections of the several bills before us relating to this general subject and found that every essential power necessary for safe temporary government was contained in this simple paragraph. So the committee unanimously recommended the passage of the Senate bill as amended by the provisions of the old Jefferson Act.

I yield back the balance of my time.

Mr. HEPBURN. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. RICHARDSON].

Mr. RICHARDSON of Alabama. Mr. Speaker, this bill, as reported by the Interstate and Foreign Commerce Committee, is entitled to and receives my earnest and cordial support for more reasons than one. The first one is, as will be discovered, that the Interstate and Foreign Commerce Committee struck out everything of the Senate bill except the enacting clause.

I like that, Mr. Speaker, for the reason that we have been complaining, and justly I think, about the encroachments of the Senate upon the privileges and prerogatives of the House, and I am glad to say that on a suitable and proper opportunity the Interstate and Foreign Commerce Committee had the courage in the Fifty-eighth Congress to strike out all after the "enacting clause" of a Senate bill and to substitute therefor a different, a better, and a wiser bill. [Applause.]

Mr. Speaker, the Senate presented to us for consideration a bill that involved a great deal of intricacy, complicated governmental authority, and suggested various bureaus, departments, and other powers and authorities, all concentrated under the control of the Commissioners of the Panama Canal, giving them, as I think, a great deal more power over the liberties and rights of the people of that zone than Congress ought to allow them. The people that occupy that zone are hetrogeneous, consisting of all nationalities. It is the part of wisdom as well as of justice to take time to consider the character of government we propose to establish. Again, Mr. Speaker, I am always ready to go back and adopt and reaffirm the policy established by our forefathers, by the great men of the Republic, in matters of the proper government of territories, or, as they are now called, "possessions," connected with the United States.

We have before us the example of the successful administration and the marvelous growth and development of the Louisiana purchase by Mr. Jefferson in 1803. The bill that the committee reports is word for word, without the dotting of an "i" or the crossing of a "t," that which Mr. Jefferson suggested and approved for the government of the territory of Louisiana while it was going through the primal state of organization. If the Panama zone—that we propose to substantially take charge of—can be brought to a result as successful as was the Louisiana purchase by Mr. Jefferson, then the Fifty-eighth Congress will receive credit and fame for its wise action in the regulation of the Panama zone—an honor and credit to our Republic. This bill will be found in the exact words of the second section of the act of Congress approved October 31, 1803, during the session of the Eighth Congress.

All the contention and struggle that we had in this House and elsewhere about the Panama Canal and the ratification of the treaty with the Republic of Panama is now a thing of the past, and the question with us to-day is to adopt such a policy and such laws as will best govern and control the people of that zone. What better can we do than to leave it in the hands of the President of the United States, until the expiration of this Congress, to designate the persons to continue to exercise the authority now conferred on them by the existing government? We do not know what the laws are governing those people sufficient to make changes or create new laws.

What we need is time to investigate, find out the nature, temperament, habits, and customs of that mixed population, and legislate in behalf of their real interests, and to promote their civilization. Again, Mr. Speaker, this bill places that responsibility, if you please, in the hands of the President of the United States. I am generally opposed to placing too much power in the hands of one man, but under the provisions of this bill the country can in part look to the President for proper and honest government. The result of it will be that the persons clothed with authority in the Panama zone will discharge their duties and faithfully and honestly discharge the obligations of their very important trust.

Mr. GILBERT. Why not do the same thing with the Philippines?

Mr. RICHARDSON of Alabama. Indeed, as suggested to me by the gentleman from Kentucky [Mr. GILBERT], the same wise principle could be applied to the Philippine Islands with a great deal more success, I think, than has been achieved heretofore in that government.

Mr. Speaker, I think the solution of the proper and fair government in the Panama Canal zone is admirably reached in this bill. It has the sanction of the great apostle of Democracy, Thomas Jefferson, and for that reason, as well as others, I give my most cordial and hearty support to it. [Applause.]

Mr. HEPBURN. I yield to the gentleman from Iowa [Mr. HAUGEN].

Mr. HAUGEN. Mr. Chairman, on account of the limited time given on the agriculture bill I did not then ask for time, as I had no desire to impede the progress of the appropriation bills. I will now avail myself of the opportunity and the latitude given Members in discussing the various bills and offer a few observations along the line of agriculture.

In the few years which I have had the honor of being a Member of this House I have enjoyed the good fortune of serving on the Committee on Agriculture. If not the greatest, it is certainly one of the greatest and most important committees of this House—not from a political standpoint, but that it concerns more people than any other committee. First, it directly affects 5,700,341 families engaged in agricultural pursuits; in general, all the people of the nation. Our interests are in common. What would our cities, towns, and villages be without the agricultural interests? What would our railroads be? Our farms certainly furnish the bulk of the freight traffic. What would our manufacturers be without them?

What would our export trade be without our farms and farmers? Sixty and ninety-eight one-hundredths per cent to 83½ per cent of our exports for the last one hundred and four years came from the farm. We exported 3,543,043,022 pounds of cotton last year, valued at $316,180,429, being nearly $1,000,000 per day. The first eight months of this fiscal year we exported 13,394,562 barrels of flour, valued at $53,037,418; 40,784,299 bushels of wheat, valued at $33,053,949; 172,064,186 pounds of bacon, valued at $16,914,013, and 135,513,538 pounds of ham, valued at $15,833,620. We exported in 1902, 234,772,515 bushels of wheat and 28,028,688 bushels of corn. Our industrious tillers of the soil furnished for the fiscal year ending June 30, 1901, for export—

Corn and corn meal	$84,593,415
Wheat and flour	166,231,033
Total breadstuffs	275,594,618
Cattle and beef products	81,792,239
Hogs and hog products	120,199,968
Tobacco and manufactures of tobacco	28,172,818
Cotton and manufactures of cotton	333,945,864
Total domestic agricultural products	943,811,029

Being nearly $3,000,000 for every working day in the year.

The balance of trade in our favor for the last fiscal year was $394,422,492. Without our domestic agricultural export trade the balance of trade would have been against us to the extent of $478,900,440, this amount being ten times as great as the gold coinage and sixteen times the silver coinage in 1902. Our domestic agricultural exports for the last fifty years were in the aggregate $23,957,997,735, being more than one-quarter the total wealth of the United States. What would our supply of money be with-

out the income from the farms? It is contended that the large increase in our money circulation is due to the balance of trade in our favor.

It is clear that when a nation, as well as an individual, sells more than it buys, its wealth is increased. This balance of trade represents cash. Balance of trade is generally settled in cash. Of course it may be applied in various ways—for instance, in the payment of foreign debts or interest on debts. A large amount of this money goes to foreign countries in payment of ocean freight, but whether or not these balances are settled in gold or applied otherwise, it represents so much wealth; and if the balance of trade were not in our favor, we would, of course, have to meet these obligations, and instead of money coming in, money would constantly be going out, and thus drain our supply of gold.

But this discussion is leading me into politics. "It is another story," as Kipling says. It was not my intention to make a political speech at this time. Politics are not discussed nor do politics enter into consideration in dealing with matters which come before the Committee on Agriculture. The one object sought is to promote the best interests of this country, and politics are left to other committees and you who are experts along this line. Nor are we limited to any certain locality. We know of no North, South, East, or West. Our entire attention is given to a tract of land containing 3,025,600 square miles, bounded on the east by the Atlantic Ocean, on the west by the Pacific, on the north by the Great Lakes, and on the south by the Gulf, together with Alaska, Hawaii, and a few insular possessions recently added.

Any one part receives the same consideration as the other, regardless of political affiliations; and it is my purpose to give a brief outline of the work and the results accomplished by this great Department under the management of one of America's foremost, competent, conscientious, and practical agriculturists, one whose ability is recognized not only by those from whence he came, but all over this land—and I might add that his popularity has even swept beyond our border lines into various parts of the world—assisted by his able corps of scientists, recognized as the greatest scientists on earth. But I am not here to eulogize Secretary Wilson or any of these men. They have established reputations which speak for themselves, and nothing that I could say would extend their popularity, high standing, and reputations which they so justly deserve.

My efforts will be to disabuse the minds of the people who may entertain any idea that the agricultural interests of this country are insignificant and small as compared with other interests; also those who may entertain the idea that their interests have been overlooked by Congress. I will endeavor to show—and hope to prove it before I get through by census reports and other public documents—that the agricultural interests of this country are not only the greatest but the most important to the American people. It is not only the greatest and most important interest of this land, but those engaged in agriculture are the most happy, contented, patriotic, enlightened, law-abiding, and most prosperous people on God's footstool. And I hope also to be able to show that Congress has accomplished something in their interests, and that Members of Congress have performed functions other than sending out a few packages of those much-abused and ridiculed garden and flower seed—the seed that is designated as "the seed that never grows."

We appropriated $290,000 this year for the purchase and distribution of valuable seed. This is less than $800 for each Congressional district, or it is about $1 for every $2,500 of the total appropriation, or $1 for every $490 appropriated for pensions, or $1 for every $595 appropriated for the Post-Office Department, or $1 for every $270 for the Army, or $1 for every $280 for the Navy, or $1 for every $92 appropriated for rivers and harbors last Congress, or $1 for every $75 we appropriated for rural free-delivery service this Congress.

Whether or not this is a wise appropriation I do not now care to discuss, except to say that great care is exercised by the Department in securing the best seed, and so far as I know very few complaints are made as to the quality. It has been said that this money is being appropriated for political purposes. No Member has such gross misconception of the intelligence and susceptibility of his constituents as to entertain even a thought of gaining political prestige by sending any voter a package of seed. The money is appropriated, the seed purchased and apportioned among the Members, and under the law it is a Member's duty to distribute them in his district. To do anything less than that would be neglect of duty. So far as I am concerned they have been sent to such names as I have been able to procure, regardless of political affiliations.

We appropriate annually one and one-quarter millions for the Weather Bureau. Nobody questions the value of this service, which has been extended not only into every locality of this country, but across the ocean, giving valuable information not only to our people at home, but to the seafaring people, informing them in advance what kind of weather they will likely have in crossing the ocean, especially for the first few days. The forecasts are being wired to all parts of the country morning and evening. In many cases these forecasts are wired to the postmasters, and thus extended over the lines of the rural-delivery service.

We have in the Agricultural Department the only thoroughly organized meteorological bureau in the world. We are not only accomplishing great work in this Department, but the Department is furnishing the service of a number of scientists to lecture in colleges and universities. Up to seven years ago there was not a lecturer on meteorology anywhere in this country. To-day hundreds of students are being instructed along this line, and it is of great value. This bureau has recently succeeded in establishing wireless telegraphy service between San Francisco and Farallone Islands.

The Department has met with great success in hybridizing grains, grasses, and legumes in the various localities. The leguminous plants are of great importance, and under our system of agriculture we can not get along without them. In our State we keep up the soil by growing clover, and are now beginning to appreciate the great value of alfalfa, and great credit is due the Bureau of Plant Industry. In its investigations it has discovered a nitrogen-fixing bacteria (the method of artificially inoculating soil devoid of the proper organism), thus solving the bacteria-nitrogen problem; and the Department is distributing the bacteria to all parts of the United States, at a nominal cost to the Government, in small packages of absorbent which contain millions of the tubercle-forming organisms.

By reviving these dry germs in a pail of water a small package not larger than an yeast cake may be multiplied sufficiently to inoculate an acre of land, and the amount of material thus obtained is limited only by the quantity of water used in increasing the germs; and the bacteria may be introduced into the soil either by soaking the seed in the fluid, then drying the seed and sowing, by spraying or by mixing the culture with earth and then distributing the earth over the field. By so inoculating the soil wherever leguminous plants fail to produce these tubercles, and where the soil is so poor that the legumes will not grow or where the soil lacks the proper organism, the land, where the life has been taken out of it by the removal of crops and exhausted of nitrogen, is restored to a high state of production. This bacteria and nitrogen is substituted for nitrate of soda, one of the most expensive fertilizers in use.

The Bureau of Plant Industry is co-operative with more than forty State institutions. We are training young men. More than 500 are pursuing studies along special lines, under the direction of the Department, which might be properly styled a post-graduate institution for agricultural colleges. Our scientists are attaining such a high degree of learning that they are in demand in all parts of the world.

The Bureau of Animal Industry inspected during the year 1903 292,888 imported animals and 494,000 exported. It inspected and cleared 634 ships during the last year, inspecting about half a million carcasses microscopically, also inspecting 1,620,000 cattle going out of the Texas fever district. Under its supervision 66,000 cars were disinfected. For sheep scab, it inspected 16,500,000 sheep. It had dipped, under its supervision, 2,167,000 sheep. Out of this number 394,000 were dipped twice. It inspected 37,183,000 carcasses in the slaughterhouses at the time of slaughter, which required a close inspection of all carcasses, to ascertain whether they were healthy or not. As the result of that inspection 114,198 carcasses were condemned. More than 59,000,000 live animals were inspected in stock yards.

Much credit is due this Bureau for its efforts in stamping out the foot-and-mouth disease, contagious diseases of sheep, and cattle scab, as well as many other successful efforts along this line.

The Bureau of Soils has surveyed 133 areas, of an average size of 453 square miles, in forty-two States, 60,232 square miles, or 38,516,320 acres, by twenty soil-survey parties, at an average cost per mile of $3.10. Ten thousand samples of soil have been collected. I am pleased to say that counties in my district have been surveyed, and the reports and maps are looked forward to with much interest. I trust that other counties will be reached in the near future, as I know much good will come from these surveys. Through the comparison and examination of the texture and appearance of soils and climate, we discover and determine what to sow and grow to the best advantage.

Much credit is due this Bureau for the discovery and successful experiments carried on, demonstrating that the Sumatra tobacco can be grown under cover in Connecticut and other States, and the Cuba tobacco can be grown in Texas and other States in the open air profitably. I am reliably informed that the cost of growing Sumatra and Cuba tobacco under cover does not exceed $350 per acre for shade; the cloth is good for two years; posts and frame

for ten years. The average cost per year of growing this tobacco, including cover, fertilizing ($50 per acre), seed, sheds, labor, and marketing, does not exceed $500 per acre, an acre producing 800 to 900 pounds, selling at $1 to $1.50 per pound.

In the Division of Publication year before last, 750 publications were edited, and last year 938 publications were issued, such as bulletins, horse book, soil publications, maps, etc., containing in all over 23,000 pages, furnishing a medium through which the people get the benefit of valuable information, and thus disseminating knowledge gathered by the Department of Agriculture, which expends for this purpose over $400,000 per annum outside of the $300,000 for the yearbook under the order of Congress.

Much has been accomplished in the Bureau of Forestry, and great credit is due it for the extensive and valuable work in the investigation and study of the problems of forestry, including the preservation and reproduction of forests, the strength, quality, supply, and enemies of woods. There are a number of other divisions and bureaus in the Department, such as the Bureau of Entomology, the Bureau of Statistics, the Division of Biology, Director of Experiment Stations, and others worthy of mention but which time prevents referring to in detail, However, I wish to say something about the Bureau of Chemistry, and a few words as to the Bureau of Good Roads Inquiry.

We are now confronted with a gigantic proposition—the good-roads bill. More than 100 very excellent gentlemen, representing the national good-roads convention which was held in St. Louis last April, appeared before the Agriculture Committee, and not only asked, but demanded, national assistance in the construction of roads.

Let me read to you from the hearings what some of their spokesmen had to say on the subject. First, Mr. Harper, from my State:

Page 4: We are here not only representing them and petitioning you for this aid, but we are here in the capacity of demanding it. That is a harsh term to use. It may incur opposition, but we use it in this sense, gentlemen, and not in an offensive manner—we use it in the sense that we have the right to demand something that is absolutely and exclusively our own.

Down in the vaults of the Treasury there lies idle to-day $200,000,000. Whose money is it, gentlemen? Does it belong to the people known as the Federal Government?

Page 5: We come here to ask for it, and we want to be perfectly frank and free in confessing that we want to get our hands into the United States Treasury and we want to keep them there until we empty that Treasury and turn this money out to the people and let the people use it.

In the matter of progress, we have progressed at a rate that almost makes us dizzy when we turn and look upon it in every respect; but when we look back and see what we have done, we, the common representatives of this country, have to confess that the door has hardly been opened, the threshold hardly stepped across.

Page 6: We do say that for the first time in the history of the Federal Government the farmers of this country are knocking at the portals of the American Congress.

Mr. H. L. Runnel, of Arkansas, page 10:

Now, my friends, I know that my time is short, but I want to say, as a representative of the people, representing all that is best in government, that it behooves you to have your ear to the ground. This is simply the beginning of a wave that is going to sweep over this country like a vast tidal wave. Nine-tenths of the Representatives sitting in the halls of Congress have agricultural constituencies. A few districts in the cities send Representatives, but the great mass of men who sit here in the Capitol as the representatives of the people have agricultural constituencies, and I tell you beware of that constituency if you want to hold your place.

It is also claimed that the farmers pay 60 per cent of the taxes under the present system of raising revenue, and that they get in return only 5 per cent; that in the last fourteen years the balance of trade brought about by the products of the farm has been $4,866,000,000; that the adverse balance of all other products has been $865,000,000; that the farmers of the country paid off that eight hundred and sixty-five million, and placed to the credit of the nation three billion nine hundred and forty millions in the last fourteen years; and therefore they are entitled to recognition by Federal aid in building roads, which are of great importance and value to the farming community. Another interest which should not be overlooked is the intense interest on the part of automobile and bicycle riders of this country.

I take it that nobody objects to good roads, and that everybody comprehends the convenience and value of roads such as are proposed. I for one believe in encouraging the building of good roads, but it would seem advisable on the part of Congress, before embarking upon such a gigantic undertaking as the building of these extensive and expensive roads, as a business proposition, to first ascertain the number of miles of roads to be built and the probable cost. A practical farmer or business man, before going into any enterprise, first considers whether it is going to be a paying investment, then he ascertains the cost, and next whether he has the money to carry out the undertaking.

As before stated, we are confronted with a gigantic proposition. It not only involves the expenditure of great sums of money, it involves great engineering problems, the problem of material, and how to provide for the money to carry out the enterprise. According to their views it involves our future. As you will see, notice has been served on this Congress to get down and dig. We must build good roads or get out of Congress. We must act at once or get off the earth.

Mr. Runnel, of Arkansas, serves notice in these words:

Nine-tenths of the Representatives sitting in the halls of Congress have agricultural constituents. A few districts in the cities send Representatives, but the great mass of men who sit here in the Capitol as the Representatives of the people have agricultural constituents, and I tell you beware of that constituency if you want to hold your place.

I do not care to discuss the remarks of the gentleman from Arkansas. I fear he does not fully comprehend the intelligence of the American farmer. They are intelligent men of business capacity, and when they do or want things done they want things done right and in a business way; and so with good roads. I will confine my remarks to the facts and the real situation as I see it.

Take my own State, for instance. It is estimated by Mr. Harper, chairman of the committee, that we have 100,000 miles of road in Iowa. I am of the opinion that we have considerable more miles of road than this. According to the estimates of Mr. Dodge (2 miles of road to every square mile of land), we have in the United States 6,051,600 miles of road.

It is estimated that it will cost from $2,000 to $20,000 per mile to build good roads in Iowa, or an average of from $5,000 to $8,000 per mile. If the cost will not exceed $5,000 per mile, $500,000,000 is all that would be required, but I fear it would take a great deal more. We will compromise on $6,500 per mile, a total of $650,000,000. This amount is greater than the assessed valuation of all property, real and personal, of my State. The laws of our State provide that all property shall be assessed at 25 per cent of its valuation. If property has been thus assessed, the money required to build good roads in my State is in excess of one-quarter of the valuation of all our property, including moneys and credits, railroads, real and personal property.

It is about $290 for every man, woman, and child, or $20 per acre for every acre of land in the State. If it is decided to make good roads of all of our roads in the United States, then thirty and one-quarter billion dollars is required, or, in other words, if we appropriate an amount equal to the appropriation for the last fiscal year, or $750,000,000 per year, for forty years we will have nearly sufficient money to build all these roads, provided they can be built at $5,000 per mile; but New Jersey has built 1,000 miles of road which cost $5,500 a mile on the average. In Ohio the cost averages from two to twenty thousand per mile, and I fear the cost would be much greater than $5,000 per mile.

It is proposed by some to appropriate $24,000,000, or eight million per year for the next three years, and this money to be distributed among the several States according to their population. Iowa would get about $700,000, or $235,000 per year. The $235,000, at $5,000 per mile, would build 47 miles of road, not quite one-half mile for each of the ninety-nine counties in the State. At this rate it would take two thousand one hundred and twenty-seven years to complete our roads, and there is much in the statement of Mr. Scarrett, who appeared before our committee.

I read to you from page 23 of the hearings:

My only objection to the Brownlow bill is that it only appropriates $24,000,000. What is the use of going out against this giant question with a popgun? Why not go at it with a 16-inch gun in the beginning?

Mr. BOWIE. What would that 16-inch gun in the beginning cost?

Mr. SCARRITT. Seven hundred million dollars.

If Mr. Scarritt's suggestion of appropriating $700,000,000 per year is to be carried out, these good roads could be built in about forty-three years, or 1 mile out of every 43 would be built each year.

If this enormous sum is needed to build good roads, how are we going to raise the money? Will you borrow it? Will you increase the tax? Will you cut down or cut off certain appropriations entirely? If so, which amount do you propose to reduce or cut off? Will you cut off the $5,978,160 appropriated last session of Congress for agriculture? No. Will you cut off the $77,888,752.83 appropriated for the Army or the $7,188,416.22 for fortifications? Will you include the $81,876,791.43 for the Navy? Will you cut off the $139,843,600 appropriated for pensions for the 996,545 pensioners? If you do you have only $312,775,720.48, which is less than one-half the amount required for a single year. If you continue along this line up to the $700,000,000 mark, you only have $53,058,506.02 left, not one-third enough to run the Post-Office Department.

Upon investigation I find that the last fifteen Congresses, covering a period of thirty years, have appropriated for—

Pensions	$3,000,905,615.60
Army	1,099,138,538.37
Navy	914,719,802.83
Fortifications	89,395,659.71
Rivers and harbors	322,749,860.81
Agriculture	58,923,745.06
Total	5,485,833,222.38

For diplomatic and consular, District of Columbia, Indian, legislative, Military Academy, post-office, sundry civil, deficiency, miscellaneous, [permanent annual appropriations, etc., $7,570,123,028.05, or a grand total of $13,055,956,050.43.

The amount required is nearly six times as great as the total amount expended for pensions, army, navy, fortifications, rivers and harbors, and agriculture, and more than twice as much as a grand total of all the money appropriated for the last thirty years.

It is more than thirty-three times as great as our present interest-bearing debt, which is $914,541,410. It is twelve times as great as the total money in circulation April 1, 1904, which was $2,516,639,223, or $30.87 per capita. It is eleven times as great as the general stock of money in the United States April 1, 1904, which was $2,793,311,428. It is nearly $400 for every man, woman, and child in the United States. It is equal to nearly one-third of the wealth of the United States, which is $94,300,000,000. It is nearly fourteen times the value of all the cattle, horses, sheep, mules, and swine in the United States. It is almost equal to the total value of imports since 1790, a period of 113 years, which was $34,279,263,510.

If it costs $6,500 per mile to build these roads, the amount required is greater than the total value of our exports for the same period, which was $37,863,335,440. It would be about ten times the amount of the balance of trade in our favor for one hundred and thirteen years, which was $3,584,071,930, to build roads such as has been suggested.

It has been suggested by some that only part of the roads should be built, that the main traveled roads leading into towns and cities should be made first class, and that the intersecting roads and those in the more remote rural districts should be left to take care of themselves, or, as has been stated by somebody, "left sticking in the mud."

It hardly seems right to take the money which it is claimed belongs to all the people and appropriate it for the benefit of those who are fortunate enough to have their farms joining these proposed good roads, and I fancy that the farmers receiving no benefits would protest against being taxed five or ten dollars per acre for the benefit of others. It is proposed that the States, counties, or communities shall pay one-half of the cost, and that they are to receive this money upon certain conditions; and unless those conditions are complied with—that is, to furnish one-half the money, etc.—the aid will not be granted.

I take it that the cities, towns, and villages, and more densely populated communities, might consent to tax themselves and accept of this money; but what becomes of the rural districts and those for whom this plea is made if they decline to be taxed and to comply with these conditions? Some will remain, as stated, in the mud; others will continue to build and maintain good roads as they are doing to-day at a cost of less than 5 cents an acre per year. One thing to be taken into consideration is that it is claimed that the clay, gravel, and sand roads, which we have in many parts of this country, are far superior nine months out of the year to the kind of roads it is proposed to build. They are certainly as good in the winter when the ground is frozen or covered with snow; they are certainly superior to the macadamized roads when smooth and dry; they are less wearing on horses and vehicles. Everyone knows that a horse or vehicle in the city with paved streets will not last one-half as long as on the country roads.

The question as it presents itself to me is, Had we not better ascertain first if this legislation is really for, and desired by, the people whom it is claimed it is in the interest of; whether they are ready to entertain any such undertaking before we go headlong into a gigantic proposition of this kind?

In this connection I wish to read to you from page 3892, CONGRESSIONAL RECORD, of March 25:

Mr. POU. I turned to page 1848 of the RECORD of last Congress, and I find there, in the list of trusts published by the gentleman from Maine [Mr. LITTLEFIELD], a corporation known as the "automobile trust," with a capital of $5,000,000.

Upon further investigation I find that this automobile trust has been flooding the whole country with "literature" in the interest of good roads. Now, I would not charge our friends on the other side with legislating in the interest of the trusts. They have never been known to do anything like that. They have never been known to accept any money from the trusts in order to carry elections. They would not think of doing anything like that. But it appears as a remarkable coincidence that here is a trust which is endeavoring to induce the people to build fine roads so it can sell machines, and here is the Republican party forcing the people, no matter how poor they may be, to do the very thing the trust wants. Mr. Chairman, it looks as if we have discovered the colored gentleman in the wood pile. [Laughter.]

The above would indicate that possibly the manufacturers of automobiles are more interested than are the farmers.

I also read to you from page 11 of the hearings:

No man will for a moment contend that the amount of $24,000,000 is going to build many roads in the United States. I looked into it, and the statement made by Senator LATIMER that the State of California would get $400,000, which would not build a piece of good road a thousand miles long—just enough to demonstrate what is to be done. It seems to me that the thing has been magnified somewhat by the speakers who have preceded me, but, from my standpoint, the people of the United States are not going to ask Congress to build the roads for them, but simply use their scientific departments to show them how they themselves shall build good roads; and whether the amount named in the various bills is the right amount, that is for you gentlemen to determine.

Also, page 18 from the hearings, statement of Mr. Wright, of New York:

Now, I want to say in behalf of the State of New York that we do not need that aid, but we do not want to stand in the way of our sister States.

They need not be so particular about the expense; it is simply a method by which other States have been in the habit of looking to Washington for aid, which we in New York do not think proper; but just as soon as you get one road, then you have settled the whole problem. You can get them just as fast as necessary; it comes naturally.

Also, page 12 of the hearings:

There is but one voice, it should be done, and the question for you gentlemen to decide is how it is to be done.

Mr. GRAFF. Has your committee indorsed any particular bill which is before Congress?

Mr. BOOTH. No; not at all.

Pennsylvania appropriated $6,500,000 the last session of the legislature to be disbursed in the next five years. Mr. Worrell, of Philadelphia, chairman of the National Association of the League of American Wheelmen, made the statement before the committee that they had secured an appropriation, but were going to use but little of it; that only 16 out of the 1,500 townships had taken advantage of the law. In view of these statements and facts, the present condition of the Treasury, the limited knowledge we have on the subject, had we not better continue as we have for a few years to use our scientific department to demonstrate how to build and to carry on experiments in building roads? We have maintained in the Agricultural Department for a few years a division known as the "Public-Road Inquiry," under the direction and able management of Mr. Dodge, which has devoted its time entirely to the work, and has given its aid in the way of superintending and instructing in building good roads where assistance was needed and desired.

Our chemists have devoted much time in analyzing road materials with a view of determining what material can be used to the best advantage; and I have strong hopes that in time a process will be developed whereby the natural materials may be utilized, and will take the place of rock, cement, and other materials used at the present time; and will make it possible to build these roads at a much less cost, rather than to adopt a policy of the United States building these expensive roads, and especially at this time, when we are confronted with a deficit, as has been pointed out by the chairman of the Appropriations Committee. Only a few days ago he stated that we had $221,000,000 in the Treasury, $131,000,000 of which had already been authorized, leaving a net balance of only $90,000,000, which is smaller than it has been for a number of years. Had we not better continue the policy of instruction and the dissemination of knowledge and information through our chemists and through this bureau of good-roads inquiry so that the people may have the benefit of this valuable knowledge and information? I believe it as much the duty of the Federal Government to aid in the construction of roads as it is in improving rivers and harbors; and believe that good roads are a national necessity, and that they contribute largely to our general welfare.

The farmers pay a large portion of our taxes. I am not prepared to say how much, but probably one-half. It is claimed they get nothing in return. Some one estimated that only 5 per cent of the Government money goes back to the rural districts. I do not agree with that statement. We will appropriate this year $20,180,000 for rural free-delivery service. A large portion of the $170,000,000 appropriated for the Post-Office Department is distributed in the rural districts. So with a large part of the money appropriated for rivers and harbors. The $5,978,160 appropriated for agriculture is largely in their interests. A large portion of the $140,000,000 appropriated for pensions is distributed all over the country. We have as many pensioners in the country as in the cities.

A large number of clerks in Washington come from the rural districts. The Military and Naval Academies are instructing young men from all parts of the country at Government expense. It can hardly be claimed that the diplomatic and consular service is more in the interest of one locality or class than another. So I assume that a much larger percentage of money is paid back to the rural district than the 5 per cent claimed.

We lead the world in nearly all the arts, yet we are behind nearly all other countries in good roads. France has built 23,000 miles of national highways; England, Switzerland, Norway, and many other countries in Europe have built national highways.

The question of good roads is of great importance, and one which should receive earnest and favorable consideration by Congress. I for one favor the encouragement of building good roads. But with the limited information we have on the subject, and

in view of the good work being done by the Agricultural Department through the Bureau of Chemistry and the Division of Public-Roads Inquiries, and the liberal appropriations made for the continuance of this work, and in view of the many urgent demands on and the present condition of our Treasury, in view of the fact that no service-pension bill, no public-building bill, no river and harbor bill can be passed this Congress because of the present financial condition of this Government, and until it is clear to everybody that if we are to undertake the building of roads such as has been suggested we will either borrow the money or increase taxation, which means not only higher internal taxes, but higher duties on imports as well; in view of this situation, it seems to me we are not justified in committing this Government to such a gigantic undertaking at this time.

Some days ago, in offering some observations, among other things I referred to the rural free-delivery service and compared the salary paid the rural carriers to that paid clerks here in Washington. This statement seems to have attracted some attention from the press; and as an introduction to this subject, I wish to read extracts from an editorial from the Detroit Free Press under date of March 21, 1904. After calling attention to my defective vision and my failure to see things in quite the same light as others, and having the temerity to break away and express my mind on this matter, it says:

[From the Detroit Free Press, March 21, 1904.]

ANOTHER NEAR-SIGHTED CONGRESSMAN.

One of the latest to walk into the lime light is Representative GILBERT N. HAUGEN, of Iowa, who, in the course of a speech on the need of an investigation of the Post-Office Department, in which he advocated going still farther and investigating all branches of the Government service, said:

"I am one of those who believe that there is something radically wrong about the present adjustment of salaries. I can see no justice in paying a rural mail carrier only $600 per annum, who travels 25 miles or more every day of the week, rainstorm or sunshine, good or bad roads, furnishing his own horses and vehicle, equipping himself with subsistence, feed for his horses, while for services here in Washington decrepit and superannuated clerks are furnished a warm room in the winter, a cool room with electric fan in the summer, soft-cushioned chairs, and are paid $1,000 or more per annum for doing practically nothing; and if he is detailed for duty outside of Washington, or sent abroad on some duty or pretext of duty, he is allowed from $3 to $7 per day for subsistence and his traveling expenses.

"If the statement repeatedly made on the floor of the House is true, and it can not be disputed, it comes from high authority—from Members who have had occasion to investigate the matter—that we have more than 20 per cent of dead wood in the Departments, it is high time, gentlemen, that some action should be taken to bring about some reform, and that the $750,000,000 appropriated annually might be expended more judiciously and advantageously."

After quoting the above from my speech, I am kindly advised to consult an oculist or to take a course in practical politics, etc. It comments on my suggestions in this language:

The daring of his suggestion that a rural mail carrier merits the same consideration as a clerk who occupies a sumptuous office entitles him to the scorn of his colleagues. What object would there be in creating political positions if the incumbents were required to work, and what inducements would there be to accept such appointments? The very thought of such a condition of affairs is repugnant. And as for the dead timber, what would become of it if Mr. HAUGEN'S advice was followed and it was cast out? The prospect of such an army separated from the comfortable berths they now occupy presents little to commend it to the Congressmen from whose constituency the incumbents are recruited.

If the gentleman from Iowa ever hopes to make himself popular in Washington he should content himself with taking up a line of campaign in which his colleagues are not so deeply interested, and in which the Treasury would not be so greatly benefited.

This, of course, is sarcasm and reflects on the Republican party and the Republican Members of this House. It is to be inferred that the Republican party and Republican Members are responsible for the appointment and favor the retention of this dead wood. This waste expenditure can not be charged to the Republican Administration, as we all know a majority of the people employed by the Government are Democrats and were appointed under the Cleveland Administration under the spoils system and covered by the civil-service blanket by Mr. Cleveland before going out of office. They were there when the Republican party came into control, and are there to stay unless Congress acts.

It has been suggested that this is a small matter; that it means a saving of only fifteen or twenty million dollars out of the $750,000,000 appropriated annually, and why not go after bigger game? My reply is that we must start somewhere—start at this point and continue all along the line until you have reached every item of the appropriation bill; reduce the items, make them what they ought to be, and you will save millions and millions of dollars per year to the Government and insure as liberal and equally as efficient and extensive service. I am not prepared to say just what amount can be saved, but Uncle Sam has on his pay roll more than one-quarter of a million of employees, and it is clear that the amount would be large.

The fact that there are other extravagant appropriations and that more money could be saved by paring down other items is no excuse why this subject should not receive earnest and thoughtful consideration; and there is no justice in continuing in service an army of worthless clerks at a high salary. If 20 per cent of the expenditure for clerk hire can be saved, why not do it? Why not amend the civil-service rules and make it possible to appoint the very best clerks—men and women of ability, integrity, and energy, apportioning these appointments among the several States according to population?

Employ men and women from the farms, the towns, the cities, and villages, full of life, vigor, and patriotism. Do as was done in the Census Office. Everybody knows that the Census Office clerks performed their work well, and that on an average they did 50 per cent more work than the clerks in other Departments. They came from the schools, stores, banks, farms, cities, towns, villages, factories, shops, and mills, and pursued their duties with care and fidelity. These clerks were selected with care, and by those who were in position to know of their character, ability, and standing. They came from the best homes in the land, recommended by men of responsibility and who had knowledge of their fitness.

I repeat what I said March 11:

If under our present civil-service rules there is no way of discharging or getting rid of these men, it is high time that we enact laws and rules that will make it possible to appoint officials giving some consideration to integrity, experience, and capacity for performing that service, that the business of this Government can be conducted along business lines.

I have no quarrel with the Civil Service Commission, the Administration or any Department, or any clerk performing his duty. I believe that 80 per cent of the clerks are worthy and deserving, and many are entitled to a larger salary than they are receiving.

I claim no personal knowledge of the efficiency or inefficiency of the employees of the Government. My statement was based on statements made on the floor of this House by reliable men; and so far as I know these statements have not been contradicted. If true that we have 20 per cent of dead wood, it is unjust to appropriate money for this purpose. It is true that Congress does not appoint clerks, but it holds the purse strings; we do and can put limitations on appropriations. Congress can prescribe rules and regulations as to how money shall be expended. We can provide for a commission, giving that commission power to appoint and discharge employees. Congress can prescribe rules for the Civil Service Commission as to appointments and requirements and discharging employees.

This is not a partisan question. The question is, What is for the best of the service? It is not a question whether Republicans or Democrats are to be employed. The question is to appoint honest, energetic, patriotic, faithful, competent, and worthy clerks. In connection with this I also want to make some comments on an editorial in the Boston Herald, April 1, 1904:

NATIONAL EXPENDITURES.

One of our western contemporaries, the Des Moines Register and Leader, thinks that we were not quite fair to the Republicans in the comment we made on Congressman HAUGEN'S speech, recently printed in the CONGRESSIONAL RECORD. Our readers may remember that in connection with this speech the Congressman published tables giving the actual appropriations made by each session of Congress from 1875 down to the present time.

That record showed, as a whole, that, with the Republicans in control, expenditures usually increased by leaps and bounds, and that when the Democrats were in control the gain in expenditures had been slight in comparison with that shown by Republican Congresses. Our western contemporary thinks that Congressman HAUGEN'S table will not prove a very valuable campaign document for the Democrats. It admits that the great increase in the cost of Government in recent years has fallen to the sole responsibility of the Republican party, but it says: "There has been enough of a sprinkling of Democratic Congresses before to prove that even had the Democrats been in power there would have been no hesitation about keeping step with the demands of a billion-dollar country."

We were not contending that this was a campaign document, although it was a warning to the Republicans from a Congressman of their own party. We were merely stating facts, hewing to the line and letting the chips fall where they would. The record shows that the last four Congresses, from the Fifty-fourth to the Fifty-seventh, inclusive, all Republican, made appropriations which totaled almost as much as the entire appropriations made by the eight Congresses from the Forty-third to the Fiftieth, inclusive, in all but two of which the Democrats controlled the House. In the light of that showing, we will repeat the question: "What evidence has there been given in any direction that the present Administration considers for an instant the value of national economy and the need of more care in spending the people's money?"

In this connection you will pardon me for briefly referring to politics and the party which I have the honor of being a member. The Republican party has no apology to make. Its history since its birth in 1856 is the history of progress and prosperity. Its leaders have always had the welfare of the country at heart. It has never taken a backward step, but has always been the supporting pillar of the National Government. Its cardinal principles have been the maintenance of the Declaration of Independence, internal improvements, a tariff to protect our labor and industries and to pay Government expenses, the building up of our Navy, preserving purity in elections, for the diffusion of knowledge and happiness among all the people, for an honest

medium of exchange, the maintenance of a common standard of value, and an elastic currency. It has stood for honor, dignity, integrity, patriotism, progress, prosperity, happiness, law, and order.

Following these principles we have prospered; we have advanced along the lines of accumulating wealth, furnishing employment for our labor, as well as good prices for our products; and in everything that makes opportunities and advantages for our people. We have attained that remarkable degree of American prosperity which is the culmination of the prosperity of the people of the earth; but as we have advanced in population, progress, prosperity, intelligence, and happiness our expenses have also increased.

But, as stated, my speech of March 11, was not a political speech, and the tables were not printed for political purposes nor were any comparisons made between Administrations. The total appropriation by the Forty-ninth Congress, as shown by the table referred to, was $746,343,495.51, and the total for the Fifty-seventh Congress was $1,553,683,002.57. The appropriation for the Fifty-seventh Congress, being under Republican Administration, is twice as great as that of the Forty-ninth under Democratic Administration. In 1887, our population was 59,974,000, and in 1903, it was over 80,000,000, an increase of about 20,000,000. In 1888, our imports were $723,953,114; our exports were $695,954,507, an adverse balance of trade of $28,002,607. In 1903, our imports were $1,025,719,237, our exports $1,420,141,679, with a balance of trade in our favor of $394,422,442. The wealth of this country in 1890, was $65,000,000,000, and in 1900, it was over $94,000,000,000.

With this enormous increase of commerce, wealth, and population, and taking into consideration the fact that we were recently engaged in war and are now constructing the Panama Canal, it is natural that our appropriations should increase in proportion. I invite attention to a few of the increases. For the fiscal year ending June 30, 1887, under the Democratic Administration referred to, Congress appropriated $654,715 for agriculture. For the fiscal year ending June 30, 1904, under Republican Administration, Congress appropriated $5,978,160 for agriculture, an increase of more than 800 per cent. For the year 1887, Congress appropriated $23,753,057.21 for the Army, and for 1904, $77,388,752.83. In 1887, Congress appropriated $16,489,907.20 for the Navy, and in 1904, $81,876,791.43. For 1887, Congress appropriated $54,365,863.25 for the Post-Office Department, and for 1904, $153,511,549.75. For 1887, Congress appropriated $82,075,200 for pensions, and for 1904, $139,847,600.

The appropriation for rural free delivery was then $10,000; this year we have appropriated $20,180,000. These are indeed large increases, but I take it nobody will contend that either of these appropriations could be kept down to what they were fifteen or twenty years ago. While some of these appropriations have been large and could and should have been much less, yet on the whole they have been on fairly conservative lines. The large increase in the expenditures in the War and Navy Departments can hardly be charged up to the Republican party. One party must assume as much responsibility as the other.

One of the most inspiring and patriotic scenes ever witnessed in Congress was on that day when every Member of the House, regardless of sectional lines or political affiliations, voted to appropriate the $50,000,000 to carry on the war with Spain, pledging the lives and material resources of this nation. Democrats not only voted to begin the war, to raise men and to equip armies, but they voted for the treaty which ended it; they voted for the $20,000,000 to comply with a certain provision of the treaty; they voted and helped to maintain our honor and dignity, and to enforce American sovereignty.

We have not always agreed with all Democrats upon all questions relative to the war; we never believed in what has been advocated by those who were crying imperialism and militarism. We have never agreed with some who contend that to give aid and comfort to rebels in arms against the United States was maintaining the Declaration of Independence, nor have we contended that to put down a rebellion and maintain law and order in any part of the United States or any part of the territory of the United States without regard to the place or time when such territory was acquired, was imperialism; and that any use of the Army to maintian law and order, to protect life and property, however necessary, was militarism. Yet on the whole it was the bravery, loyalty, suffering, and united efforts of all the American people that caused this grand and beautiful flag to float forever over land and sea, representing the greatest and grandest country on earth.

Party lines are not drawn on appropriations. Appropriation bills generally come to the House with a unanimous report. This Congress has been in session five months, and during these five months five hours have not been consumed by discussion in opposition to appropriations, and I venture the assertion that as much time has been consumed in opposition to appropriations on this side of the Chamber as on the other. Appropriations are generally viewed from a higher standpoint, and, so far as I know, every appropriation bill has been considered from as honest and patriotic standpoint by one side as the other, and with as profound a view of subserving the best interests of this Government.

No party, men, or man has a monopoly on honesty, sound judgment, profound wisdom, pure, noble, and lofty ideals and purposes. Men are not judged by their political affiliations, profession, or vocation; no party, no men, or set of men are infallible; we are all human; some err in judgment, some in lack of knowledge of public affairs; some are deceived; possibly some yield to undue influences; some are coerced and are susceptible to the influences and atmosphere which surround them; others may be inspired by impure motives; but on the whole members of legislative bodies are men of integrity, sound judgment, profound wisdom, permeated and dominated by noble and lofty ideals, with a firm determination to do justice and right, pursuing their duties with dignity and rectitude of purpose.

Nobody will criticise the increased appropriation for pensions. We all believe in a just recognition of the services of our sailors and soldiers. With few exceptions, we believe in liberal pension laws. I take it no objection can be raised to a large increase for agricultural purposes. We are agreed that this money has been wisely and economically expended and in the interest of a deserving class of people. We all favor the very best postal facilities, and so far as I know no objection has been raised to large appropriations for the Post-Office Department.

We are nearly all agreed as to the large increase for the rural free-delivery service; and in this connection I wish to say a word as to rural free-delivery service. First, I wish to express my appreciation and gratitude to the Post-Office Department for the generous and courteous consideration; for the prompt attention and friendly consideration given the petitioners in my district. The district has been given over 160 routes, four times the average number in Congressional districts, which I take it is due to good roads, population, and patronage, and the petitions coming within the requirements of the regulations. In fact, it is the garden spot of the greatest Commonwealth of all Commonwealths, populated by, I believe, the happiest, most contented, patriotic, intelligent, industrious, progressive, prosperous, and law-abiding people on earth.

We all agree that the post-office bill contained no item of greater importance than the $20,180,000 for this service which is yet in its infancy. Four years ago not a single route was in operation in my district—very few in the United States—a service sidetracked, neglected, and abused under Democratic Administration. After these seven years of fostering, nourishing, and friendly encouragement by a Republican Administration it has grown from a $10,000 appropriation to over $20,000,000. During the last fiscal year 48,954,390 pieces were collected and 390,428,128 pieces of mail were delivered by Uncle Sam's 15,119 carriers; 8,339 routes were investigated, of which 6,653 were established and 1,714 were rejected. On June 30, 1903, there were 15,119 routes in operation, an average number of 40 for each of the 386 Congressional districts. On that day there were 11,700 petitions for routes awaiting investigation, and on April 1, 1904, there were 22,537 rural free-delivery routes in operation, or an average of 59 for each Congressional district.

With the liberal appropriation made for this service for the coming year, before the next fiscal year ends we will have in operation more than 30,000 routes, extending the service to the firesides of more than 3,000,000 homes. We hope in the near future to extend the service to every country home where it is practical and possible, a recognition justly due a deserving people, the bone and sinew of our great Republic, where love, loyalty, patriotism, virtue, and morality prevail, adding much to the blessings, advancement, advantages, happiness, comfort, and convenience of a people who have contributed so much to our progress, prosperity, stability, dignity, and peace, and who have always been found in the foremost ranks in our days of unpleasantness, gallantly marching on to victory in times of peace and war.

Nobody has done more to maintain or perpetuate this grand and splendid Government of ours; nobody has responded more cheerfully, freely, or heartily in times when our Government institutions were in danger than have the people from the farms. Nobody rendered more valiant, heroic, and patriotic service to this country than they did. Their many noble and loyal deeds entitle them to consideration. We all believe in the encouragement and upbuilding of our rural districts. We want to encourage our young men and women to remain on the farms, where they do and may enjoy a greater degree of blessings, true happiness, independence, advantages, and general content than in the cities.

It has been suggested that we have been free in appropriating money for the rural free-delivery service, and that the rural dis-

tricts are receiving more than their share as compared with the delivery in the cities. In this Congress we appropriated $20,250,000 for free-delivery service already established, to pay letter carriers and substitutes; also for pay of carriers in new offices entitled to free delivery, $110,000—total, $20,360,000—while we appropriated for rural free-delivery service only $20,180,000, which is $180,000 less than the amount appropriated for city service. The urban population is only 28,411,698, or 37.3 per cent. The semi-urban is 8,208,480, or 10.8 per cent, while the rural is 39,528,398, or 51.9 per cent of total population.

Out of the total number of 29,073,233 persons engaged in gainful occupations in the United States in 1900, 81.7 per cent males and 18.3 per cent females, we find 10,381,765 engaged in agriculture, 90.6 per cent males and 9.4 per cent females; 1,258,538 professional service, 65.8 per cent males and 34.2 per cent females; 5,580,657 domestic and personal service, 62.5 per cent males and 37.5 per cent females; 4,766,964 trade and transportation, 89.4 per cent males and 10.6 per cent females; 7,085,309 manufacturing and mechanical pursuits, 81.5 per cent males and 18.5 per cent females.

Of the 35,849,516, or 47.5 per cent, of total population living in the 10,602 cities and towns in the United States, 19,757,618, or 25.9 per cent, live in 161 cities of 25,000 or more; 4,964,091, or 6.5 per cent, live in 356 cities of over 8,000 and less than 25,000; 2,937,327, or 3.9 per cent, live in 532 cities of over 4,000 and less than 8,000; 1,896,705, or 2.5 per cent, live in 604 cities of over 2,500 and less than 4,000; 3,304,700, or 4.3 per cent, live in 2,130 towns of over 1,000 and less than 2,500; 3,007,075, or 4 per cent, live in 6,819 towns of less than 1,000.

There are in the United States 5,739,657 farms, which produce crops valued at $2,910,138,663, of which amount each of the crops listed contributes the amount set opposite it in the table.

Crop.	Acres.	Value.	Value per acre.	United States, 1900.
				Bushels.
Corn	94,916,911	$828,258,326	$8.73	2,105,103,000
Hay and forage	61,691,166	484,256,846	7.85	
Cotton	24,275,101	370,708,746	15.27	
Wheat	52,588,574	369,945,320	7.03	522,230,000
Vegetables	5,753,191	242,170,148	42.09	
Oats	29,539,698	217,098,584	7.35	809,126,000
All fruits		131,423,517		
Truck (alone)		118,255,243	57.35	
Orchard fruits		83,751,840		
Tobacco	1,101,483	56,993,003	51.74	
Small fruits		25,030,877		
Rye	2,054,292	12,290,540	5.98	23,906,000
Subtropical fruits		8,549,863		

	Bushels.
Corn crop in 1901	2,327,894,000
Wheat crop in 1902	3,124,422,000
Oats crop in 1902	3,561,041,000

According to the census report of 1900, of the 16,600,437 families in the United States, 5,700,341 families, or 34.3 per cent, are engaged in agricultural pursuits. Of this number, 3,644,669, or 64 per cent, own their own farms, 2,014,316 hire farms, 41,356 are unknown; 3,654,158, or 63.7 per cent, of farms are operated by owners, 59,213, or 1 per cent, are operated by managers, and 2,026,286, or 35.3 per cent, are operated by tenants. Of the total number of 5,739,657 farms in the United States, 5,537,731 have buildings.

Of the 16,006,437 private families in the United States, 7,218,755, or 45 per cent, own their homes; 4,739,914 are free and 2,180,229 are encumbered, 298,612 unknown; 8,246,747 live in hired homes, 540,935 unknown.

Our farm lands in the United States are valued at	$13,114,492,056
Buildings	3,560,198,191
Total	16,674,690,247
Live stock valued at	2,977,703,135
Total value of farm products in United States	4,739,118,752
Farm machinery and implements in United States	740,293,950

The value of the corn crop in United States alone is $828,258,326, which is an amount nearly equal to the value of the total production of iron and steel in the United States, which is $835,759,034. Seven hundred and forty-six thousand seven hundred and seventeen farms, valued at $324,244,397, are farmed by negroes; 716,514 have buildings valued at $71,903,315.

Iowa, with a population of 2,231,853, or 480,878 families, averaging 4.6 to a family, has 228,622 farms; 220,626 of this number have buildings; 147,305, or 64 per cent, are operated by owners; 1,581, or seven-tenths of 1 per cent, by managers, and 79,736, or 34.9 per cent, by tenants. Of the 223,525 families in Iowa engaged in farming, 146,844, or 65.7 per cent, families own their farms; 75,161, or 33.6 per cent, hire farms; 1,520, or seven-tenths of 1 per cent, unknown.

In Iowa, out of 476,710 families, 282,760, or 60 per cent, own their homes; 163,640 are free and 112,877 are encumbered, 6,243 unknown; 183,053 are hired, 10,897 unknown.

Of the total number of 789,404 persons, 10 years old and over, engaged in gainful occupations in Iowa in 1900, we find 371,604, or 47.1 per cent, engaged in agriculture; 117,177, or 14.9 per cent, engaged in domestic and personal service; 46,814, or 5.9 per cent, engaged in professional service; 129,006, or 16.3 per cent, engaged in trade and transportation; 124,803, or 15.8 per cent, engaged in manufacturing.

Iowa's products alone amounted to $365,410,528. According to the census report of 1900, Iowa produced 383,453,190 bushels of corn, or 766,906 cars of 500 bushels each, or a train of cars 4,793 miles long, valued at $97,297,707, on 9,804,076 acres, an average of 39.1 bushels per acre. Iowa produced 168,364,170 bushels of oats on 4,695,391 acres; also 23,769,440 bushels of wheat on 1,689,705 acres, 1,179,970 bushels of rye on 89,172 acres, 18,059,060 bushels of barley on 627,851 acres, and 1,413,380 bushels of flax on 136,433 acres.

In Iowa alone we have 1,423,648 dairy cows, valued at $46,349,012. Total number of neat cattle, 5,367,630, valued at $142,518,902. We have 1,392,573 horses, valued at $77,720,577. We have 9,723,791 swine, valued at $43,764,176. The total value of domestic animals is $271,844,034. Our poultry is valued at $6,535,464. We have bees valued at $443,923. The value of poultry raised in 1899 was $9,491,819. The cackling hen laid 99,621,920 dozens of eggs.

I will insert in the RECORD tables and comments, some compiled by Mr. Pepper, Statistician of the Agricultural Department, and some by myself, relative to agriculture, commerce, population, and other matters pertaining to this country.

Progress of the United States.

Years.	Area.	Population.		Wealth.		Statistics of farms.			
		Total.	Per square mile.	Total.	Per capita.	Number of farms.	Persons engaged in agriculture.	Value of farms and farm property.	Value of products.
	Sq. miles.			*Dollars.*	*Dollars.*		*Number.*	*Dollars.*	*Dollars.*
1850	2,980,959	23,191,876	7.78	7,135,780,000	307.69	1,449,073		3,967,343,580	
1860	3,025,600	31,443,321	10.39	16,159,616,000	513.93	2,044,077		7,980,493,060	
1870	3,025,600	38,558,371	12.74	36,068,518,000	779.83	2,659,985	5,922,471	8,944,857,749	1,958,030,927
1880	3,025,600	50,155,783	16.57	42,642,000,000	850.20	4,008,907	7,713,875	12,180,501,538	2,212,540,927
1890	3,025,600	62,622,250	20.70	65,037,091,000	1,038.57	4,564,641	8,565,926	16,082,267,689	2,460,107,454
1900	3,025,600	76,303,387	25.22	94,300,000,000	1,235.86	5,739,657	10,438,219	20,514,001,838	3,764,177,706

Year.	Farm animals.						Production of principal commodities.		
	Total value.	Cattle.	Horses.	Sheep.	Mules.	Swine.	Wool.	Wheat.	Corn.
	Dollars.	*Number.*	*Number.*	*Number.*	*Number.*	*Number.*	*Pounds.*	*Bushels.*	*Bushels.*
1850	544,180,516	17,778,907	4,336,719	21,773,220	559,331	30,354,213	52,516,959	100,485,944	592,071,104
1860	1,089,329,915	25,616,019	6,249,174	22,471,275	1,151,148	33,512,867	60,264,913	173,104,924	838,792,740
1870	1,822,327,377	25,484,100	8,248,800	40,853,000	1,179,500	26,751,400	162,000,000	235,884,700	1,094,255,000
1880	1,576,917,556	33,258,000	11,201,800	40,765,900	1,729,500	34,034,100	232,500,000	498,549,868	1,717,434,543
1890	2,418,766,028	52,801,907	14,213,837	44,336,072	2,331,027	51,602,780	276,000,000	399,262,000	1,489,970,000
1900	2,228,123,134	43,902,414	13,537,524	41,883,065	2,086,027	37,079,356	288,636,621	522,229,505	2,105,102,516

Progress of the United States—Continued.

Year.	Production of principal commodities.									Production of minerals.
	Cotton.	Sugar.	Gold.	Silver.	Coal.	Petroleum.	Pig iron.	Steel.	Copper.	
	Bales.	*Tons.*	*Dollars.*	*Dollars.*	*Tons.*	*Gallons.*	*Tons.*	*Tons.*	*Tons.*	*Dollars.*
1850	2,333,718	110,526	50,000,000	50,000	3,358,899	----------	563,755	----------	650	----------
1860	4,861,292	119,040	46,000,000	150,000	8,513,123	21,000,000	821,223	----------	7,200	----------
1870	3,114,592	46,800	50,000,000	16,000,000	32,863,000	230,951,290	1,665,179	68,750	12,600	218,598,994
1880	5,761,252	92,802	36,000,000	39,200,000	63,822,830	1,104,017,166	3,835,191	1,247,335	27,000	369,319,000
1890	7,311,322	136,503	32,845,000	70,485,714	140,866,931	1,924,552,224	9,202,703	4,277,071	115,966	619,648,925
1900	9,436,416	149,191	79,171,000	74,533,495	240,788,238	2,661,253,568	13,789,242	10,188,329	270,588	1,063,620,548

Year.	Total manufacturing industries of the United States.				Manufactures of iron and steel.				
	Number of establishments.	Average number of employees.	Wages and salaries paid.	Value of products.	Number of establishments.	Wages paid.	Value of products.	Imports.	Exports.
1850	123,025	957,059	$236,755,464	$1,019,106,616	----------	----------	----------	$20,145,067	$1,911,320
1860	140,433	1,311,246	378,878,906	1,885,861,676	----------	----------	----------	26,158,235	5,703,024
1870	252,148	2,053,996	775,584,343	4,232,325,442	808	$40,514,981	$207,208,696	40,273,682	11,002,902
1880	253,852	2,732,595	947,953,795	5,369,579,191	1,005	55,476,785	296,557,685	71,266,699	12,605,576
1890	355,415	4,712,622	2,283,216,529	9,372,437,283	719	95,736,192	478,687,519	41,679,591	25,542,208
1900	512,734	5,719,137	2,735,430,848	13,039,279,566	725	134,739,004	835,759,634	20,478,728	121,913,548

Year.	Tin plate.		Manufactures of cotton.				
	Imports.	Production.	Number of establishments.	Wages paid.	Value of products.	Exports (domestic).	Imports.
	Pounds.	*Pounds.*					
1850	----------	----------	1,094	----------	$61,869,184	$4,734,424	$20,108,719
1860	----------	----------	1,091	$23,940,108	115,681,774	10,934,796	23,215,541
1870	150,932,268	----------	9,956	39,044,132	177,489,739	3,787,282	23,380,653
1880	279,902,880	----------	756	45,614,419	192,090,110	9,981,418	29,929,366
1890	680,060,925	----------	905	69,489,272	267,981,724	9,999,277	19,918,055
1900	147,963,804	677,969,600	1,055	94,039,951	339,200,320	24,003,087	41,236,239

Domestic exports of the United States, by great classes, and percentage which each forms of total.

Year ending June 30—	Domestic merchandise exported, grouped according to sources of production.												Total exports.
	Agriculture.		Manufactures.		Mining.		Forest.		Fisheries.		Miscellaneous.		
	Dollars.	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*
1800	25,590,534	80.37	2,493,755	7.83	----------	----------	2,228,863	7.00	1,098,511	3.45	429,240	1.35	31,840,903
1810	33,448,416	78.95	3,951,154	9.32	----------	----------	2,969,403	7.01	1,481,000	3.50	516,702	1.22	42,366,675
1820	41,603,749	80.50	3,945,793	7.63	----------	----------	3,822,785	7.40	2,251,000	4.35	60,313	.12	51,683,640
1830	46,977,332	80.27	6,641,016	11.35	----------	----------	2,661,358	4.54	1,725,270	2.95	519,938	.89	58,524,914
1840	92,548,067	82.88	11,149,621	9.98	----------	----------	3,868,694	3.47	3,198,370	2.87	896,809	.80	111,660,561
1850	106,605,713	80.51	17,580,456	13.03	167,090	0.12	4,590,747	3.49	2,824,818	2.10	1,131,409	.84	134,900,233
1851	145,903,778	81.68	22,700,096	12.71	864,115	.49	4,188,635	2.34	3,098,775	1.73	1,864,739	1.05	178,620,138
1852	124,375,887	80.28	21,327,247	13.77	906,371	.58	4,400,741	2.84	2,139,244	1.38	1,781,657	1.15	154,931,147
1853	154,239,296	81.23	24,721,560	13.02	1,130,626	.60	4,704,394	2.48	3,166,813	1.67	1,906,473	1.00	189,869,162
1854	170,716,858	79.28	27,834,864	12.93	1,711,847	.79	8,636,423	4.01	2,966,310	1.38	3,461,308	1.61	215,328,300
1855	145,423,788	75.45	29,854,384	15.49	2,370,435	1.53	8,879,743	4.61	3,380,431	1.75	2,842,344	1.47	192,751,135
1856	218,290,649	81.93	31,492,616	11.82	2,180,721	.81	7,474,064	2.80	3,308,348	1.25	3,691,653	1.39	266,438,051
1857	227,553,727	81.59	31,505,280	11.30	2,042,437	.73	10,411,894	3.73	3,704,523	1.33	3,683,852	1.32	278,906,713
1858	201,632,408	80.22	30,051,516	11.96	1,624,362	.64	10,579,417	4.21	3,484,283	1.39	3,980,047	1.58	251,351,033
1859	222,900,718	80.07	33,884,223	12.16	1,768,459	.63	11,396,163	4.09	4,416,696	1.60	4,016,821	1.45	278,382,080
1860	256,560,972	81.13	40,345,892	12.76	999,465	.31	10,209,959	3.26	4,156,480	1.31	3,879,655	1.23	316,242,423
1861	149,492,026	72.96	35,953,174	17.55	2,885,264	1.41	7,286,605	3.55	4,307,608	2.10	4,974,939	2.43	204,899,616
1862	135,143,076	74.24	25,948,374	14.26	4,254,469	2.34	6,565,599	3.61	3,922,817	2.15	6,190,533	3.40	182,024,868
1863	174,580,806	69.86	41,193,721	16.48	6,154,815	2.46	8,901,671	3.56	4,979,060	2.00	14,081,363	5.64	249,891,436
1864	147,765,862	67.30	40,594,587	18.49	6,480,576	2.96	10,106,386	4.60	4,290,819	1.95	10,323,411	4.70	219,561,637
1865	156,662,846	60.46	59,096,644	22.78	10,791,675	4.17	14,858,193	5.73	4,794,989	1.85	12,980,716	5.01	259,125,083
1866	382,770,457	81.78	49,511,306	10.58	9,940,927	2.12	13,454,440	2.88	3,360,865	.76	8,802,908	1.88	468,040,903
1867	289,981,616	75.17	60,895,391	15.79	5,109,946	1.32	15,636,599	4.06	3,655,565	.95	10,466,915	2.71	385,746,032
1868	276,254,779	74.55	59,541,972	16.07	5,175,608	1.39	16,579,791	4.48	3,710,000	1.00	9,293,588	2.51	370,555,738
1869	267,236,930	72.02	66,052,506	17.80	5,881,965	1.59	16,115,298	4.34	2,990,302	.81	12,768,148	3.44	371,045,142
1870	361,188,483	79.35	68,279,764	15.00	5,026,111	1.10	14,897,963	3.27	2,835,508	.62	2,980,512	.66	455,208,341
1871	368,466,011	77.07	83,886,461	17.55	5,363,418	1.12	13,338,992	2.79	2,976,701	.62	4,083,709	.85	478,115,292
1872	368,796,625	77.41	72,727,110	15.27	5,323,607	1.12	18,384,081	3.86	3,439,561	.72	7,750,494	1.62	476,421,478
1873	446,900,004	77.69	88,789,758	15.44	6,920,159	1.20	22,358,112	3.88	3,454,426	.60	6,804,558	1.19	575,227,017
1874	501,371,501	79.16	92,353,848	14.58	6,905,326	1.09	23,627,164	3.73	3,566,743	.57	5,515,786	.87	633,339,368
1875	430,306,560	76.95	92,678,814	16.57	6,469,181	1.15	19,165,907	3.43	4,874,660	.87	5,742,506	1.03	559,237,638
1876	456,113,515	76.67	101,637,548	17.08	7,122,989	1.20	18,076,668	3.04	5,806,445	.98	6,160,550	1.03	594,917,715
1877	459,734,148	72.63	133,933,549	21.16	8,770,769	1.39	19,943,290	3.14	5,737,879	.91	4,861,219	.77	632,980,854
1878	536,192,873	77.07	123,807,196	17.79	6,732,119	.97	17,750,396	2.55	6,434,182	.92	4,833,164	.70	695,749,930
1879	546,476,703	78.12	117,015,729	16.72	6,405,813	.92	16,336,943	2.34	6,282,368	.90	7,021,186	1.00	699,538,742
1880	685,961,091	83.25	102,856,015	12.48	5,863,232	.71	17,321,268	2.11	5,255,402	.64	6,089,345	.81	823,946,353
1881	730,394,943	82.63	114,233,219	12.92	7,401,282	.84	19,486,051	2.20	5,556,459	.63	6,854,013	.78	883,925,947
1882	552,219,819	75.31	134,794,346	18.38	8,175,692	1.11	25,580,264	3.50	6,197,752	.85	6,271,859	.85	733,239,732
1883	619,269,449	77.00	134,228,083	16.69	10,446,719	1.30	28,636,199	3.56	6,276,375	.78	5,396,807	.67	804,223,632
1884	536,315,318	73.98	136,372,887	18.81	15,022,255	2.07	26,222,959	3.62	5,614,111	.77	5,417,322	.75	724,934,852
1885	530,172,966	72.96	147,187,527	20.25	15,797,885	2.18	22,014,839	3.03	5,955,122	.82	5,554,607	.76	726,682,946
1886	484,954,595	72.82	135,541,978	20.50	13,654,286	2.05	20,961,708	3.15	5,138,806	.77	4,713,156	.71	665,964,529
1887	523,073,798	74.41	136,735,105	19.45	11,758,662	1.67	21,136,273	3.01	5,155,775	.73	5,173,310	.73	703,032,923
1888	500,840,086	73.23	130,300,087	19.05	17,993,895	2.63	23,991,092	3.51	5,518,552	.82	5,218,392	.76	683,862,104
1889	532,141,490	72.87	138,675,507	18.99	19,947,518	2.73	26,997,127	3.70	7,106,398	.97	5,414,579	.74	730,282,609
1890	629,820,808	74.51	151,102,376	17.87	22,297,755	2.64	29,473,084	3.49	7,458,385	.88	5,141,420	.61	845,293,828
1891	642,751,344	73.09	168,927,315	19.37	22,054,970	2.53	28,715,713	3.29	6,208,577	.71	3,612,364	.41	872,270,288
1892	799,328,282	78.69	158,510,937	15.61	20,692,885	2.04	27,957,423	2.75	5,403,587	.53	3,838,947	.38	1,015,732,011
1893	615,382,986	74.05	158,023,118	19.02	20,020,026	2.41	28,127,119	3.38	5,541,378	.67	3,936,164	.47	831,050,785
1894	628,363,038	72.28	183,728,808	21.14	20,449,598	2.35	28,000,629	3.22	4,261,920	.49	4,400,944	.52	869,204,937
1895	553,210,026	69.73	183,595,743	23.14	18,509,814	2.33	28,576,235	3.61	5,328,807	.67	4,171,974	.52	793,392,599
1896	509,879,297	66.02	228,571,178	28.48	20,045,654	2.32	33,718,204	3.91	6,850,392	.79	4,135,732	.48	863,200,487
1897	683,471,139	66.23	277,285,391	26.87	20,804,573	2.01	40,489,321	3.92	6,477,951	.63	3,479,228	.34	1,032,007,603
1898	853,683,570	70.54	290,697,354	24.02	19,410,707	1.60	37,900,171	3.13	5,435,483	.45	3,164,628	.26	1,210,291,913

Domestic exports of the United States, by great classes, and percentage which each forms of total—Continued.

Year ending June 30—	Domestic merchandise exported, grouped according to sources of production.												
	Agriculture.		Manufactures.		Mining.		Forest.		Fisheries.		Miscellaneous.		Total exports.
	Dollars.	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*
1899	784,776,142	65.19	339,592,146	28.21	28,156,174	2.34	42,126,889	3.49	5,993,999	.50	3,286,872	.27	1,203,931,222
1900	835,858,123	60.98	433,851,756	31.65	37,843,742	2.76	52,218,112	3.81	6,326,630	.46	4,665,218	.34	1,370,763,571
1901	943,811,020	64.62	410,932,524	28.14	39,207,875	2.68	54,317,294	3.72	7,683,353	.53	4,510,740	.31	1,460,462,806
1902	851,465,622	62.83	403,641,401	29.77	39,216,112	2.90	48,188,661	3.55	7,705,065	.57	5,265,000	.38	1,355,481,861
1903	873,322,882	62.73	407,526,159	29.28	39,311,239	2.81	57,835,896	4.16	7,845,538	.56	6,429,588	.46	1,392,231,302

Historical table—Total value of imports and exports into and from the United States, 1790 to 1903.

Fiscal year.	Merchandise.			Specie.						
				Imports.			Exports.			Excess of imports in italics, of exports in bold-face type.
	Imports.	Exports.	Excess of imports in italics, of exports in bold-face type.	Gold.	Silver.	Total.	Gold.	Silver.	Total.	
1790	$23,000,000	$20,205,156	*$2,794,844*							
1791	29,200,000	19,012,041	*10,187,959*							
1792	31,500,000	20,753,098	*10,746,902*							
1793	31,100,000	26,109,572	*4,990,428*							
1794	34,600,000	33,043,725	*1,556,275*							
1795	69,756,268	47,989,872	*21,766,396*							
1796	81,436,164	58,574,625	*22,861,539*							
1797	75,379,406	51,294,710	*24,084,696*							
1798	68,551,700	61,327,411	*7,224,280*							
1799	79,069,148	78,665,522	*405,626*							
1800	91,252,768	70,971,780	*20,280,988*							
1801	111,363,511	93,020,513	*18,342,998*							
1802	76,333,333	71,957,144	*4,376,189*							
1803	64,666,666	55,800,033	*8,866,633*							
1804	85,000,000	77,099,074	*7,900,926*							
1805	120,600,000	95,566,021	*25,033,979*							
1806	129,410,000	101,536,963	*27,873,037*							
1807	138,500,000	108,343,150	*30,156,850*							
1808	56,990,000	22,430,960	*34,559,040*							
1809	59,400,000	52,203,233	*7,196,767*							
1810	85,400,000	66,757,970	*18,642,030*							
1811	53,400,000	61,316,832	**7,916,832**							
1812	77,030,000	38,527,236	*38,502,764*							
1813	22,005,000	27,856,017	**5,851,017**							
1814	12,965,000	6,927,441	*6,037,559*							
1815	113,041,274	52,557,753	*60,483,521*							
1816	147,103,000	81,920,052	*65,182,948*							
1817	99,250,000	87,671,569	*11,578,431*							
1818	121,750,000	95,281,133	*26,468,867*							
1819	87,125,000	70,142,521	*16,982,479*							
1820	74,450,000	69,691,669	*4,758,331*							
1821	54,520,834	54,596,323	**75,489**	$8,064,890		$8,064,890	$10,478,059		$10,478,059	**$2,413,169**
1822	79,871,695	61,350,101	*18,521,594*	3,369,846		3,369,846	10,810,180		10,810,180	**7,440,334**
1823	72,481,371	68,326,043	*4,155,328*	5,097,896		5,097,896	6,372,987		6,372,987	**1,275,091**
1824	72,169,172	68,972,105	*3,197,067*	8,378,970		8,378,970	7,014,552		7,014,552	*1,364,418*
1825	90,189,310	90,738,333	**549,023**	$329,277	$5,621,488	6,150,765	$315,672	$8,481,383	8,797,055	**2,646,290**
1826	78,093,511	72,890,789	*5,202,722*	678,740	6,202,226	6,880,966	1,056,088	3,648,475	4,704,563	*2,177,403*
1827	71,332,938	74,309,947	**2,977,009**	1,110,448	7,040,682	8,151,130	1,872,489	6,142,391	8,014,880	*136,250*
1828	81,020,083	64,021,210	*16,998,873*	808,220	6,681,521	7,489,741	1,635,084	6,608,392	8,243,476	**753,735**
1829	67,088,915	67,434,651	**345,736**	816,666	6,586,946	7,403,612	1,573,258	3,360,762	4,924,020	*2,479,592*
1830	62,720,956	71,670,735	**8,949,779**	821,146	7,334,818	8,155,964	1,422,664	756,109	2,178,773	*5,977,191*
1831	95,885,179	72,295,652	*23,589,527*	932,029	6,373,916	7,305,945	2,979,529	6,095,402	9,014,931	**1,708,986**
1832	95,121,762	81,580,603	*13,601,159*	716,686	5,190,818	5,907,504	2,049,406	3,606,934	5,656,340	*251,164*
1833	101,047,943	87,528,732	*13,519,211*	611,852	6,458,516	7,070,368	889,505	1,722,196	2,611,701	*4,458,667*
1834	108,609,700	102,280,215	*6,349,485*	3,766,172	14,145,460	17,911,632	690,180	1,386,578	2,076,758	*15,834,874*
1835	136,764,295	115,215,802	*21,548,493*	2,325,196	10,806,251	13,131,447	1,355,280	5,122,495	6,477,775	*6,653,672*
1836	176,579,154	124,398,704	*52,240,450*	7,231,862	6,169,019	13,400,881	647,455	3,676,881	4,324,336	*9,076,545*
1837	130,472,803	111,443,127	*19,029,676*	2,431,814	8,084,600	10,516,414	3,213,735	2,762,514	5,976,249	*4,540,165*
1838	95,970,288	104,978,570	**9,008,282**	11,674,883	6,072,233	17,747,116	1,213,204	2,294,842	3,508,046	*14,239,070*
1839	156,496,956	112,251,673	*44,245,283*	1,164,580	4,430,596	5,595,176	4,800,668	3,976,075	8,776,743	**3,181,567**
1840	98,258,706	123,668,932	**25,410,226**	3,085,157	5,797,656	8,882,813	3,703,373	4,713,641	8,417,014	*465,799*
1841	122,957,544	111,817,471	*11,140,073*	1,269,449	3,719,184	4,988,633	3,589,869	6,444,463	10,034,332	**5,045,690**
1842	96,075,071	99,877,995	**3,802,924**	757,294	3,329,722	4,087,016	2,304,756	2,508,783	4,813,539	**726,523**
1843	42,433,464	82,825,689	**40,392,225**	17,096,437	5,253,898	22,350,335	407,087	1,113,104	1,520,791	*20,799,544*
1844	102,604,606	105,745,832	**3,141,226**	1,613,304	4,217,125	5,830,429	1,366,521	4,087,693	5,454,214	*376,215*
1845	113,184,322	106,040,111	*7,144,211*	818,850	3,251,392	4,070,242	3,055,425	5,551,070	8,606,495	**4,536,253**
1846	117,914,065	109,583,248	*8,330,817*	910,413	2,367,319	3,777,732	2,053,199	1,852,069	3,905,268	**127,536**
1847	122,424,349	156,741,598	**34,317,249**	21,574,991	2,546,358	24,121,289	1,037,921	869,106	1,907,024	*22,214,265*
1848	148,638,644	138,190,515	*10,448,129*	3,408,755	2,951,529	6,360,284	11,071,197	4,770,419	15,841,616	**9,481,332**
1849	141,206,199	140,351,172	*855,027*	4,068,647	2,582,593	6,651,240	1,972,233	3,432,415	5,404,648	*1,246,592*
1850	173,509,526	144,375,726	*29,133,800*	1,776,706	2,852,086	4,628,792	4,560,627	2,962,367	7,522,994	**2,894,202**
1851	210,771,429	188,915,259	*21,856,170*	3,569,090	1,884,413	5,458,503	23,829,913	6,635,839	29,472,752	**24,019,249**
1852	207,440,398	166,984,231	*40,456,167*	3,658,059	1,846,985	5,505,044	40,073,979	2,600,156	42,674,135	**37,169,091**
1853	263,777,265	203,489,382	*60,287,883*	2,427,356	1,774,026	4,201,382	25,442,858	2,044,017	27,486,875	**23,285,493**
1854	297,803,794	237,043,764	*60,760,030*	3,031,904	3,726,623	6,758,587	40,470,260	727,040	41,281,504	**34,522,917**
1855	257,808,708	218,909,503	*38,899,205*	1,092,802	2,567,010	3,659,812	55,109,215	1,138,128	56,247,343	**52,587,531**
1856	310,432,310	281,219,423	*29,212,887*	990,305	3,217,327	4,207,632	45,000,977	744,508	45,745,485	**41,537,853**
1857	348,428,342	293,823,760	*54,604,582*	6,654,636	5,807,163	12,461,799	65,222,633	3,904,289	69,126,922	**56,675,123**
1858	263,338,654	272,011,274	**8,672,620**	11,506,068	7,706,428	19,274,496	50,002,804	2,630,343	52,633,147	**33,358,651**
1859	331,333,341	292,902,051	*38,431,290*	2,125,397	5,309,392	7,434,789	61,108,053	2,779,358	63,887,411	**56,452,622**
1860	353,616,119	333,576,057	*20,040,062*	2,508,786	6,041,349	8,550,135	58,446,039	8,100,200	66,546,239	**57,996,104**
1861	289,310,542	219,553,833	*69,756,709*	42,291,930	4,047,681	46,339,611	27,423,973	2,367,107	29,791,080	*16,548,531*
1862	189,356,677	190,670,501	**1,313,824**	13,907,011	2,508,041	16,415,052	35,439,903	1,447,737	36,887,640	**20,472,588**
1863	243,335,815	203,964,447	*39,371,368*	5,530,538	4,053,567	9,584,105	62,162,838	1,993,778	64,156,611	**54,572,506**
1864	316,447,283	158,837,988	*157,609,295*	11,176,769	1,938,843	13,115,612	100,661,634	4,734,907	105,396,541	**92,280,929**
1865	238,745,580	166,029,303	*72,716,277*	6,498,228	3,311,844	9,810,072	58,361,033	9,262,193	67,643,226	**57,833,154**
1866	434,812,096	348,859,522	*85,952,574*	8,196,261	2,503,831	10,700,092	71,197,309	14,846,762	86,044,071	**75,343,979**
1867	395,761,096	294,506,141	*101,254,955*	17,024,866	5,045,609	22,070,475	39,028,627	21,841,745	60,868,372	**38,797,897**
1868	357,456,440	281,952,899	*75,503,541*	8,737,443	5,450,925	14,188,368	72,396,344	21,367,758	93,784,102	**79,595,734**
1869	417,506,379	286,117,697	*131,388,682*	14,132,508	5,575,308	19,707,816	36,003,498	21,134,882	57,138,380	**37,430,564**
1870	435,958,408	392,771,768	*43,186,640*	12,056,950	14,362,229	26,419,179	33,635,962	24,519,704	58,155,666	**31,736,487**
1871	520,223,684	442,820,178	*77,403,506*	6,883,561	14,386,463	21,270,024	66,686,208	31,755,780	98,441,988	**77,171,964**
1872	626,595,077	444,177,586	*182,417,491*	8,717,458	5,026,231	13,743,689	49,548,760	30,328,774	79,877,534	**66,133,845**
1873	642,136,210	522,479,922	*119,656,288*	8,782,447	12,798,490	21,480,937	44,856,715	39,751,859	84,608,574	**63,127,637**
1874	567,406,342	586,283,040	**18,876,698**	19,503,137	8,951,769	28,454,906	34,042,420	62,587,985	66,630,405	**38,175,499**
1875	533,005,436	513,442,711	*19,562,725*	13,696,793	7,203,924	20,900,717	66,980,977	25,151,165	92,132,142	**71,231,425**
1876	460,741,190	540,384,671	**79,643,481**	7,962,709	7,943,972	15,906,681	31,177,050	25,329,252	56,506,302	**40,599,621**
1877	451,323,126	602,475,220	**151,152,094**	26,246,234	14,528,180	40,774,414	26,590,374	29,571,863	56,162,237	**15,387,823**
1878	437,051,532	694,865,766	**257,814,234**	13,330,215	16,491,099	29,821,314	9,204,445	24,535,670	33,740,125	**3,918,811**

Historical table—Total value of imports and exports into and from the United States, 1790 to 1903—Continued

Fiscal year.	Merchandise.			Specie.						
	Imports.	Exports.	Excess of imports in italics, of exports in bold-face type.	Imports.			Exports.			Excess of imports in italics, of exports in bold-face type.
				Gold.	Silver.	Total.	Gold.	Silver.	Total.	
1879	$445,777,775	$710,439,441	**$264,661,666**	$5,624,948	$14,671,052	$20,296,000	$4,587,614	$20,409,827	$24,997,441	**$4,701,441**
1880	667,954,746	835,638,658	**167,683,912**	80,758,396	12,275,914	93,034,310	3,639,025	13,503,894	17,142,919	*76,891,391*
1881	642,664,628	902,377,346	**259,712,718**	100,031,259	10,544,238	110,575,497	2,505,132	16,841,715	19,400,847	*91,168,650*
1882	724,639,574	750,542,257	**25,902,683**	34,377,054	8,095,336	42,472,390	32,587,880	16,829,599	49,417,479	**6,945,089**
1883	723,180,914	823,839,492	**100,658,488**	17,734,149	10,755,242	28,489,391	11,600,888	20,219,445	31,820,333	**3,330,942**
1884	667,697,693	740,513,609	**72,815,916**	22,831,317	14,594,945	37,426,262	41,081,957	25,051,426	67,133,383	**29,707,121**
1885	577,527,329	742,189,755	**164,662,426**	26,691,696	16,550,627	43,242,323	8,477,892	33,753,633	42,231,525	*1,010,798*
1886	635,436,136	679,524,830	**44,088,694**	20,743,349	17,850,307	38,593,656	42,952,191	29,511,219	72,463,410	**33,869,754**
1887	692,313,768	716,183,211	**23,863,443**	42,910,601	17,260,191	60,170,792	9,701,187	26,206,504	35,907,691	*24,173,101*
1888	723,957,114	695,954,507	*28,002,607*	43,934,317	15,403,669	59,337,986	18,376,234	28,037,949	46,414,183	*13,923,803*
1889	745,131,652	742,401,375	*2,730,277*	10,284,858	18,678,215	28,963,073	59,952,285	36,689,248	96,641,533	**67,678,460**
1890	789,310,409	857,828,684	**68,518,275**	12,943,342	21,032,984	33,976,326	17,274,491	34,873,929	52,148,420	**18,172,094**
1891	844,916,196	884,480,810	**39,564,614**	18,232,567	18,026,880	36,259,447	86,362,654	22,590,988	108,953,642	**72,694,195**
1892	827,402,462	1,030,278,148	**202,875,686**	49,699,454	19,955,086	69,654,540	50,195,327	32,810,559	83,005,886	**13,351,346**
1893	866,400,922	847,665,194	*18,735,728*	21,174,381	23,193,252	44,367,633	108,680,844	40,737,319	149,418,163	**105,050,530**
1894	654,994,622	892,140,572	**237,145,950**	72,449,119	13,286,552	85,735,671	76,978,061	50,451,265	127,429,326	**41,693,655**
1895	731,969,965	807,538,165	**75,568,200**	36,384,760	20,211,179	56,595,939	66,468,481	47,295,286	113,763,767	**57,167,828**
1896	779,724,674	882,606,938	**102,882,264**	33,525,065	28,777,186	62,302,251	112,409,947	60,541,670	172,951,617	**110,649,366**
1897	764,730,412	1,050,993,556	**286,263,144**	85,014,780	30,533,227	115,548,007	40,361,580	61,946,638	102,308,218	*13,239,789*
1898	616,049,654	1,231,482,330	**615,432,676**	120,391,674	30,927,781	151,319,455	15,406,391	55,105,239	70,511,630	*80,807,825*
1899	697,148,489	1,227,023,302	**529,874,813**	88,954,603	30,675,056	119,629,659	37,522,086	56,319,055	93,841,141	*25,788,518*
1900	849,941,184	1,394,483,082	**544,541,898**	44,573,184	35,256,302	79,829,486	48,266,759	56,712,275	104,979,034	**25,149,548**
1901	823,172,165	1,487,764,991	**664,592,826**	66,051,187	36,386,521	102,437,708	53,185,177	64,285,180	117,470,357	**15,032,649**
1902	903,320,948	1,381,719,401	**478,398,453**	52,021,254	28,232,254	80,253,508	48,568,950	49,732,380	98,301,340	**18,047,832**
1903	1,025,719,237	1,420,141,679	**394,422,442**	44,982,027	24,163,491	69,145,518	47,090,595	44,250,259	91,340,854	**22,195,336**
Total	34,279,263,510	37,863,335,440	**3,584,071,930**			2,391,446,199			3,906,556,307	**1,515,110,108**

Area and population of the principal countries of the world and their total foreign commerce and commerce with the United States.

Countries.	Area in square miles.	Population.	Population per square mile.	Foreign commerce.				Commerce with the United States.	
				Year.	Imports.	Exports.	Excess of exports (+) or imports (−).	Exports from United States to—	Imports into United States from—
Argentina	1,135,840	4,794,000	4.22	1902	$99,433,000	$173,205,000	+ $73,772,000	$9,808,529	$10,396,873
Australasia:									
Commonwealth	2,972,573	3,772,000	1.27	1901	206,504,000	241,795,000	+ 35,291,000	30,569,314	17,901,375
New Zealand	104,751	788,000	7.52	1901	57,512,000	62,687,000	+ 5,175,000		
Austria-Hungary	241,333	45,405,000	188.14	1902	349,283,000	387,526,000	+ 38,243,000	6,672,580	10,093,346
Austria	115,903	26,151,000	225.63						
Hungary	125,430	19,255,000	153.51						
Belgium	11,373	6,694,000	588.50	1902	439,282,000	358,464,000	− 80,818,000	43,515,112	17,912,084
Bolivia	703,604	1,816,000	2.58	1902	4,587,000	11,076,000	+ 6,489,000	76,926	1,731
Brazil	3,219,000	14,334,000	4.45	1902	113,691,000	179,112,000	+ 65,421,000	11,155,565	71,583,086
British colonies, n. e. s.	951,333	14,434,000	15.17	1901-2	429,161,000	293,543,000	− 135,618,000	54,754,488	22,736,691
Bulgaria	38,080	3,744,000	98.33	1902	13,751,000	20,011,000	+ 6,260,000		
Canada	3,048,710	5,457,000	1.79	1903	224,814,000	213,782,000	− 11,032,000	123,472,416	54,660,410
Central America:									
Costa Rica	23,000	313,000	13.61	1902	4,415,000	5,661,000	+ 1,246,000	1,697,043	3,291,545
Guatemala	46,774	1,647,000	35.21	1900	3,018,000	7,134,000	+ 4,116,000	1,128,418	2,190,145
Honduras	46,250	775,000	16.76	1902	1,672,000	2,357,000	+ 685,000	969,963	1,136,220
Nicaragua	49,200	500,000	10.16	1902	1,239,000	2,965,000	+ 1,726,000	1,360,686	1,858,729
San Salvador	7,225	1,007,000	139.38	1902	2,624,000	3,926,000	+ 1,302,000	868,329	583,459
Chile	279,901	3,051,000	10.90	1902	48,336,000	61,879,000	+ 13,543,000	3,753,222	7,155,839
China	1,532,420	407,253,000	265.76	1902	198,364,000	134,720,000	− 63,644,000	22,698,282	26,182,113
Colombia	504,773	4,000,000	7.92	1898	10,695,000	18,487,000	+ 7,792,000	2,923,404	3,140,043
Cuba	43,000	1,573,000	36.58	1903	58,826,000	77,849,000	+ 19,022,000	21,769,572	62,341,942
Denmark	15,360	2,465,000	160.48	1902	116,714,000	85,733,000	− 30,981,000	14,812,900	68,494
Ecuador	116,000	1,204,000	10.38	1901	7,361,000	7,944,000	+ 583,000	1,819,209	1,421,563
Egypt	383,900	9,734,000	25.36	1902	73,229,000	87,081,000	+ 13,852,000	667,577	10,854,628
Finland	144,255	2,744,000	19.02	1902	45,197,000	38,717,000	− 6,480,000		
France	207,054	38,962,000	188.17	1902	848,046,000	820,671,000	− 27,375,000	70,497,327	87,895,253
Algeria	184,474	4,739,000	25.69	1902	64,228,000	60,804,000	− 3,424,000		
Tunis	51,000	1,900,000	37.25	1901	12,483,000	7,551,000	− 4,932,000	386,758	461,102
French colonies, n. e. s.	3,375,602	26,427,000	7.83	1901	51,790,000	35,080,000	− 16,710,000	3,614,815	938,533
French East Indies	461,196	18,346,000	39.78	1901	59,810,000	55,292,000	− 4,518,000	49,113	3,019
German Empire	208,830	58,549,000	280.36	1902	1,340,178,000	1,113,313,000	− 226,865,000	174,264,495	111,999,904
German colonies	1,025,829	13,543,000	13.20	1901	8,969,000	4,497,000	− 4,472,000	30,949	11,702
Greece	25,014	2,434,000	97.31	1902	26,034,000	15,466,000	− 10,568,000	369,919	1,229,144
Haiti	10,204	1,294,000	126.81	1901	5,500,000	12,760,000	+ 7,260,000	1,956,343	1,127,641
India, British	1,766,642	294,361,000	166.62	1902-3	255,614,000	408,396,000	+ 152,782,000	4,866,683	51,831,665
Italy	110,646	32,475,000	293.50	1902	342,718,000	284,177,000	− 58,541,000	33,135,512	33,612,864
Japan	147,655	45,862,000	310.60	1902	135,117,000	127,326,000	− 7,791,000	21,022,603	40,597,582
Formosa	13,458	2,706,000	201.07	1902	5,030,000	6,881,000	+ 1,851,000		
Mexico	767,060	13,545,000	17.65	1903	74,687,000	88,200,000	+ 13,513,000	42,227,786	61,802,902
Netherlands	12,563	5,347,000	425.61	1902	867,308,000	732,975,000	− 134,333,000	74,576,164	20,899,588
Dutch East Indies	736,400	35,736,000	48.53	1901	86,894,000	98,724,000	+ 11,830,000	2,210,963	15,343,948
Norway	124,130	2,263,000	18.23	1902	78,869,000	45,147,000	− 33,722,000		
Paraguay	97,722	636,000	6.51	1902	2,270,000	3,787,000	+ 1,517,000	14,815	3,890
Peru	713,859	4,610,000	6.46	1901	13,422,000	20,918,000	+ 7,495,000	3,148,610	3,416,178
Portugal	36,038	5,429,000	150.65	1902	60,459,000	31,868,000	− 28,591,000	2,915,897	3,229,813
Roumania	50,700	5,913,000	116.63	1902	54,686,000	72,340,000	+ 17,654,000	138,635	65
Russia	8,660,395	141,000,000	16.28	1901	305,614,000	392,215,000	+ 86,601,000	7,518,177	7,262,757
Santo Domingo	18,045	610,000	33.80	1901	2,987,000	5,224,000	+ 2,237,000	1,700,371	3,361,319
Servia	18,630	2,536,000	136.12	1902	8,650,000	13,920,000	+ 5,270,000		33,149
Siam	236,000	5,000,000	21.19	1902	16,515,000	22,065,000	+ 5,550,000		
Spain	194,783	18,618,000	95.58	1902	175,499,000	154,164,000	− 21,335,000	15,975,788	8,787,621
Sweden	172,876	5,199,000	30.07	1902	134,603,000	105,154,000	− 29,450,000	9,550,137	4,193,307
Switzerland	15,976	3,356,000	210.07	1902	217,803,000	168,741,000	− 49,062,000	203,357	19,864,767
Turkey	1,115,046	24,932,000	22.36	1898-99	117,134,000	59,072,000	− 58,062,000	354,457	2,359,830
United Kingdom	121,371	41,961,000	345.73	1902	2,571,416,000	1,379,283,000	−1,192,132,000	523,773,397	180,249,114
United States	3,025,600	80,372,000	26.56	1903	1,025,719,000	1,392,231,000	+ 366,512,000		
Philippine Islands	115,000	7,590,000	66.00	1903	32,972,000	33,122,000	+ 150,000	4,038,909	11,372,584
Uruguay	72,210	959,000	13.28	1902	24,565,000	33,656,000	+ 9,091,000	1,549,812	2,830,069
Venezuela	593,940	2,445,000	4.12	1898	8,458,000	17,962,000	+ 9,504,000	2,736,726	6,669,919
Total	40,701,936	1,487,159,000			11,525,755,000	10,278,616,000	−1,247,140,000	1,357,903,553	1,006,259,545

Progress of the United States 1800–1903.

Year.	Public-debt statement.			Coinage.		Commercial ratio, silver to gold.	Money in circulation.								
	Interest-bearing debt.	Annual interest charge.	Per capita.	Gold coined.	Silver coined.		Gold.	Silver.	Gold certificates.	Silver certificates.	United States notes (greenbacks).	National-bank notes.	Miscellaneous currency.	Total money in circulation.	Per capita.
1800	$82,976,294	$3,402,601	$0.64	$317,760	$224,296	15.68	$16,000,000						$10,500,000	$26,500,000	$5.00
1810	53,173,218	3,163,671	.44	501,435	638,774	15.77	27,000,000						28,000,000	55,000,000	7.59
1820	91,015,566	5,151,004	.53	1,319,030	501,681	15.62	22,300,000						44,800,000	67,100,000	6.94
1830	48,565,406	1,912,575	.15	643,105	2,495,400	15.82	26,344,295						61,000,000	87,344,295	6.79
1840	3,573,344	174,598	.01	1,675,483	1,726,709	15.62	79,336,916						106,968,572	186,305,488	10.91
1850	63,452,774	3,782,393	.16	31,981,739	1,866,100	15.70	147,395,456						131,366,526	278,761,982	12.02
1851	68,304,796	3,696,761	.15	62,614,493	774,397	15.46	175,088,354						155,165,251	330,253,605	13.76
1852	66,199,342	4,000,298	.16	56,846,188	999,410	15.59	189,367,864						171,673,000	361,040,864	14.56
1853	59,803,118	3,665,833	.14	39,377,909	9,077,571	15.33	214,057,107						188,161,000	402,238,107	15.70
1854	42,242,222	3,070,927	.12	25,915,963	8,619,270	15.33	220,862,033						204,689,207	425,551,240	16.10
1855	35,586,957	2,314,465	.08	29,367,968	3,501,245	15.38	231,068,024						186,952,223	418,020,247	15.34
1856	31,762,762	1,869,446	.07	36,857,769	5,142,240	15.38	230,098,675						195,747,950	425,846,625	15.16
1857	28,460,959	1,672,768	.06	32,214,040	5,478,760	15.27	242,289,886						214,778,822	457,068,708	15.81
1858	44,700,838	2,446,670	.08	22,938,414	8,495,370	15.38	253,601,684						155,208,344	408,810,028	13.74
1859	58,290,738	3,126,166	.10	14,780,570	3,284,450	15.19	245,660,724						193,306,818	438,967,542	14.35
1860	64,640,838	3,443,687	.11	23,473,654	2,259,390	15.29	228,304,775						207,102,477	435,407,252	13.85
1861	90,380,874	5,092,630	.16	83,305,530	3,783,740	15.50	246,400,000						202,005,767	448,405,767	13.98
1862	365,304,827	22,048,510	.67	20,875,998	1,252,517	15.35	25,000,000				$72,865,665		236,832,079	334,697,744	10.23
1863	707,531,634	41,854,148	1.25	22,445,482	809,268	15.37	25,000,000				312,481,418		257,912,620	595,394,038	17.84
1864	1,359,930,764	78,853,487	2.32	20,081,415	609,917	15.37	25,000,000				415,115,990	$31,235,270	198,290,218	669,641,478	19.67
1865	2,221,311,918	137,742,617	3.96	28,295,108	691,005	15.44	25,000,000				378,916,742	146,137,860	164,648,393	714,702,995	20.57
1866	2,332,331,208	146,068,196	4.12	31,435,945	982,409	15.43	25,000,000				327,792,305	276,012,713	44,683,226	673,488,244	18.99
1867	2,248,067,388	138,892,451	3.84	23,828,625	908,876	15.57	25,000,000				319,437,702	286,763,961	30,790,406	661,992,069	18.23
1868	2,202,088,728	128,459,598	3.48	19,371,388	1,074,343	15.59	25,000,000				328,571,665	294,368,873	32,163,123	680,103,661	18.39
1869	2,162,060,522	125,523,998	3.32	17,582,988	1,266,143	15.60	25,000,000				314,702,094	291,749,684	33,001,113	664,452,891	17.60
1870	2,046,455,722	118,784,960	3.08	23,198,788	1,578,256	15.57	25,000,000				324,962,638	288,648,081	36,602,075	675,212,794	17.50
1871	1,934,696,750	111,949,331	2.83	21,032,685	3,104,038	15.57	25,000,000				343,068,970	311,405,672	36,414,363	715,889,005	18.10
1872	1,814,794,100	103,988,463	2.56	21,812,645	2,504,489	15.63	25,000,000				346,168,680	329,037,005	38,103,864	738,309,549	18.19
1873	1,710,483,950	98,049,804	2.35	57,022,748	4,024,748	15.93	25,000,000				348,464,145	338,962,475	39,455,189	751,881,809	18.04
1874	1,738,930,750	98,796,005	2.31	35,254,630	6,851,777	16.16	25,000,000				371,421,452	340,265,544	39,396,035	776,083,031	18.13
1875	1,722,676,300	96,855,691	2.20	32,951,940	15,347,893	16.64	25,000,000				349,686,335	340,546,545	38,869,067	754,101,947	17.16
1876	1,710,685,450	96,104,269	2.11	46,579,453	24,503,306	17.75	$25,000,000	$21,055,128			331,447,378	316,120,702	33,986,180	727,609,388	16.12
1877	1,711,888,500	93,160,644	2.01	43,999,864	28,393,046	17.20	25,000,000	37,884,853			337,899,344	301,289,025	20,241,661	722,314,883	15.58
1878	1,794,735,650	94,654,473	1.99	49,786,052	28,518,850	17.92	25,000,000	55,127,573		$7,080	320,905,895	311,724,361	16,367,725	729,132,634	15.32
1879	1,797,643,700	83,773,779	1.71	39,080,080	27,569,776	18.39	110,505,362	69,383,023	$15,279,820	414,480	301,644,112	321,404,996		818,631,793	16.75
1880	1,723,993,100	79,633,981	1.59	62,308,279	27,411,694	18.05	225,695,779	68,622,345	7,963,900	5,789,569	327,895,457	337,415,178		973,382,228	19.41
1881	1,639,567,750	75,018,696	1.46	96,850,890	27,940,164	18.25	315,312,877	76,181,776	5,759,520	39,110,729	328,123,924	349,746,293		1,114,238,119	21.71
1882	1,463,810,400	57,360,111	1.09	65,887,685	27,973,132	18.20	358,251,325	78,783,769	5,029,020	54,503,090	325,255,427	352,464,788		1,174,290,419	22.37
1883	1,338,229,150	51,436,710	.96	29,241,990	29,246,968	18.64	344,653,495	82,125,749	59,807,370	72,620,686	323,242,177	347,856,219		1,230,305,696	22.91
1884	1,226,563,850	47,926,433	.87	23,991,757	28,534,866	18.61	340,624,203	86,351,008	71,146,640	96,427,011	318,687,214	330,689,893		1,243,925,969	22.65
1885	1,193,150,950	47,014,133	.84	27,773,013	28,962,176	19.41	341,668,411	82,789,890	126,729,730	101,530,946	331,218,637	338,631,001		1,292,538,615	23.02
1886	1,146,014,100	45,510,098	.79	28,945,542	32,086,710	20.78	358,219,575	98,842,613	76,044,375	88,116,225	323,812,699	307,665,038		1,252,700,525	21.82
1887	1,021,692,350	41,780,530	.71	23,972,383	35,191,081	21.10	376,540,681	104,132,586	91,225,437	142,118,017	326,667,219	276,855,203		1,317,539,143	22.45
1888	950,522,500	38,991,925	.65	31,380,808	33,025,606	22.00	391,114,033	105,889,710	121,094,650	200,759,057	308,000,040	245,312,780		1,372,170,870	22.88
1889	829,853,990	33,752,355	.53	21,413,931	35,496,683	22.10	376,481,568	105,934,463	117,130,229	257,155,545	316,439,191	207,220,633		1,380,361,649	22.52
1890	725,313,110	29,417,603	.47	20,467,183	30,202,908	19.75	374,258,923	110,311,330	130,830,850	297,556,238	334,688,977	181,604,937		1,429,251,270	22.82
1891	610,529,120	23,615,736	.37	29,222,005	27,518,857	20.92	407,319,163	117,045,399	120,033,069	307,235,966	343,207,360	162,221,046	40,348,704	1,497,440,707	23.42
1892	585,029,330	22,893,883	.35	34,787,223	12,641,078	23.72	408,568,824	120,111,166	141,093,619	326,693,465	309,553,904	167,221,517	128,038,692	1,601,347,187	24.56
1893	585,037,100	22,894,194	.35	55,997,020	8,802,797	26.49	408,535,663	122,399,539	92,642,189	325,823,848	319,059,426	174,089,966	152,570,614	1,593,701,245	24.03
1894	634,041,890	25,394,386	.38	79,546,160	89,200,351	32.56	495,976,730	111,075,619	66,339,849	326,693,191	324,249,868	215,168,122	126,935,247	1,506,434,966	21.41
1895	716,202,060	29,140,792	.42	59,616,358	5,698,010	31.60	479,637,961	112,336,057	48,381,309	319,622,941	263,648,985	206,953,051	171,388,169	1,601,968,473	23.20
1896	847,363,890	34,387,266	.49	47,053,060	23,089,899	30.59	454,905,064	112,321,355	42,198,119	330,653,191	224,249,868	215,168,122	126,935,247	1,506,434,966	21.41
1897	847,365,130	34,387,315	.48	76,028,485	18,487,297	34.20	517,589,688	111,556,690	37,285,339	357,849,312	245,954,622	225,544,351	144,429,517	1,640,209,519	22.87
1898	847,367,470	34,387,409	.47	77,985,757	23,034,033	35.03	657,950,463	122,539,886	35,811,589	390,126,510	284,569,022	222,990,988	123,871,437	1,837,859,895	25.15
1899	1,046,048,750	40,347,873	.54	111,344,220	26,061,520	34.36	679,738,050	130,547,250	32,655,919	402,136,617	308,351,842	237,805,439	112,836,764	1,904,071,881	25.58
1900	1,023,478,860	33,545,130	.44	99,272,943	36,345,321	33.33	610,806,472	142,050,334	200,733,019	408,465,574	313,971,545	300,115,112	79,038,942	2,055,150,998	26.94
1901	987,141,040	29,789,153	.38	101,735,188	30,838,461	34.68	629,790,765	146,156,537	247,036,359	429,643,556	330,045,406	345,110,801	47,524,538	2,175,307,962	27.98
1902	931,070,340	27,542,946	.35	47,184,933	30,028,167	39.15	632,394,289	154,468,577	306,399,009	446,557,662	334,291,722	345,476,516	19,802,776	2,249,390,551	28.43
1903	914,541,410	25,541,573	.32				617,260,739	165,117,934	377,258,559	454,733,013	334,248,567	329,996,709	19,076,648	2,367,692,169	29.42

Total population in United States	76,303,387
Males	39,059,242
Females	37,244,145
Native born	65,843,302
Foreign born	10,460,085
Native white:	
Males	28,808,188
Females	27,937,551
Total	56,742,749
Native white, native parents:	
Males	20,934,099
Females	20,119,318
Total	41,053,417
Native white, foreign parents:	
Males	7,869,089
Females	7,818,233
Total	15,687,322
Foreign white:	
Males	5,545,819
Females	4,704,230
Total	10,250,049
Colored:	
Males	4,710,235
Females	4,602,364
Total	9,312,599

Aggregate population 10 years of age or over in 1900, 57,949,824.
Total number illiterate, 6,180,069, or 10.7 per cent.
Total white, 51,250,918; number of illiterate, 3,200,746, or 6.2 per cent.
Native white, 41,236,662; number of illiterate, 1,913,611, or 4.6 per cent.
Native parents, 30,310,261; number of illiterate, 1,734,764, or 5.7 per cent.
Foreign parents, 10,926,401; number of illiterate, 178,847, or 1.6 per cent.
Foreign white, 10,014,256; number of illiterate, 1,287,135, or 12.9 per cent.
Total colored, 6,696,906; number of illiterate, 2,979,323, or 44.5 per cent.

Persons of negro descent, 6,415,581; number of illiterate, 2,853,194, or 44.5 per cent.
Chinese, 87,682; number of illiterate, 25,396, or 29 per cent.
Japanese, 24,091; number of illiterate, 4,383, or 18.2 per cent.
Indians, 177,552; number of illiterate, 96,347, or 56.2 per cent.

Of voting age in Iowa:	
Negroes	4,441
Indians	91
Chinese and Japanese	101
Colored males of voting age in:	
Iowa	4,633
United States	2,293,676
Negroes	2,065,989
Indians	65,627
Chinese and Japanese	162,060

Illiterate population 10 years of age or over in Iowa.

	Male.	Female.	Who can read, but not write.	Who can neither read nor write.	Total.
Colored	1,200	1,019	343	1,877	2,219
Total	18,675	21,497	13,289	26,874	40,172

Native born	18,709
Foreign born	21,463
Native parents	12,494
Foreign parents	4,628
Foreign	21,431
Colored	2,219
Total number attending school	492,673
Native born	484,297
Foreign born	8,531
Total white	490,528
Males of school age, 5 to 20, in Iowa	387,930
Females of school age, 5 to 20, in Iowa	379,940
Total	767,870
Persons of school age, 5 to 17, in Iowa	635,765

Fourth Iowa Congressional district.

[Compiled by J. G. Pepper, Bureau of Statistics, Department of Agriculture.]

	Area in square miles.	Total population.	Rural population.	Per cent of rural population.	Number of farms.	Number of farms with buildings.	Per cent of farms with buildings.	Number of acres to the farm.	Number of farms operated by owners.	Number of farms rented for cash or share.	Per cent of farms operated by owners.	Farms of 500 acres and less than 1,000.	Farms of 1,000 acres or more.
The United States	2,970,038	76,303,387	----------	----------	5,739,657	5,537,731	96.7	146.6	3,713,371	2,026,286	64.7	102,547	47,276
The State	55,475	2,231,853	----------	----------	228,622	220,626	96.5	151.2	148,836	79,736	65.1	2,818	340
The district	5,624	195,815	127,782	65.3	23,035	22,467	97.6	152.3	17,416	5,610	75.6	192	14
Allamakee	615	18,711	13,593	72.6	2,368	2,333	98.5	161.9	2,094	274	88.4	35	5
Cerro Gordo	566	20,672	10,534	51.0	1,957	1,907	97.4	180.5	1,250	707	63.9	29	3
Chickasaw	485	17,037	11,585	68.0	2,197	2,128	96.8	141.7	1,679	518	76.4	15	----------
Clayton	745	27,750	19,307	69.6	3,318	3,264	98.4	138.6	2,684	634	80.9	20	1
Fayette	730	29,845	18,657	62.5	3,361	3,169	97.1	136.5	2,365	896	72.5	10	1
Floyd	494	17,754	9,931	55.9	2,054	1,976	96.2	147.9	1,290	764	62.8	13	1
Howard	460	14,512	8,754	60.3	1,708	1,671	97.8	170.5	1,270	438	74.4	19	----------
Mitchell	470	14,916	9,660	64.7	1,718	1,665	96.9	168.0	1,278	440	74.4	21	1
Winneshiek	671	23,731	17,119	72.1	2,960	2,902	98.0	143.0	2,420	540	81.8	20	2
Worth	398	10,887	8,642	79.4	1,485	1,452	96.4	167.7	1,086	399	73.1	10	----------

	Total acres in farms.	Improved acres (in farms).	Per cent improved acres.	Value of farm property.				
				Land and improvements (except buildings).	Buildings.	Implements and machinery.	Live stock.	Total for all farm property.
The United States	841,201,546	414,793,191	49.3	$13,114,492,056	$3,560,198,191	$761,261,550	$3,078,050,041	$20,514,001,438
The State	34,574,337	29,807,552	86.5	1,256,751,980	240,802,810	57,960,660	278,830,096	1,834,345,546
The district	3,508,744	2,830,124	80.7	118,048,440	26,547,820	6,424,800	24,469,427	175,490,487
Allamakee	383,324	223,256	----------	8,389,430	2,284,690	627,670	2,110,468	13,412,258
Cerro Gordo	353,188	314,068	----------	13,272,290	2,384,700	640,230	2,610,463	18,907,625
Chickasaw	311,208	255,930	----------	11,594,740	2,330,060	589,290	2,251,826	16,765,916
Clayton	459,892	314,776	----------	13,826,980	3,965,540	898,390	3,217,318	21,908,228
Fayette	445,118	356,848	----------	15,210,420	3,756,290	828,120	3,592,448	23,387,278
Floyd	306,843	278,541	----------	11,533,320	2,384,020	614,370	2,201,362	16,733,072
Howard	291,263	257,938	----------	9,800,150	1,971,910	507,690	1,987,949	14,267,639
Mitchell	288,600	257,107	----------	11,323,630	2,181,900	550,550	2,063,764	16,139,844
Winneshiek	423,227	338,358	----------	14,288,410	3,626,140	731,980	2,941,096	21,587,626
Worth	249,081	223,292	----------	8,809,130	1,662,570	436,570	1,472,731	12,381,001

	Value of products.			Expenditures.		Number of neat cattle.		Number of work animals.	
	Not fed to live stock.	Fed to live stock.	Total.	Labor.	Fertilizers.	Calves, steers, and bulls.	Heifers and cows.	Horses.	Mules.
The United States	$3,764,177,706	$974,941,046	$4,739,118,752	$365,305,921	$54,783,757	31,906,604	35,915,732	18,280,007	3,271,121
The State	263,388,488	102,023,040	365,411,528	16,375,670	337,190	2,890,875	2,476,755	1,392,573	55,747
The district	25,695,322	10,014,369	35,709,691	1,923,920	29,680	254,068	264,232	125,183	1,029
Allamakee	2,268,083	877,748	3,145,831	173,130	1,600	21,635	23,881	10,912	62
Cerro Gordo	2,811,297	1,093,406	3,907,703	189,780	420	30,555	22,624	12,686	130
Chickasaw	2,280,213	889,283	3,169,496	151,410	1,540	23,797	28,213	12,266	76
Clayton	3,398,416	1,325,382	4,723,798	259,200	7,480	29,184	35,586	16,261	178
Fayette	3,256,824	1,270,161	4,526,985	229,670	720	37,544	40,010	17,925	200
Floyd	2,559,415	998,172	3,557,587	148,900	11,430	21,057	21,260	11,637	77
Howard	1,901,899	741,740	2,643,639	133,920	2,590	21,687	22,196	9,666	77
Mitchell	2,326,906	907,493	3,234,399	200,780	500	22,229	20,193	10,243	96
Winneshiik	3,225,513	1,257,950	4,483,463	301,320	2,000	29,095	31,952	15,329	70
Worth	1,666,756	650,034	2,316,790	135,810	1,400	17,395	18,317	8,248	63

	Number of sheep, all ages.	Number of swine.	Value of live animals sold.	Value of animals slaughtered on the farm.	Dairy products.				
					Number of farms reporting.	Total value.	Value consumed on farm.	Value of all sold.	Per cent sold.
The United States	61,625,811	62,876,108	$722,913,114	$189,878,310	4,514,210	$472,369,255	$190,739,297	$281,629,958	59.4
The State	1,056,718	9,723,790	113,078,523	8,448,938	210,276	27,516,870	8,697,868	19,819,002	72.0
The District	119,254	866,531	9,558,229	773,070	21,710	4,198,226	870,508	3,327,718	----------
Allamakee	7,133	87,835	960,034	86,569	2,262	427,940	88,886	339,054	----------
Cerro Gordo	18,170	77,924	1,065,908	50,936	1,845	305,617	77,116	228,501	----------
Chickasaw	6,923	73,750	810,682	76,379	2,024	438,904	70,314	368,590	----------
Clayton	14,443	172,366	1,496,229	142,065	3,152	516,098	107,680	408,418	----------
Fayette	13,619	119,475	1,414,836	106,671	3,077	623,373	105,483	517,890	----------
Floyd	13,825	67,777	735,756	44,735	1,883	354,041	79,373	274,668	----------
Howard	12,407	56,312	641,413	60,438	1,611	296,776	72,371	224,405	----------
Mitchell	10,743	62,889	761,665	48,595	1,629	354,582	80,738	273,844	----------
Winneshiek	18,518	117,286	1,218,874	106,778	2,804	586,416	126,188	460,228	----------
Worth	8,473	30,917	452,802	49,914	1,423	294,479	62,259	232,120	----------

	Milk.				Butter.				Pounds of cheese made.
	Gallons produced.	Gallons sold.	Gallons consumed.	Per cent sold.	Pounds made.	Pounds sold.	Pounds consumed.	Per cent sold.	
The United States	7,266,392,674	2,134,915,312	5,134,477,362	29.4	1,071,745,127	518,139,026	553,606,101	48.3	16,372,330
The State	535,872,240	214,338,442	321,533,798	40.0	61,789,288	33,266,912	28,522,376	53.8	306,428
The district	76,265,781	35,103,250	41,162,531	45.9	5,894,485	3,678,690	2,215,795	62.4	54,244
Allamakee	7,916,048	3,354,751	4,561,297	----------	620,519	313,303	307,216	----------	7,234
Cerro Gordo	5,765,199	1,583,863	4,181,336	----------	852,935	595,517	257,418	----------	1,391
Chickasaw	8,621,506	5,576,813	3,044,693	----------	450,747	358,729	92,018	----------	10,786
Clayton	10,234,538	7,046,688	3,187,850	----------	514,302	276,978	237,324	----------	7,646
Fayette	11,586,574	9,098,781	2,487,793	----------	287,716	131,473	156,243	----------	20,502
Floyd	6,481,972	1,319,900	5,162,072	----------	836,421	596,608	239,813	----------	5,848
Howard	5,712,370	1,500,610	4,202,760	----------	736,946	519,555	217,391	----------	----------
Mitchell	5,423,105	1,077,561	4,345,544	----------	290,264	72,169	218,095	----------	----------
Winneshiek	9,271,628	1,995,354	7,276,274	----------	888,169	525,952	362,217	----------	382
Worth	5,252,841	2,539,929	2,712,912	----------	416,466	288,406	128,060	----------	255

Fourth Iowa Congressional district—Continued.

	Number of chickens.	Number of turkeys, geese, and ducks.	Value of one year's crop of poultry.	One year's crop of eggs, dozens.	Corn.			Bushels of barley.
					Acres.	Bushels.	Bushels per acre.	
The United States	233,598,085	17,083,588	$136,891,677	1,293,819,186	94,916,911	2,666,440,279	28.1	119,694,877
The State	18,907,673	1,135,670	9,491,819	99,621,920	9,804,076	383,453,190	39.1	18,059,060
The district	1,952,829	109,744	852,213	10,371,840	704,073	27,647,060	39.2	2,069,900
Allamakee	185,730	6,744	65,932	974,800	50,639	2,106,680	----------	193,980
Cerro Gordo	169,660	12,563	95,960	919,370	90,235	3,758,310	----------	269,400
Chickasaw	173,870	11,726	82,046	901,320	62,191	2,394,660	----------	175,900
Clayton	286,467	14,887	132,193	1,710,150	82,599	3,607,270	----------	246,350
Fayette	208,094	14,239	125,705	1,315,090	93,879	3,631,610	----------	228,960
Floyd	188,599	10,323	82,734	1,005,090	84,952	3,249,300	----------	225,560
Howard	193,927	9,827	63,705	677,410	52,701	1,963,850	----------	212,280
Mitchell	151,986	8,407	62,324	759,380	55,519	2,253,830	----------	251,280
Winneshiek	268,534	12,278	85,412	1,508,920	80,928	3,151,750	----------	343,920
Worth	125,902	8,750	56,212	599,110	38,430	1,529,890	----------	223,760

	Oats.			Wheat.			Tons of timothy hay.	Tons of clover hay.
	Acres.	Bushels.	Bushels per acre.	Acres.	Bushels.	Bushels per acre.		
The United States	29,539,698	943,389,375	31.9	52,588,574	658,534,252	12.5	35,624,205	5,107,188
The State	4,695,391	168,304,170	35.8	1,689,705	22,769,440	13.5	8,223,138	229,326
The district	707,651	26,630,040	37.6	62,425	908,350	14.5	442,312	38,260
Allamakee	47,416	1,700,080	----------	7,575	117,260	----------	48,958	8,200
Cerro Gordo	90,745	3,525,620	----------	5,846	91,300	----------	33,373	1,930
Chickasaw	72,142	2,962,600	----------	2,509	41,450	----------	36,067	368
Clayton	72,032	2,782,010	----------	10,096	132,750	----------	59,450	6,708
Fayette	75,562	2,782,950	----------	3,938	59,080	----------	66,008	413
Floyd	78,446	3,207,600	----------	4,116	58,900	----------	31,140	881
Howard	67,397	2,512,300	----------	3,388	46,130	----------	47,186	1,159
Mitchell	62,893	2,425,660	----------	5,782	86,210	----------	42,209	1,749
Winneshiek	76,849	2,658,740	----------	10,553	155,560	----------	56,658	15,633
Worth	64,139	2,072,390	----------	8,532	119,710	----------	21,203	1,219

	Apples, bushels.	Grapes, pounds.	Strawberries, quarts.	Value of all small fruits.	Value of all orchard products.	Irish potatoes, bushels.	Value of forest products.	Tobacco, pounds.
The United States	175,397,626	1,301,013,407	257,437,523	$25,030,877	$83,751,840	273,328,207	$109,989,868	868,163,275
The State	3,129,862	7,403,900	3,164,320	878,447	1,849,767	17,305,919	3,266,449	127,420
The district	95,637	134,000	496,290	93,382	55,906	2,233,836	679,294	102,410
Allamakee	10,439	23,900	33,200	8,562	6,109	189,668	118,250	6,000
Cerro Gordo	10,125	4,300	48,280	9,069	4,762	180,825	9,192	----------
Chickasaw	11,143	3,100	35,320	9,169	4,816	184,553	53,730	----------
Clayton	27,399	59,600	38,650	15,875	17,169	202,923	169,421	66,010
Fayette	16,587	9,000	64,500	14,573	10,869	251,625	117,392	3,610
Floyd	7,213	4,700	52,330	8,440	4,061	253,506	86,894	----------
Howard	2,770	800	42,750	4,863	1,755	170,968	26,613	----------
Mitchell	2,359	9,600	87,300	8,897	1,542	338,827	20,371	150
Winneshiik	5,960	15,500	82,940	11,006	5,669	228,642	110,087	26,640
Worth	1,702	1,500	7,400	2,928	1,243	142,301	17,354	----------

Foreign born in United States and Iowa in 1900, exclusive of Alaska and Hawaii.

	England.	Germany.	Ireland.	Denmark.	Norway.	Sweden.	Total.
United States	842,078	2,666,990	1,618,567	154,284	336,985	573,040	10,356,644
Iowa	21,027	123,162	28,321	17,102	25,634	29,875	305,920
Number of foreign parentage in Iowa	42,055	201,132	87,232	32,489	58,903	57,188	722,900
Counties in Fourth Congressional district of Iowa.							
Allamakee	99	1,351	626	14	950	159	3,511
Cerro Gordo	362	940	350	248	418	182	3,055
Chickasaw	164	1,405	345	29	242	15	2,701
Clayton	190	2,876	396	3	490	122	4,561
Fayette	372	1,755	387	67	399	111	3,932
Floyd	190	1,748	169	16	70	35	2,620
Howard	130	687	277	54	298	19	2,466
Mitchell	163	914	117	110	694	123	2,373
Winneshiek	110	789	283	25	2,830	65	5,155
Worth	45	383	33	142	1,729	112	2,697
Total	1,749	12,848	2,983	708	8,129	997	33,091

Total illiterate population 10 years of age or over.

County.	Aggregate.	Native parents.	Foreign parents.	Foreign white.	Colored.
Allamakee	675	63	110	502	----------
Cerro Gordo	270	18	31	215	6
Chickasaw	304	39	38	227	----------
Clayton	690	149	111	430	----------
Fayette	409	84	54	267	4
Floyd	258	56	30	172	----------
Howard	232	16	46	170	----------
Mitchell	176	21	26	126	3
Winneshiek	872	44	88	740	----------
Worth	355	6	23	324	2
Total	4,241	496	557	3,173	15

Farm homes in Fourth Congressional district of Iowa.

County.	Total number of families.	Number of homes.	Number free.	Encumbered.	Unknown.	Hired.	Unknown.	Total.
Allamakee	3,823	2,325	1,256	775	9	274	11	1,498
Cerro Gordo	4,909	1,910	506	689	12	697	6	2,399
Chickasaw	3,594	2,076	805	789	30	443	4	1,518
Clayton	5,902	3,301	1,452	1,166	26	635	22	2,601
Fayette	6,327	3,262	1,222	1,141	24	842	33	3,065
Floyd	3,903	1,971	639	603	19	702	8	2,022
Howard	2,978	1,685	563	664	16	434	8	1,293
Mitchell	3,233	1,661	704	558	3	387	9	1,572
Winneshiek	4,955	2,920	1,421	996	18	476	10	2,035
Worth	2,134	1,449	527	527	9	381	5	685
Total	41,248	22,560	9,095	7,907	166	5,276	116	18,688

Other homes in Fourth Congressional district of Iowa.

County.	Free.	Encumbered.	Unknown.	Hired.	Unknown.
Allamakee	772	114	15	527	70
Cerro Gordo	918	437	17	971	56
Chickasaw	675	211	19	576	37
Clayton	1,274	286	34	972	95
Fayette	1,270	422	35	1,193	145
Floyd	972	254	8	741	47
Howard	523	193	88	450	39
Mitchell	763	227	15	518	49
Winneshiek	905	286	38	618	158
Worth	299	90	10	227	59
Total	8,461	2,400	279	6,793	755

The ten counties comprising the Congressional district which I have the honor to represent have an area of 5,624 square miles, carved out of that magnificent and productive 55,475 square miles of land area in Iowa. This district has a population of 195,815. The land area exceeds the area of the State of Rhode Island and Delaware, and almost the combined area of Connecticut, Rhode Island, and Delaware. It has a greater population than either Arizona, Delaware, Idaho, New Mexico, or Hawaii, or four times as great as Nevada, twice that of Wyoming, three times that of Alaska, and nearly as great as the combined population of these three. Out of the 41,248 homes in my district, 22,560, or 54.8 per cent, are farm homes; 9,095, or 40.4 per cent, are free, and 7,907, or 35.1 per cent, are encumbered; 166 unknown, 5,276 hired, 116 unknown. Of the other 18,688 homes, 8,461, or 45.5 per cent, are free; 2,400, or 13.5 per cent, are encumbered, 279 unknown, 6,793 hired; unknown 755; 65.3 per cent of its population depends upon agriculture for their livelihood and follow their vocation on 23,026 farms, which average size is 152.3 acres, and of an average value of $6,622. There are buildings on 98 per cent of them, and 206 contain 500 acres or more. Seventy-six of these farms are operated by landowners, thus assuring a contented, stable, and prosperous people. They contain 383,324 acres, 80.7 per cent, or 223,256 acres, of which are improved.

The total value of farm property in the district, including land and improvements, buildings, implements and machinery, and live stock, is $175,490,487, at a very low valuation. The total today could be safely increased 25 per cent and yet fall short of actual values. These farms yield "products not fed to live stock," or, in other words, farm produce for sale, $25,695,322 worth annually. Add to this $10,014,369 "fed to live stock" and we have a total production for the district of $35,709,691. In the production of this enormous amount the farmers, in addition to their own toil, expended the sum of $1,923,920 for labor and used fertilizers to the amount of $29,680. Taking the value of farm property for capital invested, we find that the value of products not fed to live stock shows a gross profit of 14.6 per cent. These farms were stocked with 518,320 head of neat cattle and 126,212 work animals. The farmers slaughtered for their own use $773,070 worth of animals and sold "on the hoof" $9,558,229 worth. The "better halves" of the farmers produced from their dairies $4,198,226 worth of dairy products, of which amount they sold $3,327,718 worth, or 79 per cent.

Among the many other things for which Iowa is noted is the Iowa cow. In one year she yielded 76,265,781 gallons of pure, rich milk. It is estimated that this milk would fill a basin 20 feet deep, 70 feet wide, and 1.37 miles long, in which could be floated the fleet with which Admiral Dewey captured Manila and still have room for some of the Spanish vessels captured. Five million eight hundred and ninety-four thousand four hundred and eighty-five pounds of butter was churned in this great farming district. Load this butter on the farmer's wagon and start it to market. If we give each team a ton of butter for a load, we will use 2,948 wagons. Allowing 30 feet for each team on the road, we will have a procession of butter-laden wagons 16.9 miles in length. Nearly 2,000,000 chickens, in partnership with 109,744 turkeys, geese, and ducks, produced 10,371,840 dozens of eggs. If we crate these eggs and place them end to end, we will have a line of egg cases 120 miles in length.

Now, to return to the farmer: From 704,073 acres of the best land on earth he gathered 27,647,090 bushels of corn. As a side issue, he harvested 2,669,360 bushels of barley; he seeded 707,651 acres to oats and gathered 26,630,040 bushels; he sowed 62,425 acres of wheat, which yielded 908,350 bushels; his hay crop—timothy and clover—amounted to 480,572 tons.

Reduce it to carloads. Loading the principal crops of this district on freight cars, allowing 700 bushels for a load for corn, barley, and wheat, and 1,200 bushels of oats, we will have a train of loaded cars which, with the locomotives necessary to move it, would have a total length of 778 miles, divided as follows: Corn, 312 miles; barley, 31 miles; oats, 172 miles; wheat, 10 miles, and hay 253 miles, which would be but a fitting advertisement of the unparalleled fertility and productiveness of the Fourth Congressional district of Iowa.

In this connection I venture a word as to the antioleo legislation enacted by Congress nearly two years ago, and do so without any desire to reopen the exciting, protracted, and vigorous debates on that subject, both in the committee and House. I will not now discuss the merits or demerits of that legislation. But in view of the prophecies made by the opposition at that time, and the fear entertained of the terrible disaster and failure so sure to come from such legislation, I wish to call attention of this House and the country to the real results which followed.

The contention was that the 10-cent tax per pound would ruin not only the oleo interests, but that it would carry with it the cotton-seed industry; and that the Texas steer would be doomed to suffer the mortification and humiliation of being discriminated against in favor of the proud Jersey by such infamous and unjust legislation.

After a year and one-half of successful operation of this much-feared and detested legislation on the part of our friends who fought so nobly and well on the other side, we find that not only is oleo selling at higher prices, but the Texas steer and cotton-seed oil have been in greater demand, and commanding higher prices than ever before. The result has been most pleasing and gratifying not only to the dairy interests, but to every interest concerned, for and against.

After a careful perusal of the report of the Commissioner of Internal Revenue we find that 126,316,427 pounds of oleo were manufactured during the fiscal year ending July 1, 1902. Adding 722,237 pounds on hand July 1, 1901, makes a total of 127,038,664 pounds. Deducting 3,469,199 pounds which was exported, leaves 123,869,465 pounds for domestic consumption for that year, being the last year under the old law.

For the following fiscal year ending July 1, 1903, the first year's operation of this law, only 5,710,407 pounds of colored oleo and 67,573,689 pounds of uncolored oleo, a total of 73,284,096 pounds, were manufactured. Deducting 3,486,692 pounds exported, leaves 69,797,404 for domestic consumption, or 54,072,091 pounds less

than the previous year. For the first five months of the fiscal year ending July 1, 1902, under the old law, and when taxed at 2 cents per pound, 43,529,364 pounds were manufactured; and for the corresponding five months for the fiscal year ending July 1, 1903, the first five months under the operation of the present law, taxing colored oleo 10 cents and uncolored 1¼ cents per pound, 1,374,930 of colored and 25,527,207 of uncolored, a total of 26,902,117 pounds of oleo, were manufactured, or 16,627,247 pounds less. For the first five months of the present fiscal year there were manufactured 1,425,310 pounds of colored and 20,474,748 of uncolored, a total of 21,900,058 pounds of oleo, making a further reduction of 5,200,059; or, in other words, the production of oleo for the first five months of the present fiscal year is about one-half of what it was in the corresponding five months of the last fiscal year under the old law.

The revenue collected has fallen from $2,944,772.46 in 1902, to $888,181.68 in 1903, including the tax on renovated butter. The licenses under the old law and under the new law were, in 1902, manufacturers, 35; wholesale dealers, 192; retail dealers, 10,821. In 1903, manufacturers, 31; wholesale dealers, 398; retail dealers, 26,157.

It will readily be seen that since this wholesale fraud, deception, and counterfeiting has been cut off, and since this oleo has been put on the market and sold on its merits, and sold for what it is, the manufacture and sale of oleo has been restricted to about one-half; and the market for 60,000,000 pounds of butter which the dairymen were robbed of annually by the sale of this counterfeit, sold in violation of State laws, thereby displacing 60,000,000 pounds of butter, has been restored to the producers of the pure and genuine article and the receipts of the dairy people have been increased nearly $15,000,000.

If the theory holds good that supply and demand regulate prices, it is unnecessary to argue that the price of butter has advanced. It is fair to assume that this had something to do with the advance in price of butter.

Mr. HEPBURN. I yield five minutes to the gentleman from New York [Mr. HARRISON].

Mr. HARRISON. Mr. Speaker, this bill for the government of the Panama Canal zone gives all powers—military, civil, and judicial—in the canal strip into the hands of the President. His power there, even though the effect of this act extends only through the life of the present Congress, will be complete and autocratic. This is one step farther toward a system of colonial government as despotic as that of imperial Rome.

What I do most deplore in our present mad expansion and acquisition of subject colonies is the gradual blunting of our appreciation of the privileges and sanctity of self-government. As a people we are becoming more and more accustomed to the idea of an emperor here at the Executive Mansion, who issues his fiat and governs whole races of subject people whom he has never seen and whose own wishes he rarely consults.

In view of the practical unanimity with which the committee has decided upon this measure, it seems almost fruitless to offer opposition to the bill. But I think it is fair to inquire why the committee has resorted to a measure like this after they have had an opportunity for two or three months to investigate and consider various forms of government and formulate some regular system of rules or government for the Panama Canal zone.

The Senate has passed the Kittredge bill. This is hybrid in its nature, because, although it starts out from an imperialistic standpoint, it incorporates what is practically the bill of rights, thereby taking away with its left hand what it has given with its right. Before the House committee there were several bills. The gentleman from Massachusetts [Mr. LOVERING], a member of the committee, introduced a bill which is as thoroughly imperialistic in its tendencies as it was possible to devise. Out of the nine sections of the Lovering bill the six most important of them prescribe that the matters with which they deal shall be "subject to the approval of the President" or "under the direction of the President." The commissioners were to do nothing of their own volition, except possibly to have boiled eggs for breakfast if they saw fit. [Laughter.]

The necessity for legislation upon this subject at this time is very apparent. By the terms of the treaty the Republic of Panama gave to the United States the exclusive and perpetual sovereignty over this zone. There is absolutely nothing in this treaty to show what is to be done with the inhabitants of the zone, as has been the custom in similar treaties in the past—for example, in the cession of Louisiana in 1803, of Florida in 1819, and of Alaska in 1867. Therefore we are in doubt as to what laws now exist and are in force in the zone.

Either the laws of Panama are applicable, under which circumstances the Republic of Panama may still be legislating for our zone, or else, with the transfer of sovereignty, the laws of Panama were ipso facto extinguished and no law at all obtains in the unhappy zone. In view of this uncertainty it was and is evidently incumbent upon Congress to legislate immediately for the relief of the inhabitants of the zone and the protection of their property rights. Instead of doing this we are now invited by the committee to leave the whole matter open, confiding it to the discretion of the President.

I myself introduced a bill providing both for the construction of the canal and the government of the zone, and received the courtesy of a hearing before the committee. The purpose of my bill was to extend to the Panama Canal zone, in so far as they were applicable, the laws of the United States, the laws to which we are accustomed, and which we think the best in the world. I am conscious of the fact that it is necessary to have a strong right arm of government on the Panama Canal zone; but I fail to see in what respect the laws of the United States are weak or when they have failed to suppress disorder and to set up a stable form of government.

Now, Mr. Speaker, I am not losing sight of the main object of the acquisition of the Panama zone—we took it simply for the purpose of building a canal. I do not desire to delay in any way the completion of that great work by prolonged disquisitions in Congress upon theories of government. But that is not necessary; it is not now necessary for us to conceive out of our own brains a new and original form of government; that was done for us many years ago by the founders of our Republic. All that we now need to do is to extend over the people of the Panama zone the broad ægis of the Constitution of the United States.

I am entirely conscious of the probability of the presence upon the zone of a congregation of turbulent and lawless peoples. Some of them will be imported from the negro population of Jamaica or from the class of Chinese coolies to labor upon the canal; others will flock thither from all quarters of the world—malefactors and jail birds, perhaps—hoping to have a finger in the $400,000,000 pie we are about to open down there.

It is therefore unquestionably necessary to establish a strong government and strong laws in the zone, but I am unable to understand wherein our own form of government is lacking. I do not mean to contend that the people of the canal zone are now fit for entire self-government or for the suffrage, or that they are able to understand the full significance of the jury system; but we should endeavor to give them now and immediately the fullest and most complete share of liberty and consideration which is possible under an adjustment of our own laws to their present necessities, instead of turning them over body and soul, bag and baggage, into the hands of a dictator.

The precedent for the bill under consideration as given by the committee is that of President Jefferson's action in 1803 in the acquisition of the Louisiana territory, when he governed it in the first year of its annexation in the manner and under the law now proposed to be applied to the Panama zone. This is now advanced as a reason why Democrats should vote for this measure. Mr. Speaker, I submit that this is no precedent, because at the time of the taking over of the Louisiana territory the many disputes between the settlers along the Ohio River and all up and down the Mississippi and the Spaniards at the mouth of the Mississippi River presaged a war between our country and Spain unless there should be a transfer of that territory to the United States.

In view of that fact, it was necessary to establish a military form of government—a despotic form of government—for a short time at least, in the Louisiana territory. There was an actual state of war at the time of our acquisition of the Philippines and of Porto Rico and of Cuba, but I have heard nobody assert that there is a state of war on the Panama canal zone or any prospect of war, and therefore I see no reason for the adoption by the committee of this bill, which has the appearance of despotism run mad. We are going down there at peace with the Panama Republic and with all the world, to perform a peaceful mission which will be observed with admiration and applause by every civilized nation on earth.

Mr. Speaker, this bill gives the President greater authority than almost any sovereign in this world, and although there are at the present time only four or five thousand people residing upon this zone, how do we know but that when he has once acquired this power the President will desire to continue to administer this zone despotically and extend his power there indefinitely?

I think we should be exceedingly careful lest a precedent be furnished in the House of Representatives in this matter upon which the Executive will in future depend. I suppose the President believes that we should be gratified and flattered that he has actually paused to invite an expression of opinion from the House in this matter, instead of legislating himself from the White House without our assistance, as he is now accustomed to do. [Applause on the Democratic side.]

Another point to which I desire to call the attention of the House is that upon the eve of a Presidential election this will create a power in the President to appoint some six, seven, or eight hundred men to offices. General Davis, a member of the Canal

Commission, when he appeared before the House committee, took occasion to propose a budget and suggest a provisional form of government for the zone; and he made an estimate—quite a reasonable one, I may say—that there would be needed some 278 officials, at salaries ranging up to $5,000, and some 800 of a minor class, showing from that point of view how truly this may be called an "Administration measure."

The sum of money thus to be dispensed in salaries, according to General Davis, amounts to about $600,000 a year. This budget is very carefully and intelligently prepared by an officer who is entirely familiar with the government of tropical countries, and it is highly probable that his estimate of the amount of patronage which will thus be made over to the President is reasonably correct. Think of it—$600,000 more worth of salaries in appointive offices! Truly a pleasing prospect, especially on the eve of a Presidential election! Many a would-be officeholder will smile with satisfaction and gleeful anticipation of the feast about to be spread before him.

Now, Mr. Speaker, before I close I would like to call the attention of the House to the fact that amendments to this bill should be made providing for an orderly and businesslike construction of the canal itself. My own bill on this subject (H. R. 13671) provides both for the government of the zone and the construction of the canal. The Spooner Act, under which the President is to construct the canal, will, without further legislation, give the new commission, consisting of seven men, the power and the opportunity to expend, without any regulation, without making any contract, without asking any bids or receiving any, the very greatest sum of money that this or any other Government has ever undertaken to expend for any public purpose.

It is understood that the President and the commission do not desire to be hampered in any way by Congress in this enormous undertaking. I should rather suppose that the commissioners themselves would demand legislation on this subject to protect them in their vast responsibility. Upon this very point my bill proposes strict regulations, taken from the rapid-transit act and the aqueduct act of the city of New York, which would provide an accurate and orderly method of procedure, affording certainty and security not alone to our Government and our people in this vast expenditure of money, but to contractors and business men intent upon undertaking the material part of this construction. This should be accomplished now and here, instead of leaving the immense and unlimited power in the President and the commission. Then, and then only, all persons who go down to that zone, whether as laborers or employers of labor, peddlers or storekeepers, travelers or commercial agents, would be certain that they might proceed upon their occupations and embark upon their business secure in the certainty and impartiality, inspired by the majesty, and confident in the justice of the laws of these United States. [Applause.]

Mr. HEPBURN. Mr. Speaker, while this is a very brief bill, we might reasonably have expected that the gentleman from New York would read it. If he had taken the trouble to read it, he would not have been disturbed by the fear of extension of autocratic power on the part of the President, for by limitation, clear and explicit, this act will expire with the end of this Congress. This is only a temporary measure, and was adopted because the committee did not have the information and could not acquire the information that would be necessary for the establishment of a permanent government.

The gentleman from New York favored the committee with a very elaborate bill for the government of that zone, and yet he did that without knowing where the zone is. Its boundaries have never been determined. It is to consist of a strip of country extending 6 miles on each side of the line of the canal. It is absolutely necessary to establish that line before we can know where our jurisdiction should extend. That has not yet been done.

No one of the commission knows where the canal is to be located. There are a few places, two or three places, where nature has fixed the line, but there may be a variation of 5 or 6 miles on the northern shore and 2 or 3 miles on the southern shore. Nobody yet knows. The gentleman gave us a very elaborate bill for the government of the people of that zone, and yet no one gave us any information, nor could we find even approximately how many people there are upon that zone. No one knows.

Mr. HARRISON. May I ask the gentleman a question?

Mr. HEPBURN. Yes.

Mr. HARRISON. Is it not true that Admiral Walker stated, and his suggestion was supported by that of General Davis, that there are to-day four or five thousand people in the zone now and that there will be subsequently from eighty to ninety thousand people?

Mr. HEPBURN. They stated that there were somewhere between 2,000 and 5,000 people, not including the cities. They do not know how many there are, and it was a mere guess upon their part how many of those people, are residents there or how many of the 2,000 or 5,000 are simply transients, called there as laborers. Nobody knows, or at least nobody whom we were able to get before us could tell, and yet some of these gentlemen we called before us are members of that commission, and two of them at least were members of the old commission.

Now, no one knows just where our rights extend with reference to the cities of Colon and Panama. We have a mixed jurisdiction there. Sovereignty was not yielded to the United States over those cities. No one knew anything at all about the laws that they have now—their judicial system. We were not even able to get a copy of the Spanish law or Colombian law that is in force there. So far as we could discover there is but one copy of that law in the United States, at least that is in the English language.

Mr. GAINES of Tennessee. Will my friend permit an inquiry?

Mr. HEPBURN. I will yield for an inquiry; yes.

Mr. GAINES of Tennessee. My friend states that they know nothing of the laws of this zone.

Mr. HEPBURN. Certainly.

Mr. GAINES of Tennessee. And when we acquired it the existing laws continued, and do at this moment. Now, this law still continues the laws down there about which we know nothing. Is not that a great reason why we should legislate now?

Mr. HEPBURN. I do not think these laws will necessarily control there. This bill, if it becomes a law, authorizes the entire suspension of those laws.

Mr. GAINES of Tennessee. Upon acquiring this territory the laws remained as when we acquired it. How are you going to overcome it when our Constitution and laws do not go there now—when our laws do not follow the flag?

Mr. HEPBURN. What of that?

Mr. GAINES of Tennessee. We must go to work and move about and have our being on that zone under laws about which we know nothing.

Mr. HEPBURN. Let us see, Mr. Speaker, what that argument is and how exceedingly wise it is. The gentleman said we should legislate now because there are laws in existence there about which we know nothing.

Mr. GAINES of Tennessee. The gentleman said we do not know anything about those laws.

Mr. HEPBURN. No; do you?

Mr. GAINES of Tennessee. Then let us make some for it; let us make some laws we do know something about.

Mr. HEPBURN. Have you knowledge about the wants of those people? Have you any knowledge about the systems they have been accustomed to? Do you know anything about whether they are fit for jury duties, for instance? Do you know anything about it? Why, the gentleman from Tennessee is as ignorant as the rest of us, and yet his proposition is that we go to work and legislate upon a subject we have no possible knowledge of and can not at this time secure information about.

Mr. GAINES of Tennessee. Is it possible that we have no knowledge about the laws down there after we have expended a million dollars, as we have, in finding something out about it?

Mr. HEPBURN. We have not attempted by the expenditure of any sum to find out anything about the laws of that country.

Mr. GAINES of Tennessee. We have not made many laws down there, I grant.

Mr. HEPBURN. We have expended a million dollars for the purpose of discovering a canal route. Can not the gentleman differentiate between establishing a canal route and establishing a code? [Laughter.]

Mr. GAINES of Tennessee. We had a law down there that we helped to make, and the President rode roughshod over it, and I take it for granted that we had better not have any more.

Mr. HEPBURN. Mr. Speaker, I yielded to the gentleman for the purpose of asking me a question, and not for the purpose of abusing the Chief Executive of his Government.

Mr. GAINES of Tennessee. I did not mean to be personal or offensive to the gentleman from Iowa [Mr. HEPBURN], and he knows that.

Mr. HEPBURN. Oh, no; I know that.

Mr. GAINES of Tennessee. But, Mr. Speaker, I do not make any further apology. [Laughter on the Democratic side.]

Mr. HEPBURN. Mr. Speaker, that is simply a matter of taste on the part of the gentleman. If it is his idea of the best standards of American citizenship that a man should stand as a brawler, constantly railing against the Chief Executive of his Government, then that is a matter of taste in him.

Mr. GAINES of Tennessee. I always believe that a man should obey the law; it does not make any difference who he is.

The SPEAKER pro tempore. The gentleman should address the Chair.

Mr. HEPBURN. In this condition of want of information—and we are diligent in striving to acquire information—we sent for those persons who were supposed would have knowledge.

We called before us Admiral Walker, who is supposed to have spent many years of his life recently upon the Isthmus, who is supposed to have studied all of those questions.

We sent for an eminent educator, who is also a member of that commission, and who likewise has been receiving many thousands of dollars for familiarizing himself with the conditions existing there, but they were entirely unable to give us any light whatever, and I think they ought not to be criticised for that. They went there simply to examine into certain of the physical features of that country in connection with a great engineering work. They were not sent there to study economic questions, and therefore they did not do it. Another difficulty that presents itself was that of raising revenue for this territory, to be expended in its government. We were not able to learn whether there were any persons there who were in a condition to pay taxes.

We could not learn as to what amount of taxable property there was. We were not able to ascertain to the satisfaction of the committee as to just what our rights would be with reference to the customs duties in the two cities of Panama and Colon. We were not able to determine, and I think that no other gentleman in this House knows anything about the matter, as to what taxes might be levied, what the revenues from them would be, and therefore in this absence of knowledge we resorted to one of the great precedents of the country.

There was just such an emergency and situation as this in 1803 respecting the Louisiana country. It is not to be differentiated from this condition by the pretended excuse of the gentleman from New York [Mr. HARRISON]. No such conditions existed there as to justify this arbitrary, tyrannical exercise of power, if it was that. There was no military situation in 1803 in the Louisiana country whatever different from the situation that exists this day and has for the last year existed in the State of Panama. If there is any reason for the exercise of military power in either period, the stronger reason exists now for the exercise of military power and the strong arm of government here on the zone of the canal.

The people that came to us under the treaty of 1803 were civilized people, perhaps as fully enlightened as were any people upon this continent. They were closely compacted within the limits of a single city, a great seaport town. Even then New Orleans was noted throughout the world because of its commerce, and every reason that justified the act of the 31st of October, 1803, justifies the enactment of this law. I want to suggest, Mr. Speaker, that the Committee on Interstate and Foreign Commerce have not abandoned the hope that they may be able later on to bring to the attention of this House a bill of proper provisions for the government of that territory. In a short time there will return to this country at least a part of the commission charged with the construction of the canal.

They have gone there not alone for the purpose of commencing their labors with regard to this great work of construction, but they have gone there carrying in their minds the necessities for civil government, the expectation that civil government will be imposed upon them, the duty of studying the people, studying the laws and customs of the people, familiarizing themselves with the possibilities that always enter into all governments.

And when they have come to us, as they will in a few months, they will be able so to enlighten this subject that we hope, from the bill which the gentleman from New York has offered us, from that of the gentleman from Massachusetts [Mr. LOVERING], and from the Senate bill, we may be able to frame such a measure as will meet the approval of this House.

Mr. Speaker, if no other gentleman desires to speak, I will ask the previous question.

Mr. SHACKLEFORD. I shall be glad if my colleague on the committee will yield to me.

Mr. HEPBURN. How much time?

Mr. SHACKLEFORD. Five minutes.

Mr. HEPBURN. I am glad to yield to the gentleman.

Mr. SHACKLEFORD. Mr. Speaker, the object of the committee in reporting this bill was to do as little as possible at this time because of the dearth of information in regard to the needs of the canal strip. The bill which has been reported continues in force by its terms only until the end of the Fifty-eighth Congress. That leaves the matter entirely open for us to take it up at the next session.

I believe this bill is entitled to the support of the House.

Mr. HEPBURN. I now renew the call for the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. CURTIS). The first question is upon agreeing to the amendment reported by the House committee as a substitute for the Senate bill.

The amendment was agreed to.

The bill as amended was ordered to a third reading, read the third time, and passed.

On motion of Mr. HEPBURN, a motion to reconsider the vote by which the bill was passed was laid on the table.

CONVEYANCES OF NORTHERN PACIFIC RAILROAD, ETC.

Mr. LACEY. I call up the conference report on the bill (S. 4769) validating certain conveyances of the Northern Pacific Railroad Company and the Northern Pacific Railway Company. The conference report and the statement of the House conferees are published in this morning's RECORD.

The SPEAKER pro tempore (Mr. CURTIS). The Chair understands that the gentleman from Iowa asks unanimous consent that the statement of the House conferees be read in lieu of the conference report. The Chair hears no objection.

The statement was read.

Mr. LACEY. I move the adoption of the conference report.

The motion was agreed to.

On motion of Mr. LACEY, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries, who informed the House of Representatives that the President had approved and assigned bills of the following titles:

April 12, 1904:

H. R. 5811. An act to authorize the Norfolk and Western Railway Company to bridge the Tug Fork of Big Sandy River at certain points where the same forms the boundary line between the States of West Virginia and Kentucky or the boundary line between the States of West Virginia and Virginia;

H. R. 13674. An act to amend an act approved December 16, 1878, and to authorize the Secretary of the Interior to grant additional water rights to hotels and bath houses at Hot Springs, Ark., and for other purposes;

H. R. 10004. An act to authorize the Vulcan Coal Company, of Vulcan, W. Va., to bridge the Tug Fork of the Big Sandy River at Vulcan, Mingo County, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky; and

H. R. 10669. An act to regulate the issue of licenses for Turkish, Russian, or medicated baths in the District of Columbia.

April 13, 1904:

H. J. Res. 126. Joint resolution providing for the extension of the time for the removal of the temporary dam and construction of locks in Bayou Lafourche, State of Louisiana;

H. R. 10135. An act to authorize the Williamson Coal Company (Incorporated) to bridge the Tug Fork of the Big Sandy River near Williamson, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky;

H. R. 14044. An act to authorize the board of commissioners of Vigo County, Ind., to construct and maintain a wagon, foot, and trolley-car bridge across the Wabash River at the foot of Wabash avenue, in the city of Terre Haute, in said county and State;

H. R. 5055. An act granting an increase of pension to Woodson R. Daniel;

H. R. 5105. An act granting an increase of pension to Jacob P. Fishback;

H. R. 5107. An act granting an increase of pension to John W. Kling;

H. R. 5247. An act granting an increase of pension to Lora Milliken;

H. R. 5261. An act granting an increase of pension to Julia M. Oakley;

H. R. 5533. An act granting an increase of pension to Hugh L. Freeman;

H. R. 5681. An act granting an increase of pension to Phillip Whyrich;

H. R. 5846. An act granting an increase of pension to Carrie K. Baker;

H. R. 5856. An act granting an increase of pension to Nancy A. King;

H. R. 5888. An act granting an increase of pension to Mary Irene Rosenthal;

H. R. 5913. An act granting an increase of pension to Alexander S. Bowen;

H. R. 5953. An act granting an increase of pension to Marcel Gagnon;

H. R. 6062. An act granting an increase of pension to Alvin Gray;

H. R. 6425. An act granting an increase of pension to David Walker;

H. R. 6530. An act granting an increase of pension to Thomas Williams;

H. R. 6592. An act granting an increase of pension to Sarah C. Wilson;

H. R. 6858. An act granting an increase of pension to Nelson Hart;
H. R. 6881. An act granting an increase of pension to Zachariah T. Bryant;
H. R. 6940. An act granting an increase of pension to Susannah O. Wardrop;
H. R. 6966. An act granting an increase of pension to Roxana S. Ker;
H. R. 6973. An act granting an increase of pension to Simeon Billings;
H. R. 6976. An act granting an increase of pension to Jane Wheeler;
H. R. 7517. An act granting an increase of pension to Lemuel N. Bishop;
H. R. 7778. An act granting an increase of pension to Samuel H. Thoroman;
H. R. 7792. An act granting an increase of pension to Lazarus Minnich;
H. R. 7986. An act granting an increase of pension to Stephen Bricker;
H. R. 8099. An act granting an increase of pension to Stephen L. Richardson;
H. R. 8120. An act granting an increase of pension to Delzon Allen;
H. R. 8121. An act granting an increase of pension to Joseph M. Ellis;
H. R. 8283. An act granting an increase of pension to Henry Herkes;
H. R. 8481. An act granting an increase of pension to Maggie E. Carter;
H. R. 9574. An act granting an increase of pension to John H. Lennon;
H. R. 9599. An act granting an increase of pension to Grace P. Paddock;
H. R. 9905. An act granting an increase of pension to Peter Sullivan;
H. R. 11011. An act granting an increase of pension to John Linn;
H. R. 11301. An act granting an increase of pension to Ellen Caroline Steele;
H. R. 11999. An act granting an increase of pension to William Vincent;
H. R. 12094. An act granting an increase of pension to James T. McKinstry;
H. R. 12099. An act granting an increase of pension to Edwin M. Slayton;
H. R. 12202. An act granting an increase of pension to John Baughman;
H. R. 12342. An act granting an increase of pension to Lawrence H. Rousseau;
H. R. 12363. An act granting an increase of pension to Charles H. Barnard;
H. R. 12389. An act granting an increase of pension to Napoleon Paulus;
H. R. 12452. An act granting an increase of pension to John A. McNerney;
H. R. 12498. An act granting an increase of pension to Sarah N. Maddox;
H. R. 12544. An act granting an increase of pension to Edward Hayford;
H. R. 12557. An act granting an increase of pension to George W. Gardiner;
H. R. 12624. An act granting an increase of pension to Eva H. Wingate;
H. R. 12680. An act granting an increase of pension to Hervey Polen;
H. R. 13067. An act granting an increase of pension to Thomas W. Prentiss;
H. R. 13117. An act granting an increase of pension to Lewis Sawyer;
H. R. 13230. An act granting an increase of pension to Amos T. Richardson;
H. R. 13263. An act granting an increase of pension to Caroline E. Pratt;
H. R. 13283. An act granting an increase of pension to William York;
H. R. 691. An act granting an increase of pension to Rebecca C. Shurlock;
H. R. 2947. An act granting an increase of pension to William F. Thompson;
H. R. 3011. An act granting an increase of pension to Phillip Duttenhaver; and
H. R. 11711. An act granting an increase of pension to Jerome J. Hinds.

April 15, 1904:
H. R. 2010. An act for the relief of the heirs of John A. Dolan;
H. R. 6937. An act for the relief of the estate of Elizabeth S. Cushing; and
H. R. 9135. An act for the relief of F. R. Lanson.

April 16, 1904:
H. R. 7474. An act granting an increase of pension to Fannie C. Morey; and
H. R. 12460. An act granting a pension to Annie M. Powell.

April 18, 1904:
H. J. Res. 84. Joint resolution for the acceptance of a statue of Gen. Thaddeus Kosciuszko, to be presented to the United States by the Polish-American citizens;
H. R. 13738. An act to authorize Frank P. Harman to bridge the Tug Fork of the Big Sandy River near Delorme, in Mingo County, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky; and
H. R. 14110. An act to authorize the donation of a certain unused and obsolete gun now at Chickamauga Park, Georgia, to Phil Kearny Post of the Grand Army of the Republic, at Nelsonville, Ohio.

April 19, 1904:
H. R. 1924. An act authorizing the recorder of the General Land Office to issue certified copies of patents, records, books, and papers;
H. R. 9985. An act providing for the donation of lots A, B, K, and L, in block 39, in Fort Dalles military addition to The Dalles, Oreg., as shown on the plat of the city of The Dalles and surroundings, and filed in the local land office at The Dalles, Oreg., to the Oregon Historical Society; and
H. R. 10007. An act to authorize the Commissioner of the General Land Office to transmit original papers to be used as evidence.

April 20, 1904:
H. R. 8505. An act for the relief of the estate of Cyrus D. Hottenstein, deceased; and
H. R. 13350. An act conferring jurisdiction upon United States commissioners over offenses committed in a portion of the permanent Hot Springs Mountain Reservation, Ark.

April 21, 1904:
H. R. 12684. An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1905, and for other purposes.

AKRON, STERLING AND NORTHERN RAILROAD, ALASKA.

Mr. HAMILTON. I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 114) to extend the time for the construction of the Akron, Sterling and Northern Railroad in Alaska.

The joint resolution was read, as follows:

Resolved, etc., That the time within which the Akron, Sterling and Northern Railroad Company is authorized to construct its line of railroad from the head of Valdez Bay, in the Territory of Alaska; thence extending up Lowe River 12 miles to Keystone Canyon; thence for a distance of 3 miles through said canyon, on the west side thereof; thence through Dutch Valley a distance of 4 miles; thence 13 miles along the benches on the west side of Lowe River drainage, through Thompson Pass, as definitely located by said company, be and the same is hereby, extended for two years from and after the passage of this resolution.

There being no objection, the House proceeded to the consideration of the joint resolution, which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

AMENDMENT OF CENSUS LAW.

Mr. CRUMPACKER. Mr. Speaker, I ask unanimous consent that the Committee on the Census be discharged from the further consideration of the bill (S. 3292) amendatory of an act entitled "An act to provide for a permanent Census Office," approved March 6, 1902, and that the bill be taken up for immediate consideration.

The bill was read, as follows:

Be it enacted, etc., That section 8 of the act entitled "An act to provide for a permanent Census Office," approved March 6, 1902, be, and the same is hereby, amended so as to read as follows:

"SEC. 8. That there shall be a collection of the statistics of the births and deaths in registration areas for the year 1902, and annually thereafter, the date for which shall be obtained only from and restricted to such registration records of such States and municipalities as in the discretion of the Director possess records affording satisfactory data in necessary detail, the compensation for the transcription of which shall not exceed 4 cents for each birth or death reported; or a minimum compensation of $25 may be allowed, in the discretion of the Director, in States or cities registering less than 500 deaths or 500 births during the preceding year."

The SPEAKER. Is there objection?

Mr. WILLIAMS of Mississippi. Reserving the right to object, I wish to inquire whether this is a unanimous report of the committee?

Mr. CRUMPACKER. The bill which I am asking to call up is a Senate bill. The House Committee on the Census reported unanimously a bill identical in terms with this, and that House bill is now pending on the Calendar.

Mr. WILLIAMS of Mississippi. Then this is substantially a unanimous report from the committee?

Mr. CRUMPACKER. It is.

Mr. WILLIAMS of Mississippi. Then I have no objection.

Mr. SMITH of Kentucky. As I understand, this bill simply provides that the Director of the Census may secure certain data from the county or municipal authorities in the States instead of having the data collected by employees of the Census Office.

Mr. CRUMPACKER. Yes; where the registration is required by law.

The SPEAKER. Is there objection?

There was no objection.

Mr. CRUMPACKER. I ask unanimous consent that the word "date," in line 9, be changed to "data." There is a typographical error in printing the bill.

The SPEAKER. Does the gentleman want to amend, so as to send the bill back to the Senate?

Mr. CRUMPACKER. No; I do not want to do that.

The SPEAKER. If the gentleman amends the bill, it will have to go back.

Mr. CRUMPACKER. I do not want to put it in such an attitude as that. The officer will understand what it means, and therefore I will withdraw my request.

The Committee on Census was discharged from the further consideration of the bill.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

On motion of Mr. CRUMPACKER, a motion to reconsider the last vote was laid on the table.

On motion of Mr. CRUMPACKER, the corresponding House bill (H. R. 10652) was ordered to lie on the table.

BRIDGE ACROSS THE MISSISSIPPI RIVER AT MEMPHIS, TENN.

Mr. MACON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 2866) to amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.," approved April 24, 1888.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WILLIAMS of Mississippi. Mr. Speaker, reserving the right to object, I will ask, has this bill been unanimously indorsed by the committee?

Mr. MACON. Yes.

Mr. WILLIAMS of Mississippi. The minority members have voted for it?

Mr. MACON. Yes.

Mr. WILLIAMS of Mississippi. I have no objection.

The SPEAKER. The Chair hears no objection.

The bill as amended by the Committee on Interstate and Foreign Commerce was read, as follows:

Be it enacted, etc., That an act entitled "An act to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.," approved April 24, 1888, be, and the same is hereby, amended to read as follows, namely:

"That the Kansas City and Memphis Railway and Bridge Company, a corporation created and organized under and by virtue of the laws of the State of Arkansas, its successors and assigns, be, and the same are hereby, authorized and empowered to erect, construct, and maintain a bridge over the Mississippi River from or near the town of Hopefield, in the State of Arkansas, to or near the taxing district of Shelby County, commonly known as the city of Memphis, in the State of Tennessee.

"Said bridge shall be constructed to provide for the passage of passenger and freight railway trains and wagons and vehicles of all kinds, for the transit of animals, and, at the option of the company by which it may be built, for foot passengers: *Provided*, That said bridge company shall charge and receive such reasonable rates of toll for the passage of railway trains of all kinds, for the passage of passengers traveling upon said railway trains, for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot passengers crossing said bridge as may be approved from time to time by the Secretary of War: *Provided further*, That such reasonable rates of toll so approved by the Secretary of War shall not exceed the sum of 25 cents for each passenger over said bridge by passengers upon railway trains crossing the same."

SEC. 2. That all laws or parts of laws in conflict with this act be, and the same are hereby, repealed.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MACON, a motion to reconsider the last vote was laid on the table.

GEN. WILLIAM T. SHERMAN.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of Senate concurrent resolution No. 57.

The concurrent resolution was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound in the form such as is customary in the case of eulogies 12,000 copies of the proceedings and accompanying documents, with suitable process plates to be bound therewith, upon the unveiling of the statue of Gen. William T. Sherman, of which 3,000 copies shall be for the use of the Senate, 6,000 copies for the use of the House of Representatives, and 3,000 copies, of which 200 copies shall be bound in full morocco, to be distributed under the direction of the chairman of the Joint Committee on the Library in such manner as in his judgment may be desirable.

The SPEAKER. Is there objection?

There was no objection.

The resolution was agreed to.

MEMORIAL ADDRESSES ON PRESIDENTS LINCOLN, GARFIELD, AND M'KINLEY.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of House concurrent resolution No. 35.

The concurrent resolution was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed and bound in one volume, in cloth, 17,000 copies of the three separate memorial addresses delivered before the two Houses of Congress, as follows: On February 12, 1866, by Hon. George Bancroft, on the life and character of Abraham Lincoln, late President of the United States; on February 27, 1882, by Hon. James G. Blaine, on the life and character of James A. Garfield, late President of the United States; on February 27, 1902, by Hon. John Hay, on the life and character of William McKinley, late President of the United States, 12,000 copies of which shall be for the use of the House of Representatives and 5,000 copies for the use of the Senate. The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer.

The SPEAKER. Is there objection?

There was no objection.

The resolution was agreed to.

COMPREHENSIVE INDEX OF GOVERNMENT PUBLICATIONS.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of Senate concurrent resolution No. 61.

The concurrent resolution was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Public Printer be, and he is hereby, authorized and directed to bind in two volumes instead of one the Comprehensive Index to Government Publications, 1881 to 1893, the preparation of which is authorized by joint resolution of March 3, 1897.

The SPEAKER. Is there objection?

There was no objection.

The resolution was agreed to.

ANNUAL REPORT OF DIRECTOR OF EXPERIMENT STATIONS, DEPARTMENT OF AGRICULTURE.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of the following joint resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 103) providing for printing annually the report of the Director of the Office of Experiment Stations, Department of Agriculture.

Resolved, etc., That there be printed 8,000 copies of the report of the Director of the Office of Experiment Stations, prepared under the supervision of the Secretary of Agriculture, on the work and expenditures of that office and of the agricultural experiment stations established in the several States and Territories under the act of Congress of March 2, 1887, for 1903, of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 5,000 copies for the use of the Department of Agriculture; and that annually hereafter a similar report shall be prepared and printed, the edition to be the same as for the report herein provided.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The joint resolution was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

REIMBURSING STATES FOR CERTAIN EXPENDITURES.

Mr. MAHON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 1343, with amendments.

The bill was read, as follows:

A bill (S. 1343) to amend an act approved March 3, 1899, entitled "An act to amend an act entitled 'An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain,' approved July 8, 1898," and so forth, and for other purposes.

Be it enacted, etc., That section 6 of the act of Congress approved March 3, 1899, entitled "An act to amend an act entitled 'An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain,' approved July 8, 1898, and for other purposes," be, and the same is hereby, amended by striking therefrom the words "nineteen hundred and two" and inserting in lieu thereof the words "nineteen hundred and six;" so that the same shall read:

"SEC. 6. That all claims for reimbursement under this act or the act approved July 8, 1898, shall be presented in itemized form to the Treasury Department on or before January 1, 1906, or be forever barred."

SEC. 2. That any claim or any item of a claim heretofore presented under the provisions of said acts approved July 8, 1898, and March 3, 1899, respectively, and disallowed by any Auditor, the Comptroller, or any other officer of the Treasury Department, shall, on application of the governor or other duly authorized officer or agent of the State or Territory, made on or before the 1st day of January, 1906, be reopened, considered, audited, and settled anew by said officers of the Treasury Department in accordance with the provisions of said acts.

The amendment recommended by the committee was read, as follows:

Strike out all after the words "SEC. 2" and insert the following:

"That where the governor of any State or Territory has furnished military transportation, or has purchased or authorized the purchase of supplies, or incurred expenses for services rendered, and which purchases of supplies and expenses for military transportation and services rendered have been certified by the governor of such State or Territory as necessary, just, and reasonable for the organization, maintenance, transportation, and comfort of troops raised by him and accepted into the service of the United States Army in the said war with Spain, the Secretary of the Treasury be, and he is hereby, authorized to allow in the settlement of claims for reimbursement

now on file in the office of the Auditor for the War Department, such items or parts thereof as have been disallowed in the consideration of said claims, for the reason that they appear to have been for stores furnished or expenses incurred or transportation furnished after the troops raised had been mustered into the service of the United States, and the certificate of the governor of any such State or Territory that such expenses were incurred in good faith, for the sole purpose of aiding the United States in the raising, organization, transportation, and equipment of troops, shall be held to be sufficient to authorize the final settlement and payment in full of such claims for reimbursement."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. MAHON, a motion to reconsider the vote by which the bill was passed was laid on the table.

ORDER OF BUSINESS.

Mr. WILLIAMS of Mississippi. A parliamentary inquiry, Mr. Speaker. What is the regular order?

The SPEAKER. Well, a report from the Committee on Accounts, or any privileged matter.

Mr. WILLIAMS of Mississippi. I call for the regular order, Mr. Speaker.

The SPEAKER. The gentleman from Mississippi demands the regular order.

BALLOTS IN CASE OF BONYNGE V. SHAFROTH.

Mr. OLMSTED. Mr. Speaker, I call up for present consideration a privileged report from the Committee on Elections No. 2.

The Clerk read as follows:

House resolution No. 306.

Whereas in the contested-election case of Bonynge against Shafroth, from the First Congressional district of the State of Colorado, certain ballots and poll books purporting to have been cast and used, respectively, at the election held in said district on November 4, 1902, were, under stipulation of the parties to said contested-election case, submitted to the Committee on Elections No. 2 of the House of Representatives as part of the record in said case and for the purposes of examination and inspection by said committee; and

Whereas the said committee did, under authority of the House, employ Mr. D. N. Carvalho, as a handwriting expert, to make certain examinations of the handwriting on the said ballots and in the said poll books; and

Whereas the said expert did report to the said committee that approximately 6,000 of the ballots so submitted were written by a few persons and not by individual voters; and

Whereas the said poll books disclosed that the names of the alleged voters contained in many of the said poll books were written by some person or persons other than the election officers in the districts and precincts wherein it is alleged said poll books were used; and

Whereas the said examination of the said ballots and poll books and the record in the said case establish that gross frauds and crimes were committed at the said election; and

Whereas justice demands that those who were guilty of said frauds and crimes should be prosecuted and punished under the laws of the State of Colorado; and

Whereas the said ballots and poll books will be required in the prosecution of any of said parties; and

Whereas the said ballots and poll books are now in the possession of the Clerk of this House: Now, therefore, be it

Resolved, That the Clerk of the House be, and he hereby is, authorized and directed to transmit by express the said ballots and poll books, together with a certified copy of these resolutions, to Hon. H. A. Lindsley, the district attorney of the second judicial district of the State of Colorado, for such action in the premises as the facts and law may justify.

The amendment recommended by the committee was read, as follows:

Strike out all after the first paragraph of the preamble and insert the following:

"Whereas the examination of the said ballots and poll books by a subcommittee of said Elections Committee and by an expert in handwriting, employed under authority of a resolution of the House, established the fact that gross frauds and crimes were committed at and in relation to the said election and in connection with the said ballots and poll books; and

"Whereas the said ballots and poll books are now in possession of the Clerk of this House; and

"Whereas the House is informed that one of the judges of the second judicial district of Colorado has directed a grand jury to inquire into frauds committed at and in relation to said election, in the prosecution of which inquiry the presence of the said ballots and poll books may be necessary; and

"Whereas the said ballots and poll books are no longer necessary for the use of the said Elections Committee or of this House: Now, therefore, be it

"*Resolved*, That the Clerk of the House be, and he hereby is, authorized and directed to hold the said ballots and poll books subject to the order of the district attorney of the second judicial district of Colorado, or any of the judges of the court of the said district, to promptly notify the said district attorney and judges that he does so hold the said ballots and poll books, and upon the receipt of a request by the said district attorney or any of the said judges to forward the said ballots and poll books by express in a sealed package or in sealed packages to the said district attorney or judges, as the case may be."

Mr. OLMSTED. Mr. Speaker, it requires but a word in explanation of this resolution. These ballots were brought here in the contested-election case of Bonynge *v.* Shafroth. Now, under proceedings in the criminal court in Colorado, their presence is required by the district attorney, who has sent a telegram to the Clerk of the House asking that he return these ballots to him. The Clerk feels that he is not at liberty to do so without authority of the House. Hence the resolution.

Mr. WILLIAMS of Mississippi. Mr. Speaker, there has been so much confusion and disorder that it is impossible to hear, and I have not caught the drift or the extent of the bill. I hate to ask the gentleman to repeat what he has said.

Mr. OLMSTED. I will state very briefly that this is a resolution to permit the Clerk of the House to hold, subject to the order of the district attorney of the second judicial district of Colorado, certain ballots which by agreement of the parties to the contested-election case of Bonynge *v.* Shafroth were brought here for the use of the House and the committee.

Mr. WILLIAMS of Mississippi. I would like to ask the gentleman who is the proper legal custodian of these ballots after the House of Representatives have finished with them?

Mr. OLMSTED. I will state that, so far as the State of Colorado is concerned, I find upon an investigation, or the committee finds upon investigation of the law, that there is probably no officer there whose duty it is to care for or preserve these ballots more than one year after the election. Now, this period has expired. They are here in the custody of the Clerk of the House, and he has been called upon by the authorities of that judicial district, the judge of the court and the district attorney, whose telegram I hold in my hand, to send them to him; but the Clerk of the House has no authority to do so without this measure.

Mr. WILLIAMS of Mississippi. Mr. Speaker, in the first place, I raise the point of order that this is not a privileged question, and I want to state why, in my opinion, it is not privileged. The matter of election of a man to this House is privileged, and the charge of the ballot——

Mr. OLMSTED. I make the point of order that the gentleman's point of order, coming after debate, is too late.

Mr. WILLIAMS of Mississippi. I beg the gentleman's pardon. I reserved the point to find out what the bill was. No man can make a point of order until he knows what he is to make the point of order on.

Mr. OLMSTED. I did not know that the gentleman had reserved the point of order.

Mr. WILLIAMS of Mississippi. I make the point of order. I could not make it before until I knew what the bill was. Now, Mr. Speaker, my point of order is this——

The SPEAKER. The gentleman from Mississippi makes the point of order that this matter is not privileged, as the Chair gathers.

Mr. WILLIAMS of Mississippi. Mr. Speaker——

The SPEAKER. One moment. The Chair is trying to get at the question of facts. The gentleman from Pennsylvania was recognized, and he rose and made his report, and then proceeded, as the Chair recollects, to state the effect of the resolution, explaining the same The gentleman did not ask for unanimous consent. He rose, the Chair supposed—without deciding or ruling as to whether it is privileged or not—the Chair supposed that it was privileged; but, without that question being raised, the gentleman proceeded to debate. So far as the Chair knows or heard, the gentleman's point of order was not reserved or made until after debate had been had. The Chair makes these remarks as to what his understanding of the situation is, so as to get at the question of facts, so that we can intelligently discuss, or the House can discuss, and consider the point of order.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, just as soon as I possibly could I asked the gentleman to explain what the bill was.

Mr. OLMSTED. Will the gentleman permit? At that time I had already made my explanation and concluded my remarks, and at the request of the gentleman I began to repeat them.

Mr. WILLIAMS of Mississippi. Mr. Speaker, as I understand the facts they are these: The title of the bill was read. The gentleman from Pennsylvania was proceeding to explain what the bill intended to do—not to debate the bill at all, but explaining what the bill was. Just as soon as I could I explained to the Chair that I had been unable to hear, in the confusion of the House, what the bill was.

The gentleman then proceeded to explain it so that I could understand. I then raised the point of order that this bill would require unanimous consent and was not a privileged bill. Now, then, the point to decide right now is not whether it was a privileged bill or not—I am prepared to argue that and to show that it is not a privileged bill—but the point right now is as to whether this matter has been debated. Now, I submit that in all fairness and ordinary common-sense intendment the bill has not been debated at all. The gentleman was undertaking to tell what the bill was so that the House might determine whether it required unanimous consent or not. Whether it is a matter of privilege is one thing, and whether it has been debated is a totally different thing.

The SPEAKER. The Chair will state to the gentleman from Mississippi he was paying attention the best he could to the gentleman from Pennsylvania and all others. He has, however, just inquired at the reporters' desk and is confirmed as to what took place as stated by the Chair—that is, the gentleman rose and reported the resolution; the Chair supposed it was the privileged

resolution, and the gentleman proceeded, after the same was reported, to make a statement touching it, and after he had made the statement the gentleman from Mississippi——

Mr. WILLIAMS of Mississippi. While he was making it.

The SPEAKER (continuing). The gentleman from Mississippi asked touching the bill, not reserving the point of order even at that time.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I could not reserve the point of order. I did not know whether this was a bridge bill or what it was.

Mr. OLMSTED. If I may be permitted, that is the reason why he should have reserved the point of order until he found out and if I may add——

Mr. HAY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HAY. If this is a privileged question and is now before the House as such, then a demand for the regular order would be overridden by a privileged question. In order to test the matter, I demand the regular order.

The SPEAKER. We are now upon the regular order, as the Chair understands it.

Mr. OLMSTED. Mr. Speaker, I do not believe the gentlemen would even make the point of order against this resolution, if they understood it.

Mr. HAY. As I understand it, the gentleman from Mississippi demanded the regular order, and the Chair permitted the gentleman to offer what he called a privileged resolution.

Mr. OLMSTED. Mr. Speaker, I did not ask for unanimous consent. I did not state any reason why there should be unanimous consent. I presented it as a privileged resolution. It was read, not by its title, but in its entirety. I debated it until I thought I had given sufficient reason for its passage and concluded my remarks, whereupon the gentleman from Mississippi asked me for a further explanation, and when I was making that further explanation he made his point of order. It is well settled that a point of order can not be entertained after debate has commenced.

Now, I think if gentlemen will indulge me just a moment they will not want to make the point of order in any event. There are no politics in this. The court which has directed the inquiry is composed entirely of Democratic judges. The district attorney who has telegraphed for these ballots is a Democrat, and this resolution simply proposes to put these ballots in the hands of our clerk subject to the call of that Democratic district attorney. Unless the gentlemen have some objection to the prosecution by Democratic officials of those who are supposed to be criminals or charged with crime, I can not see what objection there should be to this. It did not originate, I will say, in the committee at all. It originated in the courts of Colorado.

Mr. MADDOX. Mr. Speaker, will the gentleman allow me to ask him a question?

Mr. OLMSTED. Certainly.

Mr. MADDOX. Why did you not send these papers back to the parties from whom you got them?

Mr. OLMSTED. We have no authority to send them back; they are in the custody of the Clerk of the House, and we are now asking for that authority.

Mr. MADDOX. Why did you not get authority to send them back to the person from whom you got them instead of holding them here?

Mr. OLMSTED. That person is no longer authorized or required under the laws of the State to preserve them more than one year after the election which, occurred in 1902, and, therefore, if we sent them to him he would be entitled, if he chose, to destroy them, and their usefulness for any purpose would be gone,

Mr. TALBOTT. Well, is not anybody else authorized to receive them?

Mr. OLMSTED. The district attorney will be authorized if this resolution is passed.

Mr. TALBOTT. By Congress, but not by the laws of Colorado.

Mr. OLMSTED. Well, that is for the laws of Colorado and the courts of that State to determine.

Mr. MADDOX. Mr. Speaker, if the gentleman will permit me, if the law out there authorizes their destruction, why ought not they to be destroyed now?

Mr. OLMSTED. Because the judge of that court has requested them and the district attorney of that court has telegraphed for them, and that is the safe place to put them. What becomes of them then is beyond our interest or control.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I am prepared to argue the question that this is not a matter of privilege, because it has passed the stage of privilege so far as the House of Representatives is concerned; but if the Chair rules from the Chair's understanding of what actually took place, as a matter of fact, that I was too late in making that point, my physical defects are such that I am prepared to believe that when the Chair makes an honest ruling of that sort the Chair heard better than I did. I can only say that at the moment my attention was called to it I attempted to inform myself by inquiry, and as soon as I got the information that informed me that it was not a privileged question that moment I made the point of order.

Now, then, the gentleman has proceeded to argue upon the merits of the resolution, and I may perhaps be permitted, in consequence of that fact, to state this: That I know nothing about the merits of the resolution; I have no information concerning it; I only know this, that the House of Representatives has certain rules that make "privileged" "matters affecting elections." I know that these ballots no longer affect an election in the House of Representatives, and I do know, furthermore, that if there be any State authority in whose custody these ballots ought to be, no resolution of the House of Representatives ought to interfere with the sovereignty of the State and the State laws in that respect after the House has used the ballots for the only purpose that the House had any right to use them, viz, the purpose of determining whether A or B was elected to a seat in the House of Representatives.

Now, Mr. Speaker, I am informed, as far as partisanship is concerned, by the gentleman from Maryland [Mr. TALBOTT], who is upon the committee, that the demand for this custody comes from a Democratic district attorney, so that if there is any partisanship in it it is a Democratic district attorney who wants the papers; but that is not the question here. The question here is as to whether this is a privileged matter or not. If this is not a privileged matter, then it requires unanimous consent, and if the gentleman from Pennsylvania [Mr. OLMSTED] will ask unanimous consent I shall not object.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

The SPEAKER. Does the gentleman yield?

Mr. WILLIAMS of Mississippi. Yes.

Mr. MANN. We have the same sort of condition occasionally in all of the election committees. If it is not a privileged matter to dispose of the ballots which have to come here, how would the gentleman have the Elections Committee proceed?

Mr. WILLIAMS of Mississippi. They proceed to a conclusion and a determination and determine that A or B is elected, and after that they are through.

Mr. MANN. I know, but the ballots must be disposed of, and without being privileged the ballots might never be returned.

Mr. WILLIAMS of Mississippi. How are they ordinarily disposed of?

Mr. OLMSTED. They are filed by the Clerk.

Mr. WILLIAMS of Mississippi. That answers the gentleman's question. Now, if the gentleman will ask unanimous consent, there will be no opposition.

Mr. OLMSTED. Mr. Speaker, will the gentleman permit one question?

Mr. WILLIAMS of Mississippi. But what I dislike are things that require unanimous consent to come up presenting themselves as privileged.

Mr. OLMSTED. Would not the gentleman consider it privileged for us to ask to have these ballots sent here?

Mr. WILLIAMS of Mississippi. Prior to the determination of who was elected, yes; it is clearly privileged.

Mr. OLMSTED. Would it not be a matter of privilege to send them back after using them?

Mr. WILLIAMS of Mississippi. No. After that the jurisdiction of the committee is stopped.

The SPEAKER. The Chair is prepared to rule. Certain papers necessary to be inspected to determine the right of a Member to his seat in the House seem to be on file with an Elections Committee. It is clearly a question of privilege to obtain the papers. Perhaps it is a question of privilege, having obtained them, to dispose of them, but it is not necessary for the Chair to rule as to that. What the Chair may rule, if it was necessary to make a ruling, it is not necessary to state. The Chair dislikes to make rulings unless it is necessary to do so. We make enough precedents—sometimes mistaken ones—as it is. [Laughter.]

The gentleman from Pennsylvania rose in his place and reported the resolution, which was read at the Clerk's desk, and proceeded to discuss it. Then, without a point of order being reserved, he again stated the purpose of the resolution, and then the point of order was made. It does seem to the Chair that even if the resolution were subject to a point of order, that point must be reserved or made at the very inception of the matter. Therefore, without passing upon the question whether the resolution is privileged, it seems to the Chair that it is before the House; and if it were necessary to make it any more before the House, we are informed that unanimous consent can be had. So that, after all, the resolution is here, and it seems to the Chair the House can act touching the matter.

Mr. WILLIAMS of Mississippi. Mr. Speaker, in justice to the Speaker and, perhaps, in justice to myself I want to state that at

the time this matter was brought up three or four gentlemen were talking with me, and my head is ringing with quinine; but what I have stated is what I thought I heard.

The SPEAKER. The Chair does not doubt——

Mr. WILLIAMS of Mississippi. I will ask, if the gentleman will permit, unanimous consent that the matter be considered now.

Mr. OLMSTED. I do not yield for that. I think the matter is already before the House.

Mr. BOWIE. I think that the record will show that the gentleman from Pennsylvania did himself, not longer ago than five or ten minutes, ask for unanimous consent.

Mr. OLMSTED. Oh, no.

The SPEAKER. It escaped the attention of the Chair if he did. As the Chair supposed, the gentleman from Pennsylvania stated that he rose to a privileged matter.

Mr. OLMSTED. The gentleman will permit me to say that unanimous consent was dispensed with and made impossible by the action of the gentleman from Mississippi, who called for the regular order, whereupon I presented this privileged resolution.

Mr. BOWIE. My recollection is very clear that something of that sort happened during the discussion of that very question.

Mr. OLMSTED. The gentleman is mistaken.

The SPEAKER. The gentleman from Pennsylvania.

Mr. OLMSTED. Mr. Speaker, I think this matter is sufficiently understood. This is simply a proposition to return these ballots and put them in the custody of the court and the district attorney of Colorado for such purposes as may be necessary.

Mr. MIERS of Indiana. Mr. Speaker——

The SPEAKER. Does the gentleman from Pennsylvania [Mr. OLMSTED] yield?

Mr. OLMSTED. Yes, sir; for a moment.

Mr. MIERS of Indiana. I thought the resolution went further than has been stated. I thought it tried to go back and establish the fact that certain great frauds had been committed. May I have the resolution reported again?

Mr. OLMSTED. The preamble sets forth that the ballots are returned for the determination of election frauds now under the investigation of the grand jury called by the judge of that court for the consideration of this and other matters.

Mr. MIERS of Indiana. If we are simply going to return these ballots for the proper use of the court, what is the necessity for this House making a record about something which it does not know? For the ballots did not come before the House. Why make a record declaring that those ballots disclose the fact that there have been grave frauds, etc.? Why incorporate that in the resolution? I understood the resolution to go much further than has been stated. I should like to have it reported again.

The SPEAKER. Without objection, the Clerk will again report the substitute resolution.

The Clerk read as follows:

Resolved, That the Clerk of the House be, and he hereby is, authorized and directed to hold the said ballots and poll books subject to the order of the district attorney of the second judicial district of Colorado, or any of the judges of the court of the said district, to promptly notify the said district attorney and judges that he does so hold the said ballots and poll books, and upon the receipt of a request by the said district attorney or any of the said judges to forward the said ballots and poll books by express in a sealed package or in sealed packages to the said district attorney or judges, as the case may be.

Mr. MIERS of Indiana. Now, Mr. Chairman——

The SPEAKER. Does the gentleman from Pennsylvania yield?

Mr. OLMSTED. For a question.

Mr. MIERS of Indiana. I should like to have permission to move to strike out, after the word "House," in the last line of page 2, these words:

establish the fact that gross frauds and crimes were committed at and in relation to said election and in connection with the said ballots and poll books.

It seems to me those words ought to be stricken out of the resolution. If I have the floor for that purpose, I make the motion to strike out.

The SPEAKER. The gentleman from Pennsylvania has the floor.

Mr. OLMSTED. I do not yield for that purpose. I suggest to the gentleman that he is reading from a portion of the preamble that the committee has already stricken out.

Mr. MIERS of Indiana. I may not be reading from the proper preamble.

Mr. OLMSTED. What the gentleman read is not in the preamble at all at this time.

Mr. MIERS of Indiana. It seems to me that these ballots ought to go back with no more strength and no less than they left there, and that portion of the preamble that alleges established fraud ought to go out of this resolution.

Mr. BONYNGE. I ask the gentleman from Pennsylvania to yield to me for three minutes.

Mr. OLMSTED. I yield to the gentleman from Colorado for three minutes.

Mr. BONYNGE. Mr. Speaker, as the author of this resolution, I desire to say a few words in explanation of it and the necessity for its immediate consideration and passage.

It is perhaps proper, first, that I should state to the House how these ballots came before the Committee on Elections. During the taking of the testimony in support of the charges filed in the notice of contest, these ballots, under a stipulation entered into between the contestant and the contestee, were placed in separate packages and sent to the Committee on Elections for consideration in connection with the voluminous testimony taken in support of the contest. During the examination of those ballots the House, by a resolution, duly authorized the employment of an expert to examine them, to determine certain facts which were charged in the notice of contest, and in support of which a vast amount of testimony was taken.

In this connection I will state briefly what those matters are. Under the form of ballot which we have in Colorado each voter is required to write at the top of the ballot the name of the party ticket, if he votes a straight party ticket. It was charged that previous to the election and subsequent to the election these ballots had been fraudulently prepared with a certain party designation. It was supposed that the examination of the ballots would demonstrate whether or not the testimony given to prove those charges was true or not. This expert was employed for that purpose. As the result of his examination it was demonstrated that out of about 9,000 ballots that were examined there were very nearly 6,000 that were fraudulent, having the party designation appearing thereon written by eight or ten persons instead of by individual voters.

Some time ago a grand jury was called for the purpose of examining or investigating this matter. For certain reasons which it is not necessary for me now to explain that grand jury was dismissed. Within the past ten days a judge of the district court of the second judicial district, in which the city of Denver is located, has called a special grand jury for the purpose of investigating these frauds, charged to have been committed at that election. The grand jury is now in session. Under the laws of the State of Colorado the statute of limitations will run against a number of the offenses committed at that election, early in the month of May. Consequently it is exceedingly important that there should be prompt action in reference to this matter.

The county clerk, who was the original custodian of these ballots, has no longer any official duty whatever with them. Under the laws of Colorado the ballots would have been destroyed in November, 1903, had it not been for the stipulation which the parties to the contest entered into and which preserved these ballots for investigation by the Committee on Elections. Those ballots are here. There is no further need for them so far as the House of Representatives is concerned. There is a crying necessity for them in the city of Denver before the grand jury now in session.

The only purpose of this resolution is to see that these ballots are brought before this grand jury, summoned, I may say, Mr. Speaker, by a Democratic sheriff, presided over by a Democratic judge, with a Democratic district attorney to prosecute the offenses. And so I say to my friends upon the other side that there is certainly no partisanship in this matter, at least so far as we are concerned; and I feel certain that with this explanation all the Members upon the other side of the House will join with us in passing the resolution unanimously. [Applause.]

Mr. WILLIAMS of Mississippi. The gentleman from Pennsylvania has yielded time to his side of the House. I hope he will yield some time on this side.

Mr. OLMSTED. Does the gentleman from Mississippi desire time?

Mr. WILLIAMS of Mississippi. Yes.

Mr. OLMSTED. How much?

Mr. WILLIAMS of Mississippi. About four or five minutes.

Mr. OLMSTED. I yield five minutes to the gentleman from Mississippi.

Mr. MIERS of Indiana. I should like two minutes after the gentleman from Mississippi has concluded.

Mr. WILLIAMS of Mississippi. Mr. Speaker, the gentleman who has just taken his seat [Mr. BONYNGE] has not only confessed, but has proven, that we on this side can not possibly be actuated by any partisan motive in this affair. From his statement there is a Democratic judge and a Democratic grand jury and a Democratic district attorney that want these ballots.

Mr. BONYNGE. I did not say a Democratic grand jury. I do not know the politics of the members of the grand jury. I said a Democratic sheriff.

Mr. WILLIAMS of Mississippi. The gentleman used this rather cunning language, "A grand jury summoned by a Democratic sheriff," with the intent to leave that impression. [Cries of "Oh!" on the Republican side.] He said, "A grand jury summoned by a Democratic sheriff."

Mr. BONYNGE. That is a fact.

Mr. WILLIAMS of Mississippi. And I purposely said, "A Democratic grand jury," so as to hear the gentleman's explanation of that rather cunning way of putting it.

Mr. BONYNGE. Mr. Speaker, will the gentleman yield for a moment? Did the gentleman from Mississippi say that he purposely misquoted my language?

Mr. WILLIAMS of Mississippi. Oh, I purposely quoted what you intended to leave as an impression upon the House. [Cries of "Oh!" on the Republican side.]

The SPEAKER. The Chair calls the attention of the House again to the fact that in debate it is against the rules of sound parliamentary usage to impugn the motives of Members.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, I am glad to have the protection of the Chair, but really I do not think I needed it.

The SPEAKER. The Chair wants to state to the gentleman from Mississippi, for whom he has very great respect personally, and for his ability, that the Chair thought it his duty to call attention to the rule, and did it, not with a view to reflecting upon the gentleman, but because it was his duty to call attention to the rule as much as if any other Member of the minority or of the majority indulged in similar language, without intending to violate the rule, as the Chair is quite sure the gentleman from Mississippi did not intend to do.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I hope the Speaker will not understand me as having reflected on him for having left undone his duty. Whenever I catch a Republican Speaker doing his duty then there is nothing in the world for me to reflect upon him for. In the case of this particular Speaker, I find him always engaged in a strenuous effort to do his duty, and he generally succeeds. [Loud applause.]

Now, Mr. Speaker, the point that I want to make here is this: We are shut off from making the point that it is not a privileged question, because the Speaker says I made the point too late.

I called for the regular order a moment ago. The Chair announced that the regular order was "privileged questions." The gentleman then brings this forward as within the regular order, because, as he says, it is a privileged question. Whether correct or incorrect, I am convinced that it is not a privileged question. There is no politics in this matter, as I understand it. Frauds out in that district which were committed were confessed upon this floor in a very exceptional manner by the gentleman from Colorado, lately departed, much to the regret of everybody here, from Washington political life—Mr. Shafroth.

But to the point. It is doubtful whether it is a privileged question or not, or a question demanding unanimous consent that it might be considered; and I said that if it were stated that way—viz, as a manner of unanimous consent—nobody upon this side of the House would object to its immediate consideration. Why was it, if there was no effort to instill partisanship into a nonpartisan question, that the gentleman from Pennsylvania objected to the question being considered by unanimous consent as well as having it considered, doubtfully, as a privileged question.

Mr. OLMSTED rose.

Mr. WILLIAMS of Mississippi. Wait a moment. I say this is a "doubtful" question, because the Chair refrained from ruling and refused to rule upon the question as to whether it was a privileged question or not; properly perhaps, as an obiter dictum, that the point of order had come too late. Now, why? Had not I called in good faith for the regular order; and if there be a doubt as to whether this is the regular order, why not let this matter be considered under unanimous consent. And if the gentleman will permit, I will again ask unanimous consent that this question be submitted to the immediate consideration of the House.

Mr. TAWNEY. We are considering it now.

Mr. WILLIAMS of Mississippi. "Considering it now," improperly, and upon the technical basis that I was too late in making the point of order.

I desire to say that there is not a parliamentarian on that side—now, I am not a parliamentarian, and the Speaker never said a better thing than that which he said the other day, using language which I scarcely comprehend [laughter], that the skilled gentleman to his right could give me peanuts and potatoes, or some other term, and that he could give the Speaker the same article in the same quantity, and still have an unexhausted fount of information upon parliamentary questions. [Renewed laughter.]

But the gentleman from Minnesota is a parliamentarian. I charge him with it now. [Laughter.] I have heard him confess it. [Laughter.] And if I could swear him now, and put him upon honor and upon oath, I would wager ten to one that the gentleman from Minnesota would agree——

Mr. TAWNEY and others. Sixteen to one.

Mr. WILLIAMS of Mississippi. Yes; sixteen to one.

That after the House of Representatives had settled a contested-election case, which was a privileged question, which was privileged because it was an election case and because it was contested, after it had considered all matters "affecting the election" of a Member of this House, and had arrived at a conclusion, that the House of Representatives was then functus officio as regards anything that might be done in a State with regard to that election. I am almost tempted, notwithstanding the gentleman's partisanship, to summon him to his feet now for a decisive answer—"yes" or "no."

Mr. TAWNEY. On what proposition?

Mr. WILLIAMS of Mississippi. Upon the proposition I have just submitted.

Mr. TAWNEY. That this is in order or out of order?

Mr. WILLIAMS of Mississippi. Whether or not, after the House of Representatives has reached a conclusion in a contested-election case—has given its judgment—has passed upon every question affecting the election in so far as the House could pass upon it—whether other matters not germane to the question of the election or nonelection of the contestant or contestee were not matters that the State and not Congress is charged with?

The SPEAKER. The time of the gentleman has again expired.

Mr. WILLIAMS of Mississippi. Ah, he was just about to answer right, Mr. Speaker, when you cut him off. [Laughter.]

Mr. OLMSTED. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, I just want to make an observation on the question of whether this is a privileged report. As chairman of one of the Election Committees it is quite necessary, and some thought has been given to this subject.

To my mind it is idle to say that the Committee on Elections can bring before the House a resolution about the contested-election case and bring papers before the committee from States far away by compulsion and then when the case is decided can not obtain the action of the House in order to return the papers. A very statement of the case is sufficient.

The Committee on Elections comes before the House with a resolution requiring, as we did from our committee, the officer in charge in California to bring to this House the ballots in the case, and it seems to be nonsense to me to say that the committee can not come before the House and ask authority to return the ballots to the proper official in the State from which they came. A mere statement, it seems——

Mr. BOWIE. Mr. Speaker, I make the point of order the gentleman is discussing a question which has already been decided by the Chair.

Mr. PAYNE. That comes pretty late.

Mr. MANN. Even, Mr. Speaker, if I was discussing the question I make the observation because I did not wish it to go without denial that the gentleman from Mississippi could say to the House that the Committee on Elections was without power to obtain and return ballots and other papers necessary to a decision in a contested-election case.

Mr. OLMSTED. Mr. Speaker, I desire to add just a word in reply to the question the gentleman from Mississippi directed to me to know why I did not, when he suggested it, yield the privileged position which this resolution had before the House and agree to his proposition to submit it to unanimous consent. I will say simply that I admire his leadership, and that if I were upon that side of the Chamber I should follow him implicitly, as the majority over there usually does, yet I observe that there are some obstreperous soldiers in his camp who do not always obey his command. One of them might have broken loose at that time and made an objection and this resolution would then have lost its place before the House.

Furthermore, I am unwilling to concede that this resolution loses its privileged character because the contestee voluntarily gave up his seat in this House and the contestant was by resolution, unanimously adopted, declared to have been duly elected. That did not necessarily conclude the duty of either the House or of the committee in the premises.

It has frequently been ruled that anything touching the right of a Member to his seat is privileged. Anything concerning these ballots touches that right. It has also been repeatedly ruled that any unprivileged matter contained in a resolution utterly destroys the privilege which otherwise it would have had. Now, suppose that at the beginning of this election contest a resolution had been offered providing for the calling of these ballots from Colorado, and also providing for their return to the district attorney at the conclusion of the contest here, would anybody pretend that any part of that resolution would have been bereft of privilege or would have destroyed the privilege of the whole? And if the matter of this resolution would have been privileged as part of such a resolution at that time, in what way has it lost its privilege now?

Mr. MIERS of Indiana. Mr. Speaker, I would ask the gentleman to yield me two minutes.

Mr. OLMSTED. Well, I will yield two minutes to the gentleman from Indiana to make a statement.

Mr. MIERS of Indiana. Mr. Speaker, in the first part of the resolution, "Whereas in the contested-election case certain ballots came into possession, etc.," that is unobjectionable.

The next is, "whereas said ballots and ballot boxes are in the possession of the House," etc.; and the next is, "whereas the court has asked for them;" and the next is, "whereas said ballots and poll books are no longer of any use," and "resolved, that they be returned," etc., is all perfectly proper, and I think ought to be met in a spirit of fairness, and promptly; but at the bottom of the second page is the following, that ought not to remain:

Whereas the examination of the said ballots and poll books by a subcommittee of said Election Committee and by an expert in handwriting, employed under authority of a resolution of this House, established the fact that gross frauds and crimes were committed at and in relation to the said election and in connection with the said ballots and poll books.

Now, I think that ought not to be in this resolution. I do not know whether it will have any effect on the grand jury. I do not know whether it will get before the courts or not, but it has no business there.

The ballots came here and they served their purpose. We ought to return them. They ought to serve their purpose there; but I do not see why this resolution should recite a fact that did not occur—that this House had found, by reason of those ballots, gross frauds, etc. The facts are as stated by the gentleman; the parties to the contest agreed to the situation. The State surrendered to Congress the ballots, and we are ready to surrender the ballots to the State, and ought to do it; but I submit we ought not to put the resolution in the way of a "whereas" that would go back and give them more or less strength than they had before they were sent to Congress.

This "whereas" is untrue in fact. It states that this House found frauds. The ballots were not submitted to the House, and this resolution ought not to attempt to strengthen the contention of either side. Let them be sent to the court, and let the court determine from them and all the facts proven whether there was fraud perpetrated. It is facts that courts deal with and should care nothing for a political "whereas" like this one.

Mr. GROSVENOR. Will the gentleman permit me a question?

Mr. OLMSTED. Yes.

Mr. GROSVENOR. Is there anything in this preamble stronger in statement than was the statement made by the gentleman from Colorado [Mr. Shafroth] on the floor of this House, wherein he admitted fraud in that election?

Mr. OLMSTED. Mr. Speaker, I was about to state that when this resolution came to us as proposed by the author it contained a much longer preamble, containing many things which the committee struck out.

The resolution and preamble as it now stands are simply an explanation of the reason why the ballots should be returned. It could not possibly go before a grand jury, and if any evidence of that kind were to go before a grand jury, instead of taking this preamble they would certainly take the speech of the gentleman from Colorado [Mr. Shafroth], which was forty times stronger than anything in this preamble. It was made publicly to this House, and appears in the printed record.

Mr. MIERS of Indiana. But the gentleman would not contend for a moment that in sending these ballots back he would send the admission of the gentleman from Colorado [Mr. Shafroth] as made on the floor of this House to be considered as evidence. The gentleman is too good a lawyer to contend that evidence can be made by ex parte resolutions.

Mr. OLMSTED. No; and we are not going to send this resolution with them. Nothing will go but the ballots.

Mr. MIERS of Indiana. Why not leave these statements out of the resolution and simply send the ballots as received here, and not put this extraneous matter in alleging that certain things are established, being the very facts that the court is to determine? It is for the courts to determine that fact. If that is out, I have no objection and would support the resolution.

Mr. OLMSTED. Oh, I think the preamble is unobjectionable. It is strictly accurate in point of fact and merely explains the purpose and necessity of the resolution.

Mr. MIERS of Indiana. If the gentleman will allow me, I would like to make a motion to strike it out and take the judgment of the House.

Mr. OLMSTED. Mr. Speaker, I move the previous question upon the resolution and all amendments to its final passage.

The SPEAKER. The question is on ordering the previous question upon the resolution and amendments to its final passage.

The question was taken; and the previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment to the resolution.

The amendment to the resolution was agreed to.

The SPEAKER. The question is on agreeing to the amendment to the preamble.

The amendment to the preamble was agreed to.

The SPEAKER. The question is on agreeing to the preamble as amended.

The preamble as amended was agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution was agreed to.

On motion of Mr. OLMSTED, a motion to reconsider the last vote was laid on the table.

CAMPBELL SLEMP.

Mr. HUGHES of West Virginia. Mr. Speaker, I call up House resolution 322, which went over from yesterday.

The SPEAKER. The Clerk will report the resolution.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I reserve the point of order as to whether it is privileged or not.

The Clerk read as follows:

Resolved, That the Clerk of the House is hereby authorized and directed to pay, out of the contingent fund of the House, to CAMPBELL SLEMP, the sum of $1,500, being the amount expended by and recommended to be paid to him, as shown in House report from the Committee on Claims, No. 2374, second session Fifty-eighth Congress, on account of mandamus proceedings before the supreme court of the State of Virginia in the case of Slemp against Rhea, growing out of the election in 1902 of a Representative to the Fifty-eighth Congress from the Ninth Congressional district of said State of Virginia, said amount to be paid upon vouchers to be approved by the Committee on Accounts.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I withdraw the point of order.

Mr. DE ARMOND. Mr. Speaker, I renew the point of order.

The SPEAKER. The point of order was discussed yesterday, and by request it went over until to-day.

Mr. MANN. I made the point of order yesterday.

The SPEAKER. The Chair is prepared to rule on the point of order.

Mr. BARTLETT. Mr. Speaker, may I have permission to call the attention of the Chair to a matter in reference to the point of order before the Chair decides it?

The SPEAKER. The Chair will hear the gentleman, although the Chair is prepared to rule.

Mr. BARTLETT. I merely want to see if the Chair has considered this view of the point of order. I was not present in the Committee on Accounts when this resolution was before it.

I desire to call the attention of the Chair to this statute of the United States with reference to the payment of these election expenses:

Hereafter no contestee or contestant for a seat in the House of Representatives shall be paid exceeding $2,000 for expenses in election contests; and before any sum whatever shall be paid to a contestant or a contestee for expenses of election contest he shall file with the clerk of the Committee on Elections a full and detailed account of his expenses, accompanied by vouchers and receipts for each item, which account and vouchers shall be sworn to by the party presenting the same, and no charges for witness fees shall be allowed in said accounts unless made in strict conformity to section 128, Revised Statutes of the United States. (20 Stat. L., p. 400.)

This is the act of March 3, 1875.

Prior to that act section 130 of the Revised Statutes provided as follows:

No payment shall be made by the House of Representatives out of its contingent fund or otherwise to either party to a contested-election case for expenses incurred in prosecuting or defending the same.

Now, I desire to say to the Chair that these are in the nature of election expenses for a contested-election case, and the Committee on Accounts, so far as I know, have never up to this time—and I have been on that committee since the Fifty-fifth Congress—undertaken to consider a resolution of this nature.

So far as I am informed from the report of the Committee on Accounts there is no evidence to show that the election expenses and vouchers required to be presented to the Elections Committee under this statute have been filed with any committee on elections; and that there has been no attempt to comply with that provision.

Section 130 of the Revised Statutes would seem to prohibit the payment of any election expenses from the contingent fund, as that part of the section has not been repealed, so far as I am informed.

The SPEAKER. The Chair desires to read from Rule XI, clause 60:

The following-named committees shall have leave to report at any time on the matters herein stated: * * * The Committee on Accounts, on all matters of expenditure of the contingent fund of the House.

This is a report of the Committee on Accounts. It provides for the payment of the amount specified from the contingent fund. As to the effect of the resolution in the event that it should be passed; as to whether the payment would be audited by the accounting officers of the Treasury Department; as to the propriety of adopting the resolution; as to whether it comes within the terms of the statute referred to by the gentleman from Geor-

gia—those are matters upon which it is not the province of the Chair to rule.

It is the duty of the House to determine the effect of the resolution and the propriety of its passage. The Chair holds that it comes here under the rule, and therefore is before the House.

Mr. HUGHES of West Virginia. In support of this resolution I want to say that it provides for the payment of $1,500 to Mr. CAMPBELL SLEMP, of Virginia; and I think that it is a resolution that this House should approve. It has been clearly shown by the testimony before the Committee on Claims, which was afterwards referred to the Committee on Accounts, that the claim is a just one.

And I want to say for the benefit of my colleague on the committee, the gentleman from Georgia [Mr. BARTLETT], that he was not present at this committee meeting. I want to say further that there were two members of the minority present, and they were unanimous in joining in the report favoring this resolution.

Mr. SLEMP filed his claim before the Claims Committee, with the regular vouchers in the regular way, and showed clearly to the members of the committee that he had expended this amount of money.

I am informed by the chairman of the Committee on Claims that their report was unanimous for the payment of this amount to Mr. SLEMP. I also want to say that in my opinion this is a precedent that this House can well afford to establish, and establish now.

This case was tried in the courts of Virginia; and the court gave the certificate to Mr. SLEMP, the proceeding entailing an expense to him of $1,500. He had the right of coming to this House and having his contest here; and in that case the expense to the Government would have been at least $10,000.

There was a saving of $8,500 to the Government in settling this contest in this manner, and for this reason should be encouraged.

Mr. BARTLETT. May I ask the gentleman a question?

Mr. HUGHES of West Virginia. Yes, sir.

Mr. BARTLETT. I have read the report of the Committee on Claims on this case, and I do not see anything here of any vouchers or any statement of the amount that Mr. SLEMP paid out in connection with this contest.

Mr. MILLER. Mr. Speaker, I wish to say that I was chairman of the subcommittee on claims that had this matter under consideration. All the vouchers and receipts in connection with this payment were filed with the Committee on Claims and considered by them.

Mr. BARTLETT. Why do you not say something about that in the report upon this claim?

Mr. MILLER. I did not prepare the report.

Mr. HUGHES of West Virginia. I call attention to the closing language of this report:

Vouchers for which payments are filed with this committee.

The Claims Committee did have all these receipts and vouchers filed with them.

I yield to the gentleman from Illinois [Mr. GRAFF], the chairman of the Committee on Claims.

Mr. GRAFF. Mr. Speaker, this matter was very carefully examined into by the Committee on Claims. There was a full attendance of the members of the committee. That committee is almost equally divided politically; it is composed of fifteen members, eight of whom are Republicans and seven Democrats. The evidence appearing before the committee was that this was not an election contest, as we think of an election contest in the House, but a controversy arose in this way: The county election commissioners of the different counties in Virginia are directed by law to make the returns to the secretary of the Commonwealth.

In this case, in several of the counties of this Congressional district, at the last general election, the commissioners made their returns, but ignored the returns from several precincts in the different counties.

Mr. MADDOX. Will the gentleman yield for a question?

Mr. GRAFF. Yes, sir.

Mr. MADDOX. If this was a proper claim to be submitted to the Committee on Claims, why did not your committee report it, instead of transferring it to the Committee on Accounts?

Mr. GRAFF. We did report it. I am trying to make an explanation of the reason the committee acted favorably upon the matter.

Mr. MADDOX. How did the other committee get jurisdiction of it?

Mr. GRAFF. There was a resolution introduced to refer the matter to the Committee on Accounts, and therefore it was reported by that committee.

Mr. MANN. If that method of proceeding is to be followed, it will be a very popular way of paying claims.

Mr. MADDOX. I should be very glad to find out about that way of doing business. I may want to get some matter through the Committee on Accounts myself.

Mr. GRAFF. I want to say that there was absolutely no difference of opinion in the Committee on Claims about this matter. Colonel SLEMP, when he found that the certificate of election was about to be wrongfully issued by the Secretary of the Commonwealth to his opponent, who had received a lesser number of votes, immediately employed counsel and commenced mandamus proceedings in the supreme court of Virginia.

Mr. MADDOX. The gentleman does not understand my point. I am not disputing that fact at all.

Mr. GRAFF. There are several other Members of the House besides the gentleman who might want to have some information upon the subject.

Mr. MADDOX. I am not disputing that point at all. I want to know about this question of jurisdiction.

The SPEAKER. The House will be in order.

Mr. MADDOX. If your committee can entertain these claims, as you have done—and this is a claim, and I have one myself of $2,000 for which the vouchers are on file in this House—I want to submit that case to you, and then transfer it to the Committee on Accounts, and have it privileged before Congress adjourns.

Mr. BUTLER of Pennsylvania. That is right. There are a number of others.

Mr. GRAFF. We will consider your claim when it is presented.

Mr. MADDOX. Mine has been considered by the proper committee, as required by the statutes of the United States and the rules of the House. Numbers of us have been sufferers here just the same as this gentleman is. This was not a contest such as the law contemplates.

Mr. GRAFF. The amount expended here is less than the amount that would have been allowed had he waited to assert his rights by a contest in the House. The Government has saved over $10,000 by his pursuing the other course.

In addition to this, the Democratic newspapers of Virginia, I am told, almost unanimously commended the course of Colonel SLEMP in this proceeding.

Mr. MADDOX. Will the gentleman yield to me for a minute?

Mr. GRAFF. Yes.

Mr. MADDOX. You say we have saved $10,000?

Mr. GRAFF. Yes.

Mr. MADDOX. If you set this precedent, you will lose a hundred thousand dollars.

Mr. HAY. Will the gentleman yield to me for a statement?

Mr. GRAFF. I will.

Mr. HAY. Does the gentleman know that the gentleman whom the Member from Virginia [Mr. SLEMP] defeated in the contest——

Mr. GRAFF. I know that Colonel SLEMP expended these amounts, because I saw the receipts which he presented to the Committee on Claims.

Mr. HAY. Oh, the gentleman did not wait until he heard my question. The question I wish to ask is this: Does not the gentleman know that Mr. Rhea, who was the candidate against Colonel SLEMP, declined to take the certificate under the circumstances?

Mr. GRAFF. I do not know whether he declined to take it or not.

Mr. GAINES of Tennessee. He did.

Mr. HAY. That is a fact. Everybody knows that.

Mr. GRAFF. At what time was this declination made?

Mr. HAY. Before the certificate was issued, before it was proposed to be issued, and as soon as Mr. Rhea ascertained that under the proper count Mr. SLEMP had a majority.

Mr. GRAFF. But it was after the mandamus proceedings had been commenced.

Mr. HAY. No; it was before the mandamus.

Mr. GRAFF. Does not the gentleman know that the secretary of the Commonwealth would have no discretion about issuing the certificate of election? He would be compelled to issue it upon the official information which came to him from the election commissioners from the various counties.

Mr. HAY. That may be, but the gentleman who was the candidate against Colonel SLEMP would not have made any contest in this House, and it would not have cost the Government one dollar, so far as he was concerned.

Mr. WILLIAMS of Mississippi. I should like to ask the gentleman a question.

Mr. GRAFF. Yes.

Mr. WILLIAMS of Mississippi. I should like to ask both of them, as a matter of fact——

Mr. HAY. I desire to say, Mr. Speaker, while I have the floor, that I am not opposing this claim of the gentleman from Virginia, and so far as I am concerned I am perfectly willing that he should have it; but I desire to put Mr. Rhea before the House in the attitude he is entitled to occupy.

Mr. GRAFF. I am making no charges against Mr. Rhea. I am simply saying that Colonel SLEMP was about to be deprived

of an office to which he was elected by the wrongful action of the county election commissioners, who had made incorrect returns to the secretary of state, and the secretary of state would have no lawful authority to issue the certificate of election except upon the official showing that was made to him by the returns of these county election commissioners, false as they were.

And it was necessary for Colonel SLEMP to turn around and perfect mandamus proceedings upon these various county election commissioners in order to secure correct returns instead of the false ones, which were the only ones which were before the secretary of the Commonwealth. It is the only way that he could obtain his certificate of election.

I do not care what course Mr. Rhea, his opponent, might have taken as to the matter. Here were these incorrect returns before the secretary of the State. They were the only evidence upon which he had to base the certificate of election, and these legal proceedings were absolutely necessary under the circumstances—made necessary by the wrongful action of these county election commissioners.

Mr. MANN. Will the gentleman allow me a question?

Mr. GRAFF. Certainly.

Mr. MANN. As I understand, this——

Mr. HAY. I think I have the floor, Mr. Speaker.

The SPEAKER. The gentleman from West Virginia has the floor.

Mr. HUGHES of West Virginia. I yield five minutes to the gentleman from Virginia.

Mr. HAY. Mr. Speaker, as I understand this question, it is not a contested-election case, nor are these expenses incurred in a contested-election case, nor can they be called expenses incurred by reason of any contested-election case in this House. They were expenses incurred by Mr. SLEMP in employing attorneys and in preparing mandamus proceedings before the supreme court of the State of Virginia. It was a matter between him and the State officers, and not between him and Mr. Rhea, the candidate against him.

Mr. GRAFF. Will the gentleman yield to a question?

Mr. HAY. Oh, yes.

Mr. GRAFF. I have since learned, and ask the gentleman whether it was true or not, that Mr. Rhea did appear by counsel in one of the counties involved in this controversy after mandamus proceedings were commenced, and after a hearing was had under it, and did not abandon his case until after that?

Mr. HAY. Mr. Speaker, that was at the recount before the returning boards of the counties.

Mr. GRAFF. I am told it was right at the time of the trial of the case.

Mr. HAY. Not in the supreme court; but it was not a contest in this House; and when the recount was made, and made in the presence of the attorneys of both parties, and Mr. Rhea recognized that that count was against him, and properly so, he announced that he would not receive the certificate, notwithstanding the returning boards of the counties made a return in his favor to the State board of canvassers.

Mr. OLMSTED. Will the gentleman allow me to ask him a question?

Mr. HAY. Certainly.

Mr. OLMSTED. I am not expressing any opinion on this resolution, and do not know how I will vote yet. But suppose Mr. Rhea had declined to receive the certificate; it would be the duty of the secretary to issue it in his name without these proceedings. How would Mr. SLEMP have received his seat without this proceeding?

Mr. HAY. As a matter of fact, it was issued to Mr. SLEMP.

Mr. OLMSTED. But as a result of these proceedings?

Mr. HAY. As a result of these mandamus proceedings. If it had not been so, Mr. SLEMP would have had to institute a contest before Congress.

Mr. OLMSTED. That is the point I wanted to get out.

Mr. HAY. And under the rule, as I understand, these expenses should be paid to the contestant and the contestee; and if you are going to pay the expenses of one of the parties, then you ought to pay the expenses of the other party who had to defend this suit, and did it. Now, that is the matter we are going to determine.

Mr. GRAFF. Although he did not defend it at all?

Mr. HAY. The gentleman misrepresents me. I do not suppose he does so intentionally. I said that after these proceedings were had and the counts were made under it, that, notwithstanding the fact that the returning boards of the counties insisted upon returning to the State board of canvassers in his favor, Mr. Rhea refused to take advantage of the action of the returning board. That is what I said, and I repeat it.

Now, Mr. Speaker, if this is a case where there was a contested election, then I am perfectly willing that this claim shall be paid. But this is no contested-election case. It is a matter that has been decided in the State of Virginia over and over again. It is incomprehensible to me how it can ever cost $1,500 to have a simple matter like this decided. It was decided there without any defense in the supreme court.

Mr. WILLIAMS of Mississippi. I would like to ask the gentleman from West Virginia a question, and I would also like to ask the gentleman from Illinois, the chairman of the Committee on Claims, the same question at the same time. Was there ever any action taken here, or had any committee of this House ever considered a contested-election case between Mr. SLEMP and Mr. Rhea?

Mr. GRAFF. Not at all.

Mr. WILLIAMS of Mississippi. Not at all. Now, then, if the gentleman will give me two or three minutes——

Mr. HUGHES of West Virginia. I yield two minutes more to the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. Mr. Speaker, it is confessed that there has been no contested-election case in the House of Representatives; no such case has been entered on the Calendar. It is confessed that this House has never been faced with an inquiry or question as to whether Mr. SLEMP was or was not entitled to his seat upon the floor.

Mr. SLEMP came here with the credentials of the State of Virginia entitling him to a seat here, and those credentials have never been questioned or disputed in this House. His seat has never been contested, and there has never been a contested-election case. Not only was one never heard, but none was ever instituted. Now, then, the law provides that where there is a contested-election case before this House, as judges of the qualifications and election of the Members of the House, then certain amounts of money shall be allowed.

Now, are you going to make a precedent that where men have had litigation in their States before they come here, leading up to the issuance of credentials of the State in favor of A or B, that the House of Representatives is to make an appropriation to pay for law fees and expenses in the State courts for A or B, where there neither is nor ever has been a contest?

Mr. DINSMORE. I would ask the gentleman from West Virginia to yield me two or three minutes.

Mr. HUGHES of West Virginia. I yield to the gentleman my colleague on the committee.

The SPEAKER. What time?

Mr. HUGHES of West Virginia. Two minutes.

Mr. DINSMORE. Mr. Speaker, I am a member of the minority of the Committee on Accounts, which reported this resolution. I acquiesced in the decision of the committee at the time, and it is embarrassing to me to have to be placed in a position of opposing the action of the committee since.

I did not vote for the resolution in the committee, it is true, but I ask no protection to myself on that account. It will be remembered I stated to the committee that I did not believe we could lawfully act favorably on the resolution, but I based my action in the premises upon the statement which was made to the committee that the Committee on Claims had investigated the matter and that there was a unanimous report in favor of its payment, and that the whole Virginia delegation were in favor of its being paid. I was actuated by a desire to take these contests out of the House and bring them to the courts, but I believed at the time there had been a settlement of the matter by mutual consent in the courts, contested by both parties, and did not know that the opponent of the gentleman from Virginia—the sitting Member—had yielded and acquiesced in the decision before the matter came here.

I thought there was an acquiescence on the part of the Virginia delegation and that there was a unanimous report from the Committee on Claims, and since I was convinced there was a general desire to settle the matter as outlined by the resolution and believing that the opposing candidates had agreed to abide by a decision of the courts, and not knowing that the unsuccessful candidate had not at any time intended to contest and believing that it would be better generally if contests could be settled in the courts than in the House, which always settles them not judiciously, but in a partisan way, I acquiesced, but not with a belief that such course would be in accordance with law.

Mr. HUGHES of West Virginia. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, it seems to me the House might as well pay any other campaign expenses as to pay these campaign expenses. This was not a contested election. If it were a contested election, then Colonel SLEMP was the contestant, and by all the rules of propriety it would have been the duty of the House, if it provided the expenses of the contestant, to pay the expenses of the contestee, Mr. Rhea, and I apprehend that such a bill in the House would not receive much consideration.

But let us look at the facts about contested-election cases. Mr. Speaker, I presented the other day to one of the Election Commit-

tees on behalf of a Member of the House a bill for election expenses amounting to $10,000. The committee properly allowed but two thousand. In the Butler case, from St. Louis, the expenses amounted to probably $25,000 or $30,000. The committee allowed $2,000 when that case went through our committee.

Two or three years ago the gentleman from Virginia [Mr. SWANSON] obtained from the Committee on Claims a recommendation for an extra allowance for election expenses, and when the matter came up before the House and it was stated that the election committees invariably confined the expenses to $2,000, the gentleman from Virginia, in a very proper spirit, said that he did not ask that the claim go through, and that he would not ask to be paid that additional amount, because he did not wish to set a precedent.

Mr. Speaker, before the act of Congress which has been quoted was passed, and in the very same act, there was an allowance for election expenses of $10,000. It was not an uncommon thing to allow five to ten thousand dollars expenses, and it was a common thing that contests were commenced and carried through for the sole purpose of obtaining the allowance of a large sum for election expenses.

If we step outside of the statutory provision, which is an allowance of $2,000 for expenses incurred in a contest before the House, and commence to allow expenses—campaign expenses—there is no limit to the amount that can be allowed. It may be that the Committee on Accounts has jurisdiction—and I acquiesce, of course, in the decision of the Chair—but if the Committee on Accounts can take out of the contingent fund and pay campaign expenses of one gentleman, why should not the campaign expenses of other gentlemen be paid?

The gentleman from Virginia [Mr. SLEMP] went before the courts. Suppose he had hired watchers at the polls; suppose he had hired men to watch the ballots after election. What is the difference? Suppose he adopts any of the methods; suppose he had hired detectives to discover frauds—campaign expenses, all of them, nothing but campaign expenses. If he had had a contest before the House, then he would bring himself within the rule; but unless the House stands by the rule made by the statute there is no limit to the amount of expenses which will be presented to the House and demand made for their payment. [Applause.]

Mr. HUGHES of West Virginia. Mr. Speaker, I yield five minutes to the gentleman from Georgia [Mr. BARTLETT].

Mr. BARTLETT. Mr. Speaker, the amount involved in this resolution is not so large as to create any great criticism, but the principle involved is one which deserves the attention of the House that it may not, by voting this resolution through the House, commit itself to a precedent which is not a good one by any means, and which will return hereafter to plague the House in consideration of like resolutions.

This does not even rise to the dignity of a concurrent resolution. It is not a joint resolution. It is not a bill which in its ultimate form may assume the force and effect of an act of Congress. It is an effort to pass a simple resolution of the House of Representatives and to pay money out of the Treasury, as I understand it, simply by saying that it shall be paid out of the contingent fund, when the law and the statute which provide how election expenses in contested-election cases shall be paid make provision that those expenses shall be paid according to law, and prohibit the House from paying them out of the contingent fund.

The Constitution, if I may be permitted to refer to that instrument, declares that "no money shall be drawn from the Treasury but in consequence of an appropriation made by law." Now, this resolution will never become a law. It is simply an act of the House. And for what purpose? To pay Mr. SLEMP, the Member from the Ninth district of Virginia, certain expenses that it is alleged he paid out in procuring from the court a mandamus to compel the election officer to issue the certificate to him. And why? Not in pursuance of any contested-election case.

There has never been any contested-election case in the Ninth Congressional district of Virginia as a result of the election in 1902. The contesting candidate was not given the certificate; did not claim that he was elected; admitted that Mr. SLEMP was entitled to the certificate, and made no effort to take or occupy the seat in Congress. Mr. SLEMP was duly sworn in when the Fifty-eighth Congress assembled.

There has never been any certificate issued to anyone except to Mr. SLEMP. He therefore, if he went into a contested-election case with anybody, would have to go into one with himself. There is no law which provides for the payment of election expenses in contested-election cases except according to the statute which I hold in my hand, and to which I called the attention of the Chair at the beginning of this discussion. You can not pay them from the contingent fund.

In order to pay these election expenses the law first provides how the notice shall be served, upon whom it shall be served, and how the witnesses shall be summoned, what the witness fees shall be, and then requires that in order for the contestee or the contestant to obtain any payment of any money he shall file with the election committee that tried his case an itemized statement of the various amounts that he had paid out, and that statement shall be accompanied by the oath of the contestee or the contestant and accompanied by the vouchers that he had paid out and the amount; and when all this is done it requires an act of Congress, not a simple resolution of the House, to authorize their payment.

Mr. HUGHES of West Virginia. Mr. Speaker, will the gentleman yield for a question?

Mr. BARTLETT. Most assuredly.

Mr. HUGHES of West Virginia. I will say for the information of the gentleman that this was done in his case, with the Claims Committee, and the chairman of the Claims Committee, being a member of the Committee on Accounts, stated that to the Committee on Accounts, and that statement was satisfactory to that committee.

Mr. BARTLETT. But the law, Mr. Speaker, upon the statute book never contemplated that a Committee on Claims or that the Committee on Accounts should consider the question of paying the expenses of a contested-election case from the contingent fund. The statute in so many words declares that the contestee or the contestant shall file with the clerk of the Committee on Elections a full and detailed account of the expenses incurred in the contest.

Now, if we pay this bill as election expenses, we might as well determine that we will pay every expense that a candidate—not a contestee or a contestant—shall incur in his election in a suit at law or anywhere else. Take, for instance, the case which came to the House from New York, which came before us some years ago. The contestant applied to the courts to have his name put upon the official ballot. This was refused, and on appeal to the higher court the action of the lower court was reversed; but the last decision was after the election had been held. It was not claimed in that case that Congress should pay the lawyer's fees and expenses in that case.

Suppose it was necessary for the candidate, in order to have his name upon the ticket, to proceed by mandamus against the election officers. Would he be entitled to come before Congress, if he was elected, and have his election expenses paid? Was it necessary for him to resort to the courts to have the votes counted at all, when there was no contest? Suppose that the election board refused without reason, capriciously, to certify the election of a Member to Congress, where there was no opposing candidate——

The SPEAKER. The time of the gentleman from Georgia [Mr. BARTLETT] has expired.

Mr. BARTLETT. Mr. Speaker, I do not understand that my time has expired.

Mr. WILLIAMS of Mississippi. I ask unanimous consent that the time of the gentleman from Georgia be extended five minutes.

Mr. HUGHES of West Virginia. I yield to the gentleman five minutes.

The SPEAKER. There was such confusion that the Chair understood the gentleman from West Virginia to yield five minutes in the first instance.

Mr. BARTLETT. No, sir.

Mr. HUGHES of West Virginia. I just yielded the gentleman five minutes, supposing that was all he requested. How much more time does he desire?

Mr. BARTLETT. Well, if the gentleman determines to limit me in my remarks I will have to undertake to get recognition in some other way. I am a member of this committee, and have been for eight years.

Mr. HUGHES of West Virginia. Mr. Speaker, I decline to yield at all unless the gentleman will tell me how much time he wants.

Mr. BARTLETT. Then I will wait until I can get recognition in my own right.

Mr. HUGHES of West Virginia. I yield to the gentleman from Ohio [Mr. GROSVENOR] for five minutes.

Mr. BARTLETT. I want to say that this is an effort to violate the law and the rules of the House by the passage of this resolution.

Mr. WILLIAMS of Mississippi. Will the gentleman from West Virginia yield to me to submit a request for unanimous consent?

Mr. HUGHES of West Virginia. No, sir. I yield to the gentleman from Ohio [Mr. GROSVENOR] for five minutes.

Mr. WILLIAMS of Mississippi. Will the gentleman from Ohio yield to me that I may submit a request for unanimous consent?

Mr. GROSVENOR. I can not yield out of my five minutes.

Now, Mr. Speaker, I want to examine a single question. I want to know if it is a fair, legitimate, lawyer-like, common-sense argument to say that this is a bill for "campaign expenses." I want to inquire into that and see whether there is not a little, just a trifle, of mistake in that argument.

The "campaign expenses" are ended when the ballot boxes are closed on the night of the election; everybody knows that.

Several MEMBERS. Not always. [Laughter.]

Mr. GROSVENOR. Suppose that on the night of the election it had been discovered that certain evidence pertinent to the great question of who was elected was likely to be spirited away, and that the candidate believing himself to be successful proceeded to maintain his position. Suppose that the gentleman from Virginia—either gentleman from Virginia—had seen fit to expend money to procure evidence and put it in such a shape that it would not be spirited away, and had then gone forward and pursued a contest in this House. Would that expenditure have been "campaign expenses" or would it have been expenses incident to the contest that followed in the House of Representatives?

Now, what exactly took place in this case? The election was all over. There is not an item of this account that any fair-minded man, however unintelligent he may be, can call "campaign expenses." The election was over, and directly it was discovered that the ballots from five or six precincts had been stolen; that is to say, they had been thrown out.

The contestant—for he had at that very moment become a contestant—knew those boxes were thrown out, and he knew perfectly well that the certificate should not be given without counting those ballots. Should he in that case stand by and take no steps, or should he at once, in the discharge of the duty that he owed to the State and to the country, proceed by any process of law to force a decision in his favor upon the contested boxes? That was just as much a contested election as it would have been if it had come into the House of Representatives.

Mr. BARTLETT. Will the gentleman tell how there can be a claim for contested-election expenses, where the law provides——

Mr. GROSVENOR. I am not talking about the question of law. I say this was a contested-election case; and this is a claim for expenses in a contested election—not "campaign expenses." I should like to ask the gentleman to tell me—for he has used this same language, taking it from a suggestion on this side of the House—what does the gentleman understand to be "campaign expenses?"

Does the gentleman understand it is something looking toward the ascertainment, after the election, of the fact whether the election officers have done their duty, or does he understand that it has a well-defined meaning that everybody knows, that it is the expenditure of money up to the time when the election is closed on the night of the election?

Mr. BARTLETT. Does the gentleman want me to answer?

Mr. GROSVENOR. No; I do not. [Laughter.] I appeal to every intelligent man here if there is any justice or any fairness in charging that the gentleman from Virginia [Mr. SLEMP] has come here to collect "campaign expenses?"

Suppose that instead of Mr. Rhea, who so honorably and by such distinguished consideration of truth and justice threw down the contest after it had proceeded in the court, it had been a candidate who had not done that.

Then suppose a contest had been fought out in the House of Representatives. Would not every dollar expended to these mandamus proceedings have been a legitimate subject of allowance by the House? No man will deny that, and because he took these vigorous steps in the very outset and saved his election and saved the honor of his State, and aided in saving the honor of his opponent also, it is said that these are campaign expenses and not legitimate expenses to be paid by the House. I deny it. [Applause on the Republican side.]

Mr. HUGHES of West Virginia. I now yield to the gentleman from Georgia [Mr. BARTLETT] ten minutes.

Mr. BARTLETT. Mr. Speaker, has the gentleman occupied all of his hour?

The SPEAKER. The gentleman from West Virginia [Mr. HUGHES] has twenty-four minutes remaining.

Mr. BARTLETT. Mr. Speaker, has the gentleman from West Virginia [Mr. HUGHES] concluded his side of the case?

The SPEAKER. The Chair can not state. The gentleman had an hour, and he has twenty-four minutes remaining.

Mr. HUGHES of West Virginia. No; I have not concluded. I yield ten minutes to the gentleman from Georgia.

Mr. BARTLETT. I desire to be heard for a few minutes more in this matter.

The SPEAKER. The gentleman from West Virginia yields what time to the gentleman from Georgia?

Mr. HUGHES of West Virginia. Ten minutes.

Mr. BARTLETT. Mr. Speaker, I have been upon this Committee on Accounts for nearly eight years. I have always endeavored not to present or agree to present to the House any resolution to pay money out of the contingent fund which, in my judgment, was not properly payable out of that fund.

We have here a resolution of the House which proposes to pay out of the contingent fund money which the law directs, if it be for expenses incurred in a contested election, shall be paid by appropriation bills which have the effect and force of law, and not simply upon the direction of the House, and shall not be paid out of the contingent fund.

Now, I state again, with all respect to the gentleman who introduced this resolution and who brought it before the House, that it is a simple effort to evade both the law and the rules of the House, and to have this resolution reported in order to pay this claim, or pretended claim, against the Government when it could not, in the ordinary processes under the rules of the House, be reached for consideration or be paid at all except as other claims against the Government are paid.

The gentleman from Ohio [Mr. GROSVENOR] put a question to me, which he did not permit me to answer, as to what I considered to be election expenses. Let gentlemen who have had numerous contests in this House go back to the files in the committee room and find the amounts expended in contested-election cases, for which vouchers have been filed where the expenses amounted to three, five, or ten times as much as the amount allowed by the statute. Are not those expenses a part of campaign expenses?

Who will say that the amount expended in the Butler case from Missouri, or the amount which my colleague from Georgia expended in excess of $2,000, or the amount expended by the gentleman from Virginia [Mr. SWANSON] in his election case over and above $2,000—who will say that those amounts, which both the contestant and the contestee expended in the attempt to obtain seats in the House, were not campaign expenses?

Where a candidate expends money in order to obtain a seat, whether it is before the campaign is closed or after the campaign is closed, is it not a part of his campaign expenses? He has to pay out the money in order to obtain a seat or to retain it.

The suggestion of the gentleman that campaign expenses close when the campaign is over is not borne out by my experience. Every gentleman on this floor understands that campaign expenses may increase after the election is over, whether the candidate be defeated or elected.

The law upon this subject is plain as to what you have to do in order to get money out of the Treasury for contested-election expenses. It requires, in the first place, a contest to have been instituted. Was one instituted in this case? The gentleman could not institute a contest with anyone but himself.

It is true that upon the face of the returns, before they were recounted, it appeared that Mr. Rhea, and not Colonel SLEMP, was elected; but when a recount was had, and upon an ascertainment of the fact that Mr. Rhea was not elected, Mr. Rhea stated that Mr. SLEMP had been elected, and he would not accept the certificate. It was never issued to him. He never had it; and no certificate was ever issued to anyone as a Member of this House except to Mr. SLEMP.

Now, you have the position of a man who had no contest for his seat applying here for pay, simply of his lawyer's fee, in order to assert what he deemed to be his right in the court. Already—and I call the attention of gentlemen of the House to this—already this sum of $2,000, which the statute provides shall be paid or may be paid to the contestant and to the contestee, has filled the records of this Congress and other Congresses since I have been here with contests which upon examination have been found not to have any merit in them, and in many cas s frivolous.

This $2,000 for expenses in contested-election cases is regarded by many contestants as simply an amount provided by Congress, which they may obtain for instituting a contest. If you pass this resolution, and pay the expenses which a man may incur in order to assert his rights in the courts, when there are no contests, then you might as well destroy the law which is written, and you might as well override and destroy the rules of this House, and you might as well declare to everyone that the House stands ready to run its hands into the Treasury and pay every claim that may be made for campaign expenses hereafter. I trust the resolution will be defeated. [Applause.]

Mr. HUGHES of West Virginia. Mr. Speaker, I do not think that this House will have any question as to whether this is a contest case or not. I do not think there will be any question with the House whether the Committee on Accounts has the right to pay this claim or not. In the Fifty-fifth Congress, the third session, Speaker Reed ruled:

> But it is for the House to judge whether these expenditures are satisfactory to the House or not. Therefore the Chair thinks that it is privileged, the House having complete control of it, and if not satisfied to make this payment, and it has any desire to speak upon it, it can express itself by a vote.

If the House does not desire to pay this amount, they have the perfect right to vote it down.

Mr. BARTLETT. That was on the deficiency appropriation bill, was it not?

Mr. HUGHES of West Virginia. That was on the deficiency appropriation bill, and this is to pay Mr. SLEMP the amount of

his expenses, and if the House sees fit to vote that amount for him they have a perfect right to do so through the channel of this resolution.

Mr. FLOOD. Will the gentleman permit me to ask him a question?

Mr. HUGHES of West Virginia. Certainly.

Mr. FLOOD. I would like to ask you, Do you not know that there was a similar case to this from the State of Virginia, Mr. Yost's, and he was not allowed his expenses?

Mr. GRAFF. I will state to the gentleman that the Committee on Claims did report favorably on his bill.

Mr. FLOOD. But he never got the money, because this House never voted it.

Mr. GRAFF. It never reached consideration, but was favorably reported.

Mr. FLOOD. He did not get the money that was allowed.

Mr. GRAFF. The bill was never considered.

Mr. HUGHES of West Virginia. I just want one word more. There is no contest as to whether Mr. Rhea approved of this or disapproved of it.

I understand as soon as Mr. Rhea found out that he was not elected he did not want the certificate, and these mandamus proceedings were taken and these expenses incurred in ascertaining this fact, and there is no question between the Representatives of Virginia as to whether this man should be paid or not paid. Now, Mr. Speaker, I move the previous question.

Mr. PALMER. Let me ask the gentleman, before he does that, if there was no contest and no lawsuit and no witnesses and no fight, how did they get up a bill?

Mr. HUGHES of West Virginia. I did not say there was no contest. I said there was no contest before the House.

The SPEAKER. The gentleman from West Virginia demands the previous question.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. HUGHES of West Virginia. Division!

The House divided; and there were—ayes 84, noes 124.

So the resolution was rejected.

On motion of Mr. WILLIAMS of Mississippi, a motion to reconsider the vote by which the resolution was rejected was laid on the table.

RETURN OF BILLS.

The SPEAKER laid before the House the following request from the Senate, which the Clerk read, as follows:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 10046) granting an increase of pension to Thomas J. Campton, the beneficiary of said bill having died.

The SPEAKER. Without objection, the request of the Senate is agreed to.

The SPEAKER laid before the House the following request from the Senate; which the Clerk read as follows:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 3556) to amend section 2327 of the Revised Statutes of the United States concerning mineral lands.

The SPEAKER. Without objection, the request of the Senate is agreed to.

The SPEAKER laid before the House the following request from the Senate; which the Clerk read as follows:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 4316) providing for the appointment of additional judges in the Indian Territory.

The SPEAKER. Without objection, the request of the Senate is agreed to.

CHANGE OF REFERENCE.

The SPEAKER laid before the House the following request for change of reference:

That the Committee on Private Land Claims be discharged from the further consideration of the bill (S. 5245) and that the same be referred to the Committee on the Public Lands.

The SPEAKER. If there be no objection——

Mr. UNDERWOOD. Mr. Speaker, I object. I can not hear what the bill is.

The SPEAKER. The Clerk will read the title of the bill.

The Clerk read as follows:

A bill (S. 5245) to idemnify G. W. Hardy and Joseph Lard, of Scott County, Miss., for homestead land by granting other lands in lieu thereof.

Mr. UNDERWOOD. Is it a private bill, Mr. Speaker?

The SPEAKER. It is proposed to change the reference of this bill from the Committee on Private Land Claims to the Committee on the Public Lands.

Mr. UNDERWOOD. As I understand the bill, it is a private bill.

The SPEAKER. Yes; it is a Senate bill. The Chair hears no objection.

CONFERENCE REPORTS.

Mr. CALDERHEAD presented certain conference reports and statements for printing; which were ordered to be printed under the rule.

DAVID T. TOWLES.

The reports and statements are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H. R. 1851, "An act granting an increase of pension to David T. Towles," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House concur in the Senate amendment.

HENRY R. GIBSON,
ROBERT W. MIERS,
C. A. SULLOWAY,
Managers on the part of the House.

P. J. MCCUMBER,
N. B. SCOTT,
Managers on the part of the Senate.

The statement of the House conferees is as follows:

This bill originally passed the House at $36 per month, but was amended in the Senate to $30 per month. The result of the conference is that the House conferees recommend that the House recede and concur in the Senate amendment, and that the bill be passed at $30 per month.

W. A. CALDERHEAD,
ELIAS DEEMER,
ROBERT W. MIERS,
Managers on the part of the House.

MARY HEANEY.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H. R. 13850 "An act granting an increase of pension to Mary Heaney," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

W. A. CALDERHEAD,
THOMAS W. BRADLEY,
JOHN S. SNOOK,
Managers on the part of the House.

P. J. MCCUMBER,
N. B. SCOTT,
Managers on the part of the Senate.

The statement of the House conferees is as follows:

This bill originally passed the House at $16 per month, but was amended in the Senate to $12 per month. As a result of the conference the Senate recedes from its amendment and agrees to the rate of $16 per month, the same as the bill originally passed the House.

W. A. CALDERHEAD,
THOMAS W. BRADLEY,
JOHN S. SNOOK,
Managers on the part of the House.

ENOCH STAHLER.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9256) granting an increase of pension to Enoch Stahler, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House concur in the Senate amendment.

W. A. CALDERHEAD,
ELIAS DEEMER,
R. W. MIERS,
Managers on the part of the House.

P. J. MCCUMBER,
N. B. SCOTT,
Managers on the part of the Senate.

The statement of the House conferees is as follows:

This bill originally passed the House at $55 per month, but was amended in the Senate to $50 per month. As a result of the conference, the House conferees recommend to the House that the House recede and concur in the Senate amendment, and that the bill be passed at $50 per month.

W. A. CALDERHEAD,
ELIAS DEEMER,
R. W. MIERS,
Managers on the part of the House.

JOHN WEAVER.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8925) granting an increase of pension to John Weaver, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House concur in the Senate amendment.

W. A. CALDERHEAD,
ELIAS DEEMER,
ROBERT W. MIERS,
Managers on the part of the House.

P. J. MCCUMBER,
N. B. SCOTT,
Managers on the part of the Senate.

The statement of the House conferees is as follows:

This bill originally passed the House at $40 per month, but was amended in the Senate to $30. The result of the conference is that the House conferees recommend that the House recede and concur in the Senate amendment, and that the bill be passed at $30 per month.

W. A. CALDERHEAD,
ELIAS DEEMER,
ROBERT W. MIERS,
Managers on the part of the House.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 11963. An act regulating the practice of medicine and surgery in the Indian Territory; and

H. R. 11825. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1905, and for other purposes.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER also, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 7634. An act to establish a life-saving station in Sussex County, State of Delaware;

H. R. 8878. An act to extend the provisions of the act of January 21, 1903, to the Osage Reservation, in Oklahoma Territory, and for other purposes;

H. R. 10891. An act for the relief of Julius A. Kaiser;

H. R. 9648. An act to amend the first section of an act providing that the circuit court of appeals for the fifth judicial circuit of the United States shall hold at least one term of said court annually in the city of Montgomery, in the State of Alabama, approved January 30, 1903;

H. R. 11128. An act to modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect;

H. R. 11968. An act to incorporate the Washington Sanitary Housing Company;

H. R. 12655. An act for the relief of John Bremond;

H. R. 13509. An act authorizing the Secretary of War to transfer to the Columbia Military Academy certain property in Maury County, Tenn.;

H. R. 14413. An act permitting the building of a dam across the Mississippi River between the counties of Stearns and Benton, in the State of Minnesota;

H. R. 14901. An act to provide for payment of damages on account of changes of grade due to construction of the Union Station, District of Columbia;

H. R. 15121. An act for the extension of Twenty-third street from S street to California avenue;

H. R. 10418. An act to ratify and amend an agreement with the Sioux tribe of Indians of the Rosebud Reservation, in South Dakota, and making appropriation and provision to carry the same into effect;

H. R. 12231. An act for the survey and allotment of land now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and disposal of all surplus land after allotment; and

H. R. 12147. An act to amend chapter 749, second session Fifty-seventh Congress, approved February 23, 1903, being "An act to establish United States courts at Wilkesboro, N. C."

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 23 minutes p. m.) the House adjourned to meet to-morrow, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriations for payment of damages to private property by gun firing—to the Committee on Appropriations, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of James S. Neal against The United States—to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. SULZER, from the Committee on Military Affairs, to which was referred the House joint resolution (H. J. Res. 52) for the purpose of carrying out the provisions of General Orders, No. 195, War Department, June 29, 1863, for the presentation of medals, reported the same without amendment, accompanied by a report (No. 2716); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. COOPER of Wisconsin, from the Committee on Insular Affairs, to which was referred the bill of the Senate (S. 2345) to amend the provisions of the naturalization laws of the United States, and for other purposes, reported the same with amendment, accompanied by a report (No. 2717); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. OVERSTREET, from the Committee on the Post-Office and Post-Roads, to which was referred the bill of the Senate (S. 3129) to promote the circulation of reading matter among the blind, reported the same with amendment, accompanied by a report (No. 2722); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MORRELL, from the Committee on Militia, to which was referred the bill of the House (H. R. 15125) to amend an act entitled "An act to provide for the organization of the militia of the District of Columbia, and for other purposes," approved March 1, 1889, reported the same with amendment, accompanied by a report (No. 2724); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DAVIDSON, from the Committee on Railways and Canals, to which was referred the House joint resolution (H. J. Res. 137) authorizing the President of the United States to appoint a commission to examine and report upon a route for the construction of a free and open waterway to connect the waters of the Chesapeake and Delaware bays, reported the same without amendment, accompanied by a report (No. 2725); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BRANTLEY, from the Committee on the Judiciary, to which was referred the House joint resolution (H. J. Res. 134) to authorize and direct the Court of Claims to investigate and report all facts connected with any bill referred to it for investigation by either House of Congress under the act approved March 3, 1887, and known as the Tucker Act, reported the same without amendment, accompanied by a report (No. 2729); which said joint resolution, report, and minority views were referred to the Committee of the Whole House on the state of the Union.

Mr. BURTON, from the Committee on Rivers and Harbors, to which was referred the bill of the Senate (S. 3844) to authorize the Nome Improvement Company to open and improve the mouth of Snake River at Nome, Alaska, reported the same with amendment, accompanied by a report (No. 2730); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 5092) to amend an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas, reported the same with amendment, accompanied by a report (No. 2733); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BABCOCK, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 5518) to authorize the Anacostia, Surrattsville and Brandywine Electric Railway Company to extend its street railway in the District of Colum-

bia, reported the same with amendment, accompanied by a report (No. 2735); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HAMILTON, from the Committee on the Territories, to which was referred the bill of the Senate (S. 3338) to amend and codify the laws relating to municipal corporations in the district of Alaska, reported the same without amendment, accompanied by a report (No. 2742); which said bill and report were referred to the House Calendar.

Mr. POWERS of Maine, from the Committee on the Territories, to which was referred the bill of the Senate (S. 3035) supplemental to and amendatory of an act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900, reported the same without amendment, accompanied by a report (No. 2743); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15204) granting an increase of pension to Mary Taggart, reported the same with amendment, accompanied by a report (No. 2707); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14641) granting a pension to Allan Dunning, reported the same without amendment, accompanied by a report (No. 2708); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13690) granting an increase of pension to C. H. John, reported the same with amendment, accompanied by a report (No. 2709); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12006) granting an increase of pension to Amelia Coster, reported the same with amendment, accompanied by a report (No. 2710); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 749) granting an increase of pension to Humphrey M. Glines, reported the same without amendment, accompanied by a report (No. 2711); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 14882) granting a pension to Mary Dingler, reported the same with amendment, accompanied by a report (No. 2712); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5475) granting a pension to Mary M. Rice, reported the same without amendment, accompanied by a report (No. 2713); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 176) for the relief of Charles B. Bentley, reported the same with amendment, accompanied by a report (No. 2714); which said bill and report were referred to the Private Calendar.

Mr. BEALL of Texas, from the Committee on Claims, to which was referred the bill of the House (H. R. 7019) for the relief of the creditors of the Deposit Savings Association, of Mobile, Ala., reported the same without amendment, accompanied by a report (No. 2715); which said bill and report were referred to the Private Calendar.

Mr. DENNY, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 5052) granting an honorable discharge to Eugene H. Ely, reported the same without amendment, accompanied by a report (No. 2728); which said bill and report were referred to the Private Calendar.

Mr. PARKER, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 14906) for the relief of H. B. Wise, reported the same with amendment, accompanied by a report (No. 2734); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14336) granting an increase of pension to Everton J. Conger, reported the same with amendment, accompanied by a report (No. 2736); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. SLAYDEN, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 970) to authorize the President to revoke the order dismissing William T. Godwin, late first lieutenant, Tenth Infantry, United States Army, and to place the said William T. Godwin on the retired list with the rank of first lieutenent, reported the same adversely, accompanied by a report (No. 2737); which said bill and report were ordered laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 13902) granting a pension to Annie Cook, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BONYNGE: A bill (H. R. 15280) to amend an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903—to the Committee on Immigration and Naturalization.

By Mr. FLACK: A bill (H. R. 15281) to establish a fish hatchery and fish-culture station in the county of Franklin, in the State of New York, for the propagation of trout, bass, and other game and food fishes—to the Committee on the Merchant Marine and Fisheries.

By Mr. THOMAS of North Carolina: A bill (H. R. 15282) to establish United States courts at Goldsboro, N. C.—to the Committee on the Judiciary.

By Mr. MAYNARD: A bill (H. R. 15283) to provide for celebrating the first permanent settlement in America of English-speaking people by holding an international naval and marine exposition and industrial exhibit in the vicinity of Jamestown and on and near the waters of Hampton Roads, in the State of Virginia, and to authorize an appropriation in aid thereof—to the Select Committee on Industrial Arts and Expositions.

By Mr. MARSH: A bill (H. R. 15284) granting to the Keokuk and Hamilton Water Power Company rights to construct and maintain for the improvement of navigation and development of water power a dam across the Mississippi River —to the Committee on Interstate and Foreign Commerce.

By Mr. CROMER: A bill (H. R. 15285) establishing a regular term of the United States circuit and district courts at Muncie, Ind.—to the Committee on the Judiciary.

By Mr. STEPHENS of Texas: A bill (H. R. 15286) legalizing a certain ordinance of the city of Purcell, Ind. T.—to the Committee on Indian Affairs.

By Mr. RIXEY (by request): A bill (H. R. 15287) for the relief of acting (volunteer) officers of the United States Navy in the civil war—to the Committee on Naval Affairs.

By Mr. SIMS: A bill (H. R. 15288) authorizing survey of Big Sandy River, and for other purposes—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 15289) authorizing survey of Beech River, and for other purposes—to the Committee on Rivers and Harbors.

By Mr. DINSMORE: A bill (H. R. 15290) for a public building at the city of Fayetteville, Ark.—to the Committee on Public Buildings and Grounds.

By Mr. BARTHOLDT: A joint resolution (H. J. Res. 149) authorizing the Secretary of War to allow to the Anheuser-Busch Brewing Association a right of way through the eastern limits of the arsenal grounds at St. Louis, Mo.—to the Committee on Military Affairs.

By Mr. CHARLES B. LANDIS: A joint resolution (H. J. Res. 150) providing for the publication of 50,000 copies of the Special Report on the Diseases of Cattle—to the Committee on Printing.

By Mr. STEPHENS of Texas: A memorial by the legislature of the State of Texas, requesting Congress to pay the State of Texas $50,874.53 on account of the transfer of Greer County to the United States—to the Committee on Claims.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BONYNGE: A bill (H. R. 15291) granting an increase of pension to Albert N. Raymond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15292) granting an increase of pension to William Laws—to the Committee on Invalid Pensions.

By Mr. CALDWELL: A bill (H. R. 15293) granting an increase of pension to John P. Davis—to the Committee on Invalid Pensions.

By Mr. CROMER: A bill (H. R. 15294) granting a pension to Prudence Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15295) granting a pension to Annie Coton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15296) granting a pension to Georgia Tyler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15297) granting a pension to John Hammond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15298) granting a pension to Jacob Beckner—to the Committee on Military Affairs.

By Mr. DRISCOLL: A bill (H. R. 15299) granting an increase of pension to John Lines—to the Committee on Invalid Pensions.

By Mr. DOUGHERTY: A bill (H. R. 15300) granting an increase of pension to Thomas W. Brazzelton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15301) to correct the military record of James P. Asher—to the Committee on Military Affairs.

By Mr. HOWELL of New Jersey: A bill (H. R. 15302) for the relief of William H. Sloan—to the Committee on Military Affairs.

By Mr. HAMLIN: A bill (H. R. 15303) granting a pension to Mary J. Hubbard—to the Committee on Invalid Pensions.

By Mr. HENRY of Connecticut: A bill (H. R. 15304) to authorize the advance of Col. George M. Brayton, United States Army, one grade upon the retired list—to the Committee on Military Affairs.

By Mr. HILDEBRANT (by request): A bill (H. R. 15305) granting a pension to Isaac Clayton—to the Committee on Pensions.

By Mr. LLOYD: A bill (H. R. 15306) granting a pension to Laura E. Morrey—to the Committee on Invalid Pensions.

By Mr. LOUD: A bill (H. R. 15307) for the relief of Sarah Spar[illegible]ing—to the Committee on Private Land Claims.

By Mr. MACON: A bill (H. R. 15308) granting an increase of pension to Francis M. Prewett—to the Committee on Pensions.

By Mr. MEYER of Louisiana: A bill (H. R. 15309) for the relief of the estate of Marcellin Gillis, deceased—to the Committee on War Claims.

By Mr. MOON of Tennessee (by request): A bill (H. R. 15310) for the relief of T. T. Ricketts and L. C. Ricketts—to the Committee on Claims.

By Mr. PATTERSON of Tennessee: A bill (H. R. 15311) for the relief of Col. Francis I. Crilly—to the Committee on Military Affairs.

By Mr. SIMS: A bill (H. R. 15312) for the relief of George Plunk—to the Committee on War Claims.

Also, a bill (H. R. 15313) for the relief of Sidney Plunk—to the Committee on War Claims.

Also, a bill (H. R. 15314) for the relief of the estate of O. F. Hendricks—to the Committee on War Claims.

Also, a bill (H. R. 15315) for the relief of the estate of John A. Criner—to the Committee on War Claims.

By Mr. ZENOR: A bill (H. R. 15316) granting a pension to Wilbur R. Ellis—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS of Pennsylvania: Petition of William R. Dasma & Co., of Philadelphia, Pa., in favor of bill H. R. 9303—to the Committee on Ways and Means.

By Mr. BADGER: Resolution of the Columbus Board of Trade, in favor of bill H. R. 9302—to the Committee on Ways and Means.

By Mr. BEDE: Petition of members of J. S. Cady Post, No. 2, Grand Army of the Republic, of Anoka, Minn., in favor of bill H. R. 5760—to the Committee on Invalid Pensions.

Also, petition of the L. W. Leithhead Drug Company, of Duluth, Minn., in favor of bill H. R. 9303—to the Committee on Ways and Means.

By Mr. BELL of California: Resolution of Napa Grange, No. 307, Patrons of Husbandry, of Napa, Cal., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. BRANDEGEE: Petition of citizens of Willimantic, Conn., favoring the adoption of the Platt-Hawley amendment to bill S. 276—to the Select Committee on Industrial Arts and Expositions.

By Mr. BUCKMAN: Papers to accompany bill H. R. 11897, granting an increase of pension to Samuel H. Hamilton—to the Committee on Invalid Pensions.

By Mr. BURTON: Petition of the Pompeiian Manufacturing Company, of Cleveland, Ohio, in favor of bill H. R. 9303—to the Committee on Ways and Means.

By Mr. DAUGHERTY: Petition of Stephen C. Cault and 30 others, of Kidder, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Rev. J. L. Hunley and 22 others, of Jamesport, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DOUGLAS: Resolution of the Twenty-seventh Assembly District Republican Club, of New York City, relative to immigration—to the Committee on Immigration and Naturalization.

By Mr. DOVENER: Papers to accompany bill H. R. 15135, granting an increase of pension to James E. Merrifield—to the Committee on Invalid Pensions.

By Mr. ESCH: Petition of N. Olsson, of La Crosse, Wis., in favor of bill H. R. 9302—to the Committee on Ways and Means.

Also, petition of the Marine Engineers' Beneficial Association of Sturgeon Bay, Wis., in favor of bill H. R. 14620—to the Committee on the Merchant Marine and Fisheries.

By Mr. HOWELL of New Jersey: Petition of soldiers and sailors of Lakehurst, N. J., against placing a statue of Gen. R. E. Lee in Statuary Hall—to the Committee on the Library.

By Mr. HOWELL of Utah: Petition of 75 residents of Santaquin, Utah, in favor of a parcels-post and a post-check bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of Rev. E. Tibbets and 13 others, of Denmark, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. KNAPP: Papers to accompany bill H. R. 14520, granting a pension to J. H. McGraw—to the Committee on Pensions.

Also, petition of Star Grange, No. 9, Patrons of Husbandry, of Hounsfield, N. Y., favoring the enactment of bill H. R. 9302—to the Committee on Ways and Means.

By Mr. LEWIS: Petition of J. C. Strange and 18 others, of Schley County, Ga., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LILLEY: Resolution of the Chamber of Commerce of New Haven, Conn., favoring completion of the harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

Also, resolution of the Chamber of Commerce of New Haven, Conn., in favor of bill H. R. 7056—to the Committee on the Merchant Marine and Fisheries.

By Mr. LITTLEFIELD: Petitions of citizens and fishermen of Lamoine, East Lamoine, and Frenchman Bay, Me., relative to the extermination of dogfish, etc.,—to the Committee on the Merchant Marine and Fisheries.

By Mr. LLOYD: Petition of 100 citizens of Shelbina, Mo., in favor of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, papers to accompany bill granting an increase of pension to Thomas Hancock—to the Committee on Invalid Pensions.

By Mr. LOUD: Petitions of citizens of Bay City, Mich., and Typographical Union No. 81, in favor of the passage of an anti-injunction bill—to the Committee on the Judiciary.

By Mr. MACON: Papers to accompany bill granting an increase of pension to Francis M. Prewett—to the Committee on Invalid Pensions.

By Mr. MARSHALL: Petition of H. H. Roberts and 21 others, of Tower City, N. Dak., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MEYER of Louisiana: Petition of citizens of New Orleans, La., against passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MIERS of Indiana: Papers to accompany bill granting an increase of pension to George W. Morin—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Paper to accompany bill for relief of Thomas Ricketts and wife—to the Committee on War Claims.

By Mr. MORRELL: Petition of William R. Dasner & Co., of Philadelphia, Pa., in favor of bill H. R. 9303—to the Committee on Ways and Means.

By Mr. RIXEY: Petition of citizens of Loudoun County, Va., against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. SCOTT: Resolution of the South Kansas Conference of the Methodist Episcopal Church, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SNOOK: Petition of William Beeler, in favor of bill H. R. 5760—to the Committee on Invalid Pensions.

By Mr. SPERRY: Resolution of the Chamber of Commerce of New Haven, Conn., favoring the establishment of a national commission to investigate the merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Chamber of Commerce of New Haven, Conn., favoring the completion of the harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

Also, resolution of professors of Yale University, New Haven, Conn., favoring the bill creating the Colorado Cliff Dwellings National Park—to the Committee on the Public Lands.

By Mr. UNDERWOOD: Petition of G. F. Harrington and 13 others, of Birmingham, Ala., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. VAN DUZER: Petitions of A. C. Welch and 9 others, of Reno, Nev.; J. D. Weeks and 18 others, of Clover, Nev., and E. W. Taylor and 24 others, of Reno, Nev., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WANGER: Petition of the Society of Friends of Bucks County, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WEEMS: Papers to accompany bill H. R. 15190, granting an increase of pension to James M. Paul—to the Committee on Invalid Pensions.

SENATE.

FRIDAY, *April 22, 1904.*

Prayer by Rev. ULYSSES G. B. PIERCE, of Washington City.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on the request of Mr. SPOONER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

REJECTED OR SUSPENDED CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 16th instant, a report of the Quartermaster-General of the Army inclosing a list of claims for horses and other property lost in the military service of the United States, etc.; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

EDWARD D. SWEENEY.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Edward D. Sweeney *v.* The United States: which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

FRANKLIN P. NASH.

The PRESIDENT pro tempore laid before the Senate a communication from the Commissioners of the District of Columbia, recommending that an item of $3,378.55 be included in the general deficiency appropriation bill to pay Franklin P. Nash the amount of judgment rendered in his favor, etc.: which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on the Judiciary:

A bill (H. R. 14533) to change and fix the time for holding the district and circuit courts for the northern division of the eastern district of Tennessee; and

A bill (H. R. 15228) establishing a regular term of the United States circuit and district courts at East St. Louis, Ill.

MISSOURI RIVER BRIDGE.

The bill (H. R. 15195) authorizing the construction of a wagon, toll, and electric-railway bridge over the Missouri River at Lexington, Mo., was read twice by its title.

Mr. STONE. That bill is exactly similar in all respects and in every detail with Senate bill 5549, which passed the Senate yesterday morning. I ask unanimous consent that the House bill may be considered and passed at this time.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. STONE. I move to reconsider the vote by which the bill (S. 5549) authorizing the construction of a wagon, toll, and electric-railway bridge over the Missouri River at Lexington, Mo., was passed.

The motion to reconsider was agreed to.

The PRESIDENT pro tempore. The bill will be indefinitely postponed.

MEMORIAL ADDRESSES ON PRESIDENTS LINCOLN, GARFIELD, AND M'KINLEY.

The PRESIDENT pro tempore laid before the Senate the following concurrent resolution from the House of Representatives:

Resolved by the House of Representatives (the Senate concurring), That there be printed and bound in one volume, in cloth, 17,000 copies of the three separate memorial addresses delivered before the two Houses of Congress, as follows: On February 12, 1866, by Hon. George Bancroft, on the life and character of Abraham Lincoln, late President of the United States; on February 27, 1882, by Hon. James G. Blaine, on the life and character of James A. Garfield, late President of the United States; on February 27, 1902, by Hon. John Hay, on the life and character of William McKinley, late President of the United States: 12,000 copies of which shall be for the use of the House of Representatives and 5,000 copies for the use of the Senate. The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer.

Mr. PLATT of New York. By authority of the Committee on Printing, I ask concurrence in the resolution.

The concurrent resolution was considered by unanimous consent, and agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed with amendments the following bills in which it requested the concurrence of the Senate:

A bill (S. 1343) to amend an act approved March 3, 1899, entitled "An act to amend an act entitled 'An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain, approved July 8, 1898,' etc., and for other purposes;"

A bill (S. 2268) to authorize the Absentee Wyandotte Indians to select certain lands, and for other purposes;

A bill (S. 2382) providing for a resurvey of certain townships in Routt and Rio Blanco counties, in the State of Colorado;

A bill (S. 3036) for the protection of the Bull Run Forest Reserve and the sources of the water supply of the city of Portland, State of Oregon; and

A bill (S. 5342) to provide a temporary government of the canal zone at Panama and protection of the canal works, and for other purposes.

The message also announced that the House had passed the following bills and joint resolutions; in which it requested the concurrence of the Senate:

A bill (H. R. 2866) to amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River, at Memphis, Tenn.," approved April 24, 1888;

A bill (H. R. 4474) to authorize the governor of the State of Mississippi to select certain lands in part satisfaction of its grant for university purposes;

A bill (H. R. 11444) to grant certain lands to the State of Ohio;

A bill (H. R. 11972) to authorize the Ox Bow Power Company, of South Dakota, to construct a dam across the Missouri River;

A bill (H. R. 12044) to authorize the establishment of a life-saving station at or near Eagle Harbor, Keweenaw Point, Mich.;

A bill (H. R. 13014) to authorize the appointment of road overseers and to create road districts in the district of Alaska, and for other purposes;

A bill (H. R. 13472) to bridge the Newark Bay;

A bill (H. R. 13481) to ratify and amend an agreement with the Indians residing on the Shoshone or Wind River Indian Reservation, in the State of Wyoming, and to make appropriations for carrying the same into effect;

A bill (H. R. 13626) to amend an act approved August 13, 1894, entitled "An act for the protection of persons furnishing materials and labor for the construction of public works;"

A bill (H. R. 14588) to revive and amend an act entitled "An act to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River, in the State of Louisiana, at or near Shreveport;"

A bill (H. R. 14590) to authorize the courts of county commissioners of Houston and Dale counties, Ala., to construct a bridge across the Choctawhatchee River between Houston and Dale counties, Ala.;

A bill (H. R. 15165) to authorize the construction of a bridge across the navigable waters of St. Andrews Bay;

A joint resolution (H. J. Res. 103) providing for printing annually the report of the Director of the Office of Experiment Stations, Department of Agriculture; and

A joint resolution (H. J. Res. 114) to extend the time for construction of the Akron, Sterling and Northern Railroad, in Alaska.

The message further returned to the Senate, in compliance with its request, the following bills:

A bill (S. 3596) to amend section 2327 of the Revised Statutes of the United States, concerning mineral lands;

A bill (S. 4316) providing for the appointment of additional judges in the Indian Territory; and

A bill (H. R. 10046) granting an increase of pension to Thomas J. Campton.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 11825) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1905, and for other purposes; and

A bill (H. R. 11963) regulating the practice of medicine and surgery in the Indian Territory.

PETITIONS AND MEMORIALS.

Mr. NELSON presented a petition of the congregation of the Philadelphian Church of St. Paul, Minn., and a petition of the congregation of the Asbury Methodist Episcopal Church, of St. Paul, Minn., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. GAMBLE presented the petition of Lucy L. H. Chandler, vice-president of the Washington Humane Society, of Washington, D. C., praying for the passage of the so-called "antidocking bill;" which was ordered to lie on the table.

Mr. FAIRBANKS presented a memorial of William Henry Harrison Chapter, Daughters of the American Revolution, of Valparaiso, Ind., remonstrating against the enactment of legislation providing for the condemnation for park purposes of certain squares in the city of Washington; which was ordered to lie on the table.

Mr. CULLOM presented a memorial of the Federation of Labor of Springfield, Ill., relative to the labor troubles in Colorado; which was referred to the Committee on the Judiciary.

Mr. HOPKINS presented a petition of the United States Wind Engine and Pump Company, of Batavia, Ill., and a petition of the Whiting Foundry Equipment Company, of Harvey, Ill., praying for a reorganization of the consular service; which were referred to the Committee on Foreign Relations.

Mr. GALLINGER presented a petition of Kingan & Co. (Limited), of Indianapolis, Ind., praying for the enactment of legislation to prohibit the fraudulent sale of merchandise in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented memorials of sundry citizens of College View, Nebr.; of Battlecreek, Grand Rapids, Berrien Springs, and Allegan, in the State of Michigan; of South Lancaster, Mass.; of Irvington, N. J.; of Stewardson and Sheridan, in the State of Illinois; of Richmond, Va.; of Brooklyn, N. Y.; of Littleton, W. Va.; of Browerville, Minn.; of Indianapolis, Ind., and of Washington, D. C., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

He also presented petitions of the Retail Clerks' International Protective Association, of the Emrich Beef Company, of David Levy, and of Wolf & Cohen, all of Washington, D. C., praying for the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

He also presented a petition of the committee on sanitation, Brookland Citizens' Association, of Washington, D. C., praying for the enactment of legislation providing for the abatement of nuisances in the District of Columbia by the Commissioners of said District; which was referred to the Committee on the District of Columbia.

He also presented a petition of the East Washington Citizens' Association, of Washington, D. C., praying for the enactment of legislation providing for the construction of two public convenience stations in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. CULBERSON presented a petition of sundry citizens of Hughes Springs, Tex., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. BACON presented the petition of Rabbi Edward B. M. Browne, of Columbus, Ga., praying for the appointment of Jewish chaplains in the Army and Navy of the United States to minister to the spiritual needs of Jewish soldiers and sailors; which was referred to the Committee on Military Affairs.

Mr. FRYE presented a petition of sundry citizens of Cundy Harbor and Casco Bay, Me., praying for the enactment of legislation granting a bounty on dogfish; which was referred to the Committee on Fisheries.

REPORTS OF COMMITTEES.

Mr. SIMMONS. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 8690) to amend the law relating to taxation in the District of Columbia, to report it without amendment, and to submit a report thereon.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. SIMMONS. I move that the bill (S. 2879) to amend the law relating to taxation in the District of Columbia, being Order of Business 1164 on the Calendar, be postponed indefinitely, and that the House bill just reported by me be given the place of the Senate bill on the Calendar.

The motion was agreed to.

Mr. ALDRICH, from the Committee on Finance, to whom was referred the bill (S. 5600) to amend an act entitled "An act to prevent the importation of impure and unwholesome tea," approved March 2, 1897, asked to be discharged from its further consideration, and that it be referred to the Committee on Commerce; which was agreed to.

Mr. ALGER, from the Committee on Military Affairs, to whom was referred the bill (S. 3192) for the relief of the State of New Hampshire, reported it with an amendment, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Pensions, to whom was referred the bill (S. 3329) granting a pension to Mary E. Strong, reported it with an amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Claims, to whom was referred the bill (S. 5462) for the relief of Joseph W. I. Kempa, executor of the last will and testament of William J. Grutza, deceased, asked to be discharged from its further consideration, and that it be referred to the Committee on Finance; which was agreed to.

He also, from the Committee on Military Affairs, to whom was referred the bill (S. 4838) to increase the efficiency of the Medical Department of the United States Army, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 5166) to increase the efficiency of the Ordnance Department, reported it with amendments, and submitted a report thereon.

Mr. BURROWS, from the Committee on Privileges and Elections, to whom was referred the bill (S. 2973) to amend section 14 of the Revised Statutes of the United States, prescribing the time when Senators of the United States shall be elected, reported it with an amendment.

CALUMET RIVER BRIDGE.

Mr. BERRY. I call the attention of the Senator from Indiana [Mr. FAIRBANKS] to the report I submit. I report back favorably from the Committee on Commerce without amendment the bill (S. 5606) to amend section 6 of "An act to authorize the construction of a bridge by the New York, Chicago and St. Louis Railroad Company and the Chicago and Erie Railroad Company across the Calumet River at or near the city of Hammond, Ind., at a point about 1,200 feet east of the Indiana and Illinois State line and about 100 feet east of the location of the present bridge of the New York, Chicago and St. Louis Railroad Company across said river; also to authorize the construction of a bridge by the Chicago and State Line Railroad Company across said river at the point where said company's railroad crosses said river in Hyde Park Township, Chicago, Ill., being at the location of the present bridge of said company across said river in said township," approved July 1, 1902.

Mr. FAIRBANKS. A bill precisely like this measure passed the House of Representatives and is now on the table. I ask that it may be laid before the Senate.

The PRESIDENT pro tempore. The Chair lays before the Senate a bill from the House of Representatives.

The bill (H. R. 15010) to amend section 6 of "An act to authorize the construction of a bridge by the New York, Chicago and St. Louis Railroad Company and the Chicago and Erie Railroad Company across the Calumet River at or near the city of Hammond, Ind., at a point about 1,200 feet east of the Indiana and Illinois State line and about 100 feet east of the location of the present bridge of the New York, Chicago and St. Louis Railroad Company across said river; also to authorize the construction of a bridge by the Chicago and State Line Railroad Company across said river at the point where said company's railroad crosses said river in Hyde Park Township, Chicago, Ill., being at the location of the present bridge of said company across said river in said township," approved July 1, 1902, was read twice by its title.

Mr. FAIRBANKS. I ask that the House bill may now be considered.

The PRESIDENT pro tempore. It is the identical bill just reported from the Committee on Commerce, the Chair understands.

Mr. FAIRBANKS. It is precisely the same measure.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. FAIRBANKS. I move that Senate bill 5606 be indefinitely postponed.

The motion was agreed to.

CONNECTICUT RIVER BRIDGE.

Mr. BERRY. I call the attention of the Senator from Massachusetts [Mr. LODGE] to the following report.

I report back from the Committee on Commerce with an amendment the bill (S. 5557) to authorize the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, to construct a bridge across the Connecticut River between Chicopee and West Springfield, in said county and Commonwealth, and I submit a report thereon.

Mr. LODGE. I ask for the present consideration of the bill.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment of the Committee on Commerce was, in section 2, page 2, line 11, to strike out "subjected" and insert "subject."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. GALLINGER introduced a bill (S. 5617) to provide a temporary home for ex-volunteer Union soldiers and sailors in the District of Columbia; which was read twice by its title, and referred tothe Committee on Military Affairs.

He also introduced a bill (S. 5618) granting a pension to Ellen M. Parker; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STEWART introduced a bill (S. 5619) for the relief of James F. Secor, surviving partner; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5620) to pay the State of Nevada for moneys advanced in aid of the suppression of the rebellion in the civil war; which was read twice by its title, and referred to the Committee on Claims.

Mr. TELLER introduced a bill (S. 5621) for the relief of George M. Brayton; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 5622) granting an increase of pension to Hiram E. Turner; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MCCREARY introduced a bill (S. 5623) granting an increase of pension to Boston Dillion; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT of Connecticut introduced a bill (S. 5624) to amend the law relating to the promotion of certain officers of the Marine Corps; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 5625) for the relief of John H. Lohman; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

Mr. ALDRICH introduced a bill (S. 5626) providing for the licensing of custom-house brokers, and for other purposes; which was read twice by its title, and referred to the Committee on Finance.

Mr. PERKINS introduced a bill (S. 5627) to remove the charge of desertion from the military record of William H. Shannon and grant him an honorable discharge; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BACON introduced a bill (S. 5628) for the relief of the heirs of Henry S. Castellaw, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. BURROWS introduced a bill (S. 5629) to remove the charge of desertion from the military record of William Kerr; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FRYE introduced a bill (S. 5630) granting an increase of pension to Ruth B. Gurney; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. CULLOM submitted an amendment proposing to appropriate $5,158.80 for payment to the North American Transportation and Trading Company, Seattle, Wash., for barge No. 3 and eight warehouse trucks wrecked October 2, 1900, while in the service of the United States, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. TELLER submitted an amendment relative to the coming into the United States and its Territories of Chinese and persons of Chinese descent, intended to be proposed by him to the general deficiency appropriation bill; which was ordered to lie on the table and be printed.

AMENDMENT TO CLAIMS BILL.

Mr. PENROSE submitted an amendment intended to be proposed by him to the bill (H. R. 9548) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes; which was referred to the Committee on Claims, and ordered to be printed.

CIVIL GOVERNMENT OF THE PHILIPPINE ISLANDS.

Mr. FORAKER submitted an amendment intended to be proposed by him to the bill (H. R. 14623) to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an act approved March 8, 1902, entitled "An act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an act approved March 2, 1903, entitled "An act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes; which was ordered to lie on the table and be printed.

EMPLOYMENT OF MESSENGER.

Mr. BALL submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Ventilation and Acoustics be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate at the rate of $1,440 per annum until otherwise provided by law.

REFUNDING CLAIM OF EASTERN RAILROAD, ETC.

Mr. LODGE submitted the following resolution; which was considered by unanimous consent, and agreed to.

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to require the Commissioner of Internal Revenue, in examining the refunding claim of the Eastern Railroad Company of the State of Massachusetts, in pursuance of the act of Congress approved February 28, 1901, to examine and report to the Senate the amounts twice paid as taxes on the same identical income or profits by the said Eastern Railroad Company and the Boston and Maine Railroad under the acts of Congress approved July 1, 1862, June 30, 1864, and July 14, 1870, and amendments thereof.

THE INDEPENDENT STATE OF THE KONGO.

Mr. MORGAN. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

Resolved, That there be printed for the use of the Senate 5,000 copies of the memorial concerning conditions in the Independent State of the Kongo.

Mr. MORGAN. The cost of the printing will be $241, as certified from the Printing Office. I have already applications on my desk from leading religious and other journals in the United States for fifty-three copies of the memorial, and I am entirely unable to supply it from my quota. Of course my proportion of copies will be very few. I ask for the adoption of the resolution.

The resolution was considered by unanimous consent, and agreed to.

MEMORIAL ADDRESSES ON THE LATE SENATOR HANNA.

Mr. FORAKER submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That of the eulogies on the late Senator Marcus A. Hanna there be printed and bound in cloth 6,200 additional copies, of which 2,000 shall be for the use of the Senate and 4,000 copies for the use of the House of Representatives, and 200 of which shall be bound in full morocco, with gilt edges, for the family of the deceased.

ABSENTEE WYANDOTTE INDIANS.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 2268) to authorize the Absentee Wyandotte Indians to select certain lands, and for other purposes.

The amendments were, on page 1, line 8, after the word "the" where it occurs the third time, to insert "surveyed;" and on page 1, line 9, after "public" to insert "nonmineral."

Mr. LONG. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

W. S. FELAND.

Mr. BLACKBURN. I desire to ask unanimous consent for the present consideration of House bill 2591, which is recommended by the Treasury Department and proposes to pay $124.66.

The PRESIDENT pro tempore. The Senator from Kentucky asks for the consideration of a bill, which will be read.

The Secretary read the bill (H. R. 2591) for the relief of W. S. Feland, late deputy collector second Kentucky district; and by

unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to pay to W. S. Feland, late deputy collector of the second district of Kentucky, $124.66, being the amount due him for excessive expenses necessarily incurred in the discharge of his duties during the period from July 1, 1898, to March 16, 1899.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BANK OF NORTH WILKESBORO, N. C.

Mr. OVERMAN. I ask unanimous consent to call up the bill (H. R. 7190) for the relief of the Bank of North Wilkesboro, N. C. The purpose of the bill is to redeem mutilated currency to the amount of $90 that was lost in a railroad wreck. It is recommended by the Secretary of the Treasury and has passed the House of Representatives.

Mr. HALE. It was my purpose to bring up the deficiency appropriation bill the first thing this morning, but the Senator from New Hampshire [Mr. GALLINGER] had given notice that he desires to submit some remarks to the Senate. I shall try to follow him. I hope after this matter has been disposed of the regular order will proceed and that the Senator from New Hampshire will go on. I will not make a point against the Senator from North Carolina.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to appropriate $90 for the relief of the Bank of North Wilkesboro, at North Wilkesboro, State of North Carolina, for registered letter containing $100, addressed to Treasurer of the United States, Redemption Division, Washington, D. C., which was burned in railroad wreck near Charlottesville, Va., about March 22, 1902.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE FISCAL POLICY.

Mr. GALLINGER. I ask that the resolution introduced by the junior Senator from Iowa [Mr. DOLLIVER] be laid before the Senate.

Mr. DEPEW. Will the Senator from New Hampshire yield for the consideration of a bill?

Mr. GALLINGER. If the resolution is laid before the Senate I will then listen to the appeal of the Senator from New York.

The PRESIDENT pro tempore. The Chair lays before the Senate the resolution, which will be stated.

The SECRETARY. Senate resolution 182, by Mr. DOLLIVER.

Mr. GALLINGER. I submit a resolution as a substitute for that resolution.

The PRESIDENT pro tempore. The proposed substitute will be read.

The Secretary read as follows:

Resolved, That our continued prosperity as a nation is the best possible assurance that our fiscal policy is sound and stable and that its disturbance by legislation is not warranted by the best interests of the people.

Mr. GALLINGER. The Senator from New York appeals to me to yield that he may ask for the consideration of a bill which he assures me will not lead to debate.

Mr. DEPEW. It will not lead to debate.

Mr. GALLINGER. I yield to the Senator from New York, but I am so situated that I can not yield further this morning.

The PRESIDENT pro tempore. The Senator from Alabama [Mr. PETTUS] has been trying to get the floor for a long while.

Mr. GALLINGER. I will yield to the Senator from Alabama after the Senator from New York.

ESTATE OF MARTIN DOWLING.

Mr. DEPEW. I ask for the immediate consideration of the bill (S. 4651) for the relief of James T. Barry and Richard Cushion, executors of the last will and testament of Martin Dowling, deceased.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Finance with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to abate the inheritance tax assessed against James T. Barry and Richard Cushion, executors of the last will and testament of Martin Dowling, of Rye, N. Y., as to so much of said estate as shall be established to his satisfaction to have been given to and vested in charitable or other institutions by said James T. Barry and Richard Cushion which under the war-revenue act of June 13, 1898, as amended by the acts of March 2, 1901, and June 22, 1902, would have been exempt from inheritance tax had the property been bequeathed by Martin Dowling direct to said institutions; and the said Secretary is further authorized to proportionately abate any of said assessment from time to time within the period of two years after the passage of this act, upon satisfactory proof of the further gift by said James T. Barry and Richard Cushion of any portion of said estate to any institution or institutions so exempt from inheritance tax as aforesaid. So far as such tax shall be abated under the provisions of this act, no inheritance tax shall be collected by reason of the passing of the legal title of said property to the said James T. Barry and Richard Cushion, and the said executors shall be, and are hereby, relieved from the payment of any such tax which may have attached to said property by reason of the said act of June 13, 1898.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDENT pro tempore. The committee reports to strike out the preamble. It will be stricken out.

JOHN STEWART.

Mr. PETTUS. I ask for the present consideration of the bill (S. 803) for the relief of John Stewart.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Claims with an amendment, in line 6, before the word "thousand," to strike out "five" and insert "two;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John Stewart, civil engineer, for extra compensation for services rendered by him to the Government in connection with the Potomac Flats case, $2,000.

Mr. ALDRICH. From what committee does the bill come?

The PRESIDENT pro tempore. From the Committee on Claims.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INDEFINITE POSTPONEMENT OF BILLS.

Mr. WARREN. Will the Senator from New Hampshire yield to me for a little morning business?

Mr. GALLINGER. I yield to the Senator from Wyoming.

Mr. WARREN. I ask to have struck from the Calendar the bill (S. 2636) to regulate the employment of officers of the Army on the retired list, and for other purposes, the subject-matter having been included in the army appropriation bill.

The PRESIDENT pro tempore. The Chair hears no objection.

Mr. ALDRICH. The bills ought to be indefinitely postponed. Striking them from the Calendar does not dispose of them.

Mr. SPOONER. What becomes of a bill stricken from the Calendar?

The PRESIDENT pro tempore. It is indefinitely postponed.

Mr. WARREN. I move that the bill (S. 4280) providing medals of honor be indefinitely postponed.

The motion was agreed to.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 21st instant approved and signed the following acts:

An act (S. 1399) to amend section 1225 of Revised Statutes, so as to provide for detail of retired officers of the Army and Navy to assist in military instruction in schools; and

An act (S. 2424) to recognize and promote the efficiency of army chaplains.

The message also announced that the President of the United States had on this day approved and signed the act (S. 4453) to amend section 17 of the act of Congress approved June 6, 1902, entitled "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes."

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (H. R. 2866) to amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.," approved April 24, 1888;

A bill (H. R. 11972) to authorize the Ox Bow Power Company, of South Dakota, to construct a dam across the Missouri River;

A bill (H. R. 12044) to authorize the establishment of a life-saving station at or near Eagle Harbor, Keweenaw Point, Michigan;

A bill (H. R. 13472) to bridge the Newark Bay;

A bill (H. R. 14590) to authorize the courts of county commissioners of Houston and Dale counties, Ala., to construct a bridge across the Choctawhatchee River between Houston and Dale counties, Ala.; and

A bill (H. R. 15165) to authorize the construction of a bridge across the navigable waters of St. Andrews Bay.

The following bills and joint resolution were severally read twice by their titles, and referred to the Committee on Public Lands:

A bill (H. R. 4474) to authorize the governor of the State of

Mississippi to select certain lands in part satisfaction of its grant for university purposes;

A bill (H. R. 11444) to grant certain lands to the State of Ohio; and

A joint resolution (H. J. Res. 114) to extend the time for construction of the Akron, Sterling and Northern Railroad in Alaska.

The bill (H. R. 13481) to ratify and amend an agreement with the Indians residing on the Shoshone or Wind River Indian Reservation, in the State of Wyoming, and to make appropriations for carrying the same into effect, was read twice by its title, and referred to the Committee on Indian Affairs.

The bill (H. R. 13626) to amend an act approved August 13, 1894, entitled "An act for the protection of persons furnishing materials and labor for the construction of public works, was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

The joint resolution (H. J. Res. 103) providing for printing annually the report of the Director of the Office of Experiment Stations, Department of Agriculture, was read twice by its title, and referred to the Committee on Printing.

NORTHERN PACIFIC RAILROAD CONVEYANCES.

Mr. NELSON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4769) validating certain conveyances of the Northern Pacific Railroad Company and the Northern Pacific Railway Company, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede.

KNUTE NELSON,
CHARLES W. FAIRBANKS,
E. W. PETTUS,
Managers on the part of the Senate.

JOHN F. LACEY,
JOSEPH M. DIXON,
Managers on the part of the House.

The report was agreed to.

REVIEW OF THE WORLD'S COMMERCE.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying paper, referred to the Committee on Printing:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of Commerce and Labor, accompanying the Commercial Relations of the United States for the year 1903, being the annual and other reports of consular and diplomatic officers upon the industries and commerce of foreign countries.

In view of the importance of these reports to our business interests, I approve the recommendation of the Secretary of Commerce and Labor that Congress authorize the printing of an edition of 10,000 copies of the summary entitled "Review of the World's Commerce," and of 5,000 copies of Commercial Relations (including this summary), to be distributed by the Department of Commerce and Labor.

THEODORE ROOSEVELT.

WHITE HOUSE, *April 22, 1904.*

NOTE.—Owing to its bulk, the manuscript of Commercial Relations has been sent, as heretofore, directly to the Public Printer.

THE FISCAL POLICY.

The PRESIDENT pro tempore. The resolution submitted by the Senator from New Hampshire [Mr. GALLINGER] as a substitute for the resolution offered by the Senator from Iowa [Mr. DOLLIVER] is before the Senate. It will be again read.

The resolution was again read, as follows:

Resolved, That our continued prosperity as a nation is the best possible assurance that our fiscal policy is sound and stable, and that its disturbance by legislation is not warranted by the best interests of the people.

Mr. GALLINGER. Mr. President, the coming national campaign will be devoid of some of the interesting issues that have been warmly discussed during recent years. The money question has been relegated to the limbo of forgotten things, the people having repudiated the silver heresies of Mr. Bryan and his party, and accepted the gold standard established by Republican legislation. The cry of imperialism, which resounded throughout the land four years ago, has apparently ceased, other campaign issues of our Democatic friends have been quietly laid aside, and that party is planning to make tariff revision prominent in the national election this year. It was not long ago that a distinguished Democratic leader, a man long in public life, gave utterance to these words:

I repeat, so that all men may hear, that I am a free trader, and proudly take my stand with Sir Robert Peel, Richard Cobden, John Bright, and Henry George. I may be an humble member of that illustrious company, but it is better to be a doorkeeper in the house of honest free traders than to dwell in the tents of wicked protectionists.

That was an honest declaration. It meant that that distinguished leader was ready to utterly destroy the protective principle, and open American markets to the products of the cheap labor of Europe and Asia, in free and unrestricted competition with the products of American farms and American factories. Recently this same leader, realizing, no doubt, that his former utterance would not do for a campaign issue, modified his views to the extent of declaring that "We go forth to battle with tariff reduction and genuine reciprocity inscribed on our banners." The language is different, but the idea is the same, as I shall endeavor to show. "The voice is the voice of Jacob, but the hand is the hand of Esau," the inevitable result of either policy being to bring about the same disastrous consequences that overtook the country during the operation of the Wilson-Gorman tariff law of 1894-1897.

TARIFF LEGISLATION.

From time to time, Mr. President, I have presented in this Chamber reviews of our tariff legislation, and the effect of the operation of tariff laws upon the industries and labor of our country. Beginning with the very first Congress, where the tariff question was an early subject of debate, the result of which was to place on our statute books a protective tariff law, down through the decades for more than a century, although many other great questions have been settled, the tariff question remains to-day the paramount issue in our politics, and bids fair to be debated during the coming months more sharply than ever before in our history. In fact, we see the leaders of the Democratic party trying to marshal their forces for the coming conflict, declaring their purpose to be to go forth with tariff reduction and genuine reciprocity, whatever that may be, inscribed on their banners. It seems fitting, then, that at the close of the Republican party's first half century, a brief reference should be made to the tariff legislation of that party, a party which has stood from its birth for protection to American labor and industries.

On March 2, 1861, two days before the inauguration of Abraham Lincoln, President Buchanan, a Democratic President, signed the so-called Morrill tariff bill, the first great Republican measure to become a law. The Morrill tariff is very improperly alluded to to-day as a measure providing for the revenues made necessary by the civil war. This, Mr. President, is incorrect. During the first part of the year 1860, long before war was declared, long before the Southern States had seceded, before Abraham Lincoln had been elected or even nominated, the Ways and Means Committee of the House of Representatives framed a bill, which was named after Justin S. Morrill, who afterwards became and long remained an honored member of this Senate. Mr. Morrill took a very prominent part in framing the bill, which after debate passed the House by a vote of 105 to 64 on May 11, 1860. For nearly a year this bill was held up by a Democratic Senate and probably would not have passed this body had not several Southern Senators resigned their seats in the early part of 1861. The Morrill bill, however, on February 20 of that year was passed by the Senate by a vote of 25 to 14, and was signed by President Buchanan on the 2d day of March following. I do not find anywhere a better explanation of the reasons for this bill and of its immediate effect upon the industries of the country than in the following sentences taken from the annual Cyclopedia for 1861:

A revenue law affording uncommon protection to manufactures was enacted. This was proposed not for the purpose of husbanding the resources of the country in anticipation of approaching strife, but chiefly as a great party measure, and to secure an increase of prosperity to this great national interest. It has proved to be the wisest measure adopted during the session. It immediately checked the importation of foreign manufactures, secured the reduction of the debt of the country to other nations, caused a large importation of specie in payment of exports, and thereby enabled the citizens to advance loans to the Government in its most pressing hour.

It is true that this law was afterwards, in August, supplemented by a law providing for increased revenues to carry on the war, but it remains true that the first important law passed by a Republican House of Representatives, and subsequently by a Republican Senate, was a protective tariff measure, and from that time until the present, with the exception of the so-called Wilson-Gorman law, which was in operation from August 28, 1894, until July 24, 1897, we have enjoyed the blessings bestowed by protective tariffs in their influence upon our industrial and financial conditions. During all the years that have intervened since the passage of the first Republican tariff law, which was made necessary because of the disasters brought upon our Government's finances and our industrial welfare by a system of practical free trade, our country has prospered in a measure unknown before in the history of the world, and unchecked only for the period of three years, when we were living under the influence of the only Democratic tariff legislation since the first success of the Republican party, which this year will celebrate its semi-centennial.

NATIONAL PROGRESS.

It has been my privilege, Mr. President, to present, on previous occasions, statistics showing the splendid progress which we have made as a people, and which our various industries, both agricul-

tural and manufacturing, have enjoyed, the high standard of living to which our people have attained, and the general prosperity and wealth which we as a nation have acquired and are still enjoying to an unprecedented degree. It will be freely admitted, I believe, by all on both sides of this chamber, that the past seven years have been the most prosperous in the history of our country; that during these years our industrial advance has been unparalleled; that our markets both at home and abroad have been largely and most substantially increased; that our laboring classes have been wondrously benefited, and that our wealth, both in the aggregate and per capita, has been largely augmented, all classes sharing in the advantages and enjoyments of this prosperity.

And yet, in spite of these splendid results, which none can deny; in spite of the fact that our Western farmers have paid off the mortgages which it was necessary for them to assume in order to get a start in keeping with the opportunities which lay before them; in spite of the fact that these farmers have become prosperous, and have been able not only to acquire and possess their lands, but to increase their stock and implements and to lay aside in the great Western banks a surplus which is not only adequate for the necessary transaction of business in those States and Territories, but which is offered to Eastern capitalists at a percentage about one-half of that paid by these same farmers for the Eastern money which they borrowed a decade or so ago; in spite of the fact that our great Southern States are becoming more and more prosperous every year, because they have learned to use their own raw material and to do their own work; in spite of the fact that from one end to the other of this great land of ours the people have been enjoying a period of prosperity, such as has never before come to any nation on the face of the globe; in spite of all these things, the leaders of a great political party in Congress have been engaged almost daily for many weeks advancing arguments to be used during the coming campaign, contending that we should repeal the law under which we are now operating and put in its place a Wilson bill, or a Mills bill, or a Morrison bill, or a tariff like that of 1846 and 1857, both of which tariffs proved disastrous to the best interests of the country.

STAND PAT.

It seems to me inconceivable that at a time when many other nations are contemplating the increase of tariff duties a great political party in this country should seriously advocate an abandonment of our well-established fiscal policy by lowering our tariff to the revenue standpoint. Very recently the government of the Netherlands has taken steps to largely increase import duties, and everyone knows that the agitation in Great Britain for an abandonment of free trade is well-nigh irresistible, the success of which is apparently but a question of time. Under such circumstances it would be supreme folly for this country to do otherwise than "stand pat" on the tariff proposition, which I feel sure the American people are determined to do.

So wedded have our people, and particularly the working classes, become to the idea that protection is better for us than free trade, that our Democratic friends lack the courage to come out boldly for a free-trade measure and in favor of free-trade doctrines. "No," they say, "we are not free traders, for there is no free-trade party in the United States; our aim is simply to break down the iniquitous protection barriers to a revenue standpoint in order that we may compete on a level with the manufacturers of Great Britain and the continent of Europe," and so they put it: "We go forth with tariff reduction and genuine reciprocity inscribed on our banners."

Among other things we are told that the great trusts are made possible and are maintained by our protective tariff. We are told that high prices for the output of these trusts are demanded from our own people, while much lower prices are asked for the same goods sent abroad and sold to other people. We are told that even though wages have been increased the cost of living has increased so much more that the masses are worse off by far than they would be if lower wages and lower prices should prevail. We are told, Mr. President, that we have reached the highest point of our prosperity, that we are receding, that the good times have passed away, and that protection is a failure. I propose to examine these various statements as briefly as may be, and I shall endeavor, with the assistance of a few figures, which in every case shall be official and authoritative, to refute the claims made by our Democratic friends, and to show that if ever there was a time in our history when we should continue the tariff law under which we are now operating, in fact should leave it entirely alone for the present, that time is this year of our Lord nineteen hundred and four.

I have already in this Chamber presented facts and figures showing the disasters which came to us during the operation of the Wilson-Gorman law, which followed the election of a Democratic President and Congress in 1892. I have shown that with the election of a Republican President and Congress in 1896, followed by the enactment of the Dingley law a few months afterwards, prosperity was restored to this country, and that industrial conditions took an advance never before known, placing all classes of our people upon a higher plane, with the enjoyment of a higher standard of living in every particular than was ever possessed before in this country or any other.

Two years ago I brought our tariff history and the results of our tariff laws down to that time. Since then, Mr. President, while in the main we have gone on advancing in almost every portion of our country and in almost every industry, it is nevertheless true that we have gone through a period of industrial and financial conditions different from any we have ever before experienced.

TRUSTS.

There will be no attempt to deny that under, but not because of, the tariff now in operation, great industrial concerns commonly known as trusts, have been built up during the past few years. It will not be denied, Mr. President, that out of the hundreds and thousands of such consolidations, some one or some few may have been constructed upon a very unfair basis, may have been operated with questionable intent, with results beneficent to neither producers nor consumers of the wares manufactured by those concerns. It matters not that the same state of affairs exactly exists in free-trade England and in other countries of Europe; our Democratic friends insist that our trusts are due to the tariff. It matters not that our greatest trusts are those producing that upon which no duty is imposed; our Democratic friends still insist that the trusts are due to our tariff.

Some of these so-called trusts have been founded and constructed by issuing stocks of fictitious value, and in some cases abnormally inflated. It did not require a Napoleon of finance to foresee that in time these great bubbles must burst, and that these values must fall to a more equitable level, and this very thing has happened during the past year. We have seen the prices of industrial shares, and with them the prices of railroad shares, fall day after day, week after week, and even month after month; yet, Mr. President, when in our previous history has there been such a falling of prices in Wall street unaccompanied by any widespread industrial disaster throughout the country? Never before have we gone through a period of such falling prices in stocks without a panic, without vastly increased commercial failures, without business depressions and without disaster requiring years to recover from.

ABNORMAL CONDITIONS.

Accompanying this fall in stocks, accompanying this so-called "speculative debauch" in Wall street, have been various abnormal conditions, each and every one almost serious enough in character to cause a panic under ordinary circumstances. Foremost among these, perhaps, have been the great strikes, beginning with that of the miners in the summer and fall of 1902 and followed by the great strikes in the building, textile, and other trades during 1903. When a hundred thousand men, earning on an average four or five dollars a day each, are idle for several weeks or for several months, not only must the influence of such idleness be felt in the loss of wages and profits, diminishing our purchasing power and resulting in the withdrawal of savings, but the lessening demand for the material used by these men for construction and other purposes must also affect to a large degree many other industries, the output of which must necessarily be decreased.

The abnormally high price of cotton for so many months, while bringing somewhat increased prosperity to one portion of our country, brought embarrassment and a loss of production to another portion. The great fires of the past winter in our large cities have also brought losses of many millions of dollars to our insurance companies and to thousands of individuals, and a lessening of demand for many productions. And in addition to all this it will, I think, be conceded that the past winter has been meteorologically the most severe that we have known for half a century. It has affected transportation and distribution by the railroads of the country to an unusual degree; it has affected our trolley systems in almost every northern city, thereby curtailing retail trade, and in turn seriously affecting wholesale business.

I need not go further in reciting the undue and abnormal conditions which have come to us during the past twelve or fifteen months. Coming at any period prior to 1898 they would doubtless have brought with them untold commercial disaster and incalculable human misery. Yet in spite of a lessened output in some industries; in spite of wages voluntarily given up for months at a time in certain large cities; in spite of a curtailment of production because of the abnormal high price of certain raw material; in spite of the decreased demand for certain construction material; in spite of the impossibility of moving for many hours, and sometimes for days together, huge trains bearing freight from one part of the country to the other; in spite of weather conditions which had their effect to a greater or less degree upon all communities and upon all classes of people, statistics show

that as a nation we have been going forward during all these months, becoming wealthier and more prosperous, putting aside millions and millions of dollars in our savings banks, increasing our life insurance, and increasing vastly many lines of business as shown by the large advance made in our postal receipts, which accurately reflect the business and industrial conditions of the country.

It seems to me well worth while, Mr. President, when our friends on the other side are telling us that we are going backward, to say to them that although the elements and to some extent our own folly seem to have combined to try to the utmost the Republican policy of protection, yet they have utterly failed to undermine it in the least, but on the contrary have given us an experience which we may well cite as an example of the saving power of a protective tariff, when it seemed as if so many things were for a time destined to go wrong. The case has been most happily expressed by the following signed editorial in a recent number of the American Economist, from the gifted pen of Mr. Francis Curtis:

We all know the value of a catch word or phrase when that phrase stands for something true and substantial. To-day's report of R. G. Dun & Co. on the condition of business concludes as follows:

"The nation's business is established on a foundation sufficiently strong to withstand disaster."

That is, in spite of the many adverse conditions of the past few months, in no way connected with the tariff, the Dingley law has proved itself to be thoroughly panic proof. In other words, in spite of a "speculative debauch," in spite of strikes, of conflagrations, of the worst weather conditions known for many years, in spite of the abnormally high prices of cotton and many adverse minor conditions, the Dingley law has given us through it all panic proof protection. This will be the issue during the coming campaign. The Dingley law brought prosperity, and that prosperity will continue as long as we do not tinker a tariff that insures panic proof protection.

BASIC CAUSE OF PROTECTION.

If we were to analyze the matter further we should find that the basic cause of this protection, which has proved to be panic proof, is the fact that employment and wages have not ceased, as they must when, under low tariffs, we let in a flood of foreign manufactures. Under protection we do in a large measure our own work; under practical free trade we pay some one else to do it for us. That is why we have gone through the unusual experience of the past months without a diminution of purchasing power, which is, after all, the very foundation of prosperity.

We can hardly expect, Mr. President, that in our industrial affairs we can so manage things as to enable us year after year to go on breaking the records without sometime meeting with a halt, or even temporarily receding. We do not measure the level of the sea by the crest of the highest wave. We do not gauge the speed of a locomotive by the abnormal time made for a short distance under unusual conditions. What we should look at are the splendid averages acquired from year to year and the substantial results which are gained and preserved, to be constantly added to in the long run, as shown by the results of stated periods of time. During every year since 1898 our pessimists have been saying that we had reached the end of prosperity, and it seems as if their predictions were accompanied by hopes, almost cruel, that disaster would come, in order that panic and ruin might be charged to the operation of the Dingley law. Most exultant were these pessimists as they beheld the tumbling prices of stocks during the months of last year, and yet as we went on from day to day, from week to week, and from month to month without recording any unusual commercial failures or any undue commercial disaster, the croaking of these pessimists ceased, and they must needs look elsewhere for comfort and a verification of their predictions and desires.

It would seem as if the future success of the Democratic party were absolutely dependent upon commercial disaster. To admit that times are prosperous means to this party, which has always been a party of disaster and destruction, continued defeat on election day. Twice, through deception, it has been able during the past sixty years to put upon the statute books tariff laws after its own liking, and twice the Republican party, with its policy of protection, has come to the rescue of our people and our industries. Not only have the tariffs enacted by the Republican party saved us from ruin and brought back prosperity, but they have resulted in the great industrial and financial strides to which we are able to point with such exultant pride. Not only this, but I will show that, in spite of the recent abnormal conditions to which I have alluded, the commercial outlook and the prospects for even greater prosperity than we have yet enjoyed seem most favorable.

INSTRUCTIVE FIGURES.

First, I wish to present a few figures as showing our principal financial and commercial conditions as far down as such figures can possibly be obtained, then I wish briefly to endeavor to refute the accusation made by our friends upon the points that I have mentioned, and I will also set forth the reasons why the outlook is so propitious, and why prosperity will not only continue to rule, but will rule with increased vigor in the years to come, if we continue to maintain our present tariff principles and do not allow ourselves to be converted to the disastrous and destructive economic doctrines of our opponents.

Our Democratic friends are fond of talking of a revenue tariff. The following table is instructive on that point, showing the difference between free-trade and protection revenue:

Year ending June 30—	Customs receipts.	Total receipts.
1895	$152,158,617	$313,390,075
1896	160,021,752	326,976,200
1897	176,554,127	347,721,705
Average	16 ,911,499	329,362,660
1898	149,577,062	405,321,335
1899	206,128,482	515,960,620
1900	233,164,871	567,240,852
1901	238,585,456	587,685,338
1902	254,444,708	562,478,233
1903	284,479,582	560,396,674
Average	227,729,694	533,180,509

It must be remembered that the internal-revenue receipts are affected by the tariff law as well as customs receipts, for in prosperous times, such as we enjoy under a protective tariff, the receipts from internal revenue are largely increased over the receipts during a low-tariff period. The result was that during the low-tariff years, 1895–1897, we had a deficit of over $76,000,000 added to a deficit in 1894 (which was also a practical free-trade year) of $70,000,000, or $146,000,000 in the four years, while during the four years ending 1903 there was a surplus of over $300,000,000. We have repealed war taxes to the amount of over $100,000,000, and still our receipts are in excess of our expenditures. This, Mr. President, illustrates the difference between the revenue under low tariffs, and protective tariffs. This is the reason why we are able to undertake the building of the great interoceanic canal, involving as it does the expenditure of between $100,000,000 and $200,000,000, and possibly even a greater amount than that.

So much for the Treasury surplus. Now how does the balance stand regarding our foreign trade, about which our Democratic friends are always so solicitous? The official figures are as follows:

Imports and exports of merchandise, 1895–1903.

Year ending June 30—	Imports.	Exports of manufactures.	Total exports.	Total imports and exports.	Excess exports.
1895	$731,963,965	$183,595,743	$807,538,165	$1,539,508,130	$75,568,200
1896	779,724,674	228,571,178	882,606,938	1,662,331,612	102,882,264
1897	764,730,412	277,285,301	1,050,993,556	1,815,722,968	286,263,144
1898	616,049,654	290,697,354	1,231,482,330	1,847,531,984	615,432,676
1899	697,148,489	339,592,146	1,227,023,302	1,924,171,791	529,874,813
1900	849,941,184	433,851,756	1,394,483,082	2,244,424,266	544,541,898
1901	823,172,165	410,932,524	1,487,764,991	2,310,937,156	664,592,826
1902	903,320,948	403,641,401	1,381,719,401	2,285,040,349	478,398,453
1903	1,025,719,237	407,526,159	1,420,141,679	2,445,860,916	394,422,442

INCREASE OF EXPORTS.

The Boston Herald, an independent Democratic newspaper, has recently called attention to the fact that the nine months ending with March rolled up a larger total of exports than any first three-quarters of any other fiscal year. The Herald further says that taken as a whole these are satisfactory figures for trade movement. The total volume of business amounted in exports and imports of merchandise to the enormous sum of $1,913,222,528, or almost two billions of dollars' worth of exports and imports of merchandise within three-quarters of a year. On this showing our trade for nine months in the current year is practically the same as the trade for the entire year 1899, and far in excess of the figures for any year previous to that time. Our trade has grown so enormously that the figures for three-quarters of a year now are almost double those for the whole year ending June 30, 1876.

It will be seen that under the operation of the Dingley law our exports have increased since 1895 by over 70 per cent and our total foreign commerce by over 50 per cent, while our sales abroad of manufactures have increased by over 100 per cent above the sales of 1895–96. Such has been the effect of the Dingley tariff on our National Treasury and the business of our country with foreign buyers—a deficit turned into a most substantial surplus, and sales averaging 50 per cent more than purchases. That we shall do still better, Mr. President, there is no doubt; nor is there any doubt that we would do much worse if we returned to tariffs for revenue only, the Democratic policy, which has never failed to work mischief to all classes of our people.

FOREIGN MARKETS.

Our Democratic friends seem particularly solicitous about foreign markets for our manufactures, and yet under our present tariff law our exports of manufactures have increased at a wonderful rate, and the present year seems likely to break all previous records. During the four years ending June 30, 1903, our exports of manufactures averaged more than double that of similar exports during the operation of the Wilson-Gorman tariff, while for the eight months ending with February, 1904, the exports were almost three times as much in value as they were ten years ago, and exceeded by considerable the exports during any similar previous period.

The truth is, we have captured the markets of the world for all of our products, both agricultural and manufactured, and in domestic products we stand to-day as the first exporting nation on the face of the earth. This has been accomplished under the operation of a protective tariff without sacrificing any of our own markets, without lowering our high scale of wages, and without submitting our own people to the competition of the pauper labor of other countries. It is the greatest and most substantial victory ever recorded in industrial warfare in all history, and yet this remarkable foreign trade, which has been built up under our protective tariff, is only a small part of our industrial achievement.

HOME MARKET BEST.

Foreign markets for surplus production is all very well in itself, and very welcome when it can be gained without sacrificing any portion of our home market; but it is this home market of ours, Mr. President, which has been built up and maintained through our protective tariffs, and particularly during the operation of the law now on our statute books, which is not only the pride of every American citizen, but the envy of every foreign producer. A most conservative estimate of the value of this internal commerce is $22,000,000,000 annually, equal in value to the combined markets of the world for the purchase of foreign productions. Could we control the sale of all the goods which enter every port on the face of the earth, it would only equal that which we now supply to our own home market, an assured market which is constantly increasing. This grand home market of ours can not be maintained if we let down our protection bars and adopt low tariffs, or if we enter into reciprocity arrangements in competing articles, which is the same, or at least a long step toward this same free-trade notion.

The value of our home market has never been more forcibly and clearly presented than by Hon. O. P. Austin, Chief of the Bureau of Statistics, Department of Commerce and Labor, in a speech delivered in the city of Rochester, N. Y., on Thursday, January 7, 1904, from which I take the following brief extract:

> The internal commerce of the United States was in 1870 seven billions of dollars, and in 1900 it was twenty billions. With this definite basis of twenty billions in 1900 and knowing what rapid development has occurred in all lines during that period, we may safely and conservatively put the internal commerce of the year 1903 at twenty-two billions of dollars—a sum which actually equaled the entire international commerce of the world in that year.
>
> Think of it, you producers and manufacturers and merchants and traders and bankers and transporters; think of it! The market of our own country, the home market, in which you can transport your goods from the door of the factory to the door of the consumer without breaking bulk a single time, is equal to the entire international commerce of the world.
>
> Not only is this true that our home market is equal to that offered by the international commerce of the entire world, but it is evidently growing far more rapidly than international commerce, for, as I have said, the internal commerce of the United States has grown from seven billions in 1870 to twenty-two billions in 1903, while the international commerce has grown from eleven billions in 1870 to twenty-two billions in 1903, or, in other words, while the international commerce of the world is now twice as great as in 1870, the internal commerce of the United States is now three times as great as in that year and equals the entire commerce between all nations.

This internal commerce of ours has been made possible only because of our splendid wage system, which has brought about a higher standard of living and a demand by our masses for more than the mere necessaries of life. It is not necessary for me at this time to more than call attention to this feature of our tariff and industrial system. It has been made clear time and time again, and yet it would seem as if our opponents persist in losing sight of this splendid market at our very doors in their desire to gain for our producers an insignificant percentage in our sales to foreign countries, thousands of miles away from our farms and factories. Much better would it be to sacrifice a large portion, or even the whole of our foreign sales, than any considerable portion of our home market. But the figures which I have given show that it is not necessary to make any sacrifices whatever under the beneficent operations of a protective tariff. We have not only maintained and increased our home market during these past few years, but we have constantly increased our foreign markets at the same time, and more rapidly than any other country of the world, which result, it seems to me, is the most beneficial that could possibly be brought about.

WAGES.

Now, Mr. President, I wish briefly to touch upon one of the assertions which is continually being made by our opponents, and which I believe can be shown to be a positive misrepresentation, and entirely at variance with facts. There is no attempt to deny that since the enactment of the Dingley law wages have not only increased in large measure, but employment as well. For nearly seven years now almost every man in the United States who has wanted work and was worthy to have it could not only obtain it for six days in a week and fifty two weeks in a year, but he has been paid for that labor at a rate never before known in this or any other country. There have been times in this period when it has been impossible to obtain the necessary help to harvest our crops, manufacture our goods and care for their transportation and distribution. There have been many times when several jobs were looking for one man, a much more desirable condition to the laboring classes than when several men are obliged to look for one job. It is true that there have been some exceptions to this splendid condition of affairs, and while for the most part wages have been increased year after year during this period, there have been instances, due to some unusual causes, where, after large increases, a slight reduction has been made. But I think I can safely assert, Mr. President, that during this period, and even during the past year, more men have been idle voluntarily than through necessity, and it must be fully appreciated that generally when a man is idle voluntarily it is necessary for other men to be idle for the whole or a part of the same period. The voluntary idleness of a hundred bricklayers or carpenters means as well the enforced idleness of a greater or less number of plasterers, painters, paper hangers and plumbers, and many others in kindred operations, to say nothing of the loss in manufacture and trade which must ensue in the way of furnishings and the various equipments that go to make a completed house or building of any kind.

STRIKES.

It is neither my province nor purpose at this time to say a single word for or against labor unions, or for or against the many strikes which have had such a serious result upon our laboring classes. I wish only to emphasize the fact that when a hundred men or a hundred thousand men are voluntarily idle for weeks or months, the loss is by no means confined to them alone, but involves other hundreds or other hundred thousands that are compelled to be idle because of the action of the men on strike.

It has been most conservatively estimated that the strikes of the year 1903 lessened the purchasing power of the people by fully $1,000,000,000, and I doubt even if that large sum would measure the entire loss if it could be accurately estimated. So when we are told by our friends on the other side that men are idle and that wages are being reduced and that prosperity is receding, it is well to know whether this condition of affairs is voluntary or compulsory.

But, be it as it may, I propose to show by a few figures that, in spite of what idleness there may have been and in spite of what loss of wages and decreased purchasing power may have resulted, the laboring classes of this country were more prosperous during the year 1903 than ever before in our history. This will be seen, in the first place, from figures showing the savings of the people. The aggregate deposits in our national, savings, State, and private banks and loan and trust companies last year amounted to over $10,000,000,000, which was twice the amount in the same institutions in 1896. Of this amount $3,000,000,000 were in the savings banks, and to show the amount of money in these banks during the past few years I will introduce the following table:

Deposits in savings banks.

June 30:		June 30:	
1893	$1,785,150,957	1899	$2,230,306,954
1894	1,747,961,280	1900	2,449,547,885
1895	1,810,597,023	1901	2,597,094,580
1896	1,907,156,277	1902	2,750,177,290
1897	1,939,376,035	1903	2,935,204,845
1898	2,065,631,298	1904 (estimated)	3,176,000,000

It will be seen that more savings were withdrawn than were deposited in 1894, the first year of the Wilson-Gorman tariff law, and that the increase for the next year or two was very slight. Since 1897, however, when the Dingley tariff became operative, the increase each year has been large and continuous. For the six years it amounts to $1,000,000,000, almost two hundred millions of this being added in 1903. This indicates that our laboring classes, whose surplus earnings for the most part are found in our savings banks, had all that was necessary during last year and considerable besides, and it puts out of commission the so-often asserted Democratic claim that the cost of living has increased much more than the income of the people. But these savings-banks deposits are only a part of the laboring man's surplus. There are the large sums invested in building and loan associations; there are the in-

stallments paid upon the home, and perhaps upon the furniture, which is being acquired from year to year and from month to month; and there are also the premiums paid upon the life-insurance policy, a most desirable way of preparing for a rainy day or for the adversity that is liable to come to any of us. And while referring to this matter of insurance, it is interesting and instructive to examine the published figures of two of our great life institutions, known as industrial companies. I refer to these two companies in particular because their insurance in force consists largely of small policies made out to the wage classes, who pay their little premiums weekly and monthly.

LIFE INSURANCE DATA.

The exhibit made by the Metropolitan Life Insurance Company is indeed marvelous. The outstanding insurance of this company at the end of 1893 was $353,177,217. Ten years later, at the end of 1903, it was $1,342,381,457, a gain of almost $1,000,000,000. The gain in 1903, its greatest year, was $398,889,074. The exhibit of the Prudential Insurance Company also shows a most remarkable increase, the gain for 1903 being $293,208,942, of which $190,386,294 was in the industrial department. These two companies alone have $2,273,000,000 of outstanding insurance, a large portion of it being in the industrial departments, and written during the past seven years. But though these figures illustrate the large amount of insurance taken out last year and other recent years chiefly by the working classes, the same wonderful increase of business was shown by our other great insurance companies among all classes of our people. The year 1903 was by far the largest known, proving beyond question that the American people—farmers, mechanics, clerks, merchants, manufacturers, and professional men—not only added largely to savings and other surplus, but were able more than ever before to take out life insurance, the best mode of saving and providing for the future.

These figures of surplus earnings refute most emphatically the statement that the cost of living has increased more than wages and incomes. I am quite willing to admit, however, that it does cost us all more to live than it did during free-trade times. It costs more to wear shoes than to go barefoot. It costs more to live in a comfortable house than in a single barely furnished room. It costs more to eat meat twice or three times a day than oatmeal, corn bread, or fr e soup. It costs more to wear well-made and fashionable clothes than it does to dress in rags and shabby raiment. It costs more to send the children to school and college than it does to have them in the street. It costs more to buy books and magazines and newspapers than it does to go without. It costs more to have a sewing machine than it does to work with the needle. It costs more to use gas and coal than it does to use candles and coke. It costs more, far more, to live as does the fully employed, well-paid workman in protection times than it does the idle or poorly paid laborer of free-trade times. It costs more, far more, to maintain the American standard of living than it does the hand-to-mouth existence of one-third the laborers of free-trade England and the entire population of some countries of continental Europe.

HIGH STANDARD OF LIVING MADE POSSIBLE.

This high standard of living, now reached and maintained by all classes of our people from one end of the country to the other, is made possible because of the fact that as a people we are doing almost all of our own work, and for this work are being most handsomely remunerated. When the millions of working people, so called, as well as the more wealthy classes, are consuming the farmers' products and are able to pay for them a reasonable and profitable price, then our thirty millions of agriculturists and their families reap the benefit which is reflected back in their own consumption of manufactures, and the luxuries and conveniences that go to make up the comforts of the American home.

It is not necessary to more than briefly refer again to the great prosperity which has been enjoyed by the agricultural classes of this country under the Dingley law. I showed in a speech made in this Chamber two years ago that the increase in the annual value of our farm products and farm animals had amounted to considerably over $2,000,000,000 since 1896. Again last year the value of our farm products and farm animals showed an increase over all preceding years.

Ten of our staple products—wheat, oats, corn, rye, barley, buckwheat, cotton, hay, tobacco, and potatoes, foot up in value over $3,000,000,000, while for the first time in our history the value of farm animals last year was also in excess of $3,000,000,000. By the census of 1890, Mr. President, the value of all our farm products was placed at less than $2,500,000,000, but in this period of good times and prosperity it is safe to estimate the total value of our agricultural products at from five to six billions of dollars. These figures for the most part represent labor, and should be included among the wages of our working classes just as much as are the wages of mechanics, artisans, and workers in our factories. It is not necessary to present figures proving that the American farmer has profited enormously under the Dingley tariff, and that to-day his prosperity is fully maintained and still pointing upward. The great agricultural States of the West and Southwest were never so prosperous as they are to-day.

TRANSPORTATION COMPANIES.

Closely allied with this great prosperity of our farmers, their demand for manufactures and luxuries, and the demand of the consumers of the whole country for the products of the farm, is the great volume of business enjoyed by our transportation companies. With the fall of certain industrial stocks during 1903 we beheld day after day railroad shares tumbling as well, yet these same railroads were carrying on their business limited only by the facilities at their command. Record-breaking figures were shown month after month, and the cessation only came when the elements seemed to conspire to prevent the normal amount of transportation. This, however, was temporary, and with the clearing of the tracks and the advance of spring we shall no doubt again return to the wonderful record which has prevailed year after year since the enactment of the Dingley law.

It seems pertinent, in passing, to show how our great railroad companies have withstood, under a protective tariff, the assaults made upon the values of stocks and bonds during 1903. From the Railway Age, of Chicago, I take the following figures:

Years.	Placed under receiverships.			Sold under foreclosure.		
	Number of roads.	Miles.	Stocks and bonds.	Number of roads.	Miles.	Stocks and bonds.
			Dollars.			*Dollars.*
1893	74	29,340	1,781,046,000	25	1,613	79,924,000
1894	38	7,025	395,791,000	42	5,643	318,999,000
1895	31	4,089	369,075,000	52	12,861	761,791,000
1896	34	5,441	275,597,000	58	13,730	1,150,377,000
1897	18	1,537	92,909,000	42	6,675	517,680,000
1898	18	2,069	138,701,000	47	6,054	252,910,000
1899	10	1,019	52,285,000	32	4,294	267,534,000
1900	16	1,165	78,234,000	24	3,477	190,374,000
1901	4	73	1,627,000	18	1,139	85,808,000
1902	5	278	5,835,000	18	693	39,895,000
1903	9	229	18,823,000	13	555	15,885,000

Last year was the best year in American railroading, and the figures that I have quoted prove most emphatically that we are enjoying a protection that is panic proof, and that the railroad business of the country is established on a basis sufficiently strong to withstand the fluctuations of Wall street.

This great volume of business, Mr. President, inaugurated upon our farms and in our factories, and continued by our great transportation companies through the various channels of distribution to the consumer, is reflected in many ways, two of which I will refer to.

BANK CLEARINGS.

The figures of bank clearings, while to some extent deceptive in character, at least show the relative increase of business from year to year and from period to period. I wish to append here a table showing the amount of clearings from 1894 to 1903, inclusive.

1894	$45,028,496,746
1895	50,975,155,046
1896	51,935,651,733
1897	54,179,545,059
1898	65,924,820,769
1899	88,828,672,533
1900	84,582,470,081
1901	114,819,702,046
1902	116,021,618,062
1903	114,068,837,502

This shows an increase of 150 per cent for 1903 over the year 1894, and considerably more than 100 per cent over the best years of the period covered by the Wilson-Gorman tariff. While the bank clearings of New York City, which include the transactions in stocks and bonds, have fallen off somewhat during the past few months, yet in that same period the bank clearings of the country outside of that city have maintained or exceeded the high record already reached. For instance, while the clearings in New York City, in round numbers, decreased from seventy-seven billions in 1901 to seventy billions in 1903, the clearings in the country at large were one hundred and fourteen and some odd billions in both years, showing a most substantial gain in all parts of the country except Wall street.

INCREASED POSTAL RECEIPTS.

Turning, now, from these large amounts, which represent the great financial transactions attendant upon all business, I wish to call attention to the increase that has been made in our postal

revenue during the past few years. The following table shows the revenue of the Department from 1893 to 1903:

1893	$75,893,933
1894	75,080,479
1895	76,983,128
1896	82,499,208
1897	82,665,463
1898	89,012,619
1899	95,021,384
1900	102,354,579
1901	111,631,193
1902	121,848,047
1903	134,224,443

This shows that the revenues for 1903 are 80 per cent greater than they were in 1893. It is expected that the receipts for the current year will exceed $150,000,000, while the appropriation carried by the bill which we have passed at this session amounts, I believe, to about $170,000,000, a gain of considerably more than 100 per cent over the receipts of ten years ago. These postal receipts reflect the condition of our people in a way just as much as does the hundreds of billions of bank clearings. They represent the necessary business communications in every industry, and they represent also the social communications of all classes of our people.

Kindred to the postal business of the country in a large degree is the business of our telegraph and telephone companies, and these, too, show that 1903 broke the record as has every preceding year since 1897. The increase in telephone business is shown in the following statistics of the American Telephone and Telegraph Company and the operating companies connected with it:

	1897.	1903.
Total employees	14,425	50,350
Total subscribers	325,244	1,277,983

—the increase in both employees and subscribers being almost 400 per cent for the ten years.

GREATEST INDUSTRIAL YEAR.

And so I might continue, Mr. President, and show that both the fiscal and calendar year of 1903 was as a whole the greatest industrial year of our history. Our pig-iron production increased from 6,557,338 tons in 1894 to 15,878,354 tons in 1901, to 17,821,307 tons in 1902, and to 18,009,252 tons in 1903. And while it is true there came a depression in the iron trade in the last months of 1903, it only lasted a comparatively short time and the resumption of activity is most marked. The Bulletin of the American Iron and Steel Association of March 25, 1904, says: "There is almost as much activity in the iron trade of this country as prevailed when the depression began nine months ago." As it must be admitted that the greatest depression experienced was in iron and steel, and as that has almost completely passed away, we need only consider it as a part of the adverse circumstances of 1903, which I have shown were without disastrous results on the general prosperity of the country.

EXPORT DISCOUNTS.

And now, Mr. President, I wish briefly to take up a subject that seems to have given our Democratic friends much concern and anxiety, namely, the question of export discounts, or the practice of selling our wares cheaper in the foreign than in the home market. When this contention is advanced by our opponents it is invariably asserted that it is the wicked trusts which adopt this pernicious business method, because they are protected by the iniquitous tariff, which enables them to charge exorbitant prices at home while they are satisfied with a moderate profit abroad. And so our Democratic friends offered $100, I believe it was, for a table showing such prices, and this table has been doing service until it has been literally worn threadbare. It reminds me of a table that was used by the Democracy in the campaign of 1888. At that time they were very solicitous about the poor farmer and his mortgages, so they got some free-trade statistician (than which there is no more clever individual on earth) to compile a table of farm mortgages in the several States.

This went the rounds of the Democratic press under the caption of "Western Farm Mortgages," and purported to tell of the great load of debt under which the poor farmers of Kansas, Indiana, Iowa, Michigan, Wisconsin, and Ohio were laboring. It was a very pretty argument for a time, till some one in examining the compendium of the Tenth Census found that the total value of the farms in those States was represented by identically the same figures as were found in the farm-mortgage table of the free trade press. Of course the bubble then burst, and the fraudulent table was withdrawn from circulation. There are many other such instances of free-trade compilation, but this will suffice as an illustration of their methods.

But to return to the export discount matter. The curious thing about it, Mr. President, is that in some respects it is true, and when we find Democratic statistics approaching the truth our suspicions are at once aroused, and we are compelled to examine more closely into the subject.

Now, to begin with, the policy in some instances of selling cheaper than the market price is a custom that prevails the world over in every line of industry and commerce known to the human race. It is practiced by the fruit vender on our sidewalks, who, at whatever price he can get, disposes of his fast decaying and almost unsalable wares. It is practiced by the merchant, when annually or semiannually he has his great mark-down sale to dispose of shop-worn and damaged goods, fabrics out of date, and of a surplus stock to make room for more seasonable goods. It is practiced by our manufacturers for several reasons. Sometimes it is to dispose of a surplus stock in order that the mill may not be shut down and that the workingmen may not be deprived of employment and wages. Sometimes it is to introduce into a foreign market a new article or a new model in order to gain a foothold, and to introduce a line of goods where they have not before been sold.

Sometimes it is to retain a market that, because of most zealous competition, is liable to be lost unless a temporary sacrifice is made to hold that customer. There are various other reasons why this business policy is sometimes resorted to, but, Mr. President, it is by no means a custom known only to American manufacturers. It is adopted by the manufacturers and merchants of every country on the face of the earth, and it is considered good business policy when it is undertaken, or else it would not be resorted to. It would be just as easy, however, to compile a table showing that in every instance where our goods are sold for a less price abroad than at home, there are similar or more instances where they are sold at a greater price. Particularly is this true of our agricultural implements, which are constantly being sold in Australia and other countries at a price much greater than they command at home. But this does not in any way seem to trouble our Democratic friends, so I will confine myself to the question of goods sold abroad at a lower price than at home.

I have admitted that goods are sometimes thus sold; but I must also emphasize the fact that the percentage of such goods sold as compared with our total output is so insignificant as to make the whole subject a mere bugaboo, not worthy of notice were it not for the fact that its constant reiteration has dignified it almost to the level of a campaign issue. Whoever will take pains to look into this question, studying most carefully the report of the recent Industrial Commission, which went into the matter fully, and whose report upon the subject is exceedingly clear and intelligible, will find that this percentage of goods sold at an export discount is, in round numbers, as follows:

Total annual value of manufactures	$15,000,000,000
Exports of manufactures	400,000,000
Value of exports sold at lower prices abroad	4,000,000

To this extent, then, we are willing to concede that our manufacturers resort to this practice of cutting foreign prices, for the reasons which I have already mentioned. In volume 13 of the report of the Industrial Commission there are tabulated 416 replies bearing upon this question. The report says:

> The great majority of the answers indicated that prices are no lower abroad than they are for domestic consumers, and a considerable number indicate that foreign prices are higher.

Among those who stated that they sell a portion of their goods abroad lower than at home the following reasons are given:

> Cash payments and large purchases in the foreign trade, whereas the domestic trade is based on credits and small purchases.
> The drawback or rebate of the tariff on imported raw material of goods manufactured for export.
> To overcome the tariff of other countries.
> To secure new markets.
> To hold a market against new competitors.
> To clear out surplus stock or to prevent a shut down and increased cost of production by keeping mills running and men employed.
> To get rid of samples and out-of-date goods.
> Because the expense of selling and advertising is less abroad than at home.

Now as to the amount which is sold abroad at these lower prices. I have already given it as $4,000,000 annually, although the total sales reported to the Industrial Commission were only about one-third of this amount, and the average difference in price, it may be added, was less than 5 per cent. Allowing the greatest margin possible then, we have a total amounting to only 1 per cent of our manufactured goods sold abroad, and these goods sold abroad amount to less than 3 per cent of our total output. This great bugaboo, then, consists of less than three one-hundredths of 1 per cent of our total manufactures, admitting, as we are quite willing to do, all that our opponents claim.

I may say further in this connection that 80 per cent of the replies to the Industrial Commission made assertions that sales were made abroad at the same or a higher price than at home.

With but one exception the manufacturers of agricultural implements reported that prices to foreign purchasers were either higher or no lower than to the domestic trade. Not a single textile manufacturer reported lower prices abroad, while the makers of typewriters and stoves, household utensils and ordinary wares, all reported that export prices are the same or higher than are the domestic prices.

In the face of these returns, which, by the way, are not prize statistics, but authoritative figures in every instance, shall we, because of the fact that three one-hundredths of 1 per cent, or $4,000,000 worth, of our manufactured goods are sold abroad at a lower figure than at home, tear down our tariff wall and submit the other $14,996,000,000 to the ruthless competition of the hungry horde of pauper-p id foreign competitors? It is, Mr. President, a most astounding proposition to come from even the Democratic press and the free-trade element of this country.

As this is one of the principal objections urged against our present tariff, it would seem as if our political opponents must be in the last throes of despair, being obliged to resort to the flimsiest arguments that have ever been put forth in support of any proposition. The export discount question is not worth a moment's thought in connection with the grand problems associated with our great tariff law and its operation, and yet because of the foolish contention that our "tariff-fostered trusts," as our Democratic friends call them, rob the American people, it seems best that the exact facts in the case should be made known.

TARIFF REDUCTION.

In order to expose these fancied abuses, which I have shown to be insignificant in the extreme, the Democratic party is to go forth in the coming campaign following the banner on which is inscribed "Tariff Reduction and Genuine Reciprocity." It is not necessary for me at this time to make and substantiate the claim that tariff reduction is nothing more nor less than practical free trade. The smallest hole in the bottom of the pail will let out the water just as well as the largest hole, though not as quickly. The tiny leak in the roof will let in the rain and damage the house quite as much, if not more, than the conspicuous leak which can readily be detected and mended. Any reduction of our tariff below the point where it ceases to be protective will work as much injury to an industry so affected as if the entire duty were at once taken off. It is admitted by economists of both schools that duties which do not compensate for the difference in the cost of labor are practically free-trade duties, so that when our friends who are fearful of pronouncing the dreaded word free trade resort to the expressions tariff reform or tariff reduction, they are begging the question.

But, Mr. President, this is not a time for equivocation or bandying of words. Our present most successful tariff is composed of schedules that will protect the American workingman from foreign competition. Some of these duties should be increased in order to carry out the full object of the law. It is possible that some might safely be reduced, and yet so perfect has the law proved to be in its entirety that the American workingman is quite satisfied to let it alone for the present rather than undergo the disturbance to business which always accompanies a tariff discussion and change of law. If, however, future conditions shall require changes to be made the Republican party will make them in such manner as not to bring about the disastrous consequences that have always resulted from Democratic tariff legislation.

The best assurance that possibly can be given on this point is the fact that since the enactment of the Morrill tariff law of 1861 the Republican party has made more than a score of changes in tariff schedules which experience had shown to be necessary.

DEMOCRATIC RECIPROCITY.

Now a few words, Mr. President, concerning the latest device to break down the wall which shelters our people and protects them from the competition of lower-paid workingmen in different parts of the world. Coupled with the words "tariff reduction" on this new and brightly painted Democratic banner unfurled for the coming campaign, we see the words "genuine reciprocity." No doubt in the coming Democratic campaign text-book we shall find a definition and an explanation of just what genuine reciprocity is. But, after all, I think that it will be found that the adjective is entirely superfluous, unless it is another instance of fear and deception. The same party that is afraid to use the term free trade and substitutes therefor the term tariff reduction is evidently afraid to use the term Democratic reciprocity, and so has coined the meaningless term "genuine reciprocity" to take its place.

This subject has been so fully discussed during the past year or two, so many speeches have been made, so many editorials and articles have been written, and so much has been said in general conversation, that the American people know pretty well by this time the true meaning of reciprocity, and they also know the difference between the Republican interpretation and the Democratic interpretation of that phrase.

But I contend, Mr. President, that there is no such thing in reality as qualified reciprocity. The word means one thing and one thing only. Go to the Century Dictionary and you will find there the following definitions:

FIRST: RECIPROCITY, Equality of commercial privileges between the subjects of different governments in each other's ports, with respect to shipping or merchandise, to the extent established by treaty.

SECOND: RECIPROCITY TREATY, A treaty granting equal privileges of commercial intercourse in certain specified particulars to the people of the countries concerned.

It will be seen then that reciprocity means equality of commercial privileges, and that a reciprocity treaty is a treaty granting equal privileges of commercial intercourse. Now whatever is equal can not be unequal, and any reciprocity treaty entered into between this country and any other nation should give equal advantages to both. A nation of 80,000,000 people can not enter into a treaty with a country of 6,000,000 in competing productions and make a trade that will be equal or reciprocal, and especially so if production is cheaper in one country than in the other. It is an absolute impossibility. When a boy trades a top which is worth a dime for a knife which is worth about the same amount, that is reciprocity; but when a boy trades a valuable four-bladed knife in perfect condition for a knife with one rusty broken blade, that is not reciprocity, but idiocy.

The Republican party and Republican leaders have been and are still in favor of reciprocity. They do not talk of "real" reciprocity or "genuine" reciprocity, because the simple word itself carries with it the full meaning of the policy. There is no such thing as real virtue or genuine virtue, there is no such thing as real honesty or genuine honesty, for one is either virtuous or he is not, he is either honest or dishonest. A treaty involving opportunities of more or less free exchanges of a country's productions will be either reciprocal or not. If it is not an absolutely equal interchange, with equal benefits and advantages, then it is not reciprocity; it is free trade or something worse, if there can be anything worse.

An example of reciprocity that reciprocated is found in the growth of our trade with Cuba under the reciprocity clause of the McKinley tariff act, and with Hawaii under the treaty of 1876. Those countries had articles that we could not produce, which they exchanged for our products which they could not produce. That is reciprocity of the proper kind. The result was that our exports to Cuba in 1889 amounted to $1,500,000, and in 1893 they had increased to $24,157,000. Our imports from Cuba in 1889 were $52,000,000, and in 1893 they had increased to $78,706,000. Our exports to Hawaii in 1876, the year in which the reciprocity treaty became operative, were $779,257, and in 1900, the year in which Hawaii was annexed to the United States, they had increased to $13,509,000. Our imports from Hawaii in 1876 were $1,227,000, and in 1900 they had increased to $20,707,000. It will thus be seen that our imports and exports increased in about the same ratio, and when it is remembered that the exchange was in noncompetitive products the wisdom of a reciprocity treaty of that kind is self-evident. No such reciprocal trade relations could possibly be established between this country and Canada, the products of both countries being substantially the same.

It is quite possible that a treaty of reciprocity might be entered into between the United States and Canada, or between the United States and France, or some other country, which might benefit or seem to benefit some one of our citizens or some group of our people, but just as surely would it endanger the interests of some other citizen or some other group of people within our boundaries. And so in considering this subject we must look at it from the same standpoint as have our Republican legislators when framing our tariff laws. We must know no sectionalism in this matter. We must not legislate, by treaty or otherwise, in a way that will prove advantageous to the industries of Minnesota at a sacrifice to the farmers of Iowa. We must not legislate, by treaty or otherwise, in a manner that may prove advantageous to a concern at Fall River, Mass., or Manchester, N. H., at a sacrifice to the farmers of any section of our country.

Human nature includes, I know, a considerable portion of selfishness, and yet if there is any spot in this country where this quality should be absolutely eliminated it is in these halls of Congress where we are sent to protect the interests of every portion of our country, and every class of our citizens. There has never been in any Republican platform an allusion to reciprocity which has not meant an exchange of noncompetitive commodities, to the disadvantage of no part of our country or portion of our people. There has never been a single utterance, not one, of any Republican statesman at variance with this definition of the word reciprocity, which means equality of exchange.

If we can enter into a treaty of noncompeting products that would give an advantage to our country equal to that which we

give to the other, then the Republican party is ready to enter into such a treaty now or at any time in the future; but so long as this reciprocity, advocated by our friends on the other side—this so-called genuine reciprocity, this Democratic reciprocity, this free-trade reciprocity, which means giving much for little, which means giving something for nothing—is asked for, the Republican party will not consent to enter into any such jug-handle and unequal exchange, which is bound to work to the disadvantage of this country as a whole, and bring incalculable harm to the American people.

In order to show the result of our former experience under so-called reciprocity with Canada, I give the following table of our trade with that country, including the two years preceding and the two years following the operation of the treaty which existed from September 11, 1854, to March 17, 1866:

Fiscal years.	Imports into United States from Canada.	Exports from United States to Canada.
1852	$5,469,445	$10,229,608
1853	6,527,559	12,432,597
1854	8,784,412	24,073,408
1855	15,118,289	27,741,808
1856	21,276,614	29,025,349
1857	22,108,916	24,138,482
1858	15,784,836	23,604,526
1859	19,287,505	28,109,494
1860	23,572,796	22,695,928
1861	23,724,489	22,676,513
1862	18,511,025	20,573,070
1863	17,484,786	27,619,814
1864	29,608,736	26,574,624
1865	33,264,403	28,829,402
1866[a]	48,528,628	24,828,880
1867	25,044,005	21,020,302
1868	26,261,379	24,080,777

[a] Nine months of year under reciprocity.

Before the treaty we were selling the Canadians twice as much as we bought from them, while long before the termination of the treaty they were selling us much more than we sold them, and during the last year of the treaty their sales to us were double ours to them. That may be free-trade reciprocity or Democratic reciprocity or "genuine" reciprocity, but it is not Republican reciprocity. Now, look at our commerce with that country under the Dingley tariff law:

IMPORTS AND EXPORTS OF MERCHANDISE INTO AND FROM THE UNITED STATES AND CANADA.

Fiscal year.	Imports.	Exports.
1897	$40,309,371	$64,928,821
1898	31,870,486	83,714,086
1899	31,220,967	87,974,961
1900	39,369,074	95,319,970
1901	42,482,163	105,789,214
1902	48,076,124	109,642,993
1903	54,660,410	123,432,416

It seems to me that we are doing very well with Canada in spite of her preferential tariff of 33⅓ per cent in favor of goods from the United Kingdom.

INCREASE OF HOME MARKET POSSIBLE.

Referring very briefly to this quest of our Democratic friends after foreign markets, I should like to draw attention to the fact that we have at our very doors, without crossing the seas, with its expenses for freight and the various disadvantageous accompaniments of foreign exports, a market which seems well worth considering and well worth cultivating, but which sometimes is apparently overlooked by tariff reformers.

We are now importing annually over $1,000,000,000 worth of goods, about one-half of which could be produced in this country. We are importing over $50,000,000 worth of cotton manufactures, about $20,000,000 worth of woolen manufactures, some $50,000,000 worth of manufactures of iron and steel, $75,000,000 worth of sugar, $35,000,000 worth of manufactures of silk, and many other millions worth of manufactures in metal and wood, which could well be made in this country, giving to our own labor the advantages of employment in those industries. It is not necessary to break down our tariff laws by lower duties or treaties in order to obtain an increased market for hundreds of millions of dollars' worth of manufactured products in our own country. The market is right here in the United States, and while it is but a small proportion of the total value of our home market, which we already possess, it certainly is well worth acquiring.

TWENTY YEARS' PROGRESS.

The following table gives at a glance a view of the progress of our country in its material industries during the last twenty years, in spite of the disastrous results which we experienced under the low-tariff period of the last Democratic administration. These figures speak so eloquently for themselves that it is not necessary for me to more than call attention to them:

Items.	1883.	1893.	1903.
Deposits in savings banks	$1,024,856,787	$1,785,150,957	$2,935,204,845
Depositors in savings banks, number	2,876,433	4,830,599	7,305,228
Total bank deposits	[a]$2,755,938,053	$4,586,213,170	$9,673,385,303
Gold in circulation	$344,653,496	$408,535,063	$627,025,092
Gold certificates in circulation	$59,807,370	$92,642,189	$404,070,929
Total money in circulation	$1,230,305,696	$1,590,701,245	$2,449,168,418
Per capita money in circulation	$22.91	$24.06	$30.21
Bank clearings, United States	[b]$52,126,704,488	$58,880,682,465	$114,068,837,569
Tin plate, imported...pounds	484,038,688	628,425,902	109,913,293
Tin plate, manufactured...do	None.	99,819,202	819,840,000
Gold production	$30,000,000	$35,955,000	$80,000,000
Silver production	$46,200,000	$77,575,757	$71,757,575
Coal production...tons	102,867,969	162,814,977	269,081,049
Pig-iron production...do	4,595,510	7,124,502	18,009,252
Steel production...do	1,673,535	4,019,095	14,947,250
Copper production...do	51,574	147,043	284,423
Raw silk, imported...pounds	4,209,015	8,310,548	15,270,353
India rubber, imported...do	21,646,320	41,547,680	55,010,571
Manufacturers' materials, imported	$237,778,910	$312,915,815	$480,828,386
Exports of manufactures	$134,226,083	$158,023,118	$407,526,159
Total imports	$723,180,914	$866,400,922	$1,025,719,237
Total exports	$823,830,402	$847,665,194	$1,420,141,679
Excess of exports over imports	100,658,488	[c]$18,735,728	$394,422,442

[a] 1882. [b] 1887. [c] Excess of imports.

THE TRUE POLICY.

And now, Mr. President, I wish only to add that we have all heard of the Iowa idea, of the Minne ota idea, of the Massachusetts idea, and perhaps some corner or some ci izen of some other State or Territory may have some other idea; but, Mr. President, such ideas can not long live. There is only one idea that we should cultivate and nourish and maintain, and that is the American idea, a policy not beneficial to one locality or to a single industry, but a fiscal policy that protects all alike in every part of our great and growing country, that protects the farmer and the factory hand, the manufacturer and the artisan, the professional man, the laborer and income earner in every walk of life. Such a policy is fully exemplified in our present most successful tariff law, a tariff that was the causative factor in restoring prosperity, the saving factor in maintaining it, and best of all a tariff that when adverse conditions exist, when folly and finance for a time go hand in hand, when even the very elements seem to conspire against us, insures the preservation of prosperity, because of protection that is absolutely panic proof.

A CLOSING WORD.

Mr. President, in this great country of ours to all men of energy and enterprise the key of Opportunity is at hand, with which to open the treasures of the field, the mine, the factory, and the counting-room. There is no such thing in this land as an aristocracy of wealth, the road to wealth being open and free to all. The miner of to-day may be the millionaire of to-morrow. The man who operates the shuttles has before him the alluring prospect of becoming a captain of industry. For every young man a beacon light of hope is burning, and the beckoning hand of the goddess of fortune cheers him on his way to higher attainments and better things. The only real dangers in his pathway are his own weaknesses and the possibility of false and harmful legislative enactments. The one is in his own keeping—the other rests with us, the lawmakers of the nation. Let us be wise, and by continuing to uphold the principle of Protection keep wide open the door of opportunity to all of our people, thus strengthening the national character, and advancing the material, moral, and educational interests of the United States. For that I plead to-day, and confidently submit the question to the arbitrament of the American people when they shall register their verdict at the polls next November.

Mr. BACON. I did not deem it proper to interrupt the Senator at the particular point of his speech which suggested the inquiry I am about to make. I will state that I am asking for information and not for the purpose of entering into an argument. The Senator stated, if I understood him correctly, that the internal commerce of this country is worth $22,000,000,000.

Mr. GALLINGER. Yes.

Mr. BACON. I should like to know, as the Senator seems to have given very exhaustive examination to this subject, if he can state accurately or approximately how much of that $22,000,000,000 is represented by manufactured products?

Mr. GALLINGER. No; I can not give the Senator the exact amount at this moment, but——

Mr. BACON. I suggest this to the Senator to see whether or not I am correct in something else I heard in his very interesting

speech. I understood the Senator to say at another point in his speech that our manufactured product is represented by $15,000,000,000.

Mr. GALLINGER. Yes.

Mr. BACON. And that our manufactured export is about $400,000,000.

Mr. GALLINGER. That is correct.

Mr. BACON. So, if I am correct in that statement, that possibly would answer the question which I propounded to the honorable Senator. Am I correct in that?

Mr. GALLINGER. Yes.

Mr. BACON. According to that, then, the consumption in the United States of domestic manufactured articles would be somewhere between fourteen and fifteen billion dollars.

Mr. GALLINGER. I will say to the Senator that I have in my committee room the figures representing those various points, but I did not differentiate; I took the total.

Mr. BACON. If the Senator is correct in the latter statement, as to the total amount of domestic manufactures in America and the amount exported, of course the difference would approximately represent the amount consumed in this country.

Mr. GALLINGER. Yes.

Mr. BACON. I desired to make the inquiry because I myself wish to use it as the basis of some remarks.

Mr. President, with the permission of the Senate, I give notice that on Monday, after the conclusion of the morning business, I will request the courtesy of the Senate that I may submit some remarks upon the pending resolution and the amendment offered by myself, and with that view I would ask that they lie on the table until that time.

Mr. GALLINGER. I will say to the Senator from Georgia that I am very glad he has raised this point. I will furnish him with the figures I had access to, covering the question he has asked, because we want to be accurate on this matter. I certainly do, and I know the Senator does.

Mr. HALE. I move that the Senate proceed to the consideration of the deficiency appropriation bill.

The motion was agreed to.

The PRESIDENT pro tempore. Will the Senator from Maine allow the Chair to dispose of certain matters on his table?

Mr. HALE. Yes; I yield to routine business.

GOVERNMENT OF CANAL ZONE.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 5342) to provide for the temporary government of the canal zone at Panama, the protection of the canal works, and for other purposes, which was to strike out all after the enacting clause and insert a substitute.

Mr. KITTREDGE. I move that the Senate disagree to the amendment proposed by the House, ask for a conference with the House on the disagreeing votes of the two Houses, and that the Chair appoint the committee of conference on the part of the Senate.

The motion was agreed to.

The PRESIDENT pro tempore appointed Mr. KITTREDGE, Mr. HOPKINS, and Mr. GORMAN as the conferees on the part of the Senate.

Mr. GORMAN subsequently said: I desire, on a matter that has just been acted upon, to say a word. We could not hear very well on this side what occurred in regard to the Panama Canal bill, and I should like to have reported just what occurred. I am not aware what it was. The bill came back to the Senate with an amendment as a substitute.

The PRESIDENT pro tempore. The Senator from South Dakota [Mr. KITTREDGE] moved that the Senate disagree to the House amendment and ask for a conference, and that the Chair appoint the conferees on the part of the Senate. That was done, and the Chair appointed the conferees.

Mr. GORMAN. Will the Chair kindly have it announced who were appointed as the conferees?

The PRESIDENT pro tempore. The conferees appointed are the Senator from South Dakota [Mr. KITTREDGE], the Senator from Illinois [Mr. HOPKINS], and the Senator from Maryland [Mr. GORMAN].

Mr. GORMAN. I ask that in view of the oversight, as I have no doubt it was, on the part of whoever made the suggestion, to be excused from serving on the conference committee, and that the senior member on this side of the committee, as is always the rule, the Senator from Alabama [Mr. MORGAN], may be substituted.

The PRESIDENT pro tempore. The Senator from Maryland declines to serve as a conferee——

Mr. MORGAN. Mr. President, I respectfully decline to serve on that conference committee. I bow with humility to the breach of the rule by the Chair, that is known to the Senate, and accept the discourtesy that is shown to me with proper humility, I hope. I certainly will not consent under any conditions to serve on the conference committee under existing circumstances.

The PRESIDENT pro tempore. I hope the Senator does not hold the Chair responsible.

Mr. MORGAN. I do not know whom to hold responsible except the Chair, unless some Senator suggested it.

The PRESIDENT pro tempore. The Chair always appoints the conferees suggested by the committee.

Mr. HALE. I call for the regular order.

Mr. GORMAN. I ask that I may be excused from service on the conference committee.

The PRESIDENT pro tempore. The Senator from Maryland asks that he may be excused from service on the conference committee. The Chair hears no objection, and he is excused.

BULL RUN FOREST RESERVE.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 3036) for the protection of the Bull Run Forest Reserve and the sources of the water supply of the city of Portland, State of Oregon.

The amendments were, on page 2, line 8, to strike out all after "shall" down to and including "thereof," in line 9, and insert "knowingly trespass thereon."

On page 2, line 12, to strike out "less than one" and insert "to exceed five."

On page 2, in lines 12 and 13, to strike out "nor more than $1,000."

Mr. MITCHELL. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

STATE CLAIMS FOR REIMBURSEMENT.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1343) to amend an act approved March 3, 1899, entitled "An act to amend an act entitled 'An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain,' approved July 8, 1898, etc., and for other purposes."

The amendment of the House was, on page 2, to strike out all of section 2 and insert:

SEC. 2. That where the governor of any State or Territory has furnished military transportation, or has purchased or authorized the purchase of supplies, or incurred expenses for services rendered, and which purchases of supplies and expenses for military transportation and services rendered have been certified by the governor of such State or Territory as necessary, just, and reasonable for the organization, maintenance, transportation, and comfort of troops raised by him and accepted into the service of the United States Army in the said war with Spain, the Secretary of the Treasury be, and he is hereby, authorized to allow in the settlement of claims for reimbursement now on file in the office of the Auditor for the War Department, such items or parts thereof as have been disallowed in the consideration of said claims, for the reason that they appear to have been for stores furnished or expenses incurred or transportation furnished after the troops raised had been mustered into the service of the United States; and the certificate of the governor of any such State or Territory that such expenses were incurred in good faith, for the sole purpose of aiding the United States in the raising, organization, transportation, and equipment of troops, shall be held to be sufficient to authorize the final settlement and payment in full of such claims for reimbursement.

Mr. PETTUS. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

HARRY C. MIX.

Mr. HALE. I call for the regular order.

Mr. BACON. Will the Senator permit me to ask for the change of reference of a bill? It will take but a moment.

Mr. HALE. I wish the Senator would wait until to-morrow morning. I am beset by many Senators to give way.

Mr. BACON. It is not for any action except to change the reference of a bill.

Mr. HALE. Well, the Senator may do it.

Mr. BACON. The bill (H. R. 875) for the relief of Harry C. Mix was inadvertently referred to the Committee on Claims. I have conferred with the chairman of that committee. I ask that the bill be withdrawn from that committee and referred to the Committee on the Judiciary.

The PRESIDENT pro tempore. It is so ordered.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. WARREN. I ask the Senator from Maine to yield to me that I may submit a report that it may be printed before to-morrow.

Mr. HALE. That is morning business. I yield.

Mr. WARREN. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 13860) making ap

propriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes, to report it with amendments, and I submit a report thereon.

This is, I believe, the last of the appropriation bills. I will ask the Senate to take it up to-morrow morning, provided the deficiency appropriation bill shall have been disposed of, or, if not, that the bill may immediately follow the consideration of the general deficiency bill.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

BRIDGE ACROSS RED RIVER, LOUISIANA.

The bill (H. R. 14588) to revive and amend an act entitled "An act to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River, in the State of Louisiana, at or near Shreveport," was read twice by its title.

Mr. BERRY. I am directed by the Committee on Commerce, to whom was referred the bill (S. 5605) to revive and amend an act entitled "An act to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River, in the State of Louisiana, at or near Shreveport," to report it without amendment, and I submit a report thereon.

It is precisely similar to the House bill, and I ask that the House bill be substituted for the Senate bill on the Calendar.

The PRESIDENT pro tempore. The Chair hears no objection. The House bill will be substituted for the Senate bill, and the Senate bill will be indefinitely postponed.

Mr. COCKRELL. Let the House bill be passed; it is only for the building of a bridge.

Mr. BERRY. It consists of only two sections. If the Senator from Maine will consent to its passage, I will be very glad to have it considered now.

Mr. COCKRELL. It is a very important matter.

Mr. HALE. I am beset by a dozen different Senators who desire to have bills passed.

Mr. BERRY. If the Senator from Maine will permit me to say one word, I will state that the Senator from Louisiana [Mr. MCENERY] is especially anxious to have the bill passed, and the Senator, I think, will understand that the Senator from Louisiana does not often call on the Senate. I would be very much obliged if the Senator from Maine will let this bill pass. There are only two sections of it.

Mr. HALE. Two or three other Senators have told me that they have not called on the Senate at all before, and they desire to have bills passed. I have no more interest in getting the deficiency appropriation bill through in order to hasten adjournment than other Senators; but if Senators think it is more important to dispose of these bills, the deficiency bill will quite likely go over until next week, and we shall not adjourn at the time we all hoped. I should say that it is perfectly fair to all Senators if the regular order goes on and is considered, and the Senate considers on my motion the deficiency appropriation bill. But if Senators think that the time ought to be given up to the passage of these bills——

Mr. BERRY. I trust the Senator will make an exception in this case.

Mr. HALE. I shall not make an exception. If I yield to the Senator, I shall yield to half a dozen. I certainly shall do so.

Mr. BERRY. It is not a matter I am interested in, I will state to the Senator, but a matter in which the Senator from Louisiana is especially interested in. Of course, if the Senator declines to yield, I have nothing further to say.

Mr. HALE. If I yield in this case I will yield in half a dozen others.

THOMAS J. CAMPTON.

The PRESIDENT pro tempore laid before the Senate the bill (H. R. 10046) granting an increase of pension to Thomas J. Campton, returned from the House of Representatives in compliance with the request of the Senate; and it was indefinitely postponed.

ADDITIONAL JUDGES IN INDIAN TERRITORY.

The PRESIDENT pro tempore laid before the Senate the bill (S. 4316) providing for the appointment of additional judges in the Indian Territory, returned from the House of Representatives in compliance with the request of the Senate; and it was indefinitely postponed.

MINERAL LANDS.

The PRESIDENT pro tempore laid before the Senate the bill (S. 3596) to amend section 2327 of the Revised Statutes of the United States, concerning mineral lands, returned from the House of Representatives in compliance with the request of the Senate.

The PRESIDENT pro tempore. The bill will be indefinitely postponed.

Mr. HEYBURN. I do not exactly understand the situation in which the bill comes back. Was it rejected in the House and returned?

The PRESIDENT pro tempore. A similar House bill has passed and the Senate bill was recalled on the motion of the Senator from Idaho.

Mr. HEYBURN. This is the bill which was recalled yesterday?

The PRESIDENT pro tempore. It was recalled yesterday. It will be indefinitely postponed.

DEFICIENCY APPROPRIATION BILL.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1554) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. HALE. I ask that the formal reading of the bill be dispensed with and that the amendments be considered as they are reached.

The PRESIDENT pro tempore. The Senator from Maine asks that the formal reading of the bill be dispensed with and that the committee amendments shall first receive consideration. The Chair hears no objection.

CONSIDERATION OF UNOBJECTED BILLS.

Mr. TELLER. I ask unanimous consent that to-morrow, after the ordinary routine business, we may go to the Calendar during the morning hour.

Mr. HALE. If the deficiency appropriation bill is still pending, as it is desirable and almost essential that it shall go through to-morrow, I can not consent to that now.

Mr. TELLER. I always except appropriation bills.

The PRESIDENT pro tempore. The Senator from Colorado asks unanimous consent that to-morrow, after the routine business is completed, the Senate shall proceed to the consideration of the Calendar.

Mr. TELLER. For unobjected cases.

The PRESIDENT pro tempore. Under Rule VIII.

Mr. HALE. Not to interfere with appropriation bills.

The PRESIDENT pro tempore. Not to interfere with appropriation bills. Is there objection? The Chair hears none, and the order is made.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bills:

A bill (H. R. 1851) granting an increase of pension to David P. Gowles;

A bill (H. R. 8692) to authorize the apprehension and deten-

A bill (H. R. 8692) to authorize the apprehension and detention of insane persons in the District of Columbia, and providing for their temporary commitment in the Government Hospital for the Insane, and for other purposes;

A bill (H. R. 8925) granting an increase of pension to John Weaver;

A bill (H. R. 9256) granting an increase of pension to Enoch Stahler;

A bill (H. R. 9331) to extend the time for the completion of the East Washington Heights Traction Railroad Company; and

A bill (H. R. 13850) granting an increase of pension to Mary Heaney.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 14416) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEMENWAY, Mr. GILLETT of Massachusetts, and Mr. BENTON managers at the conference the part of the House.

The message further announced that the House further insists upon its amendment to the bill (S. 2134) to connect Euclid place with Erie street, upon which the committee of conference have been unable to agree.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. JENKINS, Mr. THOMAS of Iowa, and Mr. LITTLE managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11676) to ratify and amend an agreement with the Indians of the Crow Reserva-

tion of Montana, and making appropriations to carry the same into effect; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CURTIS, Mr. LACEY, and Mr. STEPHENS of Texas managers at the conference on the part of the House.

The message also announced that the House insists upon its amendment to the bill (S. 5342) to provide for the temporary government of the canal zone at Panama, the protection of the canal works, and for other purposes, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEPBURN, Mr. LOVERING, and Mr. ADAMSON managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 14826) to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LACEY, Mr. MONDELL, and Mr. LIND managers at the conference on the part of the House.

The message also announced that the House had passed the following bills:

A bill (S. 73) granting an increase of pension to William H. Colville;

A bill (S. 103) granting an increase of pension to Alexander D. Tanyer;

A bill (S. 405) granting an increase of pension to Darius W. Owens;

A bill (S. 423) granting an increase of pension to Louisa Weaver;

A bill (S. 433) granting an increase of pension to William L. Johnston;

A bill (S. 493) granting an increase of pension to Richard E. Bouldin;

A bill (S. 538) granting an increase of pension to Alice W. Stoodley;

A bill (S. 682) granting an increase of pension to Jacob S. Grimes;

A bill (S. 741) granting an increase of pension to William D. Woodworth;

A bill (S. 1244) granting an increase of pension to Sue Stevens Eskridge;

A bill (S. 1494) granting an increase of pension to Edward Colvin;

A bill (S. 1564) granting an increase of pension to Daniel W. Working;

A bill (S. 1687) granting an increase of pension to Harvey R. Backus;

A bill (S. 1788) granting a pension to Sarah E. Nichols;

A bill (S. 1808) granting a pension to James L. Dyer;

A bill (S. 1909) granting an increase of pension to William Holliday;

A bill (S. 2011) granting a pension to Maggie E. Bamford;

A bill (S. 2116) granting an increase of pension to Edna Stevens;

A bill (S. 2183) granting an increase of pension to David L. Miller;

A bill (S. 2367) granting an increase of pension to Ferdinand Mergel;

A bill (S. 2396) granting a pension to Clarissa Ann Lapoint;

A bill (S. 2399) granting a pension to Michael Nelligan;

A bill (S. 2730) granting an increase of pension to Jasper N. Jennings;

A bill (S. 2803) granting an increase of pension to William H. Ijams;

A bill (S. 3008) granting an increase of pension to John R. McMannomy;

A bill (S. 3054) granting an increase of pension to Kate M. Strange;

A bill (S. 3119) granting an increase of pension to Raynor H. Newton;

A bill (S. 3151) granting an increase of pension to Hayden M. Thompson;

A bill (S. 3203) granting an increase of pension to George W. Foster;

A bill (S. 3245) granting an increase of pension to Oscar F. Bartlett;

A bill (S. 3304) granting an increase of pension to Andrew A. Kelley;

A bill (S. 3334) granting an increase of pension to Frances G. Belknap;

A bill (S. 3335) granting an increase of pension to John Waldo;

A bill (S. 3432) granting an increase of pension to Rosaline V. Campbell;

A bill (S. 3616) granting an increase of pension to Frances E. Plummer;

A bill (S 3665) granting an increase of pension to Ellen M. O'Connor;

A bill (S. 3666) granting an increase of pension to James W. Carrier;

A bill (S 3890) granting an increase of pension to James N. Culton;

A bill (S. 3915) granting an increase of pension to Benjamin F. Bollinger, alias Benjamin Bell;

A bill (S. 3989) granting an increase of pension to Eugene Schilling;

A bill (S. 4018) granting an increase of pension to James Gunn;

A bill (S. 4086) granting an increase of pension to Ralph Van Brunt;

A bill (S. 4171) granting an increase of pension to Thaddeus K. Miller;

A bill (S. 4187) granting an increase of pension to William G. Tompkins;

A bill (S. 4223) granting an increase of pension to William P. Jackson;

A bill (S. 4337) granting an increase of pension to William H. Hess;

A bill (S. 4340) granting an increase of pension to Rose MacFarlane;

A bill (S. 4341) granting an increase of pension to Henry Armstrong;

A bill (S. 4353) granting an increase of pension to Edward M. McCook;

A bill (S. 4606) granting an increase of pension to Edward G. Horne;

A bill (S. 4679) granting an increase of pension to Samuel R. Shankland;

A bill (S. 4899) granting an increase of pension to Laura M. Gillmore;

A bill (S. 5034) granting an increase of pension to George A. Miller;

A bill (S. 5076) granting an increase of pension to Stacy Williams;

A bill (S. 5078) granting an increase of pension to Asa Smith;

A bill (S. 5096) granting an increase of pension to Edmond G. Pugsley;

A bill (S. 5101) granting an increase of pension to Lewis Y. Foster;

A bill (S. 5111) granting an increase of pension to Charles W. Barrett;

A bill (S. 5125) granting an increase of pension to William O. White;

A bill (S. 5161) granting an increase of pension to William H. Seip;

A bill (S. 5179) granting an increase of pension to Alonzo Gardner;

A bill (S. 5180) granting a pension to Thomas Smith;

A bill (S. 5191) granting an increase of pension to Elizabeth C. Way;

A bill (S. 5194) granting an increase of pension to Charles L. Overley;

A bill (S. 5205) granting an increase of pension to Joseph Dickinson;

A bill (S. 5210) granting an increase of pension to William L. Beach;

A bill (S. 5213) granting an increase of pension to Theodore J. Widvey;

A bill (S. 5230) granting an increase of pension to John D. Inger;

A bill (S. 5244) granting an increase of pension to John K. Whited;

A bill (S. 5265) granting an increase of pension to James Stout;

A bill (S. 5270) granting an increase of pension to Ellen R. Ostrander;

A bill (S. 5282) granting an increase of pension to William P. Vohn;

A bill (S. 5289) granting an increase of pension to Peter Baker;

A bill (S. 5349) granting an increase of pension to Rebecca Aumen; and

A bill (S. 5372) granting an increase of pension to Jesse W. McGahan.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 3611) to amend an act entitled "An act to amend an act entitled 'An act granting the right to the Omaha Northern Railway Company to construct a railway across and establish stations on the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes,' by extending the time for the construction of said railway," by a further extension of time for the construction of said railway;

A bill (H. R. 2009) for the relief of the estate of Sven J. Johnson;

A bill (H. R. 10101) for the cession of 120 acres of land to the Beecher Island Battle Memorial Association;

A bill (H. R. 13298) to amend section 2327 of the Revised Statutes of the United States, relating to lands;

A bill (H. R. 13300) granting certain rights and privileges to the commissioners of waterworks in the city of Erie, Pa.; and

A joint resolution (S. R. 3) to regulate electrical wiring in the District of Columbia.

CROW INDIAN RESERVATION, MONT.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11676) to ratify and amend an agreement with the Indians of the Crow Reservation, of Montana, and making appropriations to carry the same into effect, and requesting a conference of the two Houses on the disagreeing votes thereon.

Mr. BARD. I move that the Senate insist upon its amendments and agree to the request for a conference.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. BARD, Mr. STEWART, and Mr. OVERMAN were appointed.

SUNDRY CIVIL APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 14416) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HALE. In the absence of the Senator from Iowa [Mr. ALLISON], I move that the Senate insist upon its amendments and agree to the request for a conference.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. ALLISON, Mr. HALE, and Mr. COCKRELL were appointed.

ADDITIONAL JUDGES IN INDIAN TERRITORY.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. PLATT of Connecticut. I move that the Senate insist upon its amendment, agree to the conference asked by the House, and that the conferees be appointed by the Chair.

The motion was agreed to.

The PRESIDENT pro tempore appointed Mr. PLATT of Connecticut, Mr. CLARK of Wyoming, and Mr. BACON as the conferees on the part of the Senate.

DEFICIENCY APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

The Secretary proceeded to read the bill. The first amendment of the Committee on Appropriations was, under the head of "Department of State," on page 1, after line 8, to strike out:

To meet the annual share, for the fiscal year 1903, of the United States in the expenses of the International Sanitary Bureau, created by the First International Sanitary Conference of the American Republics in pursuance of a resolution of the Pan-American Conference during the winter of 1901 and 1902, $2,830.79.

Mr. GORMAN. I should like to ask the Senator in charge of the bill to tell us why this provision is stricken out? It is the appropriation of a small amount, and one that has been made in pursuance of an understanding at the international conference held in Mexico in 1901, and it is a matter of considerable importance. It is one growing out of continual service in this matter of the sanitary bureau, which all of the physicians of the country, I understand, regard as a matter of very great importance. I, myself, do not know of any reason why it should be stricken out, and I should like to have the Senator from Maine inform us.

Mr. HALE. It is difficult to hear what the Senator says.

Mr. TELLER. I wish we could have a little more order here. I can not myself hear the Senator from Maryland.

The PRESIDENT pro tempore. The Senate will be in order.

Mr. GORMAN. I inquired of the Senator from Maine why it was that this small appropriation, providing for our proportion of the expenses of the International Sanitary Bureau created under the agreement made in Mexico in 1901, is stricken out. It is a matter of very considerable importance, and has been regarded so by the whole medical fraternity of the United States. I understand that the appropriation is strictly in conformity with our share, and it is an insignificant amount. That agreement was entered into and is reported to us in Senate Document No. 13 by the Secretary of State.

Mr. HALE. The Senator is referring to the item at the bottom of page 1 and at the top of page 2?

Mr. GORMAN. Yes, sir, I am.

Mr. HALE. That is already taken care of in the sundry civil appropriation bill and was struck out of this bill.

Mr. GORMAN. It was in the sundry civil appropriation bill?

Mr. HALE. It was in the sundry civil appropriation bill, and has already passed the Senate.

Mr. GORMAN. So our proportion of that expense for the next year has been amply provided for?

Mr. HALE. Yes; that is the reason why it was stricken out here.

The amendment was agreed to.

Mr. TELLER. I desire to offer an amendment, though we have not reached that point of the bill, so that it may be printed. It is on page 89 of the bill as it came from the House, section 3, which is now numbered section 5. It is that portion of the bill concerning Chinese immigration. I desire to strike out all of section 5 as now numbered and sections 6, 7, 8, 9, 10, 11, 12, and 13 and substitute what I send to the desk.

The PRESIDENT pro tempore. The amendment will be printed and lie on the table.

Mr. HALE. That will come up hereafter.

Mr. TELLER. I do not propose to take it up now. I only wanted to get the amendment in. I give notice that I am going to move it at the proper time unless we can make some changes in the existing text of the bill.

The PRESIDENT pro tempore. The amendment will lie on the table.

Mr. HALE. I have here a document which I ask may be printed, because it is referred to in the bill as a printed document.

Mr. BATE. Do I understand that the amendments are to be passed over until the bill has been read, or are the amendments being considered now?

The PRESIDENT pro tempore. The committee amendments are first to be acted upon. After the committee amendments have been finished, then the bill will be open to amendment on the floor of the Senate. The Chair did not understand the request of the Senator from Maine.

Mr. HALE. I ask for the printing of a document because it is referred to in the bill as a document. I ask that it be printed.

The PRESIDENT pro tempore. It will be printed.

The next amendment of the Committee on Appropriations was, on page 2, after line 3, to strike out:

To enable the United States to participate in an international congress to be held to consider two drafts of international conventions relative to collisions and salvage, which were adopted at the last meeting of the International Maritime Committee, held at Hamburg in 1902, $6,000.

The amendment was agreed to.

The next amendment was, on page 2, after line 9, to insert:

To enable the Secretary of State, as an act of grace and comity, to reimburse the Compagnie Française des Cables Télégraphiques for expenses incurred in repairing its cables and property, which were cut and damaged by United States forces in Cuba during the Spanish-American war, $77,712.

Mr. GORMAN. I trust the Senator from Maine will give us some explanation in regard to the proposed payment to this French company for cutting their cables during the Spanish war.

Mr. HALE. The Committee on Foreign Relations investigated this subject and reported it as an amendment. The papers in that committee show that the facts are as stated in the amendment, and the amount is fixed by correspondence with the State Department. But the representative of the Committee on Foreign Relations has the papers and knows much more about the details. It was upon that report and those papers that the Committee on Appropriations put in the item.

Mr. GORMAN. I trust the Senator from Maine will permit this amendment to be passed over.

Mr. HALE. Yes; until the representative of the Foreign Relations Committee appears on the floor. The documents have been sent for. The amendment may be passed over for the present.

The PRESIDENT pro tempore. The amendment will be passed over. The reading of the bill will be proceeded with.

The Secretary resumed the reading of the bill and continued to line 2, page 3, the last paragraph read being as follows:

For minister resident and consul-general to Santo Domingo for the fiscal year 1905, $5,000, and so much of the diplomatic and consular appropriation act for the fiscal year 1905 as appropriates for the salary of a consul-general to Santo Domingo is hereby repealed.

Mr. TELLER. I should like to have the Senator in charge of the bill state why that item is necessary.

Mr. HALE. Owing to the conditions in the island it was

thought better to provide for the matter in the way the House has done, and that disposes, of course, of the services of the consul-general.

The next amendment was, under the subhead "Foreign intercourse," on page 3, after line 2, to insert:

The consulate at Erzerum, Turkey, is hereby transferred to Trebizond, Turkey, and the appropriations for salary of consul at the former place for 1904 and 1905 may be applied to payment of salary of consul at Trebizond, Turkey.

The amendment was agreed to.

The next amendment was, on page 3, line 25, to increase the appropriation to pay amounts found due by the accounting officers of the Treasury on account of the appropriation for "Contingent expenses, United States consulates," for the fiscal year 1903, from $16,161.32 to $16,451.24.

The amendment was agreed to.

The next amendment was, under the head of "Treasury Department," on page 6, after line 8, to insert:

Payment to owners of Norwegian steamship Nicaragua: To pay to the owners of the Norwegian steamship Nicaragua in full for compensation for damage to said owners by reason of the rescue of an American citizen, John McCafferty, and the consequent quarantine of said ship at Mobile, Ala., in the year 1854, $4,926.67.

The amendment was agreed to.

The next amendment was, on page 7, after line 6, to insert:

For fees and expenses, including remuneration for Special Assistant Attorney-General, in the investigation and prosecution of certain frauds upon the customs service, the same to continue available until expended, $30,000.

The amendment was agreed to.

The next amendment was, under the subhead "Revenue-Cutter Service," on page 8, line 21, to increase the appropriation to pay amounts found due by the accounting officers of the Treasury on account of the appropriation "Expenses of Revenue-Cutter Service," for the fiscal year 1903, from $13,539.56 to $13,643.36.

The amendment was agreed to.

The next amendment was, under the subhead "Collecting internal revenue," on page 9, line 13, to increase the appropriation to pay amounts certified to be due by the accounting officers of the Treasury on account of the appropriation "Redemption of stamps" from $96.75 to $123.75.

The amendment was agreed to.

The next amendment was, on page 9, line 18, to increase the appropriation to pay amounts certified to be due by the accounting officers of the Treasury on account of the appropriation "Refunding taxes illegally collected" from $75.33 to $82.83.

The amendment was agreed to.

The next amendment was, under the head of "District of Columbia," at the top of page 12, to insert:

Rock Creek Park: For amount due Glenn Brown for designs for concrete bridges in Rock Creek Park, to be expended under the direction of the board of control of said park, for the fiscal year 1902, $55.96.

The amendment was agreed to.

The next amendment was, on page 13, after line 7, to insert:

That the appropriation of $12,250 for furniture for new school buildings and additions to buildings provided in the act making appropriations for the expenses of the District of Columbia for the fiscal year ending June 30, 1904, is hereby made available for the equipment of such buildings.

The amendment was agreed to.

The next amendment was, on page 14, after line 23, to insert:

For amount required for the construction of an open underground drain for the Congress Heights engine house, $500.

The amendment was agreed to.

The next amendment was, on page 15, after line 2, to insert:

For amount required for deepening well, Congress Heights engine house, $500.

The amendment was agreed to.

The next amendment was, on page 15, after line 14, to insert:

For additional amount required for the necessary traveling expenses of sanitary and food inspectors while traveling outside of the District of Columbia for the purpose of inspecting dairy farms, milk, and other dairy products, $300.

The amendment was agreed to.

The reading of the bill was continued to the end of the following paragraph on page 16, from line 14 to line 21, inclusive:

Judgments: For payment of the judgments, including costs, against the District of Columbia, set forth in House Document No. 652 of this session, $5,335.40, together with a further sum to pay the interest, at not exceeding 4 per cent, on said judgments, as provided by law, from the date the same became due until the date of payment.

Mr. HALE. On page 16, after the word "fifty-two," in line 16, I move to insert "and Senate Document numbered ——." I shall fill in the blank in conference. Then, in line 17, in the same clause, after the word "session," I move to strike out "$5,335.40" and to insert "$8,613.95."

The PRESIDENT pro tempore. The amendment proposed by the Senator from Maine will be stated.

The SECRETARY. On page 16, in line 16, after the word "fifty-two," it is proposed to insert "and Senate Document numbered ——;" and in line 17, after the word "session," to strike out "$5,335.40" and insert "$8,613.95;" so as to make the clause read:

Judgments: For payment of the judgments, including costs, against the District of Columbia, set forth in House Document numbered 652 and Senate Document numbered ——, of this session, $8,613.95, together with a further sum to pay the interest, at not exceeding 4 per cent, on said judgments, as provided by law, from the date the same became due until the date of payment.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 16, after line 21, to insert:

Writs of lunacy: For amount due Dr. D. Percy Hickling for services as witness in alleged lunacy cases, three certificates, at $10 each, for the fiscal years that follow:
For the fiscal year 1899, $20.
For the fiscal year 1901, $10.

The amendment was agreed to.

Mr. McCOMAS. I want to ask to return for a moment to page 7, line 17. I wish to offer an amendment there, which I hope will not delay the bill.

Mr. HALE. The order has been settled that committee amendments are first to be considered. Then, when they are disposed of, other amendments may be offered.

Mr. McCOMAS. Very well. I will wait until that time.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "War Department," on page 20, line 1, after the word "employees," to insert "provided by law for either of said offices shall be regarded as employees;" and after the word "bureau," at the end of line 2, to insert "and;" so as to make the clause read:

That whenever the office of the Adjutant-General and the Record and Pension Office shall be consolidated by operation of law any appropriation available at the time of such consolidation, or that may thereafter become available, for the support of either of those offices shall be equally available for the support of the bureau formed by the consolidation, and all employees provided by law for either of said offices shall be regarded as employees of the consolidated bureau and shall be exclusively engaged upon the work of that bureau, as required in the case of the employees of the Record and Pension Office by the acts making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal years 1904 and 1905.

The amendment was agreed to.

The reading of the bill was continued to the end of the clause, from line 9 to line 15, inclusive, on page 20, as follows:

Claims for property taken from Confederate officers and soldiers after surrender: Payment to Confederate soldiers: For payment of claims filed with the Quartermaster-General under act of February 27, 1902, for horses, saddles, and bridles taken from Confederate soldiers in violation of terms of surrender, $125,000.

Mr. BLACKBURN. Mr. President, I ask the Senator in charge of this bill to accept an amendment after the word "dollars," on page 20, line 15, in the following language:

Provided, That the time for filing claims under the provisions of the above-mentioned act and amendment thereto is hereby extended to December 31, 1904.

Mr. HALE. Will the Senator wait? Under the order adopted the committee amendments are to be first disposed of. Then, when they are through, I shall be glad to have other amendments presented.

Mr. BLACKBURN. Very well.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 20, after line 15, to insert:

Payment for damages to steamer Ragnar: To pay the owners of the Norwegian steamer Ragnar in full for damages inflicted on said steamer by collision on March 18, 1902, with the United States army transport Sumner in Yangtze River, China, $8,524.10.

The amendment was agreed to.

The next amendment was, on page 20, after line 21, to insert:

Payment for damages to steamer Hikosan Maru: For payment to the Mitsui Bussan Kaisha for damages to their steamer Hikosan Maru, caused by collision with a coal hulk owned by the United States Quartermaster's Department, on July 31, 1902, $600.

Mr. SPOONER. I should like to ask the Senator from Maine who has charge of this bill, simply for information, how are these damages ascertained? What tribunal fixes the amount due and the question of responsibility as a matter of justice?

Mr. HALE. In the case of naval collisions a board is appointed that considers the entire question and reports which side is in fault. If the United States is at fault, the Department sends the finding in as an estimate to be paid; if the board decides that the foreign vessel is at fault, payment is made by its owners, and if not, suit is brought by the Attorney-General. In cases under the War Department the Quartermaster-General's Department takes the same course.

Mr. SPOONER. Through a board of officers?

Mr. HALE. Through a board of officers appointed for that purpose.

Mr. GORMAN. Does the same rule apply in the cases of the two steamers mentioned in the items following the provision for the *Ragnar*, which claim damages because of collision with coal hulks owned by the United States? Is it the rule that we are re-

sponsible for all damages occasioned by collisions with coal hulks or with sunken vessels?

Mr. HALE. As I have just stated, in all these cases of collisions at sea with a foreign vessel, and sometimes with our own vessels, where the fault is with the Government vessel it is so determined by a board, which is called for that purpose. We have always paid such items. If the report of the board is that the other side is at fault, they pay, and if they do not the Attorney-General brings suit. We have always done that, and every deficiency appropriation bill contains several items of this kind.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 21, after line 2, to insert:

Payment for damages to steamer Shirley: For payment to the Mitsui Bussan Kaisha for damages to their chartered steamer Shirley, caused by collision with a coal hulk owned by the United States, Quartermaster's Department, in Manila Bay, on March 23, 1902, $948.27.

The amendment was agreed to.

The next amendment was, at the top of page 22, to insert:

Credit in the accounts of Maj. George T. Holloway: That the accounting officers of the Treasury are hereby authorized and directed to open the accounts of Maj. George T. Holloway, additional paymaster, United States Volunteers, and to credit him with the sum of $123.53, as recommended, under authority of the Secretary of War, by the Paymaster-General, United States Army.

The amendment was agreed to.

The next amendment was, on page 22, after line 8, to insert:

Claim of George W. Dant: The Secretary of War is hereby authorized and directed to make inquiry into the claim of George W. Dant for reimbursement for expenses incurred by him in legal proceedings growing out of the Ford Theater disaster on June 9, 1893, and report to Congress at its next session the facts in the case, and what amount, if any, should be reimbursed to said Dant.

The amendment was agreed to.

The next amendment was, on page 22, after line 21, to insert:

Sherman statue: To pay for extra work in the collection and assembling of material for the description of the ceremonies attending the unveiling of the statue of Gen. William T. Sherman, and the preparation of said material and accompaning papers, including the proceedings of the reunions of the different military societies, so far as they have direct relation to the said ceremonies, and for editing, proof reading, and other necessary expert labor in connection therewith, $500.

The amendment was agreed to.

The next amendment was, under the head of "Navy Department," on page 26, after line 12, to insert:

All naval records, such as muster and pay rolls, orders, and reports relating to the personnel and operations of the Navy of the United States, from the beginning of the Navy Department to the war of the rebellion, 1861, including operations against the French navy, Tripolitan war, war of 1812, operations against pirates in the West Indies, Florida war, and the war with Mexico, now in any of the Executive Departments, shall be transferred to the Secretary of the Navy, to be preserved, indexed, and prepared for publication.

Mr. GORMAN. I should like the Senator in charge of the bill to explain whether this item on page 26 involves another great publication. It provides that all records, muster rolls, pay rolls, and so on, from the beginning of the Government down to the war of the rebellion shall be transferred to the Navy Department. I take it those records are transferred from the State Department, and that the item looks to the publication of all that data.

Mr. HALE. Yes; the Senator is correct. In many cases where the operations are purely naval, but have resulted from diplomatic negotiations——

Mr. GORMAN. We can not hear the Senator very well.

Mr. HALE. I can hardly hear myself. The papers in such cases have frequently, as they were at first sent to the State Department, continued to be sent to the State Department. So that papers purely pertaining to the operations of the Navy are not in the Navy Department. We have done it before in one or two cases in other Departments. This provides that papers shall be sent to the Navy Department and form a part of the archives, as they recite the history of naval events. That is the object of the amendment. There is no conflict, as I understand, between the different Departments.

Mr. GORMAN. Of course the mere transfer is all right, and probably the papers ought to be in the Navy Department. As we all know, the early records of the Army and the Navy were in the office of the Secretary of State.

Mr. HALE. Yes.

Mr. GORMAN. But the last line provides that the papers shall be indexed and prepared for publication. I have no doubt it would be a very valuable contribution, but we have 150 or 200 volumes from the War Department, and I do not know how many there would be from the Navy. I should like to know whether specific provision is made somewhere looking to indexing and preparing these data, or whether it is left to the Department. It will involve a large expense and will be a work which will last for the next ten or twenty years, as was the case with the former work.

I should like to have a more definite explanation as to just what is intended and under whose direction this work is to be carried out.

Mr. HALE. I am entirely willing to strike out those words.

Mr. GORMAN. I think we ought not to commit ourselves until we have a report from the Department.

Mr. HALE. I agree with the Senator. I move, in line 22, page 26, after the word "preserved," to strike out the words "indexed and prepared for publication."

Mr. SPOONER. Will the Senator allow me? Would it not be better to have them indexed if they are to remain there? They might be prepared for publication, so far as indexing and classification are concerned, and then be subject to such action by Congress hereafter, looking to their publication, as may be considered proper. If they are not indexed, it would be difficult to make intelligent use of a mere stored mass of unclassified documents.

Mr. GORMAN. We can not hear the Senator from Wisconsin.

Mr. SPOONER. I suggest to the Senator that he leave in the word "indexed" and strike out the words looking to their publication. There could be no intelligent use of the papers unless they are indexed and classified.

Mr. GORMAN. That is true. But I think the transfer, as suggested by the Senator from Maine, is the proper thing for the present. Then let us have a report from the Secretary of the Navy before the work is undertaken, with some sort of an estimate.

Mr. HALE. The indexing is rather an incident to publication than to their preservation, which is the main thing.

Mr. SPOONER. But it is the key to enable their utilization for any purpose.

Mr. HALE. They never will be of much use until they are prepared and published. So I think it is better to strike out all after the word "preserved."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Naval establishment," on page 32, line 7, after the words "League Island," to strike out "California" and insert "Pennsylvania;" so as to make the clause read:

For marine barracks, League Island, Pennsylvania, $66.97; in all, $714,970.18.

The amendment was agreed to.

The reading of the bill was continued to the end of page 32.

Mr. CULLOM. Mr. President, the amendments on which I wish to address the Senate have not yet been reached, but for special reasons suggested by different Senators, I will now make the remarks which I desire to submit upon those amendments.

Mr. President, in order clearly to comprehend the questions involved in sections 5 to 13, inclusive, of the bill under consideration, which are the amendments to which I referred, it is necessary to review our treaties with China on the subject of Chinese immigration and the principal Chinese-exclusion acts passed by Congress.

The first treaty containing any reference to immigration between the United States and China was the Burlingame treaty, of 1868. Article V of that treaty provided that—

The United States and the Emperor of China cordially recognize the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantage of the free migration and immigration of their citizens and subjects, respectively, from the one country to the other, for purposes of curiosity, of trade, or as permanent residents,

Article VI of the treaty of 1868 provides that—

Chinese subjects visiting or residing in the United States shall enjoy the same privileges, immunities, and exemptions in respect to travel or residence as may there be enjoyed by the citizens or subjects of the most favored nations.

Those two articles in the treaty of 1868 are the only articles that refer to the question of immigration between the two countries.

But Chinese laborers came to the United States in such numbers that the people of our Pacific coast appealed to Congress to pass a law against such immigration. Congress, not desiring to violate the treaty of 1868, appropriated money to send a commission to China to negotiate a modification or substitute for Articles V and VI of the treaty of 1868. That commission negotiated the treaty of 1880, Article I of which provides that—

Whenever, in the opinion of the Government of the United States, the coming of Chinese laborers to the United States or their residence therein affects or threatens to affect the interests of that country or to endanger the good order of said country or of any locality within the territory thereof, the Government of China agrees that the Government of the United States may regulate, limit, or suspend such coming or residence, but may not absolutely prohibit it. The limitation or suspension shall be reasonable, and it shall apply only to Chinese who may go to the United States as laborers, other classes not being included in the limitation. Legislation taken in regard to Chinese laborers will be of such a character only as is necessary to enforce the regulation, limitation, or suspension of immigration.

That is the main provision of the treaty of 1880, which gives only the power to suspend or limit or regulate.

Congress thereupon passed the act of 1882, suspending the coming of laborers into the United States for a period of ten years. An amendatory act was passed in 1884 containing further restrictions.

In 1888 a new and more drastic treaty on the subject of Chinese immigration was negotiated between the United States and China by which we were given the right to prohibit the coming of Chinese laborers to the United States. That treaty was never ratified by the Senate, but Congress, anticipating its ratification, passed a very stringent Chinese-exclusion act, sections 1, 2, 3, and 4 of which were absolutely dependent on the ratification of the treaty, and were never considered in effect because the treaty of 1888 was not ratified. Sections 5 to 14, excepting 12, were considered in effect by the Treasury Department, those sections not being dependent on the ratification of the treaty of 1888.

That opinion was given by the Solicitor of the Treasury, and the Treasury Department has always acted upon the theory that those sections were in force, while the first four sections of the act of 1888 were not in force because the treaty upon which they depended was not ratified.

The law of 1882 expiring by its terms in ten years, Congress passed the act of 1892, which continued all laws in force for the period of ten years and provided additional stringent rules governing Chinese immigration. An amendatory act was passed in 1893.

On December 8, 1894, a new treaty was negotiated between the United States and China providing that for a period of ten years the coming of Chinese laborers to the United States is absolutely prohibited.

That treaty was to remain in force for ten years and for an additional ten years if neither party denounced it. This is the treaty which has recently been denounced by China and which, unless such denunciation is withdrawn, will expire December 7 of this year.

The act of 1892 and the acts which it continued in force expiring by their terms in ten years, in 1902 the last act on the subject of Chinese exclusion was passed.

These are the immigration treaties and the principal acts of Congress on the subject of Chinese exclusion.

The act of April 29, 1902, in brief provides:

That all laws now in force prohibiting and regulating the coming of Chinese persons and persons of Chinese descent into the United States and the residence of such persons therein, including sections 5, 6, 7, 8, 9, 10, 11, 13, and 14 of the act approved September 13, 1888, be, and the same are hereby, reenacted, continued, and extended, so far as the same are not inconsistent with treaty obligations, until otherwise provided by law.

That is the act of 1902, which contains the provisions I have just recited as part of the treaty, and which gives rise to the question whether the law is sufficient to keep out Chinese immigrants if the treaty should expire, as it will, unless the Chinese Government withdraws its denunciation.

On the termination of the treaty of 1894 on December 7, 1904, will the treaty of 1880 or the treaty of 1868 recur, the treaty of 1868, in Articles V and VI, having reference to immigration and nothing else, which I have read?

My opinion is that the treaty of 1880 was a complete modification of Articles V and VI of the treaty of 1868. The treaty of 1880 says that "it is a modification of existing treaties which shall not be in direct contravention of their spirit." The treaty of 1880 contains no limit as to the time when it shall remain in force. In terms it is a permanent treaty. The treaty of 1880 gave us the right to "regulate, limit, or suspend the coming of Chinese laborers to the United States or their residence therein." The treaty of 1894 absolutely prohibited, except under certain conditions, the coming of Chinese laborers into the United States for ten years. The treaty of 1894 does not in terms abrogate the treaty of 1880. In fact, it expressly refers to Article III of that treaty. When the denouncement of the treaty of 1894 becomes operative, the provisions of the treaty of 1880 will again come into effect, except in so far as modified or superseded by subsequent legislation. That is a position which I believe is correct.

Mr. President, under our Constitution treaties occupy a unique position. They are made by the Constitution a part of the supreme law of the land. They are a part of our municipal law, and Chief Justice Marshall early in our history held that a treaty of later date repeals an earlier law with which it conflicts, and that the law of later date repeals the earlier treaty if the law conflicts with the treaty. This is, however, only so far as our own municipal law is concerned. The other country could probably continue to insist that the treaty was binding.

In discussing this question I shall only discuss it in so far as it pertains to our municipal law. In our proper zeal to protect our own people from the results which would follow the extensive immigration of Chinese into the United States we have not shown that proper regard for our treaty obligations with China that we should.

The laws of 1882, 1888, 1892, and 1893 were all passed while the treaty of 1880 was in full force, and before the ratification of the treaty of 1894. The stringent provisions of the act of 1892, and perhaps other acts, were not in complete harmony with the treaty of 1880. The Supreme Court held that the act of October 1, 1888, was in direct contravention of the treaty of 1880. Therefore those acts, being of later date than the treaty, in effect repealed such parts of the treaty (so far as our municipal law is concerned) with which they conflicted, and the Supreme Court has so held a number of times in passing on Chinese-exclusion acts.

Mr. PLATT of Connecticut. Will the Senator permit me?

Mr. CULLOM. Certainly.

Mr. PLATT of Connecticut. I understood the Senator to say a little while ago that he thought the treaty of 1894 was a modification of the treaty of 1880 and that it expressly referred in Article III to existing treaties or existing rights.

Mr. CULLOM. I think there is a reference in the treaty of 1894 to the treaty of 1880, not in the way of modifying——

Mr. PLATT of Connecticut. I do not think there is a reference by name to the treaty of 1880, but a reference to the privileges which are enjoyed——

Mr. CULLOM. Under the treaty.

Mr. PLATT of Connecticut. Under the treaty. But I was going to call the Senator's attention to the fact, if I remember it correctly, that the preamble to the treaty of 1894 recites that China desires to prohibit the coming of Chinese laborers into the United States——

Mr. LODGE. Yes.

Mr. PLATT of Connecticut. Which is entirely different from the former treaties.

Mr. CULLOM. I think the Senator is right in that respect. I have the treaty here.

Mr. SPOONER. Will the Senator from Connecticut let me ask him a question, with the consent of the Senator from Illinois?

Mr. PLATT of Connecticut. I will answer it if I can.

Mr. SPOONER. The treaty of 1880 was without limit as to time?

Mr. PLATT of Connecticut. Yes.

Mr. SPOONER. Now, the treaty of 1894 was limited. Where a treaty is made with an express time limit, which conflicts with a treaty of indefinite duration, does not that of itself operate merely to suspend the prior treaty? Does it abrogate it?

Mr. PLATT of Connecticut. I think when China herself says she then desires—at the time of the making of the subsequent treaty—to prohibit the coming of Chinese laborers into the United States——

Mr. SPOONER. For ten years.

Mr. PLATT of Connecticut. It does not say so.

Mr. SPOONER. During the life of the treaty.

Mr. PLATT of Connecticut. But in the preamble it states that she desires to do it without limitation.

Mr. CULLOM. The treaty of 1894 in its very opening paragraph says:

The high contracting parties agree that for a period of ten years, beginning with the date of the exchange of the ratifications of this convention, the coming, except under the conditions hereinafter specified, of Chinese laborers to the United States shall be absolutely prohibited.

As I stated. Then it provides:

The provisions of this convention shall not affect the right at present enjoyed of Chinese subjects being officials, teachers, students, etc.

Then in Article IV:

In pursuance of Article III of the immigration treaty between the United States and China, signed at Peking on the 17th day of November, 1880 (the 15th day of the tenth month of Kwanghsu, sixth year), it is hereby understood and agreed that Chinese laborers or Chinese of any other class, either permanently or temporarily residing in the United States, shall have for the protection of their persons and property all rights that are given by the laws of the United States to citizens of the most favored nation, excepting the right to become naturalized citizens. And the Government of the United States reaffirms its obligation, as stated in said Article III, to exert all its power to secure protection to the persons and property of all Chinese subjects in the United States.

Mr. PLATT of Connecticut. It occurs to me that that reference to Article III of the immigration treaty of the United States is an exception to the general superseding of the treaty. The very fact that it is referred to in this way shows, if it shows anything, that the treaty is expressly superseded except as to that particular. The clause the Senator from Illinois quoted commences with Article III.

Mr. CULLOM. Yes.

Mr. PLATT of Connecticut. But in the preamble it says:

Whereas on the 17th day of November, A. D. 1880, and of Kwanghsu the sixth year, tenth moon, fifteenth day, a treaty was concluded between the United States and China for the purpose of regulating, limiting, or suspending the coming of Chinese laborers to and their residence in the United States; and

Whereas the Government of China, in view of the antagonism and much deprecated and serious disorders to which the presence of Chinese laborers has given rise in certain parts of the United States, desires to prohibit the emigration of such laborers from China to the United States; and

Whereas the two Governments desire to cooperate in prohibiting such immigration and to strengthen in other ways the bonds of friendship between the two countries——

Mr. CULLOM. It does not modify the prohibition at all.

Mr. PLATT of Connecticut. But it is an expression of a desire on the part of China at the time the treaty was made in 1894 to

agree with the United States in prohibiting the immigration of Chinese laborers.

Mr. CULLOM. Yes; that is what I said.

Mr. LODGE. For a period of ten years.

Mr. PLATT of Connecticut. It is not for a period of ten years.

Mr. LODGE. You mean in the preamble?

Mr. PLATT of Connecticut. In the preamble. It is expressly desired, without modification, to prevent the coming of Chinese laborers into the United States.

Mr. CULLOM. Undoubtedly.

The treaty of 1894, absolutely prohibiting the coming of Chinese laborers into the United States for a period of ten years, suspended the operation of the treaty of 1880 for that period, both internationally and municipally. When the treaty of 1894 is abrogated we will return to the treaty of 1880, in so far as it has not been superseded by subsequent legislation.

It is immaterial, as I view it, which treaty comes into effect when the treaty of 1894 is abrogated. The subsequent legislation by Congress has superseded the provisions of the treaty of 1868, as well as the treaty of 1880, in so far as that legislation conflicts with those treaties. In other words, the law as last passed controls the subject in so far as its provisions go.

But, Mr. President, the act of 1902 continues all existing laws in force "so far as the same are not inconsistent with treaty obligations, until otherwise provided by law."

It is very necessary to inquire. What is the meaning of the phrase used in the act of 1902, "that existing laws are continued in force in so far as the same are not inconsistent with treaty obligations?"

The whole thing is right there—in so far as they are not inconsistent with treaty obligations. To what treaty obligations does that act refer?

My view is that the treaty obligations to which the act of 1902 referred were the treaty obligations in force when that act went into effect—namely, April 20, 1902, and not any treaty that might spring up after the treaty that was then in force should expire by any means whatever.

Mr. BACON. Will the Senator permit me to ask him a question right there?

Mr. CULLOM. Certainly.

Mr. BACON. Suppose it should be a subsequent treaty inconsistent with that act, would not the treaty provision prevail despite that?

Mr. CULLOM. If the treaty should be made after the act was enacted it would be superior to the act.

Mr. BACON. Exactly. Therefore the distinction which the Senator seeks to draw does not seem to me to be pertinent. The Senator seeks to limit the construction of the statute to an application to then existing law and not to have reference to subsequent enactments; but under the general rule, even if that were the intention, it would be subject to subsequent enactments.

Mr. PLATT of Connecticut. It seems to me it may be very well contended that that clause was put in there for the very purpose of making the law conform to a future treaty.

Mr. SPOONER. It says "until otherwise provided by law."

Mr. BACON. Nevertheless, practically it would have to conform to it, whether so intended or not.

Mr. CULLOM. With the treaty or the law.

Mr. PLATT of Connecticut. The language is "until otherwise provided by law," and the treaty would be the law then.

Mr. CULLOM. I suppose the Senator has in mind the proposition that if any part of the treaty of 1880, if you please, should revive after the treaty of 1894 should die, that might be superior to the act which was passed after the treaty; but it would not, because the last act, whether it is a treaty or a law, prevails.

What were the treaty obligations in force when that act went into effect? They were the treaty obligations contained in the treaty of 1894, because there was no other treaty in force at that time that would come in conflict with it. There was no other in force at all, except provisions that applied to other things than immigration.

Mr. MITCHELL. The Senator thinks the treaty of 1894 repealed all former treaties.

Mr. CULLOM. It repealed all former treaties as to the question of immigration to this country from China. They were the treaty obligations contained in the treaty of 1894, with which treaty it was contended in this Senate during the last Congress that the drastic bill reported from the Committee on Immigration conflicted. The intent of that act was that the laws continued in force should not be inconsistent with the treaty of 1894. We tried to keep it down to the treaty of 1894. I do not think we succeeded fully. But whatever the law was when it was first passed and when the treaty of 1894 was in force, the law prevailed instead of the treaty of 1894 to the extent that it went beyond.

I say it was the intent of that act that the laws continued in force should not be inconsistent with the treaty of 1894. Parts of the treaty of 1880 had already been superseded by the legislation of Congress when the treaty of 1894 went into effect. The act of 1902 refers only to the treaty obligations then in force, and the only treaty obligation then in force was the treaty obligation contained in the treaty of 1894.

The existing laws have long since superseded that part of the treaty of 1880 with which they conflict, and that treaty will only come into effect in so far as it is consistent with existing laws.

The proper objection which China may make to the laws thus superseding the treaty of 1880 is another question and one which it is not necessary at this time to discuss, and that the treaty of 1880 will only be in force in so far as it does not conflict with existing laws; or, if the views of the advocates of the Chinese-exclusion bill during the last Congress is the correct one then without doubt all existing laws are continued in force indefinitely, regardless of the fact that such portions of the treaty of 1880 as are not in conflict with those laws will recur on December 7, 1904.

Notwithstanding, Mr. President, that it seems clear to me that all laws now in force on the subject of Chinese exclusion will remain in force even though the treaty of 1894 is finally abrogated on December 7 next, there has been so much doubt expressed on that subject by men whose opinions are entitled to serious consideration, and, like every other controverted legal question, it is doubtful until finally settled by the court of last resort. I am willing to remove any doubts that may exist as to the continuance of the Chinese-exclusion laws after December 7 next by voting for section 5 of the bill under consideration and striking out the balance of the bill.

I will therefore propose to amend the bill under consideration by striking out sections 6, 7, 8, 9, 10, 11, 12, and 13, and by amending section 5 of the bill by striking out, on page 91, in line 14, the words "except as hereinafter specifically provided." As all the sections after section 5 are stricken out by the amendment I propose, it is necessary to make this minor amendment to section 3, because nothing is hereinafter specifically provided.

I am willing to vote for a law which will remove any doubts as to the existing Chinese-exclusion acts being continued in force when the treaty of 1894 is finally abrogated, but I am not willing to vote for sections 6, 7, 8, 9, 10, 11, 12, and 13, because those sections are a material addition to the present Chinese-exclusion laws; they are entire new legislation on the subject, which have not received the serious consideration of the proper Senate committee; and the existing laws, which will, of course, be indefinitely continued in force if section 5 of this bill is enacted, are amply sufficient to prevent the coming of Chinese laborers into the United States.

Mr. President, I only desire to make these remarks suggesting the situation as I see it so that it may get clearly before the Senate. I hope that these drastic provisions, contained in sections 6 to 13, inclusive, will not be enacted. It seems to me to be very poor policy to place on an appropriation bill in the closing days of a session entire new legislation on this important subject before the Senate has had the time to give it that consideration which its importance deserves.

The enactment of section 5 of this bill will continue existing laws, remove any possible doubts as to the laws being nullified after December 7 next, and at the next session of Congress, if it then seems desirable, we can take up this subject, when there will be ample time to consider it both in the committee and in the Senate of the United States.

I do not think it wise, Mr. President, to take up so difficult and delicate a quest on as this, coming in from the Committee on Appropriations. I understand the Committee on Appropriations did not undertake to give the matter any special consideration, but brought it in because the House put it on the bill. I hope the amendment I have offered will prevail.

I have here a statement, a criticism, I might say, of the other sections of the proposed legislation, which I do not adopt especially as my own, but I think in view of the character and reputation of General Foster his views might be considered as worthy of the consideration of the Senate, having been Secretary of State and having held other distinguished positions. I will ask leave to put it in the RECORD following my own remarks.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Illinois? The Chair hears none, and the order is made.

The matter referred to is as follows:

General Foster, ex-Secretary of State, has gone over carefully these proposed sections from 6 to 13, inclusive, and has furnished me a memorandum pointing out wherein they are objectionable. I will read General Foster's memorandum in reference to the sections of the bill.

Section 6 of the bill under consideration provides:

SEC. 6. That the said laws so reenacted, extended, and continued shall be so construed as to permit the entrance into or residence within the United

States, and any territory subject to its jurisdiction, of those persons of Chinese descent who are citizens of the United States by reason of birth and those who are specifically granted by law such privilege, and no others.

General Foster says in reference to this section:

This enacts into a law a contention which has been put forth by the Chinese immigration officials, but which the Chinese Government has insisted was in violation of the treaty and which has never yet been enacted into law. The effect of this amendment would be to exclude from the United States bankers, commercial brokers, and all persons of the higher classes of Chinese, in addition to laborers, who are not specifically named and described in the law.

Section 7 of the bill under consideration (section 5 of the House bill) provides:

SEC. 7. That the words "Chinese person" or "person of Chinese descent" as u ed in said laws shall be construed to mean any person descended from an ancestor of the Mongolian race, which ancestor is now or was at any time subsequent to the year 1800 a subject of the Emperor of China; and in any proceeding or examination relating to the exclusion or expulsion of one alleged to be such a person instituted or conducted by the Government the statement under oath of a duly appointed immigration or inspection officer that he believes such person to be a Chinese person or a person of Chinese descent shall constitute sufficient proof thereof unless such person shall establish by affirmative evidence to the satisfaction of the officer or tribunal charged with the determination of the question that such is not the fact.

General Foster says in reference to this section:

It fixes a meaning to the words "Chinese person" or "person of Chinese descent" not warranted by the treaty and establishes a practice as to the admission of evidence very unjust to the Chinese. It is further objectionable in that it gives to the immigration officers additional means to harass the Chinese in the United States. It is notorious that the immigration officers are largely recruited from an element antagonistic to the Chinese people, and this section will greatly aid them in their unjust treatment.

Section 8 of the bill under consideration (section 6 of the House bill) provides:

SEC. 8. That wherever the word "laborers" is used in the laws relating to the exclusion or expulsion of Chinese it shall be construed to include all persons of Chinese descent not specifically permitted by law to enter or remain within the United States; and so much of section 2 of the act approved November 3, 1893, as provides that "the words 'laborer' or 'laborers' wherever used in this act or in the act to which this is an amendment shall be construed to mean both skilled and unskilled manual laborers" is hereby repealed.

General Foster says in reference to this section that—

It so enlarges the meaning of the word "laborer" as to class as such all Chinese persons who are not specifically named in the law as officials, merchants, travelers, or students, and under the rulings of the Immigration Bureau bankers or commercial brokers are not merchants, and students are only those who come to the United States to pursue some of the higher branches of professional study for which facilities are not furnished in China. Under the operation of such a section the "exempt class" will only be such in name.

Section 9 of the bill under consideration (section 7 of the House bill) provides:

SEC. 9. That the officers of the Government shall have the same right to decide questions of fact upon which rests a claim of citizenship set up by any person of Chinese descent as they have to pass upon matters of fact relating to the admission or exclusion of persons conceded to be aliens.

General Foster says in reference to this that—

It is an effort to nullify the Constitution of the United States. This is shown by the remarks of Mr. HITT in the House explaining the purpose of the amendment. The Supreme Court has decided that under the Constitution a person born in the United States of Chinese persons is a citizen of the United States. By means of an amendment to the sundry civil bill of August 18, 1894 (passed without debate), the decision of the officers of the Immigration Bureau, if adverse to the admission of a Chinese, is made final, unless reversed on appeal to the Secretary of the Treasury. The object and effect of this law was to deprive the Chinese of the right to appeal to the courts. In giving to the officers of the Immigration Bureau "the right to decide questions of fact upon which rests a claim of citizenship set up by any person of Chinese descent," as is provided in section 7 (section 9 of the Senate bill), the determination of the question of citizenship is taken away from the courts, and the decision as to this inestimable birthright is intrusted to any officer of the Immigration Bureau into whose hands an unfortunate Chinaman may fall.

Section 10 of the bill (8 of the House bill) extends the immigration law of 1903 to apply to Chinese persons permitted to remain in the United States.

General Foster says, in reference to that section, it is unnecessary, as the provisions of the general immigration laws have always been enforced against the Chinese, and many of them otherwise entitled have been refused admittance into the United States on account of infectious or other diseases.

Section 11 (9 of the House bill) amends the present laws so as to give an appeal on behalf of the United States to the higher courts from the judgment of commissioners, etc.

Mr. Foster says, in reference to that section, that it can not be well understood without a fuller examination of the existing laws and decisions of the courts than the time at our disposal permits, etc.

The last section of the bill, section 13 (11 of the House bill), provides:

SEC. 13. That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may, in special cases where he is of opinion that such action is just and right and not contrary to the public welfare, relieve, under conditions to be determined by him, from the operation of the laws relating to the exclusion or expulsion of persons of Chinese descent, any person who came into the United States prior to December 8, 1894, or who has rendered the Government meritorious services.

Mr. Foster says in reference o this section:

This section is almost as objectionable as section 9. As explained by Mr. HITT, and as appears in the last phrase of the section, it would seem to be its purpose to offer a bribe to certain Chinese to testify against their country men. It can hardly be the desire of the Congress of the United States to establish such a disgraceful standard of justice in the administration of its own laws.

Mr. MCCREARY. I desire to ask the Senator from Illinois a question before he takes his seat. I came in after he commenced. The effect of his motion to amend, I understand, is to continue in force the existing law on the subject of Chinese exclusion and to strike out all proposed new legislation.

Mr. CULLOM. Yes; to strike out all after the first section on the subject, which is the fifth section.

Mr. STEWART. I should like to hear it read as proposed to be amended.

Mr. CULLOM. I propose to strike out all except the fifth section.

Mr. STEWART. Let it be read.

The PRESIDENT pro tempore. That part of the bill has not been reached.

Mr. CULLOM. It is not before the Senate for disposition at this time.

Mr. STEWART. Can it not be read?

Mr. CULLOM. I made the proposition to-day because Senators desired that my remarks might be printed before the question is considered. The bill is in the hands of the Senator from Maine [Mr. HALE], and we have not yet reached the subject for disposition.

Mr. STEWART. Oh, that is all right.

Mr. SPOONER. Will the Senator from Illinois be kind enough to state just what his proposition is?

Mr. CULLOM. My proposition is to strike out all the legislation in reference to China except the first section on the subject.

Mr. PLATT of Connecticut. To leave in section 5 and amend it?

Mr. CULLOM. I leave in section 5, with a little amendment that I propose.

Mr. KEAN. In line 14.

Mr. SPOONER. Does the Senator from Illinois propose to strike out section 4?

Mr. CULLOM. No; not section 4. I have not a copy of the bill before me.

Mr. MCCREARY. Section 4 is on another subject. The Senator from Illinois proposes to strike out all except section 5?

Mr. CULLOM. Except section 5, the first section on the subject.

Mr. PLATT of Connecticut. Section 3 is the section the Senator from Illinois wishes to leave in.

Mr. CULLOM. It is now section 5 in the Senate print of the bill.

Mr. KEAN. In the bill as reported from the committee it is section 5.

Mr. SPOONER. I should like to inquire of the Senator who has charge of the bill how many prints there are of it?

Mr. HALE. There is a print of the bill as it came from the House; there is a print of the bill as the Senate committee framed it; and then a print as the Senate committee reported it; and that is the only print the Senator need spend any time upon.

Mr. SPOONER. I have two prints here, with Senate committee amendments.

Mr. HALE. Quite likely.

Mr. SPOONER. They are different.

Mr. HALE. The only bill before the Senate is the bill reported by the committee and printed after having been reported by the committee.

Mr. CULLOM. That is the bill we are now considering.

Mr. HALE. That we are now considering.

The PRESIDENT pro tempore. The reading of the bill will be continued.

The Secretary resumed the reading of the bill. The next amendment of the Committee on Appropriations was, under the subhead "Bureau of Ordnance," on page 33, line 6, to increase the appropriation to pay amounts found due by the accounting officers of the Treasury on account of the appropriation for "Contingent, Bureau of Ordnance," for the fiscal year 1903, from $5,239.71 to $5,285.48.

The amendment was agreed to.

The next amendment was, under the head of "Department of the Interior," on page 40, after line 12, to insert:

For the Capitol: The accounting officers of the Treasury are hereby authorized and directed to credit the account of George W. Evans, disbursing clerk, Department of the Interior, for certain payments made in the quarter ended December 31, 1903, under the appropriation for "Capitol building and repairs, 1903 and 1904," amounting to $12,509.09, being the amount paid by him in good faith on vouchers properly approved by the superintendent of the Capitol building and grounds for steel boilers for the United States Senate and for services of a consulting engineer in connection with the erection of the same.

The amendment was agreed to.

The next amendment was, at the top of page 41, to insert:

Maps of the United States: For rollers and other material, and for labor required for mounting maps of the United States, ordered for the use of Con-

gress by the acts of April 17, 1900; March 3, 1901, and April 28, 1902, respectively, $8,960, to be expended under the authority of the Secretary of the Interior, who is hereby directed to have said maps attached to rollers before delivery.

The amendment was agreed to.

The next amendment was, on page 41, after line 9, to insert:

Hot Springs Reservation, Ark.: For the purchase of an electric motor, with rotary pump, for pumping hot water for the free bath house on the Hot Springs Reservation, for the construction of wooden lockers, and the purchase of office and bathroom furniture necessary for the running of the free bath house on the Hot Springs Reservation, $1,550.

The amendment was agreed to.

The next amendment was, on page 41, after line 16, to insert:

Repairs to Natural Bridge, Arizona: To reimburse the Atchison, Topeka, and Santa Fe Railroad Company for expenses incurred by said corporation in the making of permanent repairs to what is known as the Natural Bridge, in the Petrified Forest, in the Territory of Arizona, $464.26.

The amendment was agreed to.

The next amendment was, under the subhead "Government Hospital for the Insane," on page 43, after line 7, to insert:

Buildings and grounds, Government Hospital for the Insane: For extending building for cold storage and providing necessary machinery and ice tanks, piping, etc., and for cooling same and doubling the present output of ice, $5,280.

The amendment was agreed to.

The next amendment was, under the subhead "Public Lands Service," on page 47, after line 20, to insert:

Payment to Waller R. Staples: To reimburse Waller R. Staples, late detailed clerk of the General Land Office, for salary and expenses incurred and paid for by him in the employment of an assistant used in the examination of surveys from July 4 to and including August 6, 1897, $55.

The amendment was agreed to.

The next amendment was, on page 48, after line 2, to insert:

Payment to Richard O. Chaney and William W. Smith: To pay Richard O. Chaney and William W. Smith balance due on contract for surveys approved and accepted of township exteriors in the strip of public land lying north of the State of Texas and bounded on the north by the States of Colorado and Kansas, under act of March 3, 1881, $117.86.

The amendment was agreed to.

The next amendment was, under the subhead "Geological Survey," on page 49, line 17, after the word "Government," to insert the following proviso:

Provided further, That of the foregoing amount $10,000 shall be available and may be used by the Secretary of Agriculture for all necessary expenses incident to testing, in connection with the Louisiana Purchase Exposition Company, the manner in which timber can best be treated chemically to prevent decay and to fireproof the same, to the end that it may be more economically and safely used for bridge and other structural timbers, lumber, poles, fence posts, ties, mine props, and so forth: *Provided further*, That all testing cylinders and all timbers to be tested shall be contributed without charge to the Government, except that necessary housing for the protection of machinery and of those conducting the work may, in the discretion of the Secretary of Agriculture, be paid from the said $10,000.

The amendment was agreed to.

The next amendment was, under the subhead "Indian Affairs," on page 51, after line 19, to insert:

To pay to William G. Malin, United States Indian agent, Sac and Fox Agency, Toledo, Iowa, to reimburse him for expenses incurred in defending a suit brought against him in his official capacity as said Indian agent, $980.78.

The amendment was agreed to.

The next amendment was, on page 51, after line 24, to insert:

The expenditure of $4,985.20 by the superintendent of the industrial school at Carlisle, Pa., for transportation and expense of securing Indian youths from Alaska to said school at Carlisle, Pa., for the current fiscal year is hereby authorized to be paid from the appropriation for transportation of Indian pupils for said year.

The amendment was agreed to.

The next amendment was, on page 52, after line 6, to insert:

The unexpended balance of the appropriations for support of Indian day and industrial schools and for other educational purposes made by the Indian appropriation act for the fiscal year 1903 is hereby reappropriated and made available for the same purpose for the fiscal year 1904.

The amendment was agreed to.

The next amendment was, on page 52, after line 12, to insert:

The unexpended balance of the appropriations for construction, purchase, lease, and repair of school buildings and sewerage, water supply and lighting plants, and purchase of school sites or additions thereto, and improvement of buildings and grounds, made by the Indian appropriation act for the fiscal year 1903 is hereby reappropriated and made available for the same purpose for the fiscal year 1904.

The amendment was agreed to.

The next amendment was, on page 52, after line 20, to insert:

To enable the Secretary of the Interior to compromise, adjust, and obtain the formal relinquishment of the alleged claim of Castanos Pinc or any person claiming under him to any and all portions of township 11 south, range 3 east of San Bernardino meridian, within the reservation patented to the Santa Ysabel band or village of Mission Indians in the State of California, upon such terms and conditions as may be arranged by the Secretary of the Interior, $1,000, or so much thereof as may be necessary: *Provided*, That this provision shall in no sense be regarded as a recognition by the United States of the validity of said claim.

The amendment was agreed to.

The next amendment was, under the head of "Post-Office Department," at the top of page 54, to insert:

For rent of office room No. 51 in the Home Life Building in the city of Washington, D. C., from J. T. Suter, jr., for two months from September 8, 1903, including janitor service, $

The amendment was agreed to.

The next amendment was, under the head of "Department of Commerce and Labor," on page 59, after line 4, to insert:

For amount actually and necessarily required for repairs to buildings at Ellis Island, N. Y., fiscal year 1904, to be paid from the permanent appropriation for "expenses of regulating immigration," $100,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of Justice," on page 62, after line 3, to insert:

For stationery for the fiscal year 1904, $300.

For books for law library of the Department, $1,500.

The amendment was agreed to.

The next amendment was, on page 62, line 12, to increase the appropriation for miscellaneous expenditures, including telegraphing, fuel, lights, foreign postage, etc., for the Department of Justice, directly ordered by the Attorney-General, from $2,500 to $5,000.

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous, Department of Justice," on page 62, after line 18, to insert:

For salaries and expenses, Spanish Claims Commission, namely: For expenses of taking testimony abroad, to be available until used, $20,000.

Mr. HALE. In the amendment just read the word "Treaty" has been omitted after the word "Spanish," in line 19. I move that it be inserted.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Maine will be stated.

The SECRETARY. On page 62, line 19, after the word "Spanish," it is proposed to insert "Treaty;" so as to read:

For salaries and expenses, Spanish Treaty Claims Commission, etc.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 63, after line 11, to insert:

For payment to A. P. Shaw, for services as constable at Wewoka, Ind. T., from May 16, 1900, to December 31, 1901, at the rate of $300 per annum, $975.87.

The amendment was agreed to.

The next amendment was, under the head of "United States courts," on page 64, line 14, to increase the appropriation for salaries of United States district attorneys and expenses of United States district attorneys and their regular assistants for the fiscal year 1903 from $43.87 to $131.35.

The amendment was agreed to.

The next amendment was, on page 64, after line 21, to insert:

To pay amounts found due by the accounting officers of the Treasury on account of the appropriation "Rent of court rooms, United States courts," for the fiscal year 1903, $1,802.12.

The amendment was agreed to.

The next amendment was, under the head of "Legislative," on page 66, after line 9, to insert:

SENATE.

To pay the widow of Hon. Marcus A. Hanna, late a Senator from the State of Ohio, $5,000.

The amendment was agreed to.

The next amendment was, on page 66, after line 12, to insert:

To reimburse the official reporters of the proceedings and debates of the Senate for expenses incurred from March 4, 1903, to March 4, 1904, for clerk hire and other extra clerical services, $4,740.

The amendment was agreed to.

The next amendment was, on page 66, after line 17, to insert:

To pay William B. Turner for completing the table of contents and preparing an index to the Report of the Isthmian Canal Commission and appendices thereto, $300.

The amendment was agreed to.

The next amendment was, on page 66, after line 21, to insert:

To pay G. C. Lodge for translating document entitled "Compagnie Nouvelle du Canal de Panama," as authorized by Senate resolution of February 2, 1904, $54.50.

The amendment was agreed to.

The next amendment was, at the top of page 67, to insert:

To pay John F. Hayes, for services in reporting and transcribing testimony taken by the subcommittee of the Committee on Territories in the inquiry relative to Alaska, under Senate resolution of March 19, 1903, and indexing said testimony and the report, $500.

The amendment was agreed to.

The next amendment was, on page 67, after line 6, to insert:

To pay Thom Williamson, jr., and Ernest J. Waterman, assistant clerks to the Committee on Military Affairs, the sum of $150 each, for indexing hearings before the Committee on Military Affairs during the present session, including those in connection with the promotion of Brig. Gen. Leonard Wood, $300.

The amendment was agreed to.

The next amendment was, on page 67, after line 13, to insert:

To pay Dennis M. Kerr for services as assistant clerk, by detail to the Committee on Pensions, $750.

The amendment was agreed to.

The next amendment was, on page 67, after line 16, to insert:

To pay Ormsby McHarg for indexing and for extra services as clerk to the Committee on Pensions, $750.

The amendment was agreed to.

The next amendment was, on page 67, after line 19, to insert:

To pay J. H. Jones for extra services in the care of the Senate chronometer and for the work in connection therewith, $100 for the first and second sessions of the Fifty-eighth Congress.

The amendment was agreed to.

The next amendment was, on page 67, after line 23, to insert:

For fuel, oil, cotton waste, and advertising, for the heating apparatus, exclusive of labor, $5,000.

The amendment was agreed to.

The next amendment was, at the top of page 68, to insert:

For miscellaneous items, exclusive of labor, $25,000.

The amendment was agreed to.

The next amendment was, on page 68, after line 2, to insert:

For repairs of Maltby Building, $250.

The amendment was agreed to.

The next amendment was, under the subhead "House of Representatives," at the top of page 73, to insert:

For two laborers, known as "cloak-room men," at the rate of $900 per annum each, from May 1, 1904, until the close of the fiscal year 1905, $1,400.

The amendment was agreed to.

The next amendment was, on page 75, after line 7, to insert:

CIVIL SERVICE COMMISSION.

For necessary traveling expenses, including those of examiners acting under the direction of the commission, and for expenses of examinations and investigations held elsewhere than at Washington, $1,500.

The amendment was agreed to.

The next amendment was, under the head of "Judgments, Court of Claims," on page 75, line 18, after the word "seventy-two," to insert "and Senate Documents Nos. 287 and;" and in line 23, before the word "cents," to strike out "thirty-seven thousand four hundred and forty-six dollars and fifty-eight" and insert "seventy-five thousand two hundred and thirty-one dollars and fifty-nine;" so as to read:

For the payment of the judgments, except the judgment in favor of Joseph Sudsburger, No. 21254, rendered by the Court of Claims and reported to Congress in House Documents Nos. 654 and 672, and Senate Documents Nos. 287 and —— of the present session, $175,231.59, etc.

Mr. HALE. After the word "eighty-seven," in line 20, I move to strike out "and" and to insert "292 and 296," and in line 22, instead of "$75,231.59," I move to insert "$179,467.32."

The amendment to the amendment was agreed to.

Mr. GORMAN. I ask the Senator from Maine what are these judgments? Are they judgments of the Court of Claims?

Mr. HALE. They are additional judgments that have come in since the bill came from the House.

Mr. GORMAN. Oh, yes.

Mr. CULBERSON. I suggest to the Senator from Maine that the words "one hundred and," in line 20, ought also to be stricken out to make sense.

Mr. HALE. The clerks will fix that. There will be only one amount stated.

The PRESIDENT pro tempore. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 75, line 25, after the word "expired," to insert the following proviso:

Provided further, That in the settlement by the accounting officers of the Treasury of the judgment of the Court of Claims in favor of the New York Indians, rendered by said court on November 22, 1898, contained in House Document No. 226, Fifty-sixth Congress, first session, and appropriated for by Congress in the deficiency act of February 9, 1900, the distribution of the award to said Indians shall be made on settlements of Auditor for the Interior Department.

Mr. GORMAN. I should like to ask the Senator from Maine what this means? It appears that in 1900 the appropriation was made, but the settlement was not made. Is this a transfer of these accounts from the Auditor of the Treasury to the Auditor of the Interior Department, or what does it mean? It seems to be a little obscure. It appears that this amount was appropriated by Congress in the deficiency act of 1900.

Mr. HALE. I have a letter from the Department covering it.

Mr. GORMAN. I should be glad to have some explanation in regard to the item.

Mr. HALE. It may be passed for the present. I will call it up later.

Mr. GORMAN. Very well.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Judgments, United States courts," on page 76, line 12, after the word "of," to strike out "the final judgments and decrees" and insert "certain judgments;" in line 13, after the word "rendered," to strike out:

Under the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States."

And insert:

By the United States courts and by the circuit court of Fond du Lac County, Wis., for which the United States is liable.

So as to read:

For payment of certain judgments, including costs of suit, which have been rendered by the United States courts and by the circuit court of Fond du Lac County, Wis., for which the United States is liable, certified to Congress at its present session by the Attorney-General in House Document No. 669 of this session, etc.

Mr. HALE. That item has been recast by the Department, and I ask to substitute for it what I send to the desk.

The PRESIDENT pro tempore. The Senator from Maine offers an amendment, which will be stated.

The SECRETARY. On page 76 strike out all after line 11 down to and including line 3, on page 77, and insert:

For payment of certain judgments, including costs of suit, which have been rendered by the United States courts on mandate of the Supreme Court of the United States and by the circuit court of Fond du Lac County, Wis., and not appealed, for which the United States is liable, certified to Congress at its present session by the Attorney-General in House Document No. 669, except the two judgments in favor of the Coca-Cola Company, $57,372.79, together with such additional sum as may be necessary to pay interest on the respective judgments as may be authorized by law from the date thereof: *Provided*, That none of the judgments herein provided for shall be paid until the right of appeal shall have expired: *Provided further*, That hereafter estimates for the payment of all judgments against the United States, including judgments in Indian depredation claims and of United States courts, shall be transmitted to Congress through the Treasury Department, as other estimates of appropriations are required to be transmitted.

Mr. GORMAN. Ought we not to fix the rate of interest on these judgments from the date thereof at 4 per cent? I think it is left indefinite here.

Mr. HALE. There has been a question in some of these cases as to the amount of interest, whether it should be 4 per cent or otherwise; and as the Department is in some doubt about it, the provision here is that it shall be whatever the law prescribes.

Mr. GORMAN. I will say to the Senator that in nearly all cases of the payment of judgments Congress has arbitrarily fixed the rate of interest at 4 per cent.

Mr. HALE. That is the general rule; but there are cases where a question has arisen as to the rate.

Mr. GORMAN. I suggest an amendment that the interest shall not exceed 4 per cent per annum.

Mr. HALE. I have no objection to that, and will modify the amendment in that respect.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. HALE. I send to the Senator from Maryland, so that he may examine it, the letter, which I did not have at the time, respecting the other item about the Auditor of the Interior Department.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Judgments in Indian depredation claims," on page 77, line 8, after the word "seventy-one," to insert "and Senate Document No. 284;" and in line 11, before the word "dollars," to strike out "sixty thousand seven hundred and eighty-five" and insert "one hundred and seventeen thousand seven hundred and seventy-nine;" so as to read:

For payment of judgments rendered by the Court of Claims in Indian depredation cases, certified to Congress at its present session in House Document No. 671 and Senate Document No. 284, $117,779, etc.

Mr. HALE. In line 8, I move to strike out "Document" and insert "Documents;" and after "eighty-four," in line 9, to insert "and two hundred and ninety-three;" and the total should be changed to "one hundred and nineteen thousand nine hundred and twenty-nine."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 78, after line 5, to insert:

JUDGMENT COURT OF PRIVATE LAND CLAIMS.

For payment of the judgment of the Court of Private Land Claims entered December 14, 1903, against the United States in the case of Jose Chaves y Gallegos and others *v.* The United States, No. 57, Nicolas Duran de Chaves grant, as set forth in House Document No. 682, this session, $513.62.

The amendment was agreed to.

The reading of the bill was continued to the end of line 9, on page 79.

Mr. PETTUS. Mr. President, I desire some information about this provision in the bill:

For payment to Western Union Telegraph Company, interest on settlements withheld under act of March 3, 1875, $9,899.52.

I notice that the whole sum is said to be interest. Is it proposed to change the custom of the Government in reference to the payment of interest? As I understand, it has been for some years the settled practice of the Government not to pay interest. Is there any reason why this claim should be treated differently from others?

Mr. HALE. The item is put in because the Department has certified that it is an audited claim, and I can not go into the considerations that affected the settlement by the Auditor. What the committee does in these cases is to put in the claims that are estimated for and certified as audited claims. This was put in not by the Senate, but by the House. It is a House provision.

Mr. PETTUS. I understand that it was put in by the House, but I want to know on what principle it is put in. Has it been determined that the United States ought to pay interest generally?

Mr. HALE. I do not know——

Mr. PETTUS. You do not know why this is exempted from the general rule?

Mr. HALE. I do not know, except that it is estimated for and audited and sent here as an audited claim; but I can have that information hunted up in the Department, and I will furnish it to the Senator later. But I know now that it is in the House bill and was regularly audited and certified. What the reasons are that governed the Department in estimating this and in auditing it I do not know, because we do not examine into these individual claims.

Mr. PETTUS. I think we ought to settle it and ought to have one rule on the subject. Now, there was a large amount that was due to railroads——

Mr. HALE. I will have a dispatch sent to the Treasury Department asking for the basis on which this claim was audited, and why interest is allowed in contravention of the general rule that the Government does not pay interest, if that will satisfy the Senator.

Mr. PETTUS. It seems to me we ought to have a general rule on the subject.

I was going to say that there were a large number of railroads which presented claims here because they were disallowed in the settlement of their accounts on account of the railroad being what is called a land-grant road. The road to which I refer ran through different States. In some one of the States the railroad was a land-grant road and in the other State it was not. For instance, one of the railroads ran through Mississippi and Tennessee. The Department deducted 20 per cent under the land-grant act and refused to allow compensation even in the State where it was not a land-grant road.

The Supreme Court of the United States decided that that was a wrong construction; that the railroad ought to be allowed the full amount in the State where there had been no grant made; that the 20 per cent ought to be deducted in Mississippi, but not in Tennessee, in the particular case of which I speak.

Those claims were afterwards presented to Congress and many of them allowed so far as concerns the principal, but on not one of them that I ever heard of was interest allowed—not a dollar. It seems to me we ought to have a general rule. I move to strike out this item.

Mr. HALE. Let the motion be pending.

Mr. PETTUS. Let it be pending, and perhaps the chairman can get satisfactory information from the Department.

Mr. HALE. That may be done. The motion to strike out the item is pending.

Mr. PLATT of Connecticut. Mr. President, we have a law that where judgments are rendered by United States courts they shall bear interest.

Mr. PETTUS. I was not speaking of judgments at all.

Mr. PLATT of Connecticut. No. I suppose that at the Auditor's department this must have been assimilated to cases of this kind; but I am very frank to say that I do not see how it could be.

Mr. HALE. The information that I get from the Department will disclose that very point, and I agree with the Senator from Alabama that we ought to have that information.

The PRESIDENT pro tempore. The motion to strike out is pending and will be passed over for the present.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the subhead "Claims allowed by the Auditor for the Post-Office Department" on page 87, after line 16, to insert as a new section the following:

SEC. 3. That for the payment of the following claims, certified to be due by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1901 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in Senate Document No. ——, reported to Congress at its present session, there is appropriated as follows:

CLAIMS ALLOWED BY THE AUDITOR FOR THE TREASURY DEPARTMENT.

For repairs and preservation of public buildings, $5.60.
For collecting the revenue from customs, $28.
For repayment to importers excess of deposits, $19.06.
For Life-Saving Service, $537.85.

CLAIMS ALLOWED BY THE AUDITOR FOR THE WAR DEPARTMENT.

For pay, and so forth, of the Army, $51.52.
For subsistence of the Army, $143.44.
For transportation of the Army and its supplies, $70.28.
For pay, transportation, services, and supplies of Oregon and Washington volunteers in 1855 and 1856, $107.85.

CLAIMS ALLOWED BY THE AUDITOR FOR THE INTERIOR DEPARTMENT.

For surveying the public lands, $4,575.

CLAIMS ALLOWED BY THE AUDITOR FOR THE STATE AND OTHER DEPARTMENTS.

State Department.

For pay of consular officers for services to American vessels and seamen, $256.90.
For relief and protection of American seamen, $40.

The amendment was agreed to.

The next amendment was, on page 89, after line 14, to insert:

Department of Justice.

For pay of special assistant attorneys, United States courts, $200.

CLAIMS ALLOWED BY THE AUDITOR FOR THE POST-OFFICE DEPARTMENT.

For limited indemnity for lost registered mail, $5.

The amendment was agreed to.

The next amendment was, on page 89, after line 21, to insert:

SEC. 4. For payment of a certain Treasury settlement heretofore certified to Congress by the Secretary of the Treasury, namely, settlement No. 5000, in favor of the Eureka Insurance Company, of Pittsburg, Pa., William L. Jones, receiver, $5,000, reported in Senate Executive Document No. 5, Fifty-third Congress, third session.

To pay the State of Missouri, on account of interest and other incidental expenses paid in connection with the loans procured in raising troops to aid the United States in the suppression of the rebellion, as set forth in Senate Document No. 52, the present session, $475,198.13.

To pay to the State of Texas as reimbursement to said State for expenses incurred in maintaining a civil government, etc., in what was then known as Greer County, Tex., now known as Greer County, Okla., as shown by reports of the Secretary of the Interior contained in House Document No. 571, Fifty-seventh Congress, first session, and House Document No. 571, part 2, Fifty-seventh Congress, first session, $50,874.53.

The amendment was agreed to.

Mr. CULLOM. I desire to offer an amendment to the next section and also as applied to all the rest of the bill after the fifth section.

Mr. LODGE. I ask the Senator from Illinois if he is going to have his amendment printed?

Mr. CULLOM. I offer it that it may be printed. It is an amendment to the fifth section and also a motion to strike out the remaining sections on that subject.

Mr. LODGE. I have also an amendment to offer to this section, which I ask may be printed and go over.

The PRESIDENT pro tempore. The amendment will be printed.

Mr. HALE. The Senator from North Dakota [Mr. MCCUMBER] is desirous of going on with the pension bills; and as we have reached the part of the bill relating to Chinese, I shall not ask the Senate to go on with it further, because there are several amendments to those provisions that have not yet been printed or made known to Senators. I shall call up the bill in the morning immediately after the routine morning business.

The PRESIDENT pro tempore. Does the Senator from Maine desire the remainder of the bill to be read now?

Mr. HALE. No; that is not essential.

Mr. CULLOM. I rose to move an executive session, but I understand the Senator from North Dakota desires to make a request.

CROW INDIAN RESERVATION, MONT.

Mr. BARD submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11676) to ratify and amend an agreement with the Indians of the Crow Reservation in Montana and making appropriations to carry the same into effect, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: Add at the end of said amendment the following: ", the same to be reimbursed out of the first moneys to be received from the sale of said lands;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In line 19 of said amendment, after the word "practicable," strike out the word "The" and insert the following: "*Provided, however*, That if the lands withdrawn under the reclamation act are not disposed of within five years after the passage of this act, then all of said lands so withdrawn shall be dis-

posed of as other lands provided for in this act. That the;" and the Senate agree to the same.

THOMAS R. BARD,
WM. M. STEWART,
LEE S. OVERMAN,
Managers on the part of the Senate.

CHARLES CURTIS,
JOHN F. LACEY,
JOHN H. STEPHENS,
Managers on the part of the House.

The report was agreed to.

CONSIDERATION OF PENSION BILLS.

Mr. MCCUMBER. I simply wish to ask unanimous consent for the consideration of unobjected bills on the Pension Calendar.

Mr. CULLOM. It is important that we shall have an executive session.

Mr. MCCUMBER. If I may make one statement to the Senator, nearly two-thirds of the Senators are asking me daily to get these matters disposed of and to get them disposed of before we adjourn. At some time we shall have to take them up, and I do not know of any better time. I have tried to find a time that would be more agreeable to Senators in general than this time.

We can get through with them in about an hour, and then I will guarantee that I will not trouble Senators to yield again for the purpose of considering the Calendar of pension bills. I sincerely hope the Senator from Illinois will not press his motion for an executive session at this time, because if the Senator insists on it I shall simply have to yield and say that I can not get up this Calendar during the balance of the session.

Mr. GORMAN. I trust another arrangement will be made for the pension bills. There will be no objection, I think, to taking them up to-morrow. It is late in the afternoon, and I object.

Mr. SCOTT. I hope the Senator from North Dakota will not promise that he will not call up the pension bills that are to be put on the Calendar that the House are passing to-day. They are on pension bills to-day.

Mr. MCCUMBER. I have a hard enough time to get the consideration of those already on the Calendar without promising anything in future as to others.

The PRESIDENT pro tempore. The Senator from North Daketa asks unanimous consent that the Senate proceed to the consideration of unobjected pension cases.

Mr. GORMAN. I object.

The PRESIDENT pro tempore. Objection is made.

Mr. CULLOM. I wish to move an executive session.

Mr. HALE. I do not wish it understood that any part of to-morrow can be yielded to pension bills, because the deficiency appropriation bill must go through to-morrow.

Mr. MCCUMBER. Then I ask unanimous consent that to-morrow at 4 o'clock the Senate shall proceed to consider unobjected bills on the Calendar, in case the pending appropriation bill is disposed of.

Mr. GORMAN and Mr. HALE. There is no objection to that.

Mr. QUARLES. Will the Senator enlarge the order so as to include unobjected bills to correct military records?

Mr. MCCUMBER. I will do so.

The PRESIDENT pro tempore. The Senator from North Dakota asks unanimous consent that at 4 o'clock to-morrow the Senate shall proceed to the consideration of unobjected pension bills.

Mr. PLATT of Connecticut. Not to interfere with appropriation bills.

The PRESIDENT pro tempore. Not to interfere with any appropriation bill. Is there objection? The Chair hears none, and the order is made.

Mr. QUARLES. I should like to have the order amended. The Senator from North Dakota is willing that not only unobjected pension bills, but unobjected bills to correct military records may also be included in the agreement.

Mr. MCCUMBER. I have not the slightest objection. There are only a few of those.

The PRESIDENT pro tempore. The Chair regards them, then, as included in the order.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and thirty minutes spent in executive session the doors were reopened, and (at 6 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Saturday, April 23, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 22, 1904.

PROMOTIONS IN THE NAVY.

Lieut. Henry E. Parmenter to be a lieutenant-commander in the Navy from the 12th day of March, 1904, vice Lieut. Commander Frank F. Fletcher, promoted.

Lieut. Issac K. Seymour to be a lieutenant-commander in the Navy from the 2d day of April, 1904, vice Lieut. Commander Edgar T. Warburton, deceased.

Ensign Henry E. Lackey to be a lieutenant (junior grade) in the Navy from the 28th day of January, 1904, having completed three years' service in his present grade.

SOLICITOR OF THE DEPARTMENT OF COMMERCE AND LABOR.

William Miller Collier, of New York, to be solicitor of the Department of Commerce and Labor.

MARSHAL.

James M. Shoup, of Alaska, to be United States marshal for the district of Alaska, division No. 1. A reappointment, his term expiring June 5, 1904.

POSTMASTER.

MISSOURI.

Thomas M. Allen to be postmaster at Cassville, in the county of Cass and State of Missouri, in place of George M. Goodnight, deceased.

HOUSE OF REPRESENTATIVES.

FRIDAY, *April 22, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

CORRECTION.

Mr. GOLDFOGLE. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. GOLDFOGLE. To correct the RECORD of an error in a report filed by the Committee on Claims. Through an inadvertence an error crept in an amendment by the Committee on Claims in House Report No. 2519, and I ask unanimous consent that I may be permitted to have the error corrected, and when so corrected that the report be reprinted.

The SPEAKER. The gentleman from New York asks unanimous consent that a report from the Committee on Claims shall be corrected and reprinted. Is there objection? [After a pause.] The Chair hears none.

APPREHENSION AND DETENTION OF INSANE PERSONS IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I call up the conference report on the bill (H. R. 8692) to authorize the apprehension and detention of insane persons in the District of Columbia, and move concurrence therein.

The Clerk read the conference report and statement of the House conferees, to be found in the RECORD of April 21, 1904.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and the conference report was agreed to.

EAST WASHINGTON HEIGHTS TRACTION RAILROAD COMPANY.

Mr. BABCOCK. Mr. Speaker, I call up the conference report on the bill (H. R. 9331) to extend the time for the completion of the East Washington Heights Traction Railroad, and move concurrence therein.

The Clerk reported the conference report and statement of the House conferees, to be found in the RECORD of April 21, 1904.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

CONNECTING EUCLID PLACE WITH ERIE STREET.

Mr. BABCOCK. Mr. Speaker, I call up the conference report on the bill (S. 2134) to connect Euclid place with Erie street, and ask that it be read.

The Clerk reported the conference report, to be found in the RECORD of April 21, 1904.

Mr. BABCOCK. Mr. Speaker, this is a very important matter, as it relates to the policy of the two Houses in reference to the opening of streets in the District of Columbia. The older Members of the House will recall that some eight years ago we repealed what was known as the "highway act," and since that time a number of streets have been opened, but in each bill it was

provided that the expense of the opening of the streets and the purchase of the ground for the highways should be paid by the District of Columbia and the property benefited and no part of the costs by the Government of the United States.

The organic act of 1878 provided that practically all the expenses of the District government should be borne one-half by the United States and one-half by the District. The House, in the matter of street openings, has enacted in every bill that has passed the provision that the entire expense should be borne by the District and the property benefited. The Senate refuses to concur in the amendments of the House to bills embodying this proposition, and maintains that the measures for street openings now under consideration, and those that are to come later, shall be under the organic act of 1878, which would be one-fourth of the expense to be paid by the General Government, one-fourth by the District of Columbia, and one-half by the property benefited. Your committee of conference felt that on account of the action of the House on all similar measures we could not consent to the position taken by the Senate without first submitting the matter to the House; and now, Mr. Speaker, in order to test the sense of the House on this proposition, I move that the House recede from its position and accept the Senate's proposition, which would entail a divided expense as between the General Government and the District, the same as in all other matters of expense in the District of Columbia.

Mr. COWHERD. Mr. Speaker, I will ask the gentleman from Wisconsin [Mr. BABCOCK] if he will yield to me for a few minutes on this proposition?

The SPEAKER. Does the gentleman yield?

Mr. BABCOCK. Certainly.

Mr. COWHERD. Mr. Speaker, I hope the House will vote down the motion to recede and concur on this bill. This question of opening streets in the District of Columbia may carry with it, if we establish this precedent, a very large expense against the Treasury of the United States. It seems to me there is a radical distinction between the proposition of opening and dedicating a street and the proposition of caring for that street after it has once been dedicated to public use.

I do not believe that it was the intention of the act of 1878 that the Government of the United States should buy from the residents of the District of Columbia their property for streets and then take care of the streets afterwards.

I remember one case, Mr. Speaker, where we passed a bill for the opening of S street where a property owner owning a large tract of property through which this street was to run received a consideration of nearly $50,000 for the property in the street, when his property was absolutely benefited by the street opening.

I submit to this House that if the Government of the United States is to pay one-half of this expense the cost of opening these streets will be very largely increased because of the fact that the payment for it is coming out of the General Treasury.

I submit further that in the vast majority of these opening cases the abutting property ought to pay practically all of the expense of the street opening. Mind you, this is only the condemnation of the land taken for the street. This does not include any part of the expense of grading or paving or improving. One-half of that does come out of the General Treasury.

But I submit that where, as is in many instances the case, the land must be taken in order that the adjacent property may be of any value the Government of the United States ought not to pay a single cent. I hope the House will maintain the proposition on which it has heretofore stood for now nearly ten years and will not agree to recede and concur.

Mr. BABCOCK. As I have stated heretofore, Mr. Speaker, the House conferees desired to submit this question for the consideration of the House. So far as this particular bill is concerned, the matter is comparatively unimportant; that is to say, the amount involved is very small.

Mr. HEMENWAY. Let me ask the gentleman whether this would not change our whole policy as to the manner of paying for opening or improving streets?

Mr. BABCOCK. Yes, sir; it changes the whole policy.

Mr. HEMENWAY. Then it is a very important matter.

Mr. BABCOCK. I so stated; and I ask the attention of the House to the question, as it reverses the previous policy of the House and would not be in harmony with the measures heretofore passed relating to similar subjects—not that it would affect directly the measures heretofore enacted into law—but it would affect and change the general policy.

The simple question, Mr. Speaker, is whether Congress will authorize the opening of streets in the District of Columbia under the organic act of 1878 or will pursue the course that has been followed during the past ten years, and insist that the District and the owners of the property benefited shall pay the whole expense, thus relieving the General Government of any part of the costs. That is the simple question upon which I ask a vote. I move that the House recede and concur in the position taken by the Senate.

Mr. HEPBURN. Will the gentleman from Wisconsin [Mr. BABCOCK] explain the change that appears to be contemplated here? What is the present policy?

Mr. BABCOCK. I endeavored to make that as clear as I could, but I do not think the gentleman from Iowa was here at the time.

This is a bill for connecting Euc id place with Erie street. It is unimportant as an individual bill, but the principle involved is of a great deal of importance. During the past ten years the House has insisted that the District of Columbia and the owners of the property benefited should pay all the expense for the property taken as right of way wherever streets are opened. The Senate has now taken the position that these streets must be opened in accordance with the organic act of 1878, which provides that the expense of the District shall be divided between the General Government and the District of Columbia. The conferees of the House not feeling at liberty to depart from the policy of the House, we have submitted this matter for an expression of the House.

Mr. PERKINS. I wish to ask the gentleman whether it is not the uniform practice in all our cities that the expense of opening a new street through private property shall be thrown upon the abutting or adjacent property that is benefited by the improvement?

Mr. BABCOCK. I will say to the gentleman that in many of the bills which we have passed at this session the property benefited bears all the expense, and the District and the Government of the United States none. The conditions are very different in different places. Sometimes the whole District is interested in opening a street; at other times it is only the abutting or adjacent property that is interested, and in the latter case the committee provides for the assessment of the whole expense upon the property benefited. But the present question is whether the general Government shall bear its proportion under the organic act, or whether the District shall bear the whole expense.

Mr. PAYNE. Mr. Speaker, I understand that whenever the Government of the United States requires any property in Washington for its use, for public buildings, etc., the value of the property immediately runs up to a pretty high figure, especially where condemnation is necessary. I know it has been advocated on this floor time and again that where the Government requires property we ought to buy it, even at an exorbitant price, from the owners, for fear that a commission or a jury may assess the damages much higher than would be demanded in an ordinary sale. For instance, I understand that this block over here, which was condemned for the use of offices of the House of Representatives, was assessed at something like $240,000; but the assessment made by the commissioners or the jury—I do not know which—for the purpose of condemnation was three times as great—about $750,000.

I understand this is always the case when the Government desires property and has to pay for it—that the Government has to pay the full value as it may be fixed upon in the minds of the gentlemen who testify; and of course their opinion on the value of the property is very high. Thus property costs the Government a good deal to condemn. But where the city of Washington or the taxpayers have to pay half the expense, it makes an appreciable difference.

I will ask the gentleman whether he believes that the House ought now to reverse what has been the policy of Congress for years and provide that the Government pay half the expense of opening these streets, instead of having the expense assessed (as is always done everywhere else in the United States) upon the property immediately benefited by the improvements?

Mr. BABCOCK. I do not think the gentleman from New York quite understood the proposition.

This in no way affects the assessment to abutting property; and I will say further, in reference to the juries, that with two or three exceptions the verdicts have been less than the estimates made by the Commissioners, caused doubtless from the fact that we provide in all cases that not less than one-half of the damages shall be assessed as benefits to the property benefited. The other half has to be provided. The property benefited pays half, and heretofore the District has paid all of the other one-half.

Mr. PAYNE. Why should not the District pay all of that half?

Mr. BABCOCK. I am not asking that question. I am trying to make it clear to the gentleman what this proposition is.

The Senate takes the position that the organic act of 1878 should apply to the opening of streets as well as to other District expenses, thereby making the General Government pay one-quarter, the District of Columbia one-quarter, and the property benefited one-half.

Mr. PAYNE. Is that the present rule?

Mr. BABCOCK. No.

Mr. PAYNE. That is the proposed rule. The present rule is that the abutting owners pay half and the District half.

Mr. BABCOCK. Yes.

Mr. PAYNE. Then I hope that will be the rule maintained by the House of Representatives at least.

Mr. BUTLER of Pennsylvania. Why should the Government pay one-quarter?

Mr. PAYNE. Nobody is able to state why the Government should pay a quarter.

Mr. HEMENWAY. In all cases do the property owners pay just one-half?

Mr. BABCOCK. In most cases the bills provide that they must pay not less than one-half, or else the whole proceeding is set aside.

Mr. HEMENWAY. I understand your bills, as a rule, provide they must pay one-half, but is it not a fact that they often pay all of it?

Mr. BABCOCK. Oh, yes; in several cases. We passed three bills here the other day providing that all the costs should be assessed as benefits.

Mr. HEMENWAY. In some cases the abutting property owners pay all the damages.

Mr. BABCOCK. Yes.

Mr. HEMENWAY. Now, if the Government contributed any portion, would not the gentlemen who assess damage always let the Government in to pay a portion?

Mr. BABCOCK. That question would not be affected, because the District now pays one-half. It is only a question of the contribution of one-quarter by the Government.

Mr. HEMENWAY. I understand that, but in all dealings between the citizens and the District they will assess as nearly as possible the correct amount of damages; but when the Government comes in to pay a portion of it, it is reasonable to suppose that they will never assess more than one-half the benefits to the abutting owners. I do not believe that the policy of this House that has existed for ten years ought to be changed. I believe it is the duty of the owners of abutting property and of the District of Columbia to pay the damages, and that the Government ought not to contribute.

The SPEAKER. The question is on the motion of the gentleman from Wisconsin that the House recede from its amendment.

The motion was rejected.

Mr. BABCOCK. I move that the House further insist upon its amendment.

The motion was agreed to.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. HEMENWAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the sundry civil appropriation bill (H. R. 14416), to nonconcur in all the Senate amendments, and to ask for a conference.

The SPEAKER. The gentleman from Indiana asks unanimous consent to take from the Speaker's table the sundry civil bill, to nonconcur in all the Senate amendments, and to ask for a conference. Is there objection?

Mr. ROBINSON of Indiana. Mr. Speaker, reserving the right to object, I should like to make an inquiry of the chairman of the Committee on Appropriations with reference to three items, which it seems to me run counter to the civil-service law and provide for the appointment of officers by the Departments without reference to passing a civil-service examination.

I ask the gentleman to give the House an opportunity to vote upon that question of the civil-service law as embodied in these three committee amendments in the Senate bill.

Mr. HEMENWAY. I do not know the amendments the gentleman refers to.

Mr. ROBINSON of Indiana. I have just secured a bill, and in the print of the bill I find the amendments, Nos. 95, 96, and 99, on pages 88 and 90. The amendments are as follows:

95. *Provided*, That agents and others employed under this appropriation shall be selected by the Secretary of the Interior, and allowed per diem, subject to such rules and regulations as he may prescribe, in lieu of subsistence, at a rate not exceeding $3 per day each and actual necessary expenses for transportation, including necessary sleeping-car fares.

96. Three hundred and seventy-five thousand dollars: *Provided*, That forestry agents, superintendents, and supervisors, and other persons employed under this appropriation shall be selected by the Secretary of the Interior wholly with reference to their fitness and without regard for their political affiliations, and allowed per diem, subject to such rules and regulations as he may prescribe, in lieu of subsistence, at a rate not exceeding $3 per day each, and actual necessary expenses for transportation, including necessary sleeping-car fares.

99. That persons employed under this appropriation shall be selected by the Secretary of the Interior at a compensation of $2 per day while actually employed, at such times and for such periods as the exigencies of the work may demand.

These are the three propositions I ask the gentleman whether the House will have an opportunity to vote upon. I do not want to surrender the right of the House to a vote upon that proposition unless the gentleman signifies his willingness to give us an opportunity before going at once into conference.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I have been trying to get the floor. I want this to take the regular course, and I call for the regular order.

The SPEAKER. This is the regular order.

Mr. WILLIAMS of Mississippi. No; this matter ought to go to the committee, in the regular order.

The SPEAKER. The gentleman from Indiana asks unanimous consent——

Mr. WILLIAMS of Mississippi. Well, then, I object.

The SPEAKER. The Chair will state the proposition. The gentleman from Indiana asks unanimous consent to take from the Speaker's table the sundry civil appropriation bill, nonconcur in the Senate amendments, and ask for a conference. The gentleman from Mississippi objects.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, in explanation of that I wish to state that the matter can pass over without prejudice until the minority member upon the subcommittee is upon the floor. I object simply because he is not here.

Mr. HEMENWAY. This is the usual motion, and it has been the custom.

Mr. WILLIAMS of Mississippi. I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. It can be again presented to the House at a later hour.

Mr. ROBINSON of Indiana. I have no purpose of pressing an objection if the gentleman will give the House an opportunity for a vote upon the civil-service question involved.

AGREEMENT WITH INDIANS ON CROW RESERVATION, MONT.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 11676, to nonconcur in the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Kansas asks unanimous consent to take from the Speaker's table the following bill, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 11676) to ratify and amend an agreement with the Indians of the Crow Reservation in Montana, and making appropriations to carry the same into effect.

The SPEAKER. The gentleman from Kansas asks unanimous consent to ask for a conference. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The SPEAKER appointed the following conferees: Mr. CURTIS, Mr. LACEY, and Mr. STEPHENS of Texas.

DAVID T. TOWLES.

Mr. CALDERHEAD. Mr. Speaker, I call up the conference report on the bill (H. R. 1851) granting an increase of pension to David T. Towles.

[For conference report and statement see House proceedings of April 21.]

Mr. CALDERHEAD. I move to agree to the report of the committee of conference.

The motion was agreed to.

JOHN WEAVER.

Mr. CALDERHEAD. I call up the conference report on the bill (H. R. 8925) granting an increase of pension to John Weaver.

[For conference report and statement see House proceedings of April 21.]

Mr. CALDERHEAD. I move the adoption of the conference report.

The motion was agreed to.

ENOCH STAHLER.

Mr. CALDERHEAD. I call up the conference report on House bill (H. R. 9256) to increase the pension of Enoch Stahler.

[For conference report and statement see House proceedings of April 21.]

Mr. CALDERHEAD. I move the adoption of the conference report.

The motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 5583. An act to amend an act entitled "An act granting a charter to the General Federation of Women's Clubs," approved March 3, 1901.

The message also announced that the Senate had passed with

amendment bills of the following titles in which the concurrence of the House of Representatives was requested:

H. R. 12647. An act to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes;

H. R. 14826. An act to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska;

H. R. 14754. An act providing for the restoration or maintenance of channels or of river and harbor improvements, and for other purposes; and

H. R. 6758. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1905, and for other purposes.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 15010. An act to amend section 6 of "An act to authorize the construction of a bridge by the New York, Chicago and St. Louis Railroad Company, and the Chicago and Erie Railroad Company across the Calumet River at or near Hammond, Ind., etc.;"

H. R. 15195. An act authorizing the construction of a wagon, toll, and electric-railway bridge over the Missouri River at Lexington, Mo.;

H. R. 7190. An act for the relief of the Bank of North Wilkesboro; and

H. R. 2591. An act for the relief of W. S. Feland, late deputy collector second Kentucky district.

The message also announced that the Senate had passed without amendment the following resolution:

House concurrent resolution No. 35.

Resolved by the House of Representatives (the Senate concurring), That there be printed and bound in one volume, in cloth, 17,000 copies of the three separate memorial addresses delivered before the two Houses of Congress, as follows: On February 12, 1866, by Hon. George Bancroft, on the life and character of Abraham Lincoln, late President of the United States; on February 27, 1882, by Hon. James G. Blaine, on the life and character of James A. Garfield, late President of the United States; on February 27, 1902, by Hon. John Hay, on the life and character of William McKinley, late President of the United States, 12,000 copies of which shall be for the use of the House of Representatives and 5,000 copies for the use of the Senate. The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer.

HOUSE BILL WITH SENATE AMENDMENTS REFERRED.

Under clause 2 of Rule XXIV, House bill, with Senate amendments, of the following title was taken from the Speaker's table and referred to the Committee on Appropriations:

H. R. 14416. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes.

MARY HEANEY.

Mr. CALDERHEAD. I call up the conference report on the bill (H. R. 13850) granting an increase of pension to Mary Heaney.

[For conference report and statement see House proceedings of April 21.]

Mr. CALDERHEAD. I move the adoption of the conference report.

The conference report was agreed to.

INQUIRY REGARDING INDIAN AFFAIRS.

Mr. BURKE. Mr. Speaker, I submit a privileged report from the Committee on Indian Affairs and ask for its immediate consideration.

The Clerk read as follows:

The Committee on Indian Affairs, to whom was referred House resolution 318, being a resolution of inquiry, report back the following resolution in lieu of the same:

"*Be it resolved, etc.*, That the Secretary of the Interior be, and he is hereby, requested to inform the House, if not incompatible with the public service, what action, if any, has been taken by his Department upon the recommendation contained in the report of Charles J. Bonaparte and Clinton R. Woodruff, submitted by message of the President March 7, 1904, and what person or persons, if any, who were then in the service of the Government under the Dawes Commission, have, since the making of such report, been separated from such service, voluntarily or otherwise."

Mr. BURKE. Mr. Speaker, I yield ten minutes to the gentleman from Minnesota [Mr. LIND].

Mr. LIND. Mr. Speaker, on the 11th of April I introduced a resolution of inquiry which I have sent to the Clerk's desk to be read. I ask to have it read in my time.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution No. 318.

Whereas the President of the United States, by his special message of March 7, 1904 (S. Doc. No. 189), transmitted to Congress the charges of Mr. S. M. Brosius, agent of the Indian Rights Association, relative to the abuses and irregularities in the public service in the Indian Territory, together with the report of Charles J. Bonaparte and Clinton Rogers Woodruff, special inspectors appointed under his direction to investigate said charges;

Whereas said charges, among others, contain the following specifications:

"The articles of agreement and incorporation of the Tribal Development Company, of Tishomingo, Ind. T., show that it was organized March 25, 1903, with a capital stock of $100,000 and $12,000 actually paid in.

"P. S. Mosely, governor of the Chickasaw Nation, is also a stockholder. The general nature of the business of the Tribal Development Company is to 'purchase, own, sell, encumber, lease, sublease, and exchange real estate, act as agent, and certify abstracts of title,' etc.

"The Muscogee Title and Trust Company was organized February 24, 1903, and is authorized to transact a general banking business, and in addition may 'buy, sell, and lease lands, and buy and sell stocks and bonds of other corporations,' etc. Tams Bixby, chairman of the Dawes Commission, is a stockholder and a vice-president of the concern. J. George Wright, Indian inspector in charge of Indian Territory, is one of the directors of the company.

"The Canadian Valley Trust Company, of Muscogee, Ind. T., was organized February 23, 1903, and is authorized by its charter to 'buy, sell, lease, and mortgage real estate,' and conduct a general banking business. Tams Bixby is a stockholder and president of this trust company.

"The International Bank and Trust Company, organized February 4, with its main office at Vinita, Ind. T., has the same general powers to 'buy, sell, and mortgage real estate and personal property.' Thomas B. Needles, a member of the Dawes Commission, is a vice-president and director of this company.

"C. R. Breckinridge, a member of the Dawes Commission, is also credited as being interested as a stockholder, either directly or indirectly, in the Eufaula Trust Company, Eufaula, Ind. T.

"Tams Bixby is understood to have been owner of real estate in various sections of the Indian Territory—Fort Gibson, Tahlequah, Tishomingo, and Sulphur Springs, among others.

"There are rumors afloat to the effect that Federal officers in the Indian Territory are financially interested in other transactions that would seem to preclude them from retaining their positions under the Indian Department.

"With the information in the possession of the various officers of the Government employed in the Indian Territory, it is clear that they possess a great advantage over others in pressing business with which they may have an interest, either through a trust company or otherwise. The prestige they have with the Indian and others by reason of their official relations is very important."

Whereas said special inspectors, upon investigation, found and reported, in respect of said charges, as shown by the President's message, in part as follows:

"All the statements of fact contained in the foregoing extracts from Mr. Brosius's report appear to be true, and the 'rumors' to which he refers are shown by the testimony taken before us to be well founded with respect to certain other Federal officers besides those named by him."

Whereas said special inspectors, further commenting upon the activity of the Canadian Valley Trust Company, of which Tams Bixby, chairman of the Dawes Commission, is vice-president, report that said corporation dealt in "lands to which the Indian title had not been extinguished" and is a holder of "leases as collateral for loans," and also find:

"This corporation occupies offices formerly rented by the commission and communicating with the offices now occupied by the latter body. The communication, which was by a spiral staircase, has now been cut off. We find that Commissioner Bixby's notorious interest in the Canadian Valley Trust Company, the fact that, as stated by Mr. Brosius, two former employees of the commission are now the principal officers of this corporation, and its occupancy of offices recently forming part of those of the commission, undoubtedly tend to identify, in some sort, the company with the commission, and to give the former a quasi-official status, which it is not entitled, and which may possibly afford it an illegitimate advantage in dealing with ignorant or otherwise incompetent persons."

Whereas the said inspectors further find and report "in our judgment, Commissioner Bixby's connection with this corporation impairs his usefulness as a public official, and, if he is to retain his present position, it should, in our judgment, be terminated without delay."

And that—

"His investments in what are known as 'possessory rights' in town-site lands seem to us yet more objectionable."

And also find and report that—

"Mr. A. L. Aylesworth, the chief clerk of the commission, and Mr. H. V. V. Smith, its disbursing agent, are identified in public opinion with supposed speculations in real estate in the Territory, especially in connection with town sites, to an extent out of proportion to their apparent means, and which has led to conjectures that they were acting, in some measure at least, as agents for other person or persons, and it has been suggested that Mr. Bixby may have been interested in their investments."

Whereas the said inspectors in summarizing their investigations of the Brosius report say thereof that—

"It in no wise exaggerates, however (on the contrary, it rather understates), the objectionable features of the administration of public affairs in the Territory, and its specific allegations respecting Federal officials are substantially true."

And further clearly intimate that action on the part of the Department is required "in the cases of Commissioners Bixby, Breckinridge, and Needles, and of Mr. Aylesworth and Mr. H. V. V. Smith."

And in conclusion say and recommend:

"Third. That conditions existing at present in the Indian Territory are exceedingly unfortunate. They involve imminent danger of ruin to the genuine Indian population and profound discredit to the United States, excite reasonable discontent on the part of all classes of the population, and demand prompt and drastic remedies on the part of Congress.

"Fourth. The Commission to the Five Civilized Tribes can be abolished with advantage, the remaining work of allotment intrusted to the Indian inspector and that of enrollment committed to the citizenship court."

And

Whereas Congress has failed to take any action upon said report or the President's message in relation thereto: Therefore

Be it resolved by the House of Representatives of the United States, That the Secretary of the Interior be, and he is hereby, requested to report to the House of Representatives forthwith:

First. Whether the said Tams Bixby, J. George Wright, A. L. Aylesworth, H. V. V. Smith, or any of them, are still retained in the service; and if retained, the reasons for such retention.

Second. Whether any of the persons in the public service in the Indian Territory, mentioned in said report as having been guilty of violations of law or of misconduct in the discharge of their official duties, are still retained in the public service; and if retained, the reasons for such retention.

Third. What steps, if any, have been taken by the Department to remedy the evils pointed out in said report and to restore to the rightful owners the lands of which they have been defrauded by the acts or connivance of the officers of the Government.

Mr. LIND. Mr. Speaker, as part of my remarks I shall publish

an additional quotation from the report transmitted by the President's message.

In commenting on the activity of these corporations, it states:

Mention has been made of the interest of the trust companies in dealing in Indian lands. These companies have been organized by the score, and cover every field of the Five Tribes open to investment. They are the chief manipulators in Indian lands, either in leasing, subleasing, or (before the recent ruling of the Secretary of the Interior) purchasing of Creek lands. These trust and development companies are the available avenue for the influential excessive holder to retain the use of his lands in evasion of the law. The company employs men well equipped for field work. These, often in collusion with the excessive holders, buy out the latter's rights, and usually bring to the land office of the Dawes Commission ignorant members of the tribes and see that they make proper filing thereon. A lease covering five years for agricultural purposes is executed at the time in favor of the company or to the middleman who operates to their interests. The Indian who thus files on his allotment usually pays for the improvements by turning over the rents and profits of the land to the trust company, so that during the term of the lease the allottee receives but little or no benefit from the lands, while the excessive holder has in turn retained possession for another five years.

Here we have a state of facts that, if true—and they are reported by commissioners especially appointed by the President of the United States to make this investigation—I say, if true, not only should Congress have acted, but it is certainly the duty of this House to call for the information asked for in the resolution. This resolution of inquiry is not predicated on any charge of mine, nor upon any charge made by any individnal Member of this House. It is predicated solely upon the official report of a commission appointed by the President of the United States to investigate alleged abuses and irregularities in the public service of the Indian Territory. This commission in its official recommendation says: "The Commission to the Five Civilized Tribes can be abolished with advantage"——

The SPEAKER. The time of the gentleman has expired.

Mr. LIND. Well, I ask for ten minutes more time.

Mr. BURKE. Mr. Speaker, unless some member of the committee desires time, I will yield the gentleman ten minutes. I yield the gentleman ten minutes more.

Mr. LIND. I started out to state to the House that in its recommendations the commission appointed by the President to make this investigation states:

The conditions—

Referring to the conditions in the Territory—

are such that they involve imminent danger of ruin to the genuine Indian population and profound discredit to the United States, excite reasonable discontent on the part of all classes of population, and demand prompt and drastic remedies on the part of Congress.

Here we have these specific charges, made after a most careful and exhaustive investigation by commissioners appointed under the direction of the President of the United States, showing that the men sent as guardians to the Indian population of the Indian Territory, sent there to protect the Indians, instead of doing so have organized themselves into various corporate schemes for the purpose, as is here charged—I am making no charge—of looting their wards, of profiting by their positions, of speculating in their official duties.

Mr. LITTLE. Mr. Speaker, I would suggest to the gentleman that the commissioners, as I understand, make bold to assert their interest in these companies and corporations.

Mr. LIND. Well, it is a matter of record.

Mr. LITTLE. I am with you entirely on that proposition.

Mr. LIND. Now, I say in view of charges of this character it does seem to me that this House can not afford to emasculate the resolution which I presented. In this resolution no charges are made except those emanating from the commissioners of the President. Nothing is suggested by the House except that it calls for information. I would ask the members of the committee, I would ask the gentleman who presented this resolution, if a probate court or an orphans' court of his State would tolerate the continuance in office of a guardian for a minor or for persons put under guardianship who had been guilty of the conduct here suggested in the management of their estate.

Mr. HEPBURN. Mr. Speaker, may I ask the gentleman a question?

Mr. LIND. Yes.

Mr. HEPBURN. I understood the gentleman to say he made no charges.

Mr. LIND. I do not.

Mr. HEPBURN. I think, Mr. Speaker, that the gentleman is mistaken. I understand that these resolutions are his resolutions, and this language is his language, and I read:

Third. What steps, if any, have been taken by the Department to remedy the evils pointed out in said report and to restore to the rightful owners the lands of which they have been defrauded by the acts or connivance of officers of the Government.

Now, there is a clear and distinct charge of fraud made by the gentleman from Minnesota on his responsibility, and here is a crime charged against these officers of conniving at this fraud. This is his language; this is his resolution; this is his charge. Now, I want to know if there is anything known to the gentleman that sustains the criminal charge of fraud or the criminal charge of connivance with fraud on the part of these officers, and can the gentleman state it?

Mr. LIND. Well, in the ten minutes I have I have not the time to go through all of this report; but I will ask the gentleman from Iowa [Mr. HEPBURN] this question——

Mr. HEPBURN. No, no; I have asked the gentleman a question. He has said that he has not made a charge, and I insist that he has made one.

Mr. LIND. I object to the gentleman's occupying all of my time. Now, the answer to the question depends on what the gentleman and I respectively consider fraud. If a guardian speculates in the estate of his ward, if he diverts it from its rightful course into his own pocket, I consider that fraud. This report demonstrates that the officials in the Indian Department have done that very thing. It demonstrates that it was the duty of the Commissioners to recommend and pass upon applications for town sites, and it indicates that before they made recommendations for town sites, or cotemporaneously with the recommendation, they obtained leases from the Indians for those town sites and then recommended the establishment of the town sites and dealt in the town lots.

Mr. CURTIS. Mr. Speaker, the report makes no such statement. The Dawes Commission has nothing to do with town sites.

Mr. LIND. I am discussing this report. I am not prepared to discuss intricate questions of law growing out of the bill. Let me read the gentleman a statement from the Brosius report, which this commission finds to be true.

Others well versed in the mode of securing Indians for the purpose of filing bring them in from remote districts and turn them over to the companies for the best figure obtainable, according to the demand and the shrewdness of the manipulators. On one occasion during my stay in the Territory I was informed that one of these rustlers had brought in thirty-four Choctaws and Chickasaws; another one twenty-six, and yet a third a less number, to be sold to the Tribal Trust Company at from $20 to $30 a head. The Indian who hesitates to take advantage of the offer is tempted into acquiescence by proffer of sufficient cash in hand to close the deal, and thus transfers all rights to his home for the time the lease is to run, and if the trade includes his better lands he will likely become a vagabond among his people, as the tribal relations are now broken up and the surplus lands will no doubt soon be disposed of.

Again referring to Chairman Bixby in this connection, the report (p. 22) says:

His investments in what are known as "possessory rights" in town-site lands seem to us yet more objectionable. Town sites are set apart by the Secretary of the Interior upon the recommendation of the commission. There is therefore a possibility that a member of the commission who had acquired the rights of possession previously vested in Indian occupants of land might have derived a profit from the selection of these lands upon its recommendation for town-site purposes, since he could thus purchase, at a greatly reduced price, an absolute interest in the lots laid out on the lands to which his possessory rights extended.

Mr. CURTIS. Does not the gentleman know that the report states as a fact that none of these companies in which the members of the commission were interested had bought any real estate or had leased real estate?

Mr. LIND. Well, I will read from the report and let the report speak for itself on that point. I am reading from page 22:

We have already stated that the allegations of Mr. Brosius respecting the ownership of stock in corporations doing business in the Indian Territory by three members of the Commission to the Five Civilized Tribes and other Federal officers were shown by the proof, and, indeed, admitted by the parties concerned, to be accurate. None of the corporations mentioned by him were shown to deal in lands to which the Indian title had not been extinguished, with the exception of the Canadian Valley Trust Company, which is admitted to be the holder of a small number of leases as collaterals for loans. This corporation occupies offices formerly rented by the commission and communicating with the offices now occupied by the latter body. The communication, which was by a spiral staircase, has now been cut off. We find that Commissioner Bixby's notorious interest in the Canadian Valley Trust Company, the fact that, as stated by Mr. Brosius, two former employees of the commission are now the principal officers of this corporation, and its occupancy of offices recently forming part of those of the commission, undoubtedly tend to identify, in some sort, the company with the commission, and to give the former a quasi-official status to which it is not entitled, and which may possibly afford it an illegitimate advantage in dealing with ignorant or otherwise incompetent persons.

Mr. CURTIS. Does not the gentleman know that in the last Indian appropriation bill an item was inserted requiring all of these parties to dispose of their interest in the several companies at once?

Mr. LIND. I know that is the law; but now I ask the gentleman, as a lawyer and as a Member of this House, whether, if he were the judge of an orphans' court or a judge of probate, and it were shown that a guardian had swindled or connived at the swindling of his ward and in the squandering of the ward's estate, he would continue him as guardian, provided he disposed of the property illegally acquired?

Mr. CURTIS. I would not; but the evidence does not show that these people have squandered any of the lands of the Indians down there. In fact, they can not buy a foot of Indian land down there, and the gentleman knows it.

Mr. LIND. No; but leases.

Mr. CURTIS. And the truth of it is that the gentleman is simply getting this into the RECORD for pol tical purposes, because Mr. Bixby happens to be chairman of the Republican committee of his State, and for no other purpose.

Mr. LIND. Oh, well, now——

The SPEAKER. The time of the gentleman has expired.

Mr. LIND. Mr. Speaker, my time has been occupied by gentlemen on the other side, and I ask for more time.

Mr. BURKE. How much more time does the gentleman want?

Mr. LIND. Not over eight or ten minutes.

Mr. BURKE. Mr. Speaker, I think that I can yield only five minutes to the gentleman.

Mr. LIND. Well, five minutes is enough. It is true that the chairman of this commission has run every political campaign in our State since his appointment, with the exception of one; but I have made no charge against him personally. I do not propose to. It would be too much of an undertaking to go into that, but I do predicate——

Mr. LITTLE. Did he not leave his duties as chairman of this commission in order to do that?

Mr. LIND I will not even charge him with neglecting his duties to run the political campaigns in our State. But these facts are charged against him by the commissioners appointed by the President.

Now, I want to ask the gentleman from Kansas—and he can answer the question by "yes" or "no"—whether he, sitting as judge of a probate court or of an orphans' court, would continue in office as a guardian a man who had been guilty of acts such as are charged against the chairman of this commission in the management of the trust estate of his wards?

Mr. CURTIS. If the acts were proven to be true, no; but if they were proven to be untrue, I would continue him.

Mr LIND. Have these charges been investigated by any other person?

Mr. CURTIS. I am informed that they have been, and have been found to be untrue.

Mr. LIND. Where is the report?

Mr. CURTIS. The gentleman from Iowa [Mr. LACEY] informs me that a report has been made, and it is now a public document. I have not read it.

Mr. LIND. Oh, this is my time. I object to its being occupied in this way.

You say, then—and I want this to go into the RECORD—that this first report, made by the President's special commissioners, was not satisfactory, apparently, to the Administration, and they sent for another. [Laughter and applause on the Democratic side.]

Mr. CURTIS. I do not say it was not satisfactory. I say the matter was thoroughly investigated, and in the substitute we ask the Secretary to inform the House what action he has taken on the report.

Mr. LIND. I do not care to yield further to the gentleman. All I ask is simply that this House say to the Secretary of the Interior: "These charges are made against men in public office in the Indian Territory under your control. If they are retained, why are they retained?" If their character has been established, if they have conducted themselves with clean hands, let the Secretary say so, and we shall all be content.

But to emasculate this resolution of inquiry and simply call upon him to make a general report without answering the specific questions that we are entitled to have answered is unfair to the House and unfair to the country. Least of all is it fair to the Committee on Indian Affairs.

Mr. Speaker, I do not care to occupy further time except to make a parliamentary inquiry. Is it not in order to ask for a vote on the original resolution offered by me instead of the one reported by the committee, or should the matter be reached by a motion to substitute the original resolution?

The SPEAKER. The committee has reported an amendment in the shape of a substitute for the original resolution, and the vote would first come upon that.

Mr. LIND. If that is voted down, then the original resolution would be submitted for the action of the House?

The SPEAKER. Of course the whole matter is in the possession of the House.

Mr. BURKE. I yield five minutes to the gentleman from Kansas [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, I was not a member of the subcommittee that reported this resolution. That subcommittee was composed of the gentleman from New York, Mr. SHERMAN, the gentleman from South Dakota, Mr. BURKE, and the gentleman from New York, Mr. FITZGERALD. The resolution was unanimously reported from the Committee on Indian Affairs. The committee was satisfied after investigation of the question by the subcommittee with this substitute resolution.

Mr. STEPHENS of Texas. The resolution was not unanimously reported. The minority, as the gentleman well remembers, did not join in the report.

Mr. CURTIS. No minority report is on file.

Mr. STEPHENS of Texas. There may be no minority report on file, but the gentleman well remembers that every Democratic member of the committee voted against that resolution.

Mr. CURTIS. I do not know that. The gentleman from New York [Mr. FITZGERALD] was a member of the subcommittee and joined in the report of the subcommittee. I do not want to misrepresent this question. My recollection is that the resolution was unanimously reported. There is no minority report on file.

Mr. STEPHENS of Texas. Only the Republican members of the committee joined in the report.

Mr. CURTIS. The report was made, the Democratic member of the subcommittee joining therein. In this resolution we ask for everything that is necessary. It is only fair to say here that the committee and Congress have taken steps to remedy the wrongs in the Indian Territory. In the Indian appropriation bill and in the deficiency bill—in each of those bills—we have placed $15,000 in the hands of the United States Indian agent and have authorized him to put every Indian there in free and unrestricted possession of his allotment.

Mr. LIND. We all approve of that; but will the gentleman yield for a question at that point?

Mr. CURTIS. Certainly.

Mr. LIND. That is commendable. I congratulate the committee for having come to the rescue of the Indians; but, nevertheless, do you think it is right and proper to continue in the service of the United States officers who have been so derelict in their duty that complications like these have arisen?

Mr. CURTIS. If the gentleman has read the report, and if he has kept informed, he ought to know that three of the men mentioned in his resolution have already resigned and are not now connected with the service, and we have asked the Secretary of the Interior in this resolution to inform the House what action he has taken in regard to the others.

Mr. LIND. I do not so understand it.

Mr. CURTIS. If the gentleman wants to know, the committee were of the opinion that all of the preamble in this resolution, all of the whereases, were simply inserted there by the gentleman from Minnesota for political purposes and for no other. I hope that the House will adopt the substitute reported by the committee.

Mr. LIND. I rise to a question of privilege.

The SPEAKER. The gentleman can not rise to a question of privilege in the time of the gentleman from Kansas. Does the gentleman from Kansas yield?

Mr. CURTIS. I yield for a question.

Mr. LIND. The gentleman from Kansas has charged me on the floor of the House within the last minute with improper motives in introducing this resolution, and I resent it, and I do hope the Speaker will apply the same rule to-day that he applied on yesterday. [Applause on the Democratic side.]

I do not propose, Mr. Speaker, to have my motives impugned by any man without resenting it. [Applause on the Democratic side.]

Mr. CURTIS. The gentleman inserted in his resolution matters that were already before this House.

Mr. LIND. And the House was doing nothing.

Mr. CURTIS. There is a report accessible to any Member of this House, which any person may read, and from that report he can draw his own conclusions. I say that the committee has thoroughly investigated this matter and reported a substitute, and we believe that it fully covers all of the ground of this resolution. I hope the substitute will be adopted.

Mr. PAYNE. I want to ask the gentleman from Kansas if he does not think that if he has accused the gentleman from Minnesota with being a partisan he ought to withdraw that?

Mr. CURTIS. Certainly; if the gentleman objects to it, I will withdraw it.

The SPEAKER. One moment. On yesterday, it is proper for the Chair to state, he called the attention of the House and the gentleman from Mississippi [Mr. WILLIAMS] to the rule of the House. The Chair heard what the gentleman from Kansas said, and he does not understand that the gentleman in any way reflected upon the honor or the official deportment of the gentleman from Minnesota.

Mr. CURTIS. I did not intend to.

The SPEAKER. And therefore the Chair did not think it was proper for him, upon his own motion, to interfere. The Chair states this because the gentleman from Minnesota [Mr. LIND] demanded that the Chair enforce the rule to-day as he did yesterday. The Chair will enforce the rule when it is violated. [Applause on the Republican side.]

Mr. BURKE. I yield half a minute to the gentleman from Illinois [Mr. BOUTELL].

Mr. BOUTELL. Mr. Speaker, on the first day of this session, the 9th of November last, I introduced a bill (H. R. 4) to prevent discrimination against members of Indian tribes attending religious or private schools. The principle of this bill is embodied in the Indian appropriation bill, which has passed both Houses and is now in the hands of the President. I ask unanimous consent for permission to extend some remarks in the RECORD on that subject.

The SPEAKER. The gentleman asks unanimous consent for the privilege of extending his remarks on the House bill indicated by him. Is there objection?

There was no objection.

Mr. BURKE. Mr. Speaker, I now ask for the reading of the substitute resolution offered by the committee.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

The Committee on Indian Affairs, to whom was referred House resolution 318, being a resolution of inquiry, report back the following resolution in lieu of the same:

"*Be it resolved, etc.*, That the Secretary of the Interior be, and he is hereby, requested to inform the House, if not incompatible with the public service, what action, if any, has been taken by his Department upon the recommendation contained in the report of Charles J. Bonaparte and Clinton R. Woodruff, submitted by message of the President March 7, 1904, and what person or persons, if any, who were then in the service of the Government under the Dawes Commission, have, since the making of such report, been separated from such service, voluntarily or otherwise."

Mr. BURKE. Mr. Speaker, the resolution in question was considered by a subcommittee, as stated by the gentleman from Kansas [Mr. CURTIS], and the resolution which has just been read was reported to the full committee by a unanimous report. It was considered by the full committee and reported unanimously—at least no minority report was made.

Mr. STEPHENS of Texas. Will the gentleman permit me to ask him a question?

Mr. BURKE. Certainly.

Mr. STEPHENS of Texas. Is it not a fact that every Democrat present voted against the emasculation of the resolution and this report?

Mr. BURKE. If the gentleman asks me my recollection of the matter, I do not think it is a fact. I think there were two or three of the minority members who voted "no." But no minority report has been made, and having read the full resolution and having heard the remarks made by the gentleman from Minnesota it makes apparent the purpose he had in mind when he offered this resolution. The substitute resolution will furnish to this House all the information that the House desires. It is in the usual form of such resolutions and I ask for the previous question.

The SPEAKER. The gentleman demands the previous question.

The question was taken; and the previous question was ordered.

The SPEAKER. The question is on agreeing to the substitute.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. LIND. Division.

The House divided; and there were—ayes 97; noes 91.

So the substitute resolution was agreed to.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. HEMENWAY. Mr. Speaker, I present the following report from the Committee on Appropriations:

The Clerk read as follows:

A bill (H. R. 14416) making appropriations for sundry civil expenses of the Government, etc., with amendments of the Senate, with the recommendation to nonconcur in all the Senate amendments.

Mr. HEMENWAY. Mr. Speaker, in view of the fact that this is a unanimous report from the Committee on Appropriations, I ask that the House nonconcur in all the Senate amendments and ask for a conference.

The SPEAKER. The gentleman asks unanimous consent that the House nonconcur in all the Senate amendments and ask for a conference. Is there objection? [After a pause.] The Chair hears none. The Chair appoints the following conferees: Mr. HEMENWAY, Mr. GILLETT of Massachusetts, and Mr. BENTON.

COMMERCIAL RELATIONS OF THE UNITED STATES.

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

The Clerk read as follows:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of Commerce and Labor, accompanying the Commercial Relations of the United States for the year 1903, being the annual and other reports of consular and diplomatic officers upon the industries and commerce of foreign countries.

In view of the importance of these reports to our business interests, I approve the recommendation of the Secretary of Commerce and Labor that Congress authorize the printing of an edition of 10,000 copies of the summary entitled "Review of the World's Commerce," and of 5,000 copies of Commercial Relations, including the summary, to be distributed by the Department of Commerce and Labor.

THEODORE ROOSEVELT.

WHITE HOUSE, *April 22, 1904.*

PENSIONS.

Mr. GIBSON. Mr. Speaker, this being the day set apart under the rule for the consideration of pension bills on the Private Calendar, in order to save the time of the House, I ask unanimous consent that these bills be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the bills in order to-day be considered in the House as in Committee of the Whole House. Is there objection?

Mr. LUCKING. Mr. Speaker, very reluctantly, I object.

Mr. GIBSON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole for the consideration of bills on the Private Calendar, under the rule.

COMMITTEE ON PATENTS.

The SPEAKER. Pending that motion, the gentleman from New Hampshire desires to make a request for unanimous consent.

Mr. CURRIER. Mr. Speaker, I ask unanimous consent that the Committee on Patents be authorized to have such printing and binding done as may be necessary for the use of that committee.

The SPEAKER. The gentleman from New Hampshire asks unanimous consent that the Committee on Patents be authorized to have such printing and binding done as is necessary for the use of the committee. Is there objection? [After a pause.] The Chair hears none.

PENSION BILLS.

The motion to go into Committee of the Whole was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. SPALDING in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of bills on the Private Calendar under the rule, and the Clerk will report the first bill.

THOMAS MAHERS.

The first pension business was the bill (H. R. 13886) granting an increase of pension to Thomas Mahers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Mahers, late of Battery C, Fourth Regiment United States Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALEXANDER P. NELSON.

The next pension business was the bill (H. R. 14572) granting an increase of pension to Alexander P. Nelson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alexander P. Nelson, late of Company K, Eighty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6, after the word "late," strike out the word "of" and insert in lieu thereof the words "first lieutenant."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CAROLINE M'GIMSEY.

The next pension business was the bill (H. R. 14640) granting an increase of pension to Caroline McGinsey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Caroline McGinsey, widow of Francis M. McGinsey, late of Company H, One hundred and fifth-first Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Caroline," strike out the word "McGinsey" and insert in lieu thereof the word "McGimsey."

In same line, before the word "late," strike out the word "McGinsey" and insert in lieu thereof the word "McGimsey."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM L. BEVERLY.

The next pension business was the bill (H. R. 14611) granting a pension to William L. Beverly.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William L. Beverly, and pay him a pension at the rate of $12 per month. He acted as a spy for the United States Army in eastern Kentucky and southwestern Virginia under direction of General ——, and his name was kept from the roll on account of the penalty for that work. He captured valuable papers that resulted in the destruction of the rebel forces in that country.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "and," insert the words "late scout and spy, United States Volunteers."

In line 7 strike out the words "He acted as a spy for the United," and all of lines 8, 9, 10, 11, and 12.

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY J. WAUGH.

The next pension business was the bill (H. R. 487) granting a pension to Mary J. Waugh.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Mary J. Waugh, widow of Andrew Waugh, late of Company M, Twentieth Regiment of Pennsylvania Cavalry, and pay her a pension of $15 a month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary J. Waugh, widow of Andrew Waugh, late of Company D, Twentieth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM M. CROW.

The next pension business was the bill (H. R. 698) granting a pension to William M. Crow.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of William M. Crow, for services performed and disabilities incurred during the civil war, and to pay him the sum of $20 per month, beginning January 1, 1890.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William M. Crow, late of Company B, Sixth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALEXANDER ADAMS.

The next pension business was the bill (H. R. 4379) granting an increase of pension to Alexander Adams.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alexander Adams, late of Company A, One hundred and thirty-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

DANIEL A. BUTLER.

The next pension business was the bill (H. R. 4584) granting an increase of pension to Daniel A. Butler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel A. Butler, late of Company E, Third Regiment Massachusetts Militia Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Militia."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

PRINCE A. GATCHELL.

The next pension business was the bill (H. R. 14531) granting an increase of pension to P. A. Gatchell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of P. A. Gatchell, late captain Company —, First Regiment Maine Volunteer Heavy Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "P." and insert in lieu thereof the word "Prince."

In same line, after the word "Company," insert the letter "E."

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ARCHIE C. FISK.

The next pension business was the bill (H. R. 14308) granting a pension to A. C. Fisk.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of A. C. Fisk, late captain and assistant adjutant-general, United States Volunteers, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "A." and insert in lieu thereof the word "Archie."

In line 8, after the word "month," insert the words "in lieu of that he is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES W. SMITH.

The next pension business was the bill (H. R. 14201) granting an increase of pension to James H. Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James H. Smith, late sergeant of Company H, Thirtieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "H" and insert in lieu thereof the letter "W."

In same line strike out the word "sergeant."

In same line strike out the word "Thirtieth" and insert in lieu thereof the word "Thirty-seventh."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

Amend the title so as to read: "A bill granting an increase of pension to James W. Smith."

The amendments were agreed to.

The bill as amended was laid aside, to be reported to the House with the recommendation that it do pass.

SAMUEL H. PHILLIPS.

The next pension business was the bill (H. R. 14521) granting an increase of pension to Samuel H. Phillips.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel H. Phillips, late of Company A, Forty-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JENNIE A. BROWN.

The next pension business was the bill (H. R. 14524) granting a pension to Jennie A. Brown.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jennie A. Brown, widow of James M. Brown, late of Company I, One hundred and fortieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $8 per month.

The bill was ordered to be laid aside with a favorable recommendation.

HENRY GOOD.

The next pension business was the bill (H. R. 13490) granting an increase of pension to Henry Good.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Good, late lieutenant Company E, One hundred and seventy-first Regiment, and private Company G, Ninety-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "lieutenant," insert the word "second."

In lines 7 and 8 strike out the words "and private Company G, Ninety-third Regiment."

In line 8 strike out the word "Volunteer" and insert in lieu thereof the words "Drafted Militia."

In line 9 strike out the word "forty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ROBERT R. KEYS.

The next business was the bill (H. R. 14511) granting an increase of pension to Robert R. Keys.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert R. Keys, late of Company B, Third Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation."

BARTLETT J. MINGUS.

The next pension business was the bill (H. R. 12861) granting an increase of pension to Bartlett Mingus.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Bartlett Mingus, late of Company I, First Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Bartlett," insert the letter "J."

Amend the title so as to read: "A bill granting an increase of pension to Bartlett J. Mingus."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

PETER LANDER.

The next pension business was the bill (H. R. 4572) granting a pension to Peter Lander.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Peter Lander, of Burlington, Vt., late of Company M, First Vermont Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "of Burlington, Vt."

In line 7 strike out the letter "M" and insert in lieu thereof the letter "F."

In same line, after the word "First," insert the word "Regiment."

In same line, before the word "Cavalry," insert the word "Volunteer."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

Amend the title so as to read: "A bill granting an increase of pension to Peter Lander."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANDREW COOKSEY.

The next pension business was the bill (H. R. 3131) granting a pension to Andrew Cooksey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew Cooksey, late of Company F, Sixty-eighth Regiment Kentucky Volunteer Emergency Militia, and pay him a pension at the rate of $25 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the words "Volunteer Emergency" and insert in lieu thereof the word "Enrolled."

In line 8 strike out the word "twenty-five" and insert in lieu thereof the word "twelve."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HEINRICH ERBSTOESER.

The next pension business was the bill (H. R. 10846) granting an increase of pension to Heinrich Erbstoeser.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Heinrich Erbstoeser, late of Company A, Sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ROBERT H. BETTS.

The next pension business was the bill (H. R. 9623) granting an increase of pension to Robert H. Betts.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert H. Betts, late of Company C, Thirty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ABSALOM SHILTS.

The next pension business was the bill (H. R. 9773) granting an increase of pension to Absolom Shiltz.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Absolom Shiltz, late of Company G, One hundred and seventy-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "Absolom Shiltz" and insert in lieu thereof the words "Absalom Shilts."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

Amend the title so as to read: "A bill granting an increase of pension to Absalom Shilts."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES W. CRARY.

The next business was the bill (H. R. 11086) granting a pension to Charles W. Crary.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles W. Crary, late captain of Company H, Ninety-eighth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $100 per month.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Company," strike out the word "of."

In line 8 strike out the words "one hundred" and insert in lieu thereof the word "fifty."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Charles W. Crary."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM FLAIG.

The next business was the bill (H. R. 11013) granting an increase of pension to William Flaig.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Flaig, of Dallas City, Ill., late of Company D, Eighty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "of Dallas City, Ill."

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EMMA A. WEBSTER.

The next business was the bill (H. R. 7497) granting a pension to Emma A. Webster.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma A. Webster, widow of Israel W. Webster, late captain of Company I, Tenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "W." and insert in lieu thereof the letter "B."
In line 7 strike out the word "of."
In line 8 strike out the word "twenty" and insert in lieu thereof the word "twelve."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARGARET J. RANDOLPH.

The next business was the bill (H. R. 9107) granting a pension to Margaret F. Randolph.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret F. Randolph, widow of William F. Randolph, late a pilot in the United States Navy, and pay her a pension at the rate of $8 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "F." and insert in lieu thereof the letter "J."
In line 7, before the word "pilot," strike out the word "a."
In same line strike out the words "in the."
In line 8 strike out the word "eight" and insert in lieu thereof the word "twelve."
Amend the title so as to read: "A bill granting a pension to Margaret J. Randolph."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANTOINETTE I. SAWYER.

The next business was the bill (H. R. 6338) granting a pension to Antoinette I. Sawyer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Antoinette I. Sawyer, widow of Charles F. Sawyer, late sergeant-major and adjutant of the Fourth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the words "of the."
In line 9 strike out the word "thirty" and insert in lieu thereof the word "seventeen."
In same line, after the word "month," insert the words "in lieu of that she is now receiving."
Amend the title so as to read: "A bill granting an increase of pension to Antoinette I. Sawyer."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM SPIEGELBERG.

The next business was the bill (H. R. 7085) granting an increase of pension to William Spiegelberg.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Spiegelberg, late first lieutenant of Company F, Nineteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Company," strike out the word "of."
In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

AMBROSE L. HENDEE.

The next pension business was the bill (H. R. 7145) granting an increase of pension to Ambrose L. Hendee.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ambrose L. Hendee, late of Company F, —— Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Regiment," insert the word "Eighty-fifth."
In line 8 strike out the word "thirty" and insert in lieu thereof the word "seventeen."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZA WORKMAN.

The next pension business was the bill (H. R. 5565) granting a pension to Eliza Workman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eliza Workman, widow of W. F. Workman, late of Company H, Seventh West Virginia Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "W." and insert in lieu thereof the word "William."
In line 7, after the word "Seventh," insert the word "Regiment."
In line 8 strike out the word "twelve" and insert in lieu thereof the word "eight."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DELANA A. LYNCH.

The next pension business was the bill (H. R. 13272) granting a pension to Delana A. Lynch.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Delana A. Lynch, widow of Thomas J. Lynch, late of Company A, One hundred and twentieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the letter "A" and insert in lieu thereof the letter "G."
In line 9 strike out the word "twelve" and insert in lieu thereof the word "eight."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN GIDEON.

The next pension business was the bill (H. R. 14894) granting an increase of pension to John Gideon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Gideon, late of Company A, Thirty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

GARRET I. POST.

The next pension business was the bill (H. R. 13391) granting an increase of pension to Garret I. Post.

The bill was read, as follows:

Be it enacted etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Garret I. Post, of Bushnell, Ill., late of Company H, Twenty-fifth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "of Bushnell, Ill."
In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

BENJAMIN F. HAWTHORN.

The next pension business was the bill (H. R. 6537) granting an increase of pension to Benjamin F. Hawthorne.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin F. Hawthorne, late of Company K, One hundred and fortieth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Hawthorne" and insert in lieu thereof the word "Hawthorn."
In line 8 strike out the word "thirty" and insert in lieu thereof the word "seventeen."
Amend the title so as to read: "A bill granting an increase of pension to enjamin F. Hawthorn."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorble recommendation.

JAMES E. PHILLIPS.

The next pension business was the bill (H. R. 6718) granting an increase of pension to James E. Phillips.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James E. Phillips, late of Company I, Ninety-fourth Illinois Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Ninety-fourth," insert the word "Regiment."
In line 7, before the word "Infantry," insert the word "Volunteer."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HENRY M'CREARY.

The next pension business was the bill (H. R. 10285) granting a pension to Henry McCreary.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry McCreary, late of Company B, Fourth Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The amendments recommended by the committee were read, as follows:

In line 8, after the word "month," insert the words "in lieu of that he is now receiving."
Amend the title so as to read: "A bill granting an increase of pension to Henry McCreary."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DANIEL M. CANDOR.

The next pension business was the bill (H. R. 12197) granting an increase of pension to Daniel M. Candor.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel M. Candor, of Aledo, Ill., late of Company A, Thirtieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6 strike out the words "of Aledo, Ill."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ISAAC W. WATERS.

The next pension business was the bill (H. R. 12177) granting an increase of pension to Isaac W. Waters.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isaac W. Waters, late of Company K, Forty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EDWIN A. MORRIS.

The next pension business was the bill (H. R. 6111) granting a pension to Edward A. Morris.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll of the United States, subject to the general regulations and requirements of the pension laws, the name of Edward A. Morris, late of Company F, Sixth Michigan Cavalry, and pay him a pension of $24 per month in lieu of the one he now receives.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edwin A. Morris, late of Company F, Sixth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."
Amend the title so as to read: "A bill granting an increase of pension to Edwin A. Morris."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LIZZIE J. HOADLEY.

The next pension business was the bill (H. R. 2794) granting a pension to Lizzie J. Hoadley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lizzie J. Hoadley, widow of James Armstrong, deceased, late of Company E, Twenty-ninth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $24 per month.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "widow," insert the word "former."
In same line strike out the word "deceased."
In lines 8 and 9 strike out the word "twenty-four" and insert in lieu thereof the word "twelve."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN B. HOBDAY.

The next pension business was the bill (H. R. 14204) granting a pension to John B. Hobday.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of John B. Hobday, late commissary-sergeant Fifty-sixth Regiment New York Volunteer Infantry, war of the rebellion, and pay him a pension of $12 per month from the passage of this act.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John B. Hobday, late commissary-sergeant, Fifty-sixth Regiment New York National Guard Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN RICHMOND.

The next pension business was the bill (H. R. 9354) granting an increase of pension to John Richmond.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Richmond, late of Company C, One hundred and forty-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ELIZABETH BROOMALL.

The next pension business was the bill (H. R. 10284) granting a pension to Elizabeth Broomall.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth Broomall, widow of Joseph Broomall, late private, Company E, Fifth Regiment, and Company K, Seventh Regiment Delaware Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In lines 6 and 7 strike out the word "private."
In line 7, before the words "Company E," insert the word "of."
In same line strike out the words "and Company K, Seventh."
In line 8 strike out the word "Regiment."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

IDA DIAMOND.

The next business on the Private Calendar was the bill (H. R. 12629) granting an increase of pension to Ida Diamond.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ida Diamond, widow of Constantine Diamond, late of the United States Navy, war of the rebellion, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 7, before the words "United States," insert the words "U. S. S. Monongahela."
In same line strike out the words "war of the rebellion."
In line 8 strike out the word "twelve" and insert in lieu thereof the word "eight."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY E. HOUGHTON.

The next business on the Private Calendar was the bill (H. R. 13173) granting an increase of pension to Mary E. Houghton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Houghton, widow of Moses B. Houghton, late colonel Third Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "forty" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARGARET G. HOWARTH.

The next business on the Private Calendar was the bill (H. R. 12702) granting an increase of pension to Margaret G. Howarth.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret G. Howarth, widow of Richard S. Howarth, late of Company D, Ninety-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twelve."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM T. SPENCER.

The next business on the Private Calendar was the bill (H. R. 14631) granting a pension to William T. Spencer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William T. Spencer, late of Company D, Sixth Regiment United States Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

PETER C. WOOD.

The next business on the Private Calendar was the bill (H. R. 14153) granting an increase of pension to P. C. Wood.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of P. C. Wood, late captain Company A, Forty-ninth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "P." and insert in lieu thereof the word "Peter."

In same line, before the word "Forty-ninth," insert the words "and first lieutenant Company F."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty-six."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ERASTUS C. HORTON.

The next business on the Private Calendar was the bill (H. R. 6182) granting a pension to J. C. Horton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of J. C. Horton, late of Company A, and grant said Horton a pension of $20 a month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Erastus J. Horton, late of Company A, Sixth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HELIM THOMPSON.

The next business on the Private Calendar was the bill (H. R. 4602) granting an increase of pension to Helim Thompson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Helim Thompson, late of Company E, Forty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $45 per month in lieu of that he now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "forty-five" and insert in lieu thereof the word "thirty-six."

The amendment was agreed to.

The bill as amended was ordered to laid laid aside with a favorable recommendation.

HARMON P. COLE.

The next business on the Private Calendar was the bill (H. R. 2577) granting an increase of pension to Harmon P. Cole.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harmon P. Cole, late of Company A, Fifth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

EDWARD TAYLOR.

The next business on the Private Calendar was the bill (H. R. 14578) granting a pension to Edward Taylor.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward Taylor, who served on the U. S. S. Lancaster and Fairchild during the civil war.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward Taylor, late of the U. S. S. Lancaster and Baltic, Mississippi Marine Brigade, and pay him a pension at the rate of $20 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

OSCAR M. PARSONS.

The next business on the Private Calendar was the bill (H. R. 940) granting a pension to Oscar M. Parsons.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Oscar M. Parsons, helpless and dependent son of Thomas Parsons, late of Company B, Twelfth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES GUNN.

The next pension business was the bill (S. 4018) granting an increase of pension to James Gunn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Gunn, late of Company G, Twenty-seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM L. BEACH.

The next pension business was the bill (S. 5210) granting an increase of pension to William L. Beach.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William L. Beach, late of Company K, Second Regiment California Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ASA SMITH.

The next pension business was the bill (S. 5078) granting an increase of pension to Asa Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Asa Smith, late of Company D, Twenty-first Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

FERDINAND MERGEL.

The next pension business was the bill (S. 2367) granting an increase of pension to Ferdinand Mergel.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ferdinand Mergel, late of

Company I, Forty-sixth Regiment New York Volunteer Infantry, and Company K, Twenty-second Regiment Veteran Reserve Corps, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HAYDEN M. THOMPSON.

The next pension business was the bill (S. 3151) granting an increase of pension to Hayden M. Thompson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hayden M. Thompson, late first lieutenant and adjutant, Ninth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

EDMOND G. PUGSLEY.

The next pension business was the bill (S. 5096) granting an increase of pension to Edmond G. Pugsley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edmond G. Pugsley, late assistant surgeon, First and Ninth Regiments Minnesota Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JACOB S. GRIMES.

The next pension business was the bill (S. 682) granting an increase of pension to Jacob S. Grimes.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob S. Grimes, late of Company C, One hundred and thirty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

EDWARD COLVIN.

The next pension business was the bill (S. 1494) granting an increase of pension to Edward Colvin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward Colvin, late quartermaster-sergeant, Thirty-third Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

RAYNOR H. NEWTON.

The next pension business was the bill (S. 3119) granting an increase of pension to Raynor H. Newton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Raynor H. Newton, late of Company H, Fifth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES L. OVERLEY.

The next pension business was the bill (S. 5194) granting an increase of pension to Charles L. Overley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles L. Overley, late of Company H, Sixteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

RALPH VAN BRUNT.

The next pension business was the bill (S. 4086) granting an increase of pension to Ralph Van Brunt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ralph Van Brunt, late captain Company A, Third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

LOUISA WEAVER.

The next pension business was the bill (S. 423) granting an increase of pension to Louisa Weaver.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louisa Weaver, widow of John D. Weaver, late hospital steward First Regiment Pennsylvania Volunteer Light Artillery, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HARVEY R. BACKUS.

The next pension business was the bill (S. 1687) granting an increase of pension to Harvey R. Backus.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harvey R. Backus, late of Company C and hospital steward, Twelfth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM HOLLIDAY.

The next pension business was the bill (S. 1909) granting an increase of pension to William Holliday.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Holliday, late of Company I, Second Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MAGGIE E. BAMFORD.

The next pension business was the bill (S. 2011) granting a pension to Maggie E. Bamford.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Maggie E. Bamford, widow of Robert C. Bamford, late captain Company H, First Regiment Potomac Home Brigade Maryland Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The bill was ordered to be laid aside with a favorable recommendation.

ELLEN M. O'CONNOR.

The next pension business was the bill (S. 3665) granting an increase of pension to Ellen M. O'Connor.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ellen M. O'Connor, widow of Patrick E. O'Connor, late second lieutenant Company I, Eighty-eighth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $15 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

EDWARD M. M'COOK.

The next pension business was the bill (S. 4353) granting an increase of pension to Edward M. McCook.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward M. McCook, late brigadier-general, United States Volunteers, and pay him a pension at the rate of $70 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARY H. CORNELL.

The next pension business was the bill (S. 76) granting a pension to Mary H. Cornell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary H. Cornell, widow of Horatio N. Cornell, late of United States steamship Michigan, United States Navy, and pay her a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twelve" and insert in lieu thereof the word "eight."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CLARA M. GIHON.

The next pension business was the bill (S. 128) granting an increase of pension to Clara M. Gihon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Clara M. Gihon, widow of

Albert L. Gihon, late a medical director, United States Navy, and pay her a pension at the rate of $36 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out "thirty-six" and insert "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SUE STEVENS ESKRIDGE.

The next pension business was the bill (S. 1244) granting an increase of pension to Sue Stevens Eskridge.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sue Stevens Eskridge, widow of Richard I. Eskridge, late captain, Twenty-third Regiment, and colonel Twenty-seventh Regiment United States Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

KATE M. STRANGE.

The next pension business was the bill (S. 3054) granting an increase of pension to Kate M. Strange.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Kate M. Strange, widow of Gideon A. Strange, late of Company E, Second Regiment Tennessee Volunteer Infantry, war with Mexico, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

FRANCES G. BELKNAP.

The next pension business was the bill (S. 3334) granting an increase of pension to Frances G. Belknap.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances G. Belknap, widow of George E. Belknap, late a rear-admiral, United States Navy, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ANNIE COLT M'COOK.

The next pension business was the bill (S. 3489) granting a pension to Annie Colt McCook.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie Colt McCook, widow of Alexander McDowell McCook, late major-general, United States Army, and pay her a pension at the rate of $50 per month.

The amendment recommended by the committee was read, as follows:

In line 8, after the word "of," strike out the word "fifty" and insert the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARTHA W. CUSHING.

The next pension business was the bill (S. 3734) granting an increase of pension to Martha W. Cushing.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha W. Cushing, widow of Harry C. Cushing, late captain, Fourth Regiment United States Artillery, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out the word "thirty-five" in line 8 and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SARAH S. SMITH.

The next pension business was the bill (S. 3777) granting a pension to Sarah S. Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah S. Smith, widow of David Smith, late rear-admiral, United States Navy, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

Amend the title so as to read as follows: "An act granting an increase of pension to Sarah S. Smith."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LAURA M. GILLMORE.

The next pension business was the bill (S. 4899) granting an increase of pension to Laura M. Gillmore.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Laura M. Gillmore, widow of Quincy A. Gillmore, late colonel, Corps of Engineers, United States Army, and brigadier-general and major-general, United States Volunteers, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ROSE B. NOA.

The next pension business was the bill (H. R. 1093) for the relief Rose B. Noa.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place the name of Rose B. Noa, of Chattanooga, Tenn., dependent mother of Loreman Noa, of the United States Navy (now deceased), on the pension roll of the United States, at the rate of $35 per month, subject to the provisions and limitations of the pension laws.

The amendments recommended by the committee were read, as follows:

Strike out all in the bill after the enacting clause and insert in lieu thereof the following: "That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rose B. Noa, dependent mother of Loveman Noa, late cadet, United States Navy, and pay her a pension at the rate of $12 per month."

Amend the title so as to read: "A bill granting a pension to Rose B. Noa."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELLEN A. WILSON.

The next pension business was the bill (H. R. 4398) granting a pension to Ellen A. Wilson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Ellen A. Wilson, widow of William P. Wilson, late first-class fireman, United States Navy, and to pay her a pension at the rate of $25 per month, subject to the limitations of the existing pension laws.

The amendment recommended by the committee was read, as follows:

Strike out all in the bill after the word "roll" in line 4, and substitute the following: "subject to the provisions and limitations of the pension laws, the name of Ellen A. Wilson, widow of William P. Wilson, late first-class fireman, United States Navy, war with Spain, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of each of the minor children of said William P. Wilson, until they reach the age of 16 years.

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GRACE DRESSEL.

The next business was the bill (H. R. 5725) granting a pension to Grace Dressel.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Grace Dressel, widow of Fritz Dressel, late of the Eighth Regiment United States Infantry, and pay her a pension at the rate of $20 per month.

The amendments recommended by the committee were read and agreed to, as follows:

In line 6 strike out "of the" and insert "musician."

In line 8 strike out "twenty" and insert "twelve," and add to the end of bill the words "and $2 per month additional on account of the minor child of said Fritz Dressel until she reaches the age of 16 years."

The bill as amended was laid aside to be favorably reported to the House.

GEORGE SMITH.

The next business was the bill (H. R. 9477) granting an increase of pension to George Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Smith, late of Company H, Fourth United States Artillery, Mexican war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after "Fourth," insert "Regiment."

In line 7 change "Mexican war" to "war with Mexico."

In line 8 strike out "thirty" and insert "twenty."

The amendments were agreed to.

The bill as amended was laid aside to be favorably reported to the House.

CHARLES E. ARNETT.

The next business was the bill (H. R. 10029) granting a pension to Charles E. Arnett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles E. Arnett, late of Company C, Second Regiment Arkansas Volunteer Infantry, and pay him a pension at the rate of $24 per month.

The amendments recommended by the committee were read, as follows:

In line 7, after "Infantry," insert "war with Spain."
In line 8 strike out "twenty-four" and insert "twelve."

The amendments were adopted.

The bill as amended was laid aside to be favorably reported to the House.

JOHN HEGARTY.

The next business was the bill (H. R. 11262) granting a pension to John Hegarty.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Hegarty, late of Company E, Second Regiment United States Artillery, and Company C, Twenty-sixth Regiment United States Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In lines 6 and 7 strike out "Company E, Second Regiment, United States Artillery, and."
In line 8, after "Infantry," insert "war with Spain."

The amendments were agreed to.

The bill as amended was laid aside to be favorably reported to the House.

EDWARD M. FOWLER.

The next business was the bill (H. R. 12604) granting a pension to Edward M. Fowler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward M. Fowler, late a sailor in the United States Navy, on board the United States ship Independence, and pay him a pension at the rate of $36 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "a sailor in the" and insert "coal passer."
In line 7 strike out "on board the United States ship Independence."
In line 8 strike out "thirty-six" and insert "thirty."

The amendments were agreed to.

The bill as amended was laid aside to be favorably reported to the House.

WILLIAM P. CRAWFORD.

The next business was the bill (H. R. 13437) granting a pension to William P. Crawford.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William P. Crawford, late first lieutenant Company C, Fortieth Regiment United States Volunteer Infantry, war with Spain, and pay him a pension at the rate of $30 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out "thirty" and insert "twenty."

The amendment was agreed to.

The bill as amended was laid aside to be favorably reported to the House.

ABRAHAM HARRIS.

The next business was the bill (H. R. 13586) granting an increase of pension to Abraham Harris.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abraham Harris, late of Company F, Eighth Regiment United States Infantry, war with Mexico, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, and agreed to, as follows:

In line 8 strike out "twenty-five" and insert "twenty."

The bill as amended was laid aside to be favorably reported to the House.

GEORGE S. NOLAND.

The next business was the bill (H. R. 13666) granting a pension to George S. Noland.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George S. Noland, late of Company G, Second Regiment South Carolina Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The amendments recommended by the committee were read, and agreed to, as follows:

In line 7, after "Infantry," insert "war with Spain."
In line 8 strike out "twenty" and insert "twelve."

The bill as amended was laid aside to be favorably reported to the House.

KING KERLEY.

The next business was the bill (H. R. 14141) granting an increase of pension to King Kerley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of King Kerley, late a private of Capt. John H. Henry's company in the Seminole war in Florida and also late second lieutenant of Capt. Robert A. Bennett's company, First Tennessee Regiment of Infantry, in the Mexican war, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, and agreed to, as follows:

In lines 6, 7, and 8 strike out "a private of Capt. John H. Henry's company in the Seminole war in Florida, and also late second lieutenant."
In line 8 strike out "Robert A."
In line 9, after "First," strike out "Tennessee."
In the same line strike out "of" and insert "Tennessee Volunteer."
In the same line strike out "in the Mexican," and after the word "war" insert "with Mexico."
In line 10 strike out "fifty" and insert "twenty."

The bill as amended was laid aside to be favorably reported to the House.

THOMAS L. SWEENEY.

The next business was the bill (H. R. 14512) granting an increase of pension to Thomas L. Sweeney.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas L. Sweeney, late of Troop D, Seventh Regiment United States Cavalry, Company H, Eighth Massachusetts Infantry, United States Volunteers, and Company F, Forty-second Regiment United States Infantry Volunteers, and pay him a pension at the rate of —— dollars per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In lines 6, 7, and 8 strike out "Troop D, Seventh Regiment United States Cavalry, Company H, Eighth Massachusetts Infantry, United States Volunteers, and."
In line 9, after the words "United States," insert "Volunteer."
In the same line, after "Infantry," strike out "Volunteers."
In line 10, after "at the rate of," insert "thirty."

The bill as amended was ordered to be laid aside with a favorably recommendation.

MARY E. DUNFORD.

The next pension business was the bill (H. R. 14702) granting a pension to Mary E. Dunford.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Dunford, mother of Jesse M. Dunford, late of Company —, Fifth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The amendments recommended by the committee were read, as follows:

In line 6, after "Dunford," insert "dependent."
In line 7, after "Company," insert "G;" and in the same line strike out the word "Volunteer."
In line 8, after "Infantry," insert "war with Spain;" and in the same line strike out "twenty" and insert "twelve."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SYMPHOROSA BARTLEY.

The next pension business was the bill (H. R. 14747) granting an increase of pension to Symphorosa Bartley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Symphorosa Bartley, widow of Milton Bartley, late of Lieut. C. C. Denman's detachment of mounted riflemen, war with Mexico, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the initials "C. C.;" and in the same line, after "detachment of," insert "United States."
In line 9 strike out "twenty" and insert "twelve."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN W. SHRADER.

The next pension business was the bill (H. R. 14801) granting a pension to John W. Schrader.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Schrader, late of Captain Johnson's company, subsequently known as Captain Coffee's company, Florida Volunteers, Mexican war, and pay him a pension at the rate of $20 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "Schrader" and insert "Shrader."
In lines 6 and 7 strike out "Captain Johnson's company, subsequently known as."
In line 8 strike out "Mexican war" and insert "war with Mexico."
In line 9 strike out "twenty" and insert "twelve."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANCIS ROGERS.

The next pension business was the bill (H. R. 14938) granting a pension to Francis Rogers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Francis Rogers, late of Company C, Fifth Regiment United States Cavalry, and pay him a pension at the rate of $24 per month.

The amendment recommended by the committee was read, as follows:

In lines 7 and 8 strike out "twenty-four" and insert "twelve."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM HUFFMAN.

The next pension business was the bill (H. R. 14884) granting an increase of pension to William Huffman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Huffman, late of Company I, First Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM H. ROMAINE.

The next pension business was the bill (H. R. 3036) granting an increase of pension to William H. Romaine.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Romaine, late captain of Company D, One hundred and seventy-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Company," strike out the word "of."
In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JACOB CHRONISTER.

The next pension business was the bill (H. R. 5711) granting an increase of pension to Jacob Chronister.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob Chronister, late of Company I, Fifth Regiment Pennsylvania Reserve Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Fifth" and insert in lieu thereof the word "Thirty-fourth."
In line 7 strike out the word "Reserve."
In same line strike out the word "Cavalry" and insert in lieu thereof the word "Infantry."
In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

AUGUSTUS FINLEY, NOW AUGUSTUS DAVIS.

The next pension business was the bill (H. R. ——) granting an increase of pension to Augustus Davis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Augustus Davis, late of Company I, One hundred and thirty-sixth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Davis" and insert in lieu thereof the words "Finley, now known as Davis."
In line 7, before the word "Infantry," insert the word "Volunteer."
Amend the title so as to read: "A bill granting a pension to Augustus Finley, now known as Davis."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MADISON C. STAVES.

The next pension business was the bill (H. R. 3921) granting an increase of pension to M. C. Staves.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of M. C. Staves, late of Company K, Eleventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "M" and insert in lieu thereof the word "Madison."
In line 8, strike out the word "fifty" and insert in lieu thereof the word "thirty."
Amend the title so as to read: "A bill granting an increase of pension to Madison C. Staves."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SOLOMON F. HALLETT.

The next business was the bill (H. R. 4903) granting an increase of pension to Solomon F. Hallett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Solomon F. Hallett, late of Company I, One hundred and twenty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS C. WILEY.

The next business on the Private Calendar was the bill (H. R. 14802) granting an increase of pension to Thomas C. Wiley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas C. Wiley, late of Company H, Second Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6, before the word "Company," strike out the word "of" and insert in lieu thereof the word "captain."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

PETER B. PHILLIPS.

The next business on the Private Calendar was the bill (H. R. 6049) granting a pension to Peter B. Phillips.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Peter B. Phillips, late of Company G, Thirteenth Regiment Illinois Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, before the word "Cavalry," insert the word "Volunteer."
In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JACOB REITZEL.

The next business on the Private Calendar was the bill (H. R. 5012) granting an increase of pension to Jacob Reitzel.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob Reitzel, late of Company C, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

THOMAS ELLMAKER.

The next business on the Private Calendar was the bill (H. R. 5829) granting an increase of pension to Thomas Ellmaker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Ellmaker, late of the United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "Thomas Ellmaker, late of the U. S. S. St. Marys, United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN S. MILLER.

The next business on the Private Calendar was the bill (H. R. 4582) granting an increase of pension to John S. Miller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John S. Miller, late of Company F, Eleventh Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ROBERT J. TATE.

The next business on the Private Calendar was the bill (H. R. 2675) granting a pension to Robert J. Tate.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Robert J. Tate, late a member of Company A, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, from eight to twenty dollars per month, subject to the conditions and limitations of the pension laws.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert J. Tate, late of Company A, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Robert J. Tate."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HENRY J. GRANNIS.

The next business on the Private Calendar was the bill (H. R. 2124) granting an increase of pension to Henry J. Grannis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry J. Grannis, late of Company C, Twelfth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SOLON D. MOORE.

The next business on the Private Calendar was the bill (H. R. 9338) granting an increase of pension to Solon D. Moore.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Solon D. Moore, late of Company I, Third Regiment Kentucky Volunteers, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Company," strike out the word "of" and insert in lieu thereof the words "second lieutenant."

In line 7 strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Infantry."

In line 7 strike out the word "twenty-five" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SMITH BILDERBACK.

The next business on the Private Calendar was the bill (H. R. 2499) granting an increase of pension to Smith Bilderback.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Smith Bilderback, late of Company F, Thirty-fourth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6, before the word "Company," strike out the word "of" and insert in lieu thereof the words "second lieutenant."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EMANUEL PECK.

The next business on the Private Calendar was the bill (H. R. 13404) granting an increase of pension to Emanuel Peck.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emanuel Peck, late of Company F, Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Regiment," insert the word "Fourth."

In line 7, before the word "Volunteer," insert the word "Reserve."

Amend the title so as to read: "A bill granting a pension to Emanuel Peck."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH J. MEAD.

The next pension business was the bill (H. R. 14639) granting an increase of pension to J. J. Meade.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of J. J. Meade, late of Company G, One hundred and seventieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the first letter "J." and insert in lieu thereof the word "Joseph."

In same line strike out the word "Meade" and insert in lieu thereof the word "Mead."

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN M. STONER.

The next pension business was the bill (H. R. 9901) granting a pension to John M. Stoner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John M. Stoner, late of Companies C and A, First Battalion, Second Regiment Arkansas Volunteer Cavalry, and pay him a pension at the rate of $50 per month.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of John M. Stoner, late of Company C, Second Regiment Arkansas Volunteer Cavalry, and Company A, First Battalion Arkansas Volunteer Infantry, and pay him a pension at the rate of $30 per month, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JANE K. CARPENTER.

The next pension business was the bill (H. R. 12268) granting a pension to Jane K. Carpenter.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane K. Carpenter, widow of Ezra D. Carpenter, late of Company, Regiment Volunteer Infantry, and pay her a pension at the rate of $24 per month.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "late," strike out the word "of" and insert in lieu thereof the words "second lieutenant."

In line 7, after the word "Company," insert the letter "B."

In same line, before the word "Regiment," insert the word "Eighteenth."

In same line, before the word "Volunteer," insert the word "Connecticut."

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "seventeen."

In line 9, after the word "month," insert the words "in lieu of that she is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM LEONARD.

The next pension business was the bill (H. R. 11397) granting a pension to William Leonard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Leonard, late of Company K, One hundred and sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month.

The amendment recommended by the committee was read, as follows:

In line 8, after the word "month," insert the words "in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES M. LEE.

The next pension business was the bill (H. R. 10183) granting a pension to Charles M. Lee.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles M. Lee, late of Company A, Forty-sixth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The amendment recommended by the committee was read, as follows:

In line 8, strike out the word "twenty" and insert in lieu thereof the word "twelve."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SAMUEL B. LOEWENSTINE.

The next pension business was the bill (H. R. 11486) granting an increase of pension to Samuel B. Loewenstine.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel B. Loewenstine, late of Company K, First Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN TRADER.

The next pension business was the bill (H. R. 11335) granting an increase of pension to John Trader.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Trader, late of Company B, Sixteenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

PETER CREAGER.

The next pension business was the bill (H. R. 8716) granting a pension to Peter Creager.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Peter Creager, late of Company I, Twentieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The amendments recommended by the committee were read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Peter Creager."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ROBERT ELLIOTT.

The next pension business was the bill (H. R. 13000) granting a pension to Robert Elliott.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert Elliott, late of Company C, Fortieth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 8 strike out the word "twelve" and insert in lieu thereof the word "twenty-four."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Robert Elliott."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANNA E. HETHERINGTON.

The next pension business was the bill (H. R. 7237) granting a pension to Annie E. Hethrington.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie E. Hethrington, widow of James Hethrington, late of Company B, Ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, 8, and 9 and insert in lieu thereof the following: "of Anna E. Hetherington, former widow of James Hetherington, late of Company M, Second Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $8 per month.

Amend the title so as to read: "A bill granting a pension to Anna E. Hetherington."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZABETH B. YOUNT.

The next pension business was the bill (H. R. 14464) granting a pension to Elizabeth B. Yount.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth B. Yount, widow of David Yount, late captain Company H, Sixty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $17 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Company" and insert in lieu thereof the word "Companies."

In same line, after the letter "H," insert the words "and C."

In line 9, after the word "month," insert the words "in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Elizabeth B. Yount."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM KIMBROUGH.

The next pension business was the bill (H. R. 14637) granting an increase of pension to William Kimbrough.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Kimbrough, late of Company I, Forty-fourth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MERCY J. WILDER.

The next pension business was the bill (H. R. 14865) granting an increase of pension to Mercy J. Wilder.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mercy J. Wilder, widow of George O. Wilder, late of Company G, Twentieth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $24 per month.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "late," strike out the word "of" and insert in lieu thereof the words "first lieutenant."

In line 7, after the word "Company," insert the words "C, Fifteenth Regiment, and Company."

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "twelve."

In line 9, after the word "month," insert the words "in lieu of that she is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MATTHIAS RIDENOUR.

The next pension business was the bill (H. R. 14859) granting an increase of pension to Mathias Ridenour.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mathias Ridenour, late of Company H, Thirty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "Mathias" and insert in lieu thereof the word "Matthias."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

Amend the title so as to read: "A bill granting an increase of pension to Matthias Ridenour."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM C. CRUMBAUGH.

The next pension business was the bill (H. R. 13347) granting an increase of pension to William C. Crumbaugh.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William C. Crumbaugh, late of Company E, First Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, before the word "Maryland," insert the words "Potomac Home Brigade."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM HOUGENDOBLER.

The next pension business was the bill (H. R. 14870) granting an increase of pension to William Hougendobler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Hougendobler, late of Company E, Seventy-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DANIEL WHITE.

The next pension business was the bill (H. R. 14437) granting an increase of pension to Daniel White.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel White, late of Company N, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALFRED B. SCOVILL.

The next pension business was the bill (H. R. 14592) granting an increase of pension to Alfred B. Scovill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alfred B. Scovill, late of Company A, Forty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

AZARIAH S. ELWOOD.

The next pension business was the bill (H. R. 14541) granting an increase of pension to Azaria S. Elwood.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Azaria S. Elwood, late assistant surgeon, Fortieth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Azaria" and insert in lieu thereof the word "Azariah."

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

Amend the title so as to read: "A bill granting an increase of pension to Azariah S. Elwood."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

STEPHEN M. FERGUSON.

The next pension business was the bill (H. R. 13592) granting an increase of pension to Stephen M. Ferguson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Stephen M. Ferguson, late lieutenant-colonel Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $75 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "seventy-five" and insert in lieu thereof the word "seventy-two."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

PARK AVERY.

The next pension business was the bill (H. R. 14638) granting an increase of pension to Park Avery.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Park Avery, late of Company H, Twelfth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN BRADY.

The next pension business was the bill (H. R. 14508) granting an increase of pension to John Brady.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Brady, late of Company C, One hundredth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN R. M'MANNOMY.

The next pension business was the bill (S. 3008) granting an increase of pension to John R. McMannomy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John R. McMannomy, late first lieutenant Company B, Sixty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SARAH E. NICHOLS.

The next pension business was the bill (S. 1788) granting a pension to Sarah E. Nichols.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah E. Nichols, widow of John L. Nichols, late captain Company K, Thirtieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The bill was ordered to be laid aside with a favorable recommendation.

THADDEUS K. MILLER.

The next pension business was the bill (S. 4171) granting an increase of pension to Thaddeus K. Miller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thaddeus K. Miller, late of Company A, Sixty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SARAH A. SULLIVAN.

The next pension business was the bill (H. R. 2113) granting a pension to Sarah A. Sullivan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah A. Sullivan, widow of Lieut. John M. Sullivan, retired, United States Navy, and pay her a pension at the rate of $50 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "Lieutenant John M." and insert "John T."
In line 7 strike out "retired" and insert "late lieutenant."
In line 8 strike out "fifty" and insert "twenty-five."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

AARON TAYLOR.

The next pension business was the bill (H. R. 4771) granting a pension to Aaron Taylor.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Aaron Taylor, late of Company H, Eleventh Regiment United States Infantry, Indian wars, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out "Indian wars."
In line 8 strike out "thirty" and insert "eight."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EMMA W. HAYS.

The next pension business was the bill (H. R. 13805) granting a pension to Emma W. Hays.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma W. Hays, widow of Joseph H. Hays, late first lieutenant, Thirtieth Regiment United States Infantry, and pay her a pension at the rate of $17 per month.

The bill was ordered to be laid aside with a favorable recommendation.

LESLIE C. ARMOUR.

The next pension business was the bill (H. R. 14001) granting an increase of pension to Leslie C. Armour.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Leslie C. Armour, late of Company B, Second Regiment United States Cavalry, war with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8, strike out "twenty-four" and insert "seventeen."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES R. FLETCHER.

The next pension business was the bill (H. R. 14636) granting a pension to James R. Fletcher.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James R. Fletcher, late of Battery A, Fourth Regiment United States Artillery, and pay him a pension at the rate of $50 per month.

The amendments recommended by the committee were read, as follows:

In line 7, after "Artillery," insert "Florida Indian war."
In line 8 strike out "fifty" and insert "sixteen."
At the end of the bill add the words "in lieu of that he is now receiving."
Amend the title so as to read: "A bill granting an increase of pension to James R. Fletcher."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH A. COX.

The next pension business was the bill (H. R. 15126) granting a pension to Joseph A. Cox.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph A. Cox, late of Captain Coffee's company, Second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "Captain Coffee's company" and insert "Company A."
In line 7, after "Infantry," insert "war with Mexico."
In line 8 strike out "thirty" and insert "twenty."
Amend the title so as to read: "A bill granting an increase of pension to Joseph A. Cox."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CLARISSA ANN LAPOINT.

The next pension business was the bill (S. 2396) granting a pension to Clarissa Ann Lapoint.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Clarissa Ann Lapoint, widow of Battice Lapoint, late of Captain Knowlton's company, Wisconsin Volunteers, war with Mexico, and pay her a pension at the rate of $8 per month.

The bill was ordered to be laid aside with a favorable recommendation.

EDWARD G. HORNE.

The next pension business was the bill (S. 4606) granting an increase of pension to Edward G. Horne.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pensions laws, the name of Edward G. Horne, late of Company B, Battalion Mississippi Riflemen, war with Mexico, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

THOMAS SMITH.

The next pension business was the bill (S. 5180) granting a pension to Thomas Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Smith, late of Capt. Jacob Rhodes's company, Oregon Volunteers, Oregon Indian war, and pay him a pension at the rate of $8 per month.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN K. WHITED.

The next pension business was the bill (S. 5244) granting an increase of pension to John K. Whited.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John K. Whited, late of Company H, Arkansas Mounted Volunteers, war with Mexico, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ANNIE HYNES.

The next business on the Private Calendar was the bill (H. R. 13816) granting a pension to Annie Hines.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie Hines, widow of Patrick J. Hines, late hospital steward Second Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

Change the spelling of the surname of the claimant and the deceased soldier wherever it appears in the title and the body of the bill to "Hynes."
In line 7, after "Infantry," insert "war with Spain," and add to the end of the bill the words "and $2 per month additional on account of the minor child of said Patrick J. Hynes until she reaches the age of 16 years."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELLA F. KENNEALY.

The next business on the Private Calendar was the bill (H. R. 15183) granting a pension to Ella F. Kennealy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ella F. Kennealy, helpless and dependent daughter of David Kennealy, late of the United States steamships Allegheny, Wissahicon, and Princeton, United States Navy, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the words "United States steamships" and insert in lieu thereof the letters "U. S. S."
In lines 7 and 8 strike out the word "Allegheny" and insert in lieu thereof the word "Alleghany."
In line 8 strike out the word "Wissahicon" and insert in lieu thereof the word "Wissahickon."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

IRA WALDO.

The next business on the Private Calendar was the bill (H. R. 3924) granting an increase of pension to Ira Waldo.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Ira Waldo, late of Company I, Sixth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANCIS STADLER, JR.

The next business on the Private Calendar was the bill (H. R. 14876) granting an increase of pension to Francis Stadler, jr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Francis Stadler, jr., late of Companies B and D, Seventh Regiment New Jersey Volunteer Infantry, and pay him a pension the rate of $100 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "Companies B and" and insert in lieu thereof the word "Company."

In line 8 strike out the words "one hundred" and insert in lieu thereof the word "seventy-two."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE B. HARTLEY.

The next business on the Private Calendar was the bill (H. R. 4152) granting an increase of pension to George B. Hartley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George B. Hartley, late of Company K, Seventy-ninth Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6, after the word "Seventy-ninth," insert the word "Regiment."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HARRIET J. WOODBURY.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriet J. Woodbury, widow of Everett T. Woodbury, late of Company E, Fourteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

IRA MESERVE.

The next business on the Private Calendar was the bill (H. R. 740) granting an increase of pension to Ira Meserve.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ira Meserve, late of Company F, Twelfth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES W. LEE.

The next business on the Private Calendar was the bill (H. R. 14484) granting an increase of pension to Charles W. Lee.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles W. Lee, late of Company A, Third Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Company," strike out the word "of" and insert in lieu thereof the word "captain."

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LAWRENCE LE BRON.

The next business on the Private Calendar was the bill (H. R. 15076) granting an increase of pension to Lawrence Le Bron.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lawrence Le Bron, late of Company E, Eleventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty-five" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES A. MORRISON.

The next business on the Private Calendar was the bill (H. R. 8280) granting an increase of pension to James A. Morrison.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James A. Morrison, late a fireman, United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "a fireman" and insert in lieu thereof the words "of the U. S. S. Valley City."

In line 7 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DEGRAPHENREED P. M'KINLEY.

The next pension business was the bill (H. R. 14490) granting a pension to Degraphenreed P. McKinley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Degraphenreed P. McKinley, late of James H. Gyle's independent company of Putnam County Missouri Home Guards, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "James H. Gyle's" and insert in lieu thereof the words "Captain Gyles."

In line 7 strike out the word "of."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZABETH E. CONATT.

The next pension business was the bill (H. R. 13605) granting a pension to Elizabeth E. Conatt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth E. Conatt, widow of Harrison Conatt, late of Fourth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $15 per month.

The amendments recommended by the committee were read, as follows:

In line 6, after the last word "of," insert the words "Company H."

In line 8 strike out the word "fifteen" and insert in lieu thereof the word "twelve."

In same line, after the word "month," insert the words "in lieu of that she is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALLEN R. HARRIS.

The next pension business was the bill (H. R. 14890) granting an increase of pension to Allen R. Harris.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Allen R. Harris, late of Company K, Fifty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6 strike out the words "of Company K" and insert in lieu thereof the words "first lieutenant and adjutant."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM NEUBERG.

The next pension business was the bill (H. R. 14343) granting an increase of pension to William Neuborg.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of William Neuborg, late of Company B, One hundred and seventy-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Neuborg" and insert in lieu thereof the word "Neuberg."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MYRON IMAS.

The next pension business was the bill (H. R. 14612) granting an increase of pension to Myron Imas.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Myron Imas, late of Company H, Fifty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ARMOUR W. PATTERSON.

The next pension business was the bill (H. R. 15148) granting an increase of pension to Armour W. Patterson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Armour W. Patterson, late of Company A, First Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SAMUEL R. HAZEN.

The next business was the bill (H. R. 11336) granting an increase of pension to Samuel R. Hazen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel R. Hazen, late of Company G, One hundred and fortieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "sixteen."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM W. DENNIS.

The next pension business was the bill (H. R. 13373) granting an increase of pension to William W. Dennis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William W. Dennis, late of Eighteenth Regiment United States Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Eighteenth," insert the words "Company D, Third Battalion."

In line 7 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY LEFFLER.

The next pension business was the bill (H. R. 9894) granting an increase of pension to Mrs. John Leffler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mrs. John Leffler, widow of John Leffler, late of Company B, Fifteenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "Mrs. John" and insert in lieu thereof the word "Mary."

In line 7 strike out the word "Infantry" and insert in lieu thereof the word "Cavalry."

In line 9, after the word "receiving," insert the words "and $2 per month additional on account of the minor child of said John Leffler until he reaches the age of 16 years."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN PICKERING.

The next pension business was the bill (H. R. 12348) granting an increase of pension to John Pickering.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Pickering, late of Company G, Eighty-fourth Regiment, and Company C, One hundred and thirty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In lines 6 and 7 strike out the words "Company G, Eighty-fourth Regiment, and."

In line 9 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

NANCY SMALLWOOD.

The next pension business was the bill (H. R. 10851) granting an increase of pension to Nancy Smallwood.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nancy Smallwood, widow of James B. Smallwood, late of Company A, Seventh Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Margret Smallwood, helpless and dependent daughter of said James B. Smallwood, the additional pension herein granted shall cease and determine.

The amendments recommended by the committee were read, as follows:

In line 7, before the word "Kentucky," insert the words "and first lieutenant, Company I, Forty-seventh Regiment."

In line 10 strike out the word "Margret" and insert in lieu thereof the word "Margaret."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DANIEL SMITH.

The next pension business was the bill (H. R. 11827) granting an increase of pension to Daniel Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel Smith, late of Company I, Forty-third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty-six" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANK BROCK.

The next pension business was the bill (H. R. 934) granting an increase of pension to Frank Brock.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frank Brock, late a member of Company F, One hundred and seventh Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "a member."

In line 7, before the word "Illinois," insert the word "Regiment."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN S. ALLISON.

The next pension business was the bill (H. R. 10334) granting an increase of pension to John S. Allison.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John S. Allison, late of Company G, One hundred and sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GILBERT A. KENNEY.

The next pension business was the bill (H. R. 1305) granting an increase of pension to Gilbert A. Kenney.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Gilbert A. Kenney, late of Company K, Tenth Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "Infantry," insert the words "and Company C, Second Regiment Rhode Island Volunteer Cavalry."

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES E. CHAPPELL.

The next pension business was the bill (H. R. 3107) granting an increase of pension to James E. Chappell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James E. Chappell, late captain Company G, Fifty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "captain" and insert in lieu thereof the words "first lieutenant."

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM WELLS.

The next pension business was the bill (H. R. 11374) granting an increase of pension to William Wells.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Wells, late of Company A, Eighty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM BASNETT.

The next pension business was the bill (H. R. 3431) granting an increase of pension to William Basnett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Basnett, late of Company D, Third Regiment Missouri State Militia Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HENRY ARMSTRONG.

The next pension business was the bill (S. 4341) granting an increase of pension to Henry Armstrong.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Armstrong, late of Company L, Second Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ROSE MACFARLANE.

The next pension business was the bill (S. 4340) granting an increase of pension to Rose MacFarlane.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rose MacFarlane, widow of James MacFarlane, late captain Company E, One hundred and seventy-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN WALDO.

The next business was the bill (S. 3335) granting an increase of pension to John Waldo.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Waldo, late of Company E, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ALICE W. STOODLEY.

The next business was the bill (S. 538) granting an increase of pension to Alice W. Stoodley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alice W. Stoodley, widow of Benjamin H. Stoodley, late of Company K, Eighth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MICHAEL NELLIGAN.

The next business was the bill (S. 2399) granting a pension to Michael Nelligan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Michael Nelligan, late of Battery E, First Regiment Rhode Island Volunteer Light Artillery, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

EUGENE SCHILLING.

The next business was the bill (S. 3989) granting an increase of pension to Eugene Schilling.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eugene Schilling, late captain Company K, One hundred and second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

BENJAMIN F. BOLLINGER.

The next business was the bill (S. 3915) granting an increase of pension to Benjamin F. Bollinger, alias Benjamin Bell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin F. Bollinger, alias Benjamin Bell, late of Company L, Tenth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

REBECCA AUMEN.

The next business was the bill (S. 5349) granting an increase of pension to Rebecca Aumen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rebecca Aumen, widow of John Aumen, late of Company F, Two hundred and ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JESSE W. M'GAHAN.

The next business was the bill (S. 5372) granting an increase of pension to Jesse W. McGahan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jesse W. McGahan, late of Company G, One hundred and seventy-first Regiment Ohio National Guard Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM O. WHITE.

The next business was the bill (S. 5125) granting an increase of pension to William O. White.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William O. White, late of Company H, Thirteenth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

GEORGE W. FOSTER.

The next business was the bill (S. 3203) granting an increase of pension to George W. Foster.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Foster, late of Company K, Twenty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

FRANCES E. PLUMMER.

The next business was the bill (S. 3616) granting an increase of pension to Frances E. Plummer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances E. Plummer, widow of James M. Plummer, late of Company H, Eighth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN D. INGER.

The next pension business was the bill (S. 5230) granting an increase of pension to John D. Inger.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John D. Inger, late of Company B, First Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

DANIEL W. WORKING.

The next pension business was the bill (S. 1564) granting an increase of pension to Daniel W. Working.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel W. Working, late of Company A, Fourth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES L. DYER.

The next pension business was the bill (S. 1808) granting an increase of pension of James L. Dyer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James L. Dyer, late of Company B, Sixty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES STOUT.

The next pension business was the bill (S. 5265) granting an increase of pension to James Stout.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Stout, late of Company I, Eleventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

PETER BAKER.

The next pension business was the bill (S. 5289) granting an increase of pension to Peter Baker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Peter Baker, late of Company F, Twentieth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM H. SEIP.

The next pension business was the bill (S. 5161) granting an increase of pension to William H. Seip.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Seip, late captain Company H, Eleventh Regiment Pennsylvania Volunteer Cavalry, and lieutenant-colonel First Regiment United States Colored Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

DAVID L. MILLER.

The next pension business was the bill (S. 2183) granting an increase of pension to David L. Miller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David L. Miller, late of Company D, One hundred and forty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ELLEN R. OSTRANDER.

The next pension business was the bill (S. 5270) granting an increase of pension to Ellen R. Ostrander.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ellen R. Ostrander, widow of William A. L. Ostrander, late second lieutenant and quartermaster Seventy-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $15 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ROSALINE V. CAMPBELL.

The next pension business was the bill (S. 3432) granting an increase of pension to Rosaline V. Campbell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rosaline V. Campbell, widow of Alberto Campbell, late captain Company A, Second Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JASPER N. JENNINGS.

The next pension business was the bill (S. 2730) granting an increase of pension to Jasper N. Jennings.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jasper N. Jennings, late of Company E, Tenth Regiment Indiana Volunteer Infantry, and captain Company F, Second Regiment North Carolina Mounted Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM L. JOHNSTON.

The next business on the Private Calendar was the bill (S. 433) granting an increase of pension to William L. Johnston.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William L. Johnston, late of Company I, One hundred and thirty-fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOSEPH DICKINSON.

The next business on the Private Calendar was the bill (S. 5205) granting an increase of pension to Joseph Dickinson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph Dickinson, late lieutenant-colonel and assistant adjutant-general, and brevet brigadier-general, United States Volunteers, and pay him a pension at the rate of $70 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM G. TOMPKINS.

The next business on the Private Calendar was the bill (S. 4187) granting an increase of pension to William G. Tompkins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William G. Tompkins, late captain Company A, Seventy-first Regiment New York State Militia Infantry, and Company A, Seventy-first Regiment New York National Guard Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

RICHARD E. BOULDIN.

The next business on the Private Calendar was the bill (S. 493) granting an increase of pension to Richard E. Bouldin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Richard E. Bouldin, late captain Company C, Seventh Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

EDNA STEVENS.

The next business on the Private Calendar was the bill (S. 2116) granting an increase of pension to Edna Stevens.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edna Stevens, widow of Charles Stevens, late first lieutenant Company C, Third Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM H. IJAMS.

The next business on the Private Calendar was the bill (S. 2803) granting an increase of pension to William H. Ijams.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Ijams, late captain Company K, Thirtieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ALONZO GARDNER.

The next business on the Private Calendar was the bill (S. 5179) granting an increase of pension to Alonzo Gardner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alonzo Gardner, late of Company C, One hundred and fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM H. HESS.

The next business on the Private Calendar was the bill (S. 4337) granting an increase of pension to William H. Hess.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Hess, late of Company B, Eighty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

DARIUS W. OWENS.

The next business on the Private Calendar was the bill (S. 405) granting an increase of pension to Darius W. Owens.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Darius W. Owens, late of Company K, Sixteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

STACY WILLIAMS.

The next business on the Private Calendar was the bill (S. 5076) granting an increase of pension to Stacy Williams.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Stacy Williams, late of Company B, Third Regiment California Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

GEORGE A. MILLER.

The next pension business was the bill (S. 5034) granting an increase of pension to George A. Miller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George A. Miller, late of Company G, Second Regiment, and second lieutenant Company F, Thirtieth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

LEWIS Y. FOSTER.

The next pension business was the bill (S. 5101) granting an increase of pension to Lewis Y. Foster.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lewis Y. Foster, late of Company M, Second Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ANDREW A. KELLEY.

The next pension business was the bill (S. 3304) granting an increase of pension to Andrew A. Kelley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew A. Kelley, late captain Company F, Thirty-eighth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SAMUEL R. SHANKLAND.

The next pension business was the bill (S. 4679) granting an increase of pension to Samuel R. Shankland.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel R. Shankland, late of Company A, Second Regiment California Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM P. VOHN.

The next pension business was the bill (S. 5282) granting an increase of pension to William P. Vohn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William P. Vohn, late of Company B, Thirty-second Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM D. WOODWORTH.

The next pension business was the bill (S. 741) granting an increase of pension to William D. Woodworth.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William D. Woodworth, late of Companies B and C, First Regiment Arkansas Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM P. JACKSON.

The next pension business was the bill (S. 4223) granting an increase of pension to William P. Jackson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William P. Jackson, late of Company F, Twelfth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

THEODORE J. WIDVEY.

The next pension business was the bill (S. 5213) granting an increase of pension to Theodore J. Widvey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Theodore J. Widvey, late captain Company K, Third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES W. BARRETT.

The next pension business was the bill (S. 5111) granting an increase of pension to Charles W. Barrett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles W. Barrett, late first lieutenant Company E, Twelfth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES N. CULTON.

The next pension business was the bill (S. 3890) granting an increase of pension to James N. Culton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James N. Culton, late of Company D, Third Regiment, and first lieutenant Company D, Seventh Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ELIZABETH C. WAY.

The next pension business was the bill (S. 5191) granting an increase of pension to Elizabeth C. Way.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth C. Way, widow of William B. Way, late major and lieutenant-colonel Ninth Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ALEXANDER D. TANYER.

The next pension business was the bill (S. 103) granting an increase of pension to Alexander D. Tanyer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alexander D. Tanyer, late captain Company H, Fifty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM H. COLVILLE.

The next pension business was the bill (S. 73) granting an increase of pension to William H. Colville.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Colville, late of Company F, Fifth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES W. CARRIER.

The next pension business was the bill (S. 3666) granting an increase of pension to James W. Carrier.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James W. Carrier, late of Company B, Third Regiment Pennsylvania Reserve Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

OSCAR F. BARTLETT.

The next pension business was the bill (S. 3245) granting an increase of pension to Oscar F. Bartlett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Oscar F. Bartlett, late surgeon Third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN M'CONNELL.

The next pension business was the bill (H. R. 5309) granting an increase of pension to John McConnell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John McConnell, late of Company D, Capt. D. D. Henrie's regiment, District of Columbia and Maryland Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "Company D."

In line 7 strike out "regiment" and insert "company, D."

In line 8, after "Infantry," insert "war with Mexico," and in the same line strike out "forty" and insert "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JULIA A. HENDERSON.

The next pension business was the bill (H. R. 10077) granting a pension to Julia A. Henderson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Julia A. Henderson, widow of Capt. George W. Doty, United States Navy, and pay her a pension at the rate of $30 per month.

The amendment recommended by the committee was read, as follows:

In line 6 strike out "Captain;" and in line 7, before "United States Navy," insert "late captain."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CALVIN HITT.

The next pension business was the bill (H. R. 13911) granting an increase of pension to Calvin Hitt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Calvin Hitt, late of Company I, Stevenson's regiment, New York Volunteers, Mexican war, and Company B, Second Regiment Minnesota Volunteer Infantry, war of the rebellion, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In lines 7, 8, and 9 strike out "Mexican war, and Company B, Second Regiment Minnesota Volunteer Infantry, war of the rebellion," and insert "war with Mexico."

In line 9 strike out "thirty" and insert "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY TAGGART.

The next pension business was the bill (H. R. 15204) granting an increase of pension to Mary Taggart.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Taggart, widow of First Lieut. James C. Taggart, late of Company I, Seventy-first Regiment New York Volunteer Militia Infantry, and pay her a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "First Lieut."

In line 7, before the word "Company," strike out the word "of" and insert in lieu thereof the words "first lieutenant."

In line 8 strike out the word "Volunteer."

In line 9, after the word "month," insert the words "in lieu of that she is now receiving: *Provided*, That in the event of the death of Maggie Taggart, helpless and dependent child of said James C. Taggart, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Mary Taggart, the name of said Maggie Taggart shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Mary Taggart."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALLAN DUNNING.

The next pension business was the bill (H. R. 14641) granting a pension to Allan Dunning.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Allan Dunning, helpless and dependent son of Henry W. Dunning, late of Sixth Independent Battery, Wisconsin Volunteer Light Artillery, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

CEPHAS H. JOHN.

The next pension business was the bill (H. R. 13690) granting an increase of pension to C. H. John.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of C. H. John, late of Company C, Seventy-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $45 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "C." and insert in lieu thereof the word "Cephas."

In line 8 strike out the word "forty-five" and insert in lieu thereof the word "forty."

Amend the title so as to read: "A bill granting an increase of pension to Cephas H. John."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

AMELIA COSTER.

The next pension business was the bill (H. R. 12006) granting an increase of pension to Amelia Coster.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amelia Coster, widow of Leon Coster, late of Company F, Seventeenth Regiment Massachusetts Volunteer Infantry, and Company C, Forty-sixth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving as long as her helpless son, George H. Coster, shall live; then at his death said Amelia Coster shall be placed on the roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month. If the said Amelia Coster shall die and leave surviving her said helpless son, George H. Coster, then the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of said George H. Coster, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

Strike out all of line 8.

In line 9 strike out the words "Infantry, and."

In same line strike out the word "twenty-four" and insert in lieu thereof the word "sixteen."

In line 10 strike out the words "as long as her" and all of lines 11, 12, 13, 14, and 15 on page 1 and lines 1, 2, 3, 4, and 5 on page 2.

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HUMPHREY M. GLINES.

The next pension business was the bill (H. R. 749) granting an increase of pension to Humphrey M. Glines.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Humphrey M. Glines, late of Company C, Eleventh Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARY DINGLER.

The next pension business was the bill (H. R. 14882) granting a pension to Mary Dingler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Dingler, mother of George Neville, late private Company F, Twenty-third Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "mother," insert the word "dependent."

In same line strike out the word "private" and insert in lieu thereof the word "of."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY M. RICE.

The next pension business was the bill (S. 5475) granting a pension to Mary M. Rice.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary M. Rice, widow of Americus V. Rice, late colonel Fifty-seventh Regiment Ohio Volunteer Infantry, and brigadier-general United States Volunteers, and pay her a pension at the rate of $40 per month.

Mr. GROSVENOR. Mr. Chairman, I hope the House will increase this pension by the addition of $10 a month. The Senate has passed the bill at $40 and this amendment will increase it to $50. This is a most meritorious case. I have never known one that made a stronger or more just demand upon the liberality of the committee and the House. I do not want to offer an amendment myself, but I hope the committee that reported this bill will, without any motion from me, propose the increase I have indicated.

Mr. MIERS of Indiana. Mr. Chairman, by direction of the committee, I move to amend the bill by striking out, in line 9, the word "forty" and inserting in lieu thereof "fifty;" so as to make this pension $50 a month.

I want to say only a word. General Rice had four years and a half of service in the Union Army. He started in as a private, was advanced through the grades of captain, lieutenant-colonel, and colonel to that of brigadier-general. He participated in the battle of Vicksburg and of Kenesaw Mountain, having been wounded at both places. He also took part in the battle of Shiloh, the siege of Corinth, the battles of Chickasaw Bayou and Arkansas Post. For his gallant conduct at Vicksburg he was mentioned for special and meritorious service. His service was such as to make one feel proud that he was an American. I will not take further time of the committee, but ask to add as part of my printed remarks the record of General Rice, as furnished from the War Department.

The CHAIRMAN. Without objection, the gentleman from Indiana will have permission to extend his remarks.

There was no objection.

The document referred to is as follows:

RECORD AND PENSION OFFICE, WAR DEPARTMENT,
Washington City, May 7, 1900.

SIR: In response to your request for the military and medical record of Americus V. Rice, late brigadier-general of volunteers, for use in connection with Senate bill 3890, I have the honor to inform you as follows:

It is shown by the records that Americus V. Rice was mustered into service April 27, 1861, as captain of Company E, Twenty-first Regiment Ohio Volunteer Infantry (three months' organization), and that he was mustered out with his company, as captain, August 12, 1861.

He was again mustered into service September 2, 1861, as captain of Company A, Fifty-seventh Ohio Volunteer Infantry, to serve three years; was promoted to lieutenant-colonel, same regiment, about February 8, 1862, and was mustered in as colonel, same regiment, February 19, 1864, to date May 24, 1863; was appointed brigadier-general of volunteers May 31, 1865, which appointment he accepted June 18, 1865, and was honorably mustered out of service as brigadier-general of volunteers in General Orders, No. 168, War Department, Adjutant-General's Office, dated December 28, 1865, to take effect January 15, 1866.

From the date of his muster in as captain in the Fifty-seventh Ohio to May 22, 1863, when disabled at Vicksburg, Miss., he is shown to have been continuously on duty with his regiment, which formed a part of Gen. W. T. Sherman's command and participated in the western campaign, including the battle of Shiloh, the siege of Corinth, the battles of Chickasaw Bayou and Arkansas Post, and the siege of Vicksburg.

At Vicksburg he led his regiment in the assault on the enemy's works on May 22, 1863, when he was severely wounded below the knee and in the thigh of the right leg. On account of this wound he was absent thereafter until the spring of 1864, when he resumed command of his regiment. He led his regiment in an assault on the enemy's works at Kenesaw Mountain, Georgia, June 27, 1864, where he was again badly disabled, sustaining a wound of the left ankle and fractures of the shin bone and the thigh of the right leg, necessitating the amputation of the right leg above the knee. On account of this wound he was again absent until about April, 1865. Meanwhile, on December 14, 1864, by reason of physical disability from wounds received in action, a special order was issued from the War Department honorably discharging him from the service as colonel of the Fifty-seventh Ohio, but on the request of Colonel Rice and the governor of Ohio, supported by the earnest recommendation of General Sherman, this order was revoked and he was restored to his command by a special order from the Department, dated March 29, 1865, whereupon he rejoined his regiment.

Upon his promotion to brigadier-general of volunteers, he was, on June 17, 1865, assigned to the command of the Third Brigade, Second Division, Fifteenth Corps, on which duty he continued until August 19, 1865, after which date, his services being no longer required, he was at his home in Ohio on waiting orders to the date of his discharge.

This officer is informally mentioned in the reports of his superiors for skill and gallantry in the different actions in which he took part, and he was several times recommended for promotion to brigadier-general. In repeating the recommendation, under date of May 28, 1865, General Sherman said:

"I have heretofore recommended for promotion to brigadier-general of volunteers Col. A. V. Rice, Fifty-seventh Ohio Infantry, for special gallantry at Vicksburg and Kenesaw, at which latter place he was wounded terribly.

"I again renew my recommendation and state that Colonel Rice is one of those young officers who has served with me all through the time since Shiloh and enabled me to do the service I did. I know his capacity and fitness and know that the promotion is more than deserved. It is fairly due to put him on a par with his fellows who have already been properly promoted."

Very respectfully,

F. C. AINSWORTH,
Chief Record and Pension Office.

The CHAIRMAN OF THE COMMITTEE ON PENSIONS,
United States Senate.

Mr. GROSVENOR. Mr. Chairman, if I were going to select a volunteer soldier of the war for the Union as a typical specimen of the best development and most patriotic type of the American volunteer soldier, I think I would choose the subject of this pension bill—I mean General Rice. General Rice's career was a notable one. He was well educated and was entering life with every prospect of success and prosperity, but he had the patriotic idea. He was a devoted friend of the American Union. He was a strong Democrat in politics, but when the war began Democracy as a party slogan had no attractions for him. He left his home, his prospects, and all and went gallantly forth to fight the battles of his country.

He enlisted as a private soldier, was early advanced to the grade of captain, then lieutenant-colonel and colonel, and then brigadier-general. He fought in the battle of Vicksburg and at Kenesaw Mountain and was wounded at both places. Apparently he never got near enough to the enemy to be hit by their shot that he did not suffer. At Vicksburg he led his regiment in an assault on the enemy's works on May 22, 1863. He was severely wounded

below the knee and in the thigh of the right leg. Again, almost disabled, he joined the forces and marched in the great campaign to Atlanta and led an assault on the enemy's works at Kenesaw Mountain, Georgia, June 27, 1864. There again he was badly disabled, sustaining a wound of the left ankle and fractures of the shin bone and the thigh of the right leg, necessitating the amputation of the right leg above the knee.

Almost any other man would have retired at the first wounding; every man except Rice would have retired at the second wounding. He did not do it; but on December 14, 1864, he was given an honorable discharge by special order of the War Department. He appealed from the War Department, and on the recommendation of General Sherman the order was revoked and he was restored to his command and joined his regiment March 29, 1865, and then was promoted to brigadier-general of volunteers and was assigned to the command of the Third Brigade, Second Division, Fifteenth Corps, on which duty he continued until August 19, 1865, and then went home discharged and bearing honorable wounds and bearing with him the love and affection of the soldiers who knew him. General Sherman wrote:

I have heretofore recommended for promotion to brigadier-general of volunteers Col. A. V. Rice, Fifty-seventh Ohio Infantry, for special gallantry at Vicksburg and Kenesaw, at which latter place he was wounded terribly.

I again renew my recommendation and state that Colonel Rice is one of those young officers who has served with me all through the time since Shiloh and enabled me to do the service I did. I know his capacity and fitness and know that the promotion is more than deserved. It is fairly due to put him on a par with his fellows who have already been properly promoted.

This was the splendid indorsement of that grim old soldier, Sherman, who never recommended a man for anything if he did not believe he was justly entitled to it.

Coming back to Ohio, as I have said, he again entered politics and was the Democratic candidate for lieutenant-governor of Ohio. He was a forceful, eloquent, and popular speaker, and on the stump occupied to politics much of the same leadership he had in war. But his terrible wounds impeded his progress in his profession. He was appointed by Mr. Cleveland pension agent at Columbus, and won the affection of the soldiers and their friends by the urbane and yet prompt and accurate discharge of his duties. When McKinley became President, he refused to remove General Rice until his full term should be served, and then saw to it that he should be provided with a fairly profitable position here in Washington, a position which, varying in degree, but always being a responsible one, he held until the time of his death.

We gave him a pension of $100 a month some years ago, and at that time it was shown that he had suffered beyond the power of man to describe. His was not the maiming and the disfiguring of the physical man which became sound and well but for the loss of members; his was a constant, never-ceasing agony of suffering.

He left a family, a devoted wife and a lovely daughter, faithful and loving to the General to the last, and they come here now and say on behalf of themselves through me and through this committee and through the committee of the Senate: "This much General Rice offered upon the altar of his country. You can not compensate him, his compensation will be in another world, but you can see to it that the sting of poverty shall be at least to some degree ameliorated in the case of those he loved and for whom he would have provided ample support but for the sacrifices to his country."

I know the House will pass the bill. I know the Senate will concur in this amendment. I know that the President will most gladly sign this bill.

The amendment offered by Mr. MIERS of Indiana was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EVERTON J. CONGER.

The next pension business was the bill (H. R. 14336) granting an increase of pension to Everton J. Conger.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Everton J. Conger, late lieutenant-colonel First District of Columbia Volunteer Cavalry, and pay him a pension of $100 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out "one hundred" and insert "fifty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM J. BARCROFT.

Mr. PRINCE. Mr. Chairman, I ask unanimous consent for the present consideration of the bill (H. R. 12346) to correct the military record of William J. Barcroft.

Mr. GROSVENOR. The gentleman does not need to ask unanimous consent. We are in Committee of the Whole.

Mr. PRINCE. I know that, and I think this bill almost comes within the rule. Yet there may be a slight question about it. Therefore I ask unanimous consent.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent for the present consideration of the bill (H. R. 12346) to correct the military record of William J. Barcroft. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the political disabilities and charges now appearing on the records on file at the War Department against William J. Barcroft, Company H, Eighty-sixth United States Colored Troops, and grant him an honorable discharge in lieu of one that was issued and lost.

Mr. SMITH of Kentucky. Mr. Chairman, I should like to know what are the political disabilities of this gentleman?

Mr. LAMB. The bill speaks for itself, Mr. Chairman. It is to restore him to the same position he would have occupied if he had not lost his discharge; that is all.

Mr. SMITH of Kentucky. He is not under any political disability, is he?

Mr. LAMB. No. He lost his discharge, and we want to place him in the position he would have been in if he had not lost that discharge.

Mr. GIBSON. Mr. Chairman, it is impossible for us to hear what gentlemen are saying.

Mr. PRINCE. Mr. Chairman, in order to explain this bill I wish to say that Mr. Barcroft served in the Union Army. He was dangerously wounded in the knee and almost lost his eyesight. He afterwards had some trouble with some one of his officers. He was tried by a court-martial and sentenced to receive a dishonorable discharge, and also to serve twelve or sixteen months, I think, in prison. He served about eight months. His case was afterwards reinvestigated, and by an order of the War Department he was discharged from imprisonment and directed to appear before the mustering officer and receive an honorable discharge. He started from Nashville to Mobile to receive his discharge. While on the way he lost his knapsack and his papers authorizing him to receive an honorable discharge. Being an ignorant colored man, not knowing his rights, after losing his knapsack and papers he did not go to the mustering officer to get his discharge.

The Military Committee have recommended that in view of the War Department's own records this charge of dishonorable dismissal be removed and that he be given an honorable discharge.

As a matter of fact, it is not a charge of desertion which would properly come up in the Committe of the Whole House as we are here to-day. For that reason I have asked unanimous consent that it may be considered, and I trust there will be no objection.

Mr. GIBSON. I have no objection.

Mr. SMITH of Kentucky. Mr. Chairman, I have no real doubt, after hearing the statement of the gentleman from Illinois [Mr. PRINCE], that this is a meritorious proposition; but I take this occasion to suggest to the gentleman from Illinois and his colleagues upon his committee that I have some knowledge that there are other meritorious bills pending before that honorable committee, some of which have been pending there for a very long time and have never received any attention at the hands of that committee.

I myself have had occasion to request the consideration of some bills of this general nature, and so far as I know my appeals have gone unheeded. And while I am not that kind that desires to obstruct any other meritorious bill because those introduced by myself for constituents of mine can not be considered, yet I hope this committee will see its way clear, if not at this session at the next session of this Congress, to give consideration to some measures I have introduced, and which are pending before that committee, that, in my judgment, are as meritorious as this or any other bill introduced in this Congress.

With that, Mr. Chairman, I withdraw my objection.

Mr. PRINCE. I just want to say one word, Mr. Chairman. I presume that we have not taken up all of the bills before us that perhaps, if we would devote all our time to them, we could.

But I wish to say to the House that there are about 2,000 desertion bills before the Committee on Military Affairs. I think we passed at the last Congress about eight of these bills, and four of them were vetoed. For one, I am decidedly opposed, after forty years have intervened since that great struggle, most of the witnesses being dead, to place upon the roll of honor men who willfully deserted during those trying times. In this particular instance the record of the War Department discloses the fact that this man should be relieved, and we are asking Congress to grant it to him. But if gentlemen will watch our work in the committee they will see we have tried to give a full and fair hearing irrespective of party to any person who comes before that committee. I wish to say in advance I think the men who wear the button—on this side of the House—and the men who contended against them—on the other side of the House—will commend the committee for

standing between deserters and the men who fought for the flag from 1861 to 1865.

Mr. SIMS. Mr. Chairman, will the gentleman allow me to ask him a question?

Mr. PRINCE. Certainly.

Mr. SIMS. Now, the gentleman has said that the committee is opposed to granting relief in cases of desertion. Does it not appear that the cases where the circumstances attending the desertions appear to be worst that they get relief, and does not the gentleman think that where there is merit in the claim, and where a man was wrongfully and falsely charged, he should be relieved? Now, there are cases where they have lived for thirty or forty years without knowing that those charges were made against them, and here is the only place under heaven that they can get relief.

Mr. PRINCE. That may be true. We favor granting relief in every worthy case. If the Member who introduces this class of legislation will carefully look over the military record of the applicant for relief he will be convinced, in nine cases out of ten, that he has introduced a bill at somebody's request that ought not to be considered by this House.

Mr. GIBSON. I wish, Mr. Chairman, to know if unanimous consent has been given?

Mr. SIMS. I am not here objecting to your bill——

The CHAIRMAN. Unanimous consent has not been given.

Mr. GAINES of Tennessee. I want to ask the gentleman from Illinois a question. You say you are opposed to giving relief in these cases of desertion, or so-called "desertion"——

Mr. GIBSON. I object to this discussion, and call for the regular order.

Mr. GAINES of Tennessee (continuing). Because forty years have elapsed since the charge was made——

The CHAIRMAN. The regular order is called for.

Mr. GAINES of Tennessee. Are we not pensioning people forty years after the war, and letting them give evidence in their behalf?

The CHAIRMAN. Is there objection?

Mr. LAMB. I would like to say one word.

The CHAIRMAN. The regular order is called for.

Mr. LAMB. This man was wounded in the service, and if I, who fought on the other side, can ask for his relief, I think other gentlemen might not object.

The CHAIRMAN. The question is on laying the bill aside with a favorable recommendation.

The question was taken; and the bill was ordered to be laid aside with a favorable recommendation.

Mr. GIBSON. Mr. Chairman, I move that the committee rise and report the various bills passed in the Committee of the Whole to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SPALDING, Chairman of the Committee of the Whole House, reported that that committee had had under consideration various bills on the Private Calendar, and had directed him to report them to the House, some with amendments and others without amendments, with the recommendations that the amendments be agreed to and the bills do pass, and that the bills without amendments do pass.

Mr. GIBSON. Mr. Speaker, I ask unanimous consent that the previous question be considered as ordered on the bills and amendments to their final passage.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the previous question be considered as ordered on all these bills and amendments to their final passage. Is there objection? [After a pause.] The Chair hears none.

SUPREME COURT IN THE INDIAN TERRITORY.

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 12647, with Senate amendments.

Mr. CLARK. I would like to reserve the right to object until I know what this bill is.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 12647) to establish a supreme court in the Indian Territory and to provide for additional United States judges therein, and for other purposes, with Senate amendments.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the House nonconcur in the Senate amendments, and ask for a conference. Is there objection? [After a pause.] The Chair hears none. The Chair announces the appointment of the following conferees: Mr. JENKINS, Mr. THOMAS of Iowa, and Mr. LITTLE.

BILLS REPORTED FROM COMMITTEE OF THE WHOLE.

The House then proceeded to the consideration of the bills just reported from the Committee of the Whole House.

House bills of the following titles, favorably reported from the Committee of the Whole House without amendment, were severally considered, ordered to be engrossed and read a third time, read the third time, and passed:

HOUSE BILLS WITHOUT AMENDMENT.

H. R. 4379. A bill granting an increase of pension to Alexander Adams;

H. R. 14521. A bill granting an increase of pension to Samuel H. Phillips;

H. R. 14524. A bill granting a pension to Jennie A. Brown;

H. R. 10846. A bill granting an increase of pension to Heinrich Erbstoeser;

H. R. 14894. A bill granting an increase of pension to John Gideon;

H. R. 9354. A bill granting an increase of pension to John Richmond;

H. R. 14631. A bill granting a pension to William T. Spencer;

H. R. 2577. A bill granting an increase of pension to Harmon P. Cole;

H. R. 940. A bill granting a pension to Oscar M. Parsons;

H. R. 5012. A bill granting an increase of pension to Jacob Reitzel;

H. R. 4582. A bill granting an increase of pension to John S. Miller;

H. R. 2124. A bill granting an increase of pension to Henry J. Grannis;

H. R. 11486. A bill granting an increase of pension to Samuel B. Loewenstine;

H. R. 14637. A bill granting an increase of pension to William Kimbrough;

H. R. 14592. A bill granting an increase of pension to Alfred B. Scovill;

H. R. 14638. A bill granting a pension to Park Avery;

H. R. 14508. A bill granting an increase of pension to John Brady;

H. R. 13805. A bill granting a pension to Emma W. Hays;

H. R. 7373. A bill granting a pension to Harriet J. Woodbury;

H. R. 3431. A bill granting an increase of pension to William Basnett;

H. R. 14641. A bill granting a pension to Allan Dunning;

H. R. 749. A bill granting an increase of pension to Humphrey M. Glines; and

H. R. 12346. A bill to correct the military record of William J. Barcroft.

HOUSE BILLS AMENDED.

House bills of the following titles, reported from the Committee of the Whole House with amendments, were severally considered, the amendments agreed to, the bills as amended ordered to be engrossed and read a third time, read the third time, and passed:

H. R. 13886. A bill granting an increase of pension to Thomas Mahers;

H. R. 14572. A bill granting an increase of pension to Alexander P. Nelson;

H. R. 14640. A bill granting an increase of pension to Caroline McGinsey (title amended);

H. R. 14611. A bill granting a pension to William L. Beverly;

H. R. 487. A bill granting a pension to Mary J. Waugh (title amended);

H. R. 698. A bill granting a pension to William M. Crow (title amended);

H. R. 4584. A bill granting an increase of pension to Daniel A. Butler;

H. R. 14531. A bill granting an increase of pension to P. A. Gatchell (title amended);

H. R. 14303. A bill granting a pension to A. C. Fisk (title amended);

H. R. 14201. A bill granting an increase of pension to James H. Smith (title amended);

H. R. 13490. A bill granting an increase of pension to Henry Good;

H. R. 14511. A bill granting an increase of pension to Robert R. Keys;

H. R. 12861. A bill granting an increase of pension to Bartlett Mingus (title amended);

H. R. 4572. A bill granting a pension to Peter Lander (title amended);

H. R. 3131. A bill granting a pension to Andrew Cooksey;

H. R. 9623. A bill granting an increase of pension to Robert H. Betts;

H. R. 9773. A bill granting an increase of pension to Absolom Shiltz (title amended);

H. R. 11086. A bill granting a pension to Charles W. Crary (title amended);

H. R. 11013. A bill granting an increase of pension to William Flaig;

H. R. 7497. A bill granting a pension to Emma A. Webster;

H. R. 9107. A bill granting a pension to Margaret F. Randolph (title amended);
H. R. 6338. A bill granting a pension to Antoinette I. Sawyer (title amended);
H. R. 7085. A bill granting an increase of pension to William Spiegelberg.
H. R. 7145. A bill granting an increase of pension to Ambrose L. Hendee;
H. R. 5565. A bill granting a pension to Eliza Workman;
H. R. 13272. A bill granting a pension to Delana A. Lynch;
H. R. 13391. A bill granting an increase of pension to Garret I. Post;
H. R. 6537. A bill granting an increase of pension to Benjamin F. Hawthorne (title amended);
H. R. 6718. A bill granting an increase of pension to James E. Phillips;
H. R. 10285. A bill granting a pension to Henry McCreary (title amended);
H. R. 12197. A bill granting an increase of pension to Daniel M. Candor;
H. R. 12177. A bill granting an increase of pension to Isaac W. Waters;
H. R. 6111. A bill granting a pension to Edward A. Morris (title amended);
H. R. 2794. A bill granting a pension to Lizzie J. Hoadley;
H. R. 14204. A bill granting a pension to John B. Hobday;
H. R. 10284. A bill granting a pension to Elizabeth Broomall;
H. R. 12629. A bill granting a pension to Ida Diamond;
H. R. 13173. A bill granting an increase of pension to Mary E. Houghton;
H. R. 12702. A bill granting an increase of pension to Margaret G. Howarth;
H. R. 14153. A bill granting an increase of pension to P. C. Woods (title amended);
H. R. 6182. A bill granting a pension to J. C. Horton (title amended);
H. R. 4602. A bill granting an increase of pension to Helim Thompson;
H. R. 14578. A bill granting a pension to Edward Taylor;
H. R. 1093. A bill for the relief of Rose B. Noa (title amended);
H. R. 4398. A bill granting a pension to Ellen A. Wilson;
H. R. 5725. A bill granting a pension to Grace Dressel;
H. R. 9477. A bill granting an increase of pension to George Smith;
H. R. 10029. A bill granting an increase of pension to Charles E. Arnett;
H. R. 11262. A bill granting a pension to John Hegarty;
H. R. 12604. A bill granting a pension to Edward M. Fowler;
H. R. 13437. A bill granting a pension to William P. Crawford;
H. R. 13586. A bill granting an increase of pension to Abraham Harris;
H. R. 13636. A bill granting a pension to George S. Noland;
H. R. 14141. A bill granting an increase of pension to King Kerley;
H. R. 14512. A bill granting an increase of pension to Thomas L. Sweeney;
H. R. 14702. A bill granting a pension to Mary E. Dunford;
H. R. 14747. A bill granting an increase of pension to Symphorosa Bartley;
H. R. 14801. A bill granting a pension to John W. Schrader (title amended);
H. R. 14933. A bill granting a pension to Francis Rogers;
H. R. 14884. A bill granting an increase of pension to William Huffman;
H. R. 3036. A bill granting an increase of pension to William H. Romaine;
H. R. 5711. A bill granting an increase of pension to Jacob Chronister;
H. R. 14630. A bill granting a pension to Augustus Finley, now Augustus Davis (title amended);
H. R. 3921. A bill granting an increase of pension to M. C. Staves (title amended);
H. R. 4903. A bill granting an increase of pension to Solomon F. Fallett;
H. R. 14802. A bill granting an increase of pension to Thomas C. Wiley;
H. R. 6049. A bill granting a pension to Peter B. Phillips (title amended);
H. R. 5829. A bill granting an increase of pension to Thomas Ellmaker;
H. R. 2675. A bill granting a pension to Robert J. Tate (title amended);
H. R. 9338. A bill granting an increase of pension to Solon D. Moore;
H. R. 2499. A bill granting an increase of pension to Smith Bilderback;
H. R. 13404. A bill granting an increase of pension to Emanuel Peck (title amended);
H. R. 14639. A bill granting an increase of pension to J. J. Meade (title amended);
H. R. 9901. A bill granting a pension to John M. Stoner;
H. R. 12268. A bill granting a pension to Jane K. Carpenter (title amended);
H. R. 11397. A bill granting a pension to William Leonard (title amended);
H. R. 10183. A bill granting a pension to Charles M. Lee;
H. R. 11335. A bill granting an increase of pension to John Trader;
H. R. 8716. A bill granting a pension to Peter Creager (title amended);
H. R. 13000. A bill granting a pension to Robert Elliott (title amended);
H. R. 7237. A bill granting a pension to Annie E. Hetherington (title amended);
H. R. 14464. A bill granting a pension to Elizabeth B. Yount (title amended);
H. R. 14865. A bill granting an increase of pension to Mercy J. Wilder;
H. R. 14859. A bill granting an increase of pension to Mathias Ridenour (title amended);
H. R. 13347. A bill granting an increase of pension to William C. Crumbaugh;
H. R. 14870. A bill granting an increase of pension to William Hongendobler;
H. R. 14437. A bill granting an increase of pension to Daniel White;
H. R. 14992. A bill granting an increase of pension to Phoebe W. Daw (title amended);
H. R. 14541. A bill granting an increase of pension to Azaria S. Elwood (title amended);
H. R. 13592. A bill granting an increase of pension to Stephen M. Ferguson;
H. R. 2113. A bill granting a pension to Sarah A. Sullivan;
H. R. 4771. A bill granting a pension to Aaron Taylor;
H. R. 14001. A bill granting an increase of pension to Leslie C. Armour;
H. R. 14636. A bill granting a pension to James R. Fletcher (title amended);
H. R. 15126. A bill granting a pension to Joseph A. Cox (title amended);
H. R. 13816. A bill granting a pension to Annie Hines (title amended);
H. R. 15183. A bill granting a pension to Ella F. Kennealy;
H. R. 3924. A bill granting an increase of pension to Ira Waldo;
H. R. 14876. A bill granting an increase of pension to Francis Stadler, jr.;
H. R. 4152. A bill granting an increase of pension to George B. Hartley;
H. R. 740. A bill granting an increase of pension to Ira Meserve;
H. R. 14484. A bill granting an increase of pension to Charles W. Lee;
H. R. 15076. A bill granting an increase of pension to Lawrence Le Bron;
H. R. 8280. A bill granting an increase of pension to James A. Morrison;
H. R. 14490. A bill granting a pension to Degraphenreed P. McKinley;
H. R. 13605. A bill granting a pension to Elizabeth E. Conatt (title amended);
H. R. 14890. A bill granting an increase of pension to Allen R. Harris;
H. R. 14343. A bill granting an increase of pension to William Neuborg (title amended);
H. R. 14612. A bill granting an increase of pension to Myron Imas;
H. R. 15148. A bill granting an increase of pension to Armour W. Patterson;
H. R. 11336. A bill granting an increase of pension to Samuel R. Hazen;
H. R. 13373. A bill granting an increase of pension to William W. Dennis;
H. R. 9394. A bill granting an increase of pension to Mrs. John Leffler (title amended);
H. R. 12348. A bill granting an increase of pension to John Pickering;
H. R. 10851. A bill granting an increase of pension to Nancy Smallwood;
H. R. 11827. A bill granting an increase of pension to Daniel Smith;

H. R. 934. A bill granting an increase of pension to Frank Brock;
H. R. 10334. A bill granting an increase of pension to John S. Allison;
H. R. 1305. A bill granting an increase of pension to Gilbert A. Kenney;
H. R. 3107. A bill granting an increase of pension to James E. Chappell;
H. R. 11374. A bill granting an increase of pension to William Wells;
H. R. 5309. A bill granting an increase of pension to John McConnell;
H. R. 10077. A bill granting a pension to Julia A. Henderson;
H. R. 13911. A bill granting an increase of pension to Calvin Hitt;
H. R. 15204. A bill granting an increase of pension to Mary Taggart;
H. R. 13690. A bill granting an increase of pension to C. H. John (title amended);
H. R. 12006. A bill granting an increase of pension to Amelia Coster;
H. R. 14882. A bill granting a pension to Mary Dingler; and
H. R. 14336. A bill granting an increase of pension to Everton J. Conger.

SENATE BILLS WITHOUT AMENDMENT.

Senate bills of the following titles, favorably reported from the Committee of the Whole without amendment, were severally considered, ordered to a third reading, read the third time, and passed:
S. 4018. An act granting an increase of pension to James Gunn;
S. 5210. An act granting an increase of pension to William L. Beach;
S. 5078. An act granting an increase of pension to Asa Smith;
S. 2367. An act granting an increase of pension to Ferdinand Mergel;
S. 3151. An act granting an increase of pension to Hayden M. Thompson;
S. 5096. An act granting an increase of pension to Edmond G. Pugsley;
S. 682. An act granting an increase of pension to Jacob S. Grimes;
S. 1494. An act granting an increase of pension to Edward Colvin;
S. 3119. An act granting an increase of pension to Raynor H. Newton;
S. 5194. An act granting an increase of pension to Charles L. Overley;
S. 4086. An act granting an increase of pension to Ralph Van Brunt;
S. 423. An act granting an increase of pension to Louisa Weaver;
S. 1687. An act granting an increase of pension to Harvey R. Backus;
S. 1909. An act granting an increase of pension to William Holliday;
S. 2011. An act granting a pension to Maggie E. Bamford;
S. 3665. An act granting an increase of pension to Ellen M. O'Connor;
S. 4353. An act granting an increase of pension to Edward M. McCook;
S. 1244. An act granting an increase of pension to Sue Stevens Eskridge;
S. 3054. An act granting an increase of pension to Kate M. Strange;
S. 3334. An act granting an increase of pension to Frances G. Belknap;
S. 4899. An act granting an increase of pension to Laura M. Gillmore;
S. 3008. An act granting an increase of pension to John R. McMannomy;
S. 1788. An act granting a pension to Sarah E. Nichols;
S. 4171. An act granting an increase of pension to Thaddeus K. Miller;
S. 2396. An act granting a pension to Clarissa Ann Lapoint;
S. 4606. An act granting an increase of pension to Edward G. Horne;
S. 5180. An act granting a pension to Thomas Smith;
S. 5244. An act granting an increase of pension to John K. Whited;
S. 4341. An act granting an increase of pension to Henry Armstrong;
S. 4340. An act granting an increase of pension to Rose MacFarlane;
S. 5125. An act granting an increase of pension to William O. White;
S. 3203. An act granting an increase of pension to George W. Foster;
S. 3616. An act granting an increase of pension to Frances E. Plummer;
S. 3335. An act granting an increase of pension to John Waldo;
S. 538. An act granting an increase of pension to Alice W. Stoodley;
S. 2399. An act granting a pension to Michael Nelligan;
S. 3989. An act granting an increase of pension to Eugene Schilling;
S. 3915. An act granting an increase of pension to Benjamin F. Bollinger, alias Benjamin Bell;
S. 5349. An act granting an increase of pension to Rebecca Aumen;
S. 5372. An act granting an increase of pension to Jesse W. McGahan;
S. 5230. An act granting an increase of pension to John D. Inger;
S. 1564. An act granting an increase of pension to Daniel W. Working;
S. 1808. An act granting a pension to James L. Dyer;
S. 5265. An act granting an increase of pension to James Stout;
S. 5289. An act granting an increase of pension to Peter Baker;
S. 5161. An act granting an increase of pension to William H. Seip;
S. 2183. An act granting an increase of pension to David L. Miller;
S. 5270. An act granting an increase of pension to Ellen R. Ostrander;
S. 3432. An act granting an increase of pension to Rosaline V. Campbell;
S. 2730. An act granting an increase of pension to Jasper N. Jennings;
S. 433. An act granting an increase of pension to William L. Johnston;
S. 5205. An act granting an increase of pension to Joseph Dickinson;
S. 4187. An act granting an increase of pension to William G. Tompkins;
S. 493. An act granting an increase of pension to Richard E. Bouldin;
S. 2116. An act granting an increase of pension to Edna Stevens;
S. 2803. An act granting an increase of pension to William H. Ijams;
S. 5179. An act granting an increase of pension to Alonzo Gardner;
S. 4337. An act granting an increase of pension to William H. Hess;
S. 405. An act granting an increase of pension to Darius W. Owens;
S. 5076. An act granting an increase of pension to Stacy Williams;
S. 5034. An act granting an increase of pension to George A. Miller;
S. 5101. An act granting an increase of pension to Lewis Y. Foster;
S. 3304. An act granting an increase of pension to Andrew A. Kelley;
S. 4679. An act granting an increase of pension to Samuel R. Shankland;
S. 5282. An act granting an increase of pension to William P. Vohn;
S. 741. An act granting an increase of pension to William D. Woodworth;
S. 4223. An act granting an increase of pension to William P. Jackson;
S. 5213. An act granting an increase of pension to Theodore J. Widvey;
S. 5111. An act granting an increase of pension to Charles W. Barrett;
S. 3890. An act granting an increase of pension to James N. Culton;
S. 5191. An act granting an increase of pension to Elizabeth C. Way;
S. 103. An act granting an increase of pension to Alexander D. Tanyer;
S. 73. An act granting an increase of pension to William H. Colville;
S. 3666. An act granting an increase of pension to James W. Carrier; and
S. 3245. An act granting an increase of pension to Oscar F. Bartlett.

SENATE BILLS AMENDED.

Senate bills of the following titles, favorably reported from the Committee of the Whole with amendment, were severally considered, ordered to a third reading, read the third time, and passed:
S. 76. An act granting a pension to Mary H. Cornell;

S. 128. An act granting an increase of pension to Clara M. Gihon;
S. 3489. An act granting a pension to Annie Colt McCook;
S. 3734. An act granting an increase of pension to Martha W. Cushing;
S. 3777. An act granting a pension to Sarah S. Smith; and
S. 5475. An act granting a pension to Mary M. Rice.

On motion of Mr. GIBSON, a motion to reconsider the votes by which the several bills were passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 5342) to provide for the temporary government of the canal zone at Panama, the protection of the canal works, and for other purposes, had asked for a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. KITTREDGE and Mr. HOPKINS as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 2268) to authorize the absentee Wyandotte Indians to select certain lands, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 4769) validating certain conveyance of the Northern Pacific Railroad Company and the Northern Pacific Railway Company.

TEMPORARY GOVERNMENT OF THE CANAL ZONE AT PANAMA.

Mr. HEPBURN. Mr. Speaker, I desire to call up the bill (S. 5342) to provide for the temporary government of the canal zone at Panama, the protection of the canal works, and for other purposes, with the House amendment disagreed to by the Senate.

The SPEAKER. The gentleman from Iowa calls up the following Senate bill with the House amendment disagreed to, the title of which the Clerk will report.

The Clerk reported the title of the bill.

Mr. HEPBURN. Mr. Speaker, I move that the House do insist upon its amendment and ask for a conference.

Mr. CLARK. Mr. Speaker, I would like to ask the gentleman what the amendment is.

Mr. HEPBURN. Mr. Speaker, it is very brief, and I will ask that the Clerk report the amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That until the expiration of the Fifty-eighth Congress, unless provision for the temporary government of the territory acquired by the United States from the Republic of Panama by the terms of the treaty ratified on the 26th day of February, 1904, be sooner made by Congress, all the military, civil, and judicial powers exercised by the officers of the existing governments of the said territory or granted by the terms of said treaty to the United States, shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct for the government of said territory and maintaining and protecting the inhabitants thereof in the free enjoyment of their liberty, property, and religion."

The SPEAKER. The question is on the motion of the gentleman from Iowa.

The question was taken; and the motion was agreed to.

The SPEAKER announced the following conferees on the part of the House: Mr. HEPBURN, Mr. LOVERING, and Mr. ADAMSON.

HOMESTEAD LAWS WITH REFERENCE TO CERTAIN LANDS IN NEBRASKA.

The SPEAKER laid before the House the bill (H. R. 14826) to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska, with Senate amendments.

The Senate amendments were read.

Mr. LACEY. Mr. Speaker, I move that the House nonconcur in the Senate amendments and ask for a conference.

The SPEAKER. The question is on the motion of the gentleman from Iowa that the House do nonconcur in the Senate amendments and ask for a conference.

The question was taken; and the motion was agreed to.

The SPEAKER announced the following conferees on the part of the House: Mr. LACEY, Mr. MONDELL, and Mr. LIND.

DEVELOPMENT OF AMERICAN MERCHANT MARINE.

Mr. GROSVENOR. Mr. Speaker, I call up the bill (H. R. 7056) creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes. The bill has been already read. I will yield to the gentleman from Michigan [Mr. LUCKING].

The SPEAKER. How much time does the gentleman yield?

Mr. GROSVENOR. As much time as may be agreed upon between the gentleman and the gentleman from Mississippi [Mr. SPIGHT], who has control of the time on that side of the House.

Mr. LUCKING. Mr. Speaker, it has been understood that whatever time there was on this bill should be divided, as I have understood, between the gentleman from Ohio [Mr. GROSVENOR] and myself.

The SPEAKER. The Chair will state that the House has not as yet consented to that arrangement.

Mr. LUCKING. I understood that the gentleman from Ohio [Mr. GROSVENOR] would ask that.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent that that order may be made.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the time for debate on this bill shall be controlled by himself on the majority side and by the gentleman from Michigan [Mr. LUCKING] on the minority side, and shall be divided equally. Is there objection?

There was no objection.

Mr. LUCKING. Mr. Speaker, I now request that gentlemen who make remarks upon this bill on either side of the House may have leave to extend their remarks in the RECORD.

The SPEAKER. The gentleman from Michigan asks unanimous consent that gentlemen who speak upon this bill shall have leave to extend their remarks in the RECORD. Is there objection?

There was no objection.

Mr. PAYNE. One moment, Mr. Speaker. I would ask if there has been any length of time fixed within which these remarks shall be extended?

Mr. LUCKING. For five legislative days after the vote on the bill.

Mr. PAYNE. Very well.

The SPEAKER. For five legislative days after the vote upon the bill. Is there objection?

There was no objection.

Mr. CUSHMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CUSHMAN. Has any limit been fixed upon the time for debate upon this measure?

The SPEAKER. The Chair is not aware of any.

Mr. LUCKING. Mr. Speaker, I yield thirty minutes to the gentleman from Mississippi [Mr. SPIGHT].

Mr. SPIGHT. Mr. Speaker, there are two objections to this bill, the first of which is that we do not recognize the necessity for any commission to investigate the needs of our merchant marine or the remedies to be applied in the correction of existing conditions. Repeated hearings have been had before committees in both Houses of Congress covering several years, and volumes of testimony have been taken, all of which is now available; and if further testimony should be desired, it could be heard just as well before the committees as before the so-called "commission," and these committees would at last have to report upon the matter to their respective Houses of Congress.

The House Committee on Merchant Marine and Fisheries consists of seventeen members and the Senate Committee on Commerce also of the same number. It is now proposed to take the consideration of this subject out of the hands, temporarily, of thirty-four Members of Congress and place it in the hands of ten Members of Congress, to be chosen in equal numbers from the two Houses, to go over the very same ground that has already been fully covered, and have these ten men, under the name of a commission, to report the result of their findings to the next session of Congress after an expense of $20,000, unnecessarily, as we think. Not only has a great mass of testimony been taken, but a large number of books have been written on both sides of the question, all of which are accessible to every member of the two great committees and to any other Member of Congress who desires to investigate the matter, and may be found in the Congressional Library. And what good would result from the report of this commission? If they should favor a ship subsidy or discriminating duties and tonnage taxes in favor of American vessels or that nothing be done, the whole matter would again be referred to the respective committees of the Senate and House and leave the whole question at last just where it is now, with little or no additional information to better enable those committees to determine what ought to be done.

We recognize the fact that our merchant marine is languishing, that much too large a percentage of our exports and imports is carried by foreign vessels, and that some remedy is needed and ought to be applied as speedily as possible. The remedy which we propose is a return to the system of discriminating duties and tonnage taxes in favor of American vessels. In other words, upon every cargo of goods imported into this country in an American vessel there shall be such a reduction in the rate of duties as will encourage shippers of goods from foreign countries to ship in American vessels instead of foreign, and at the same time discriminate in tonnage taxes. There are two objections urged to this plan; that treaties and conventions with other na-

tions would have to be abrogated or modified, and that it might bring about retaliation.

Mr. LITTLEFIELD. I understand that the gentleman's proposition is to terminate the commercial treaties——

Mr. SPIGHT. Yes; by giving notice.

Mr. LITTLEFIELD. Is it your idea to negotiate other treaties or go on without any treaties?

Mr. SPIGHT. That would be a matter to be determined by Congress.

Mr. LITTLEFIELD. What is your own judgment?

Mr. SPIGHT. I am referring to treaties which prohibit us from imposing these discriminating duties; we have no other treaties on that line.

Mr. LITTLEFIELD. Is it your idea that we should have to negotiate new commercial treaties or go on without commercial treaties; or have you not thought of that subject enough to express an opinion upon it?

Mr. SPIGHT. That is a matter, I think, to be determined by Congress.

Mr. LITTLEFIELD. In other words, you have not any opinion to express on that question now?

Mr. SPIGHT. No, sir; I am not prepared to express an opinion now. But what I want to do is to abrogate the treaties now in existence, so as to enable us to impose these discriminating duties in those cases in which we may deem it proper.

Mr. LITTLEFIELD. And the gentleman has not thought enough about this subject to be satisfied in his own mind whether we should negotiate new treaties?

Mr. SPIGHT. No, sir; I do not think we ought to have any more of this kind.

It is admitted that such a discrimination would be in contravention of existing treaties with a number of nations, but they all provide that either party to the convention may modify or wholly abrogate such treaties by giving the prescribed notice, varying, I believe, in time from six months to two years, most of them, perhaps, requiring one year's notice. This can be done without any bad faith or even discourtesy on our part, and simply exercising our rights reserved under the treaties themselves. Proceeding in an orderly and legal manner, we can do this without subjecting ourselves to criticism. And what right would these other nations have to complain at such action on our part? They are all seeking in one way or in another to build up their own shipping interests, and why may not we? The truth is, they and not we are benefited by the provisions in these treaties by which we have obligated ourselves to make none of those discriminations, especially in view of the fact that the percentage of our foreign carrying trade has grown so ridiculously small that we are now carrying only about 9 per cent of our foreign commerce, although we have a registered tonnage in the foreign trade of about 900,000 tons.

As to retaliation by other nations in the event we should adopt the system of discrimination I have thus briefly outlined, my judgment is that it is a mere "scarecrow." Let us examine for a moment and see what danger of retaliation really exists. We are not only the greatest producing nation on earth, but we are able to make and do make almost everything we need or want, and in addition the civilized world is largely fed and clothed by our products. The United States is not only the richest nation in the world, but our exports are larger than those of any other nation in the world. We exported during the last calendar year goods to the value of $1,457,565,782. The United Kingdom of Great Britain during the same time exported goods to the value of $1,415,617,552, a difference in our favor of more than $40,000,000. Germany was the third in value of exports, reaching about $1,200,000,000. France comes next with about $800,000,000. The great wealth of the United States is founded upon its agriculture.

Of the $123,000,000 increase in our exports for the year 1903 over 1902, cotton alone furnished $88,000,000, and the total value of the cotton crop in the United States for 1903 will reach in the neighborhood of $700,000,000. Add to this the enormous value of our corn, wheat, oats, sugar, molasses, tobacco, and other products of the farm, and the aggregate value is beyond the comprehension of the finite mind.

While, as I have said, the United States is a producing nation, all the other great nations, except Russia, are emphatically consuming nations. We can do without the silks of France far better than France can do without our cotton. We do not need Germany's sugar, but Germany needs our cotton, grain, oils, and provisions. We no longer depend on Great Britain for high-class textile manufactures, cutlery, etc., because we make all these things at home. But they all need something which we have to sell, and any effort to exclude our products or to load them down with burdensome taxes would only oppress their own people, and this none of them desire to do.

With Great Britain's boasted maritime supremacy and her immense manufacturing and commercial wealth, deprive her of our cotton and food stuffs and her looms would stop, her ships would rot, and her people be left to starve and freeze. So with France and Germany. We can do without any of their products, while they are compelled to have ours. Then how foolish it is to be frightened at the ghost of retaliation. In our early history, when the United States was an infant in swaddling clothes amongst the great nations of the earth, under this same policy of discriminating duties retaliation so bitter as to amount to persecution was resorted to, and instead of suffering under it we grew stronger year by year and prospered wonderfully in our commercial and maritime affairs.

The conditions have not materially changed, except that we have grown infinitely stronger and better able to defy their retaliation, and now it would be cowardice to stop at the threat of retaliation from any source. There is no nation on earth so thoroughly prepared for entire self-support and independence as the United States. We want foreign trade because we have a surplus to sell, but we don't want it bad enough to sacrifice our own people and beg for it on bended knees. We can get it on far better terms. We need only to show the "front of a man" and the world is compelled to have our products, even though we should demand that they be taken from American vessels. [Applause.]

Looking to the building up of our merchant marine, our First Congress, under the leadership of the fathers and founders of the Republic, imposed a tax of 50 cents upon every ton of foreign shipping which entered our ports and only 6 cents per ton on American ships. The report of the Commissioner of Navigation shows that during the fiscal year ending June 30, 1903, 24,697,692 tons of shipping entered our ports from foreign countries, and of this only 3,881,036 tons were American, and upon this our own ships paid, under existing laws, the same rate of tonnage tax as was paid by the foreign ships. Our theory is to reduce or totally remove this tax from our own vessels and at the same time give them lower charges as import duties, and thus enable our ships to give lower freight rates and compete more successfully in the foreign carrying trade, and also help them to reimburse their owners for whatever difference there may be in the cost of operating their vessels as compared with the cost of operating ships under foreign flags.

Mr. GILBERT. When the gentleman speaks of foreign ships, he means all ships excepting those that bear the American flag?

Mr. SPIGHT. Yes, sir.

Mr. GILBERT. Is the gentleman prepared to state what proportion of the ships carrying foreign flags are really American ships, owned by American capital?

Mr. SPIGHT. I have no figures that would enable me to determine that question.

Mr. LITTLEFIELD. There are no statistics on that subject.

Mr. GARDNER of Massachusetts. If I understood the gentleman aright, he said that he proposes to return to the system of discriminative duties which was so successful in the early days, from 1789 to 1825.

Mr. SPIGHT. Yes, sir.

Mr. GARDNER of Massachusetts. Is that the proposition the minority make in their report?

Mr. SPIGHT. That is a part of it.

Mr. GARDNER of Massachusetts. I think not, Mr. Speaker. The proposition of the minority report is to return to quite a different kind of discriminative duties.

Mr. SPIGHT. I do not care to be interrupted for a speech. The gentleman can have his own time in which to present his views.

Mr. GARDNER of Massachusetts. May I read a line?

Mr. SPIGHT. I beg leave to decline to be further interrupted for the present, as I am limited in time.

At the old rate established by our fathers there would have been collected during the last year from tonnage taxes from American shipping engaged in the foreign trade only $232,862, while from vessels under foreign flags we would have received the princely sum of $10,408,128. It will not do to say that the foreign owners wouldn't stand this heavy discrimination. They would have to stand it or go out of the trade and leave it just where we all want it—in the hands of our shipowners. They not only had to stand this tonnage tax in the early history of our country, but they had to stand also discriminating tariff duties, which we favor also.

It has been the policy of our Government almost from the beginning to discriminate in favor of our own vessels, one feature of which has been retained through all the generations, and that is the restricting of our coastwise trade to American vessels, as a result of which policy we have to-day a magnificent array of American-built vessels engaged in this trade, and some of them in the foreign trade, but the advocates of the shipbuilding interests seem to lose sight of the fact that the building of ships alone does not mean the winning of business in the foreign trade when

we are met by the competition of the world. We are now laboring under a serious disadvantage. Foreign ships control the carrying business not only of the outer world, but also of the United States, and in order to overcome this state of things and win a part of the trade that belongs properly to us we must give some kind of assistance to our own vessels engaged in the foreign trade. We propose to do this by discriminating duties and tonnage taxes, as did the fathers of the Republic under whose wise guidance our shipping interests developed so wonderfully.

Mr. GILBERT. I hope it will not interrupt my friend if I ask another question.

Mr. SPIGHT. Oh, no; I will be glad to answer the gentleman, if I can.

Mr. GILBERT. Our Democratic doctrine is that every duty imposed upon imported goods is ultimately paid by the consumer of the goods. Now, if we adopt the discriminating duty against foreign vessels, will not the consumer of the imported goods pay that discriminating duty?

Mr. SPIGHT. Not necessarily. The duty would be less upon goods imported in American bottoms than upon goods imported in foreign bottoms. We do not increase the duty; but we make it less on goods imported in American vessels than on those imported in foreign vessels.

Mr. GILBERT. Will not that necessarily result either in excluding the foreign vessel, or if the foreign vessel comes here with goods in spite of the discriminating duty, will not the American citizen pay the difference to the extent of the importation of goods in foreign vessels?

Mr. SPIGHT. I think the duty would be less than it is now. The practical effect would be a reduction of duty, because the foreign vessel, in order to compete at all with the American vessel having a reduction of duty in its favor, would be compelled to put its freight rates down. And the goods would really cost the American consumer less than now.

I am not a protectionist in the modern sense, nor am I a free trader, but when we can build up our merchant marine by a system of protection which hurts only the foreign shipowner and helps our own people to recover what justly belongs to them I have no scruples. The policy of discriminating duties is not a partisan question. It has been practiced and advocated by all parties, and in recent years national platforms, without regard to party, have pronounced in its favor. The lamented McKinley advocated it with as much zeal as any Democrat of this or a past age. So that the only real question now is, not one of politics, but what is the wisest, surest, and most equitable method for the rehabilitation and speedy upbuilding of our merchant marine.

That the ultimate purpose of this proposed legislation to create a commission is to provide an excuse for a ship-subsidy bill along the lines advocated by prominent Republicans for a number of years I have no doubt. During the Fifty-sixth Congress a bill was passed by the Senate and favorably reported by a majority of the House Committee on Merchant Marine and Fisheries, providing for a system of subsidies which was so manifestly unfair, unjust, and burdensome that its friends in the House dared not call it up and put it upon its passage, and it was suffered to die. In the Fifty-seventh Congress the same efforts were made, but without result. And in this the first session of the Fifty-eighth Congress, with Presidential and Congressional elections staring them in the face, the Congressional advocates of ship subsidy are not willing to trust the judgment and verdict of the American people by even attempting to pass such a measure through either House of Congress.

The President himself, foreseeing the danger, sounded a note of alarm and suggested a commission even more obnoxious than the measure now pending, providing that several Cabinet officers of his own choosing should be members of that commission, but this feature was so revolting to his own party associates that it was promptly rejected. [Applause on the Democratic side.]

The evident purpose of this commission idea is twofold. First, it is a cunning evasion of a most dangerous proposition which is loaded with possible, if not probable, disaster to the party in power, when the people, the free and untrammeled voters of the country, are given an early opportunity to pass judgment.

Second. If something is not done to pacify and give hope that some legislation will be enacted to meet the demands of the aggregated shipbuilders and shipowners, with their enormous capital, there will be a fearful slump in campaign contributions from this source, and therefore this scheme was hatched by which the people are to be fooled into false security and interested capitalists are to be induced to "cough up." If this bill should be enacted into law, there is but one thing that will, in my judgment, prevent the ultimate passage of a ship-subsidy bill, and that is the defeat of the Republican party in the November elections. If the opposition to the measure should be encouraged by a Democratic victory, if confined only to a majority in this House, and we hope for much more [applause on the Democratic side], it could not be passed in both Houses of Congress during the short session of three months next winter.

This view of the case naturally leads me to discuss the main question, that of ship subsidy. I do not care whether it shall come in the form of any of the bills which have been heretofore presented or in some other garb designed to be less objectionable, sugar coat it as they may, it is vicious, un-American, and the worst kind of class legislation. It is conceived in the sin of the unholy idea that the Government has the power and the right to tax one industry, profitable or unprofitable, to build up another industry, to make it more profitable. I do not doubt that there are men who honestly think that they believe certain things are right in politics, in business, in morals, and in religion, and yet they may be very far from the truth.

While I hope that I have none of that exclusiveness and narrow-mindedness which would lead me to arrogate to myself the position that I am right and that everybody else is wrong, I can not understand how any thoughtful man with a proper regard for the rights of others can hold that a subsidy or gift without some adequate consideration can be conferred by the Government upon one business at the expense of every other. The principle is unfair and is founded upon injustice, no matter how specious may be the arguments in support of it. It is necessarily taking from the profits of one industry to build up another. Many industries are now, in effect, subsidized by the policy of protection for protection's sake, to the great detriment of other equally worthy industries and enterprises which are not embraced in the favored classes.

I am not opposed to incidental protection to a limited degree, nor do I favor such radical and instantaneous changes in our tariff laws as would result in the destruction or serious crippling of any legitimate business or enterprise, but I am opposed to any and every thing that tends to build up a monopoly to the injury of other enterprises. How a ship subsidy, such as has been proposed from time to time, can be anything else than incidental, if not direct, robbery of other industries, whether protected or not, I fail to see.

Mr. GILBERT. I should like to ask the gentleman what proportion of foreign vessels are subsidized?

Mr. SPIGHT. I should say not more than 3 or 4 per cent.

Mr. GILBERT. How many lines of steamers ply between the ports of Philadelphia and New York and foreign ports?

Mr. SPIGHT. I am not able to answer that question.

I can not do better in this connection than to quote from a report made on this subject in the Forty-fifth Congress by the present distinguished Speaker of this House, in whose integrity and sound, practical business sense we all have great confidence. In discussing a proposition to subsidize two steamship lines, one from New York and the other from New Orleans, running to Rio de Janeiro, Brazil, "not primarily for the mail service, but for the purpose of promoting our foreign commerce, stimulating manufactures by finding a market for the products of the United States, and for the further purpose of enabling our merchant marine to carry the freight on the ocean now carried by vessels sailing under foreign flags," Mr. CANNON said:

> Such a subsidy would be a tax upon other industries of the country, taking from one industry which is self-supporting to give to another which is not.

He said further:

> Unless our products can be furnished by us to foreign markets as cheaply as they can be procured from other sources, we can not compete successfully for the trade, and if we attempt to do so by making grants from the public Treasury to steamship lines to carry such products, the steamships will run if we grant them sufficient subsidies only so long as the same are continued, and, as in the past, when the subsidy ceases the steamship line will cease to be operated.

Both of these statements of Mr. CANNON, made in 1878, are as true to-day as then.

I have already shown, and it can not be denied, that agriculture is the great source of our national wealth, and without the immense market value of our farm products our commercial supremacy could not last a year. It furnishes the very lifeblood of all our prosperity and feeds and clothes the men engaged in every other avocation. The sweat drops of the humble toilers on our farms are coined into the glittering gold which goes to make the aggregate of our national wealth, and when the laborer in our cotton, corn, and wheat fields lies down at night with tired limbs and sweat-stained garments he can justly feel that other millions have been added to the great volume of the wealth of the land he loves, even though the law, by its unjust discriminations, may deny to him the merited fruits of his labor.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. LUCKING. I yield to the gentleman from Mississippi five minutes more.

The SPEAKER. The gentleman from Mississippi is recognized for five minutes longer.

Mr. SPIGHT. Mr. Speaker, appropriations have grown so enormously that many Government officials, including Members of Congress, have come to regard a few million dollars taken from the United States Treasury as a mere trifle, forgetting that every dollar spent by the Government is obtained by taxation in some form from the hard earnings of the toiling millions of our country. Then will some one tell me how it is possible to pay a subsidy of $8,000,000 or $10,000,000 annually for a period of ten years or more to shipbuilders and shipowners without imposing an additional burden upon the agricultural and other producing industries of the country?

We can't console ourselves with the delusive reflection that the farmer and the laborer in the factory or in the mine don't feel it. If their wives and children haven't sufficient clothing to protect them from the blasts of winter, or are sometimes compelled to go to bed hungry, or if the young, God-given minds intrusted to their care are, by the hard conditions of life, denied the training and instruction which would fit them for greater usefulness and honor in the coming years, will any man dare to tell me that these producers of all wealth are unreasonable in demanding exemption from further burdens in the way of taxation? Have they not the right to expect fair and just treatment at the hands of the Government which they have made so powerful and rich? [Applause.] While we of the South have prospered because of the remunerative prices obtained for our last year's cotton crop, we are by no means the sole beneficiaries of the enhanced value of our great staple.

The balance of trade is in our favor because of the cotton produced in the South, and without which it would be against us, and through it American indebtedness in foreign hands has been largely canceled. To this result the grain growers of the West and Middle West have contributed their full share. Yet who has ever heard of a proposition to subsidize either of these great industries, of far greater value and importance to the country than shipbuilding and shipowning? On the contrary, this proposition for a ship subsidy is one to levy tribute upon these millions of toilers for the exclusive benefit of the few individuals and companies engaged in another business. Already the protest of these millions has been heard, and if they can only be brought to understand the enormity of the proposition embodied in ship subsidy, with the power of a wild storm they will sweep from their place the political party which advocates this iniquity. [Applause on the Democratic side.]

I am not unfriendly to the shipping interest, but would do everything that can be done legitimately and honestly to aid in building it up; but I am not willing and will never consent to take from the pockets of the people, by direct or indirect taxation, money that belongs to them to build up shipping or any other exclusive interest. Not one dollar that is taken from the United States Treasury but was put there by the people by taxation in some form.

To recapitulate: The commission provided for in this bill is unnecessary and expensive, and the same result can be reached through the regular channel of the two committees of Congress. We propose a remedy which if enacted into law will give more speedy and effective relief to our shipping than a subsidy would provide. A subsidy would give only temporary relief, if any, and would be unfair, unjust, and burdensome to the masses of the people, who are the wealth producers and who would derive no benefit.

Mr. Speaker, I would appeal to no prejudice or passion, but I am opposed to any species of class legislation, and this subsidy proposition is that, pure and simple. I represent a district and a State which have no protected industries, but are almost wholly agricultural; and in behalf of all the farmers, all the merchants, and all the operatives in mines and factories everywhere I protest against any step looking to the granting of subsidies and hope this bill will be defeated. [Loud applause.]

Mr. LITTLEFIELD. Mr. Speaker, being temporarily in charge in the absence of the distinguished gentleman from Ohio [Mr. GROSVENOR], I yield one minute to the gentleman from Connecticut [Mr. BRANDEGEE].

Mr. BRANDEGEE. Mr. Speaker, in pursuance of leave heretofore granted me to extend my observations in the RECORD, it seems to me that the subject of the restoration of our merchant marine has acquired additional importance by reason of the acquisition of our insular possessions. As a masterly exposition of conditions in the Philippine Islands, I submit the following:

[Address of Secretary of War W. H. Taft on the Philippines before the Chamber of Commerce of New York City, April 21, 1904.]

Your president, Mr. Jesup, has been good enough to invite me to address you. I should have declined the invitation because of many other engagements but for the opportunity which it gives me to bring to the attention of the solid business men of New York the problem which we have on our hands in the Philippines.

The people of the United States have under their guidance and control in the Philippines an archipelago of 3,000 islands, the population of which is about 7,600,000 souls. Of these, 7,000,000 are Christians and 600,000 are Moros or other pagan tribes. The problem of the government of the Moros is the same as that which England has had in the government of the Straits Settlements or India. The government of 7,000,000 Christian Filipinos is a very different problem, and one which it has fallen to the lot of the United States only to solve.

The attitude of the American people toward the Philippine Islands may be described as follows: There are those who think that the Declaration of Independence forbids our accepting or maintaining sovereignty over them; there are those who, without respect to the Declaration of Independence, believe that colonial possessions are likely to lead to expense and corruption and demoralization, have little faith in the solution of the problem by teaching the Filipino the art of self-government, and are anxious to get rid of the islands before they have done any harm to the United States.

Then there are those who hold that fate brought these islands under our control, and that thus a duty was imposed upon us of seeing to it that they were not injured by the transfer. As a friend of the Filipinos it is my anxious desire to enlarge that class of Americans who have a real interest in the welfare of the islands, and who believe that the United States can have no higher duty or function than to assist the people of the islands to prosperity and a political development which shall enable them to secure to themselves the enjoyment of civil liberty. [Applause.]

A RESULT OF THE WAR.

The war with Spain led us far away from Cuba, whose condition was its cause, to these beautiful islands in the oriental Tropics. After Dewey's guns had brought the whole archipelago potentially within American control there was no escape from the dilemma which was then and thereafter presented to the people of the United States, except the one which they took. Three courses were suggested: First, that after peace with Spain we should turn the islands back to her. But in the legitimate course of the campaign we had called to our assistance as allies Aguinaldo and his forces, with whom the people of the islands were largely in sympathy. It would have been a breach on our part to have delivered them over to Spain with the bloody conflict which would inevitably have followed.

Could we have delivered the islands over to the government of Aguinaldo? Aguinaldo's government was a military dictatorship, having actual control, and that not always complete, in from eight or ten of forty provinces. A convention had been called of Aguinaldo's friends. A large majority of the delegates had been directly appointed by him. They formulated and adopted a constitution as the basis of a popular government. The constitution was mere paper. It was taken from the Constitution of the United States, that of Mexico, and that of the Argentine Republic. It had no life, for it was never at any time put into force. The actual government was despotic and oppressive to even a greater degree than the Spanish Government ever had been, and resistance to its authority, caused by its dishonesty and oppressive measures in the provinces in which it had authority, was frequent and disturbing.

The adoption of the constitution at Malolos was not indicative of the capacity of the people to maintain popular self-government. It represented only an academic aspiration by the drafters. The result was mere committee work, without the slightest evidence of the practical operativeness of the instrument from previous actual experience in government by the people. The only real government which existed under Aguinaldo was that of the one-man power, arbitrary and inconsiderate of the people. With these facts before the United States, I submit that there was no escape from the dilemma except the acceptance of a transfer of the sovereignty of Spain and the assumption of political control over the Filipino people until by proper measures and patient governmental training and experience they could be given self-governing capacity.

NO INJURY TO AMERICANS.

Concerning the objection that this is a new business for the United States which will have a demoralizing effect upon the nation, I think no one is able to point out any injury which has thus far resulted to the people of the United States except the expense attendant upon the maintenance of law and order in the islands during the insurrection and the regrettable loss of life which occurred. Certainly no one thus far can show the baleful effects of that dreadful spirit of greed which the opponents of the policy are so prone to see in everything done with respect to the Philippines. I challenge them to point out anything which has been done to the Philippine Islands, either immediately under the government there established or by the United States, which savors in the least of a selfish use of those islands for the benefit either of the individuals in the United States or of the Government itself.

The only thing which can be seriously made the basis of such a charge was the attempt during the present session of Congress to put in force the coastwise trading laws for the benefit of the marine shipping of the United States in respect to the trans-oceanic trade between the islands and the United States, and that by act of Congress has now been postponed for two years longer. There has been a rebate provided of the export duty on hemp imported directly from the islands into the United States.

This has not affected injuriously the trade of the islands, because the demand for hemp is so great that the islands have a monopoly in respect to it. There has unexpectedly been caused by the rebate a reduction of the income in the islands of about $250,000, because the equivalent which was provided as a counter benefit, to wit, the duties to be collected on imports from the islands into the United States, has not equaled the aggregate rebate on the hemp.

This, however, was a miscalculation by the legislators that was pardonable and can be easily rectified. In every other respect the legislation which has been enacted has been in favor of the islands, including a gift of $3,000,000 for the purpose of relieving distress there. The attitude of those who support the Government in its policy is altruistic. It is that of one which out of a friendly feeling to the Filipinos would sacrifice much to accomplish the purposes of the administration there. It is a feeling which does the nation credit, and a feeling that a nation of the wealth and power that this nation has may well afford to encourage.

A CHARGE WHOLLY UNFOUNDED.

General denunciation of the Government's policy as one of the suppression of freedom and an attack upon liberty has rendered uneasy many of our people, but the charge is wholly unfounded. There has been established in the islands a government of law and order, in which the administration of justice is quite as good as it is in half of the States of the Union. It has secured to every man, woman, and child among the Christian Filipinos all the rights contained in the bill of rights in the Constitution of the United States, except the right to bear arms and the right to trial by jury.

The right to bear arms is one that might very well be restricted in the United States. [Laughter and applause.] The freedom with which firearms are sold, the unlicensed character of the business, will readily account for many of the homicides which disgrace the criminal annals of our country. The right of trial by jury is one which the people of the islands do not understand, and which it is wise to postpone the exercise of until they who are to constitute the jury shall be better qualified to exercise the function of administering justice.

As it is to-day in the islands, no man need be convicted of a crime except by the judgment of a judge of first instance, concurred in by a majority of the seven judges of the supreme court. The appeal on the facts and law to the supreme court of the islands, which consists of three Filipinos and four Americans, certainly offers sufficient security against mistakes or prejudices of one judge.

All the substantial civil rights, then, are secured to the Philippine people. They do not themselves exercise complete political control, but that is a very different thing from civil liberty. Women and children and other nonvoters in this country have the civil liberty secured by the Constitution, but do not exercise political control. If we abandoned the islands, we should be turning their political control over to the violent and the turbulent and the agitators, and civil liberty would at once cease to exist there.

CIVIL RIGHTS NOT UNDERSTOOD.

The great difficulty that we have now in making our grant of civil liberty useful to the inhabitants is their failure to understand what their rights are and their incapacity to maintain them. I remember one morning, early in my experience in the Philippines, I was visited by an elderly Tagalo, who spoke no Spanish, but who presented a petition, written for him by some one else, in Spanish, in which he set forth that his son had been arrested for a crime under the Spanish régime, had been held for six years without trial, and was still in Bilibid prison.

Calling on me at the same time was a distinguished lawyer of the islands, one of the three persons who had drawn up the constitution adopted at Malolos, which had attracted so much admiration from our anti-imperialistic friends. I turned the petition over to him and asked him to confer with the old man, which he did. He said to me: "How can we redress this grievance?" I suggested: "Under an order of General Otis the writ of habeas corpus is in force; you ought to sue out for such a writ."

He asked me what the writ of habeas corpus was, and I explained it to him and at his request drafted a petition for the writ. Taking the petition he went to Bilibid prison and found that there were ninety persons in prison in the same situation as that of the son of my early caller. He filed a petition for the writ in each of these cases and succeeded in securing the release of all. His success in the matter was a revelation to him, as it was to the people of the community, in respect to what was practical civil liberty of the individual. Yet it was he who had penned the constitution supposed to secure such liberties to his fellow-citizens some two or three years before.

My experience in the Philippines and that of others who have been there justify me in saying that were the Americans to leave the islands to the government of Aguinaldo or some person of his views all the guaranties of civil liberty would be lost in the effort of the executive head of the government to maintain his position against hostile cabals and conspiracies. In other words, a surrender by us of political control in the islands, as they are at present peopled, means the suppression of civil liberty.

Hence it is that those of us who are in favor of only the gradual extension to the Filipinos of political control, retaining a guidance under the Government of the United States, are the real defenders and protectors of the liberties of the Philippine people, while the so-called and self-styled "anti-imperialists," who demand an immediate surrender of the islands, are, in effect, advocating a policy which makes for absolutism and tyranny, or a political chaos which is even worse than either, and which will end, for a long time to come, all hope of the liberty of the individual. The course which the so-called "anti-imperialists" seek is the easy one. The course which we have on hand is a difficult one

BREACHES OF THE DECLARATION.

If we pursue the policy which is now being pursued in respect to the islands, the policy of holding the islands for the benefit of the Filipinos and of doing everything we can to elevate and educate the people, to increase their prosperity, and to furnish them full opportunity for the pursuit of happiness, we need trouble ourselves little about the alleged violation of the principles of the Declaration of Independence. If that instrument is to be so construed as to prevent us from taking the course which the dilemma already presented required us to take, then the history of the American Republic has been nothing but a violation of the principles of that instrument from the beginning.

Women and children and slaves were not permitted to exercise any political control at the time that the Declaration of Independence was signed. Those who, by their suffrage, had all the political control there was in the various colonies were in many instances in the minority of male citizens. Every property qualification, every educational qualification that excluded from the suffrage any male citizen over 21, violated the Declaration of Independence, if it is to be given the wide construction contended for by our opponents.

When Thomas Jefferson, who penned the Declaration, directed the purchase of Louisiana, the French residents and the Spanish residents of that country protested against the transfer by Napoleon to the United States on the ground that it was made without their consent and they were thereby converted into subjects of a sovereign to whom they had never willingly sworn allegiance. When we took in New Mexico and Arizona from old Mexico, we agreed that we would ultimately give them State government and independent control. More than fifty years have passed since that time and they are still held in a condition of dependence without the rights of sovereign States. For fifty years, then, we have been violating the Declaration with respect to their people.

When the war came on and the issues of slavery and State rights were presented 20,000,000 people coerced 10,000,000 people to remain in the Government from the control of which they had withdrawn their consent, and now to-day in the Southern States, by grandfathers' clauses and by property qualifications and by educational qualifications, the white people are seeking to exclude from the ballot those colored voters whom they deem to be unfitted to exercise political control in their respective communities.

For either the Southerner or the New Englander to rest his opposition to what we are doing in the Philippines on the Declaration of Independence involves an inconsistency that robs what he says of weight. In every instance it will be seen that the principles of the Declaration of Independence are always qualified by the statement that the people who are to be consulted with respect to their own government shall have sufficient capacity to govern themselves and better themselves by such self-government.

FILIPINO UNFITNESS—THE JAPANESE.

In the Philippine Islands 90 per cent of the inhabitants are still in a hopeless condition of ignorance and utterly unable intelligently to wield political control. They are subject, like the waves of the sea, to the influence of the moment, and any educated Filipino can carry them in one direction or the other, as the opportunity and the occasion shall permit. The 10 per cent of the Filipinos who are educated have shown by what they have done and what they have aspired to and what they are that they may be taught the lesson of self-government and that their fellows by further education may be brought up to a condition of discriminating intelligence which shall enable them to make a forceful and useful public opinion. But that it will take more than one generation to accomplish this everyone familiar with the facts must concede.

It is true that the marvelous development of the Japanese in the last fifty years may justify the hope that the period will be shorter than I have stated, but it is to be noted with the Japanese, first, that they are a more industrious people and a more thrifty people than the Filipinos; second, that they have always had an independence and natural government, proceeding from the feudal system and the continuance of the traditional governmental influence of the imperial household.

The Spanish régime of four hundred years stamped out all tribal relations and everything akin to the feudal allegiance, and to a natural government among the Filipinos, and there is nothing but the dead level of a people whose only hope is education up to popular self-government under the guidance of some one who meantime shall secure to the people the inestimable benefits of civil liberty.

My own idea of the mission of the United States in the Philippine Islands is that it ought to be maintained and encouraged by the people of the United States without regard to the question of its cost or its profitable results from a commercial or financial point of view. Opponents of the policy of the Administration strive to frighten the taxpayer with a review of the cost which they say the Philippine Islands have been and will prove to be to the United States. I am not familiar with the statistics, but it is possible that the war of the insurrection cost the United States about $300,000,000. That is spent. The object of the war has been accomplished. Tranquillity and good order prevail in the islands.

The number of white troops in the islands has been reduced from 75,000 to 15,000 men. The Army of the United States numbers 65,000. In any event, whether we have the Philippines or not, 65,000 regular soldiers are not too many for a nation of 80,000,000 of people. Therefore all that can be properly charged to the Philippine experiment from now on is the additional cost of keeping 15,000 men and transporting them from the United States to the Philippines and back every three years over what it would cost to keep them in the United States and transport them to and from the stations in the United States. This is a comparatively small sum.

Then it is said that our Navy has been enlarged on account of the Philippines. I do not think that our Navy is too large, whether we have the Philippines or not. Our commerce must be protected. Our nation must occupy a dignified position before the other nations of the world, and certain it is that the protests of a nation with a respectable navy are more respectfully listened to than when it has only a few wooden hulks to represent its nationality.

There will be the additional cost of fortifying Manila, Iloilo, Cebu, and Subig Bay, as part of the coast line of the United States. Beyond that there will be no considerable additional expenditure out of the United States Treasury.

REVENUES OF THE PHILIPPINES.

The islands themselves give every indication of furnishing revenue sufficient to carry out the plans which the United States may properly carry out in the material and intellectual development of the country and its people. The taxpaying capacity of the country is, of course, determined by that which it produces for domestic and foreign uses.

For the last two or three years the wealth produced in the islands has been seriously impaired and reduced, not only by the war and the cholera, but also and chiefly by the loss of draft animals, 90 per cent of which have succumbed to the rinderpest. Agriculture has been dependent upon such animals, and the recovery from this blow must necessarily be slow. Congress appropriated $3,000,000 to assist the islands in restocking plantations, but the enormous difficulties attending the importation of cattle from other countries which are able to live in the Philippines are only known to those who have attempted it.

I am glad to say, however, that our scientists on the islands have discovered means of preventing a recurrence and spread of the disease, so that when the plantations are restocked rinderpest will have no terrors for the farmer. With normal conditions in agriculture, when the cattle shall have been restored by breeding and otherwise to the usual number, the islands will always be self-supporting, and will doubtless furnish a surplus of revenue with which to meet the demands for improvements which present themselves in every part of the islands.

The Philippine Archipelago is the only country in which can be produced what is known as "manila hemp" or what is called in the Spanish language "abaca." This is a fiber of enormous strength, of from 6 to 15 feet in length, which is stripped from the stalk of a banana plant—not the ordinary banana plant, but a plant of the same family which does not produce fruit. The leaf is slightly different from that of the fruit banana, though one may easily be mistaken for the other. The plant grows on the side hills. For the first two years it needs shade from the tropical sun and some cultivation around the foot of the stalk. After two years the stalk is strong enough to afford the fiber of commerce, and, though cut down, will reproduce itself each year for six or seven years, and this with very little cultivation.

The chief labor in the production of the fiber is that of stripping the fiber of the pith of the plant. It is done by pulling or drawing it under a knife edge. If the fiber be drawn under a serrated knife edge, the work is very much easier than if drawn under a straight edge, but the fiber is not so clean and its value and quality are much reduced. The tremendous increase in the demand for manila hemp has made profitable production of the cheaper and poorer qualities.

Women and children are able to draw the hemp with a serrated knife, while only the stronger adults are able to draw and clean properly the finer fiber. Many machines have been invented for the purpose of drawing the hemp, but in none of them as yet has the hemp producer been able to secure a result which justifies their use commercially. They either break the fiber or they discolor it. There is the opportunity for an invention which will revolutionize the hemp business in the Philippines as completely as the cotton gin revolutionized the production and preparation of cotton in the South.

EXTENT OF HEMP GROWING.

Of the forty-one provinces of the Philippine Islands at least fifteen now produce commercial quantities of hemp. To-day, owing to the insufficient means of communication and transportation, many fields of hemp are allowed to rot and are not stripped or used. In many of the provinces there is wild hemp, which is not so good in texture, and which it would be necessary to replace by cultivated plants were the opportunity offered to put it on the market. From experiments by our Agricultural Bureau I have no doubt that the number of provinces in which hemp could be raised might be doubled. The demand for hemp is so great that while an increase in its production might reduce the price, the total product would far exceed in value that which the statistics now show.

Many parts of the islands are very rich in cocoanuts. The cocoanut grove is planted 20 to a hectare; that is, 200 to 2½ acres. It takes four or five years for cocoanut trees to bear. After that they will bear for 100 years, and a low price a tree for annual rent is $1 Mexican, or $40 gold a year an acre. In the province of Laguna, within the last two years since the war was over, there have been planted more than five times the number of trees which were there before. There is a constant market for copra, which is the dried meat of the cocoanut, and the price is rising.

Since the demand for hemp and cocoanuts has increased so largely, planters have abandoned the raising of rice, preferring to buy their food out of the profit of the hemp or cocoanut industry. Therefore for ten or fifteen years it has been the habit of the islands to import rice, although there are no islands where rice will grow to better advantage than in the Philippines. The amount of importation, however, was comparatively small until the destruction of the draft cattle three years ago, which reduced the actual amount of rice production in the islands far below what was necessary to feed the people, and during the last year about $12,000,000 in gold had to be expended in importing rice from French China.

SUGAR—TOBACCO—WOODS.

The sugar and tobacco industries in the islands are capable of a considerable increase. The island of Negros contains sugar land as rich as any in the

world, and the provinces of Cagayan, Isabella, and Union contain tobacco lands which, next to Cuba, produce the best tobacco in the world, but the trouble is that the markets for such sugar and tobacco have been, by tariffs imposed in various countries, very much reduced. Should the markets of the United States be opened to the Philippines it is certain that both the sugar and the tobacco industry would become thriving, and although the total amount of the product in each would probably not affect the American market at all, so extensive is the demand here for both tobacco and sugar, it would mean the difference between poverty and prosperity in the islands.

I know that the reduction of the tariff for this purpose is much opposed by the interests which represent beet sugar and tobacco; but I believe that a great majority of the people of the United States are in favor of opening the markets to the Philippine Islands, conscious that it will not destroy either the beet-sugar or the tobacco industry of this country, and feeling that as long as we maintain the association which we now have with the Philippine Islands it is our duty to give them the benefit of the markets of the United States and bring them as close to our people and our trade as possible.

Nothing else will justify the application of the coastwise trading laws to the transoceanic trade between the United States and the Philippine Islands; but if they be invited to partake of the benefits of the protection theory they may well be subjected to the rule that, as between the United States and themselves, the products are to be transferred in American bottoms.

Another immense source of wealth in the islands is the almost inexhaustible supply of the most beautiful woods of rubber and of the most valuable gums. These sources of wealth are hardly developed.

TRADE WITH THE PHILIPPINES.

And now what as to the existing trade between the United States and the Philippines? It is still quite small, not exceeding $5,000,000 in any one year of merchandise transferred from the United States to the Philippines, but increasing largely in the products transferred from the Philippines to the United States.

The latter increase, however, is not a natural one. It is brought about by Congressional legislation, already mentioned, which confers the benefit of $7.40 a ton rebate from export tax upon all hemp transported directly from the Philippines to the United States. The total business done between the United States and the Philippines is something like $17,000,000. With the restoration of normal conditions in the islands, with the construction of railways and other material development there, I have no doubt that this trade between the United States and the islands would be trebled in the course of five years.

The condition with respect to the business of the United States merchants in the islands to-day is unfortunate, and its cause can easily be traced. The Government of the United States went into the islands under a distinct promise that it would govern the Philippines for the benefit of the Filipinos; that it would extend self-government to the Filipinos as rapidly as they showed themselves fit for it, and that as many Filipinos as possible would be used in the personnel of the Government.

This has always been the attitude of the Government, and never, so far as I know, has there been a single step of departure from it. It was the attitude declared before the war of insurrection began, while it was pending, and at its close, and no resistance on the part of the natives has varied our position in that regard. This policy did not meet, as was natural, the ready assent of all the Army or of those persons who were in sympathy with the Army.

SENTIMENT AGAINST FILIPINOS.

The adventuresome spirits who followed the Army for the purpose of establishing a business in its wake found that they had all that they could do to supply the demand made by the Army for American goods, and as American capital came in driblets or in larger sums it was turned into the business of supplying the Army with those things which the Government did not supply.

Four or five trading companies were thus organized, embracing substantially all the American enterprise that has appeared in the islands during the first three or four years of American occupation. American merchants thus situated easily caught the feeling of hostility and contempt felt by many of the soldiers for the Filipinos, and were most emphatic in condemning the policy of the Government in attempting to attract the Filipinos and make them, so far as might be, a part of the new civil order.

The American newspapers which were established readily took the tone of their advertisers and their subscribers, and hence it is that the American community in the Philippines to-day is largely an anti-Filipino community. The 75,000 soldiers, whose demands for supplies have made their business so profitable, have now been reduced to 15,000, and the market which made the American merchants for a time independent of the Filipinos has now almost entirely disappeared.

The condemnation by such merchants of the civil government continues, and they do not hesitate to make the government the scapegoat for the failure of business to improve. The fact is that their customers have gone back to the United States and that their attitude toward the Filipinos is such that the Filipinos are not disposed to patronize them. This is unfortunate, and there must come into the islands a new set of merchants, who shall view the situation from an entirely different standpoint.

There are 7,600,000 Filipinos. Of these, the 7,000,000 Christian Filipinos are imitative, anxious for new ideas, willing to accept them, willing to follow American styles, American sports, American dress, and American customs. A large amount of cotton goods is imported into the islands each year, but this is nearly all from England and Germany. There is no reason why these cotton goods should not come from America, except the fact that there are no American houses in the islands that have devoted their attention to winning the Filipino trade. I am not a business man, but I know enough to know that it is not the best way to attract custom from an alien people to call them names, to make fun of them, and to decry every effort toward their advancement and development. In other words, the American merchants in the Philippines have got off on the wrong foot. There should be a radical change.

EXTENT OF RAILWAY LINES.

There are a few railroad lines in the Philippines which it would be possible to induce capital to build without a guaranty of income, but it is wiser, it seems to the commission, to attempt to introduce a general system of railways than to have a link built here and a link built there, and to await the process of time before trunk lines shall be established.

For instance, it is quite probable that a short line of 40 or 50 miles would be constructed without a guaranty in the province of Legaspi, where is the rich hemp business, and where it has been customary during the last two or three hemp seasons to pay $40, Mexican, a day for a carabao cart; so, perhaps, it would be possible to secure the construction of a line without guaranty from Manila south to Batangas, though of this I am not certain.

With the hope, however, of bringing capital in considerable amount to the islands a bill has been prepared, which has passed the House, authorizing the government to grant franchises for the construction of railroads, with a guaranty of income of not more than 5 per cent on the amount actually invested for not exceeding thirty years. In most cases a guaranty of a smaller percentage would be sufficient, but my impression is that with respect to the main trunk line from Aparri to Manila the difficulties of construction and the delay in securing a profitable business would probably require an assurance of 5 per cent dividends.

The opposition of those who oppose the investment of any American capital in the islands, which shall furnish a motive for a longer association between the two countries than is absolutely necessary, may postpone the passage of this bill until the next session of Congress. I shall deeply regret the delay, but I am not discouraged, for as long as I continue in my present position I expect to press the legitimate claims of the Philippine Islands upon a just and generous Government for such authority in the local government as will permit a proper development of the material resources of the islands, and the delay in legislation, which is incident, not to the opposition of a majority, but to the opposition of a small minority, while it is apt to try one's patience, ought nevertheless not to discourage.

CHARACTER OF FILIPINO LABOR.

I come now to the question of labor, which has been made the basis for the most discouraging accounts of conditions in the Philippine Islands. The Filipino is a tropical laborer. In times past a large amount of rice has been raised in the islands, a large amount of tobacco, a large amount of sugar, and a large amount of hemp, and they all involve, as a material part of the cost of their production, the labor of the natives.

The Chinamen, who have been said by mistaken persons to number a million and a half in the islands, in fact do not number 100,000, and none of them do any agricultural work of any kind in the Philippine Islands. The Filipino is naturally an agriculturist. When you go through his village in the middle of the day you will probably see him lounging about the window or on the seat in front of his house, and you will ascribe to him the laziest habits, because you do not know that he has been up at 4 o'clock in the morning and has worked from that time until 9 or 10 in the fields and that he will begin work again at 4 o'clock and work for two or three hours until sundown or later.

The American merchant is loud in his denunciation of the insufficiency of the Filipino labor. This is because the price of labor has probably doubled since the Americans went there, and he has heard the tales of how cheap labor was before the Spanish régime ended. He also compares the cost of labor in the Philippine Islands with that in Hongkong, and he finds that it is very considerably less all over China. I am not contending that the labor in the Philippines is as good as Chinese labor, for that labor is the best in the world, probably, when economy in wages and efficiency in product are considered, but what I wish to dispute is that the labor conditions in the Philippines are hopeless.

The city of Manila has under its control and in its employment about 3,000 laborers, and they are paid all the way from 50 cents, Mexican, to $1.25, Mexican, and there is no complaint whatever on the part of the authorities that their work is not properly and well done. The Quartermaster's Department of the Army has about the same number, and their reports of the efficiency of Filipino labor are exceedingly encouraging. We have now employed really as coolies on the Benguet road, in the most difficult drilling and construction work, about 3,000 natives, and while their efficiency is nothing like that of the American, in the accomplishment of work in proportion to the pay they probably get through about as much.

The men who are constructing the harbor works at Manila—the Atlantic, Pacific and Gulf Company—have employed upward of eight hundred to a thousand Filipinos in their quarries. At first they found it very difficult to secure workmen, but now they have more labor than they need. They use about 8 per cent of white foremen and the rest natives. They give to the natives houses, furnish a church, a band, a cockpit, and a school. On their fiesta days they give them vacation. They have fewer desertions, less absenteeism, than with Americans.

These experiments show only that the solution of the labor problem in the Philippines is teaching the Filipinos how to work. Sir William Van Horne reports that he found much difficulty originally in the construction of the Cuban railways, because the natives were not acquainted with how the work should be done, but that, by means of white foremen, they were easily taught, and that then they made good laborers. I feel sure that the same thing will prove to be true of the Filipinos.

MINES, STREET CARS, ELECTRICITY.

There is doubtless a great deal of mineral wealth in the islands, but it will be available only after transportation shall have been introduced. It is not an island with a bonanza mine in it, though at some distant day such a vein may be discovered there. There is certainly coal in the islands in commercial quantities. There is now between the islands a considerable inter-island trade, and there are quite a large number of ships engaged therein. Without it the islands could not live; it is their arterial circulation.

The present system might be much improved by introducing American generous methods of dealing with the public. About $2,500,000 capital has been invested in a street railway in Manila, which will be completed next Thanksgiving Day. This will certainly change one of the annoying and expensive features of Manila life, and will give to the residents of the city opportunity to cut down their present expenses of living at least 25 per cent.

There is no city in the world where there is so much traveling done in carriages, due to the fact that people may not walk about safely under the tropical sun. The presence of a street railway will do away with the necessity for many of these conveyances and the streets will be less used and their condition much improved. There is sufficient continuous fall of water in streams within practicable distances of Manila to furnish electrical power exceeding 15,000 horsepower. With the high price of coal, this is an important aid to manufacture.

The English houses and the Spanish houses who have dealt in the export trade in the islands have earned large profits during the occupancy of the United States.

HEALTH OF THE ISLANDS.

It is said that the health of the islands is such as to preclude Americans from going there. This is not true. The climate does prevent one from going into the sun in the middle of the day, and so prevents his working in the fields as a laboring man, but it is entirely possible for one to live in the islands for years and, if he does not neglect the ordinary rules of hygiene, to be free from bad health.

The province of Benguet, which is 150 miles from Manila, and which will soon be reached by a railroad and an electric road in twelve hours, offers a climate quite like the summer climate of the Adirondacks or of Canada. Under the land regulations, which go into force at the time of the adjournment of Congress, a summer capital is to be established at Baguio, and town lots in the same place will be offered at public auction. Americans engaged in business may at small cost buy lots and erect houses and live there as many months of the year as they choose, except the months of August and September, which are usually so wet as to make it unprofitable.

During the remaining months of the year the climate is beautiful, the temperature going down as low as 35° F., and rarely, if ever, reaching 80°.

It is estimated that not more than 5,000,000 acres of land are owned by natives in the islands, and that the remainder, 65,000,000, is owned by the Government. This remainder will, under the land regulations, be opened for settlement and purchase at the adjournment of the present session of Congress.

There is every prospect that the land will be taken up by both Filipinos and Americans. The maximum limitation for purchase by a company is 2,500 acres. This limitation is much too low for the cultivation of sugar, but is sufficiently extensive for the cultivation of other products. There is a provision in the law by which irrigation companies may own stock in land companies, so that probably the limitation may be evaded if private profit requires. The future of the Philippine Islands, of course, would be dangerous to prophesy with certainty, but with a change in the hygienic conditions that surround life, due to an effective board of health, with a supply of pure water from the sinking of driven wells all over the country, which the pending bill in Congress will encourage, I feel sure that the population will rapidly increase.

THE ANTI-IMPERIALIST PETITION.

We hold the Philippines for the benefit of the Filipinos, and we are not entitled to pass a single act or to approve a single measure that has not that as its chief purpose. But it so happens, and it fortunately so happens, that generally everthing we do for the benefit of the Filipinos and the Philippines will only make their association with the United States more profitable to the United States.

I do not base my prayer for a continuance of the present policy toward the Philippine Islands on selfish grounds, but as this is a chamber of commerce, and as it is naturally interested in the possibilities of commerce in those distant islands, I have felt justified in referring more than heretofore to the industrial conditions existing there and the possibility of improvement and the increase of trade between the United States and the Philippines.

The first requisite of prosperity in the Philippine Islands is tranquillity, and this should be evidenced by a well-ordered government. The Filipinos must be taught the advantage of such a government, and they should learn from the government which is given them the disadvantages that arise to everybody in the country from political agitation for a change in the form of government in the immediate future. Hence it is that I have ventured to oppose with all the argument that I could bring to bear the petition to the two political conventions asking that independence be promised to the Filipinos.

It is not that I am opposed to independence in the islands, should the people of the Philippines desire independence when they are fitted for it, but it is that the great present need in the islands is tranquillity; the great present need in the islands is the building up of a permanent, well-ordered government; the great present need in the islands is the increase of the saving remnant of conservative Filipinos whose aid in uplifting and maintaining the present government on a partly popular and strictly civil-liberty basis shall be secured.

A promise such as that which is petitioned for can not but introduce at once into the politics of the islands the issue of independence, of present fitness for self-government, and will frighten away from the support of the present government the conservative element which is essential to its success, and yet which is always timid lest by a change bringing the violent and the irreconcilable to the front they shall suffer by reason of their prominence in aid of the present government.

The promise to give independence helps no one. There is no need of that promise to secure tranquillity, because we have tranquillity in the islands. It is certain to be misunderstood as a promise to be complied with in the present generation, and if, as is probable, the people shall be fitted for self-government in the present or the next generation, then the failure to give it will be regarded as a breach.

Why not let the politics of the islands take care of themselves? Why should the good people who signed the petition intermeddle with something the effect of which they are very little able to understand? Why not take the broader policy, which is that of doing everything beneficial to the Philippine Islands, of giving them a full market, of offering them an opportunity to have railroads built extensively through the islands, and of having a tranquillity which is essential to the development of their business and their property; why not insist on the spread of the educational system, of an improvement in the health laws, and subject everything that is done in the islands to an examination as to whether it is beneficial to the Filipino people, and then, when all has been done for the Philippines that a government can do, and they have been elevated and taught the dignity of labor, the wisdom of civil liberty and self-restraint in the political control indispensable to the enjoyment of civil liberty, when they have learned the principles of successful popular self-government from a gradually enlarged experience therein, we can discuss the question whether independence is what they desire, and grant it, or the retention of a closer association with the country which by its guidance has unselfishly led them on to better conditions.

EXHIBITS AT WORLD'S FAIR.

And now, gentlemen, there remains one thing to say which is more or less a matter of business. In order to familiarize the people of the United States with the Philippine Islands, and in order to bring the Philippines closer to the United States, the commission has deemed it wise to expend about $750,000 in making a satisfactory exhibit at the world's fair at St. Louis. In making the ethnographical exhibit the collectors have brought here natives of the various wild tribes of the islands. Naturally, as an exhibit, they would not bring the civilized tribes, as they are shown in the battalions of scouts and constabulary which are here.

The educated, the cultured, and the refined Filipinos would, of course, not appear in an exhibit, and yet the attention likely to be attracted to the wild tribes may blind the people to the fact that these wild tribes do not correctly represent the general average of civilization in the islands. For that reason the commission deemed it proper to appropriate a considerable sum of money to bring to the United States a delegation of from forty to fifty prominent Filipinos, prominent at the bar, prominent in business, prominent in the provinces, prominent in literature, in order that by going about the country and the different cities they might become acquainted with the institutions and appearances of this country, and at the same time the business and prominent men of the cities of the United States might have acquaintance with the best element of the Filipinos.

The appropriation is not large enough to justify such extensive visiting to the various cities as we should like, and therefore we have thought it wise to appeal to the commercial bodies of each city to assist us in the entertainment of these gentlemen while they are here. I venture to suggest, therefore, to the chamber of commerce that some action be taken in the nature of the appointment of a committee to confer with Doctor Wilson, who is in charge of the Philippine exhibit and also in charge of the delegation of Filipinos, to care for them while in New York. I am sure that there is in New York, as there is elsewhere, a sufficient interest in the people of those far-distant islands to invoke some effort on the part of individuals to see that the hospitality of the city of New York is properly extended to them.

The first virtue of a Filipino city or village is hospitality, and should any of your number ever visit the Philippines and become acquainted with the Filipinos you will understand why it is that those of us who have enjoyed the hospitality of the people of those islands are so anxious that the Filipino gentlemen, with their standards of hospitality, shall not be disappointed in what they receive here.

I thank you, gentlemen of the chamber of commerce and Mr. Chairman, for your kind attention. [Great applause.]

Mr. LITTLEFIELD. I yield forty minutes to the gentleman from Massachusetts [Mr. GARDNER].

Mr. GARDNER of Massachusetts. Mr. Speaker, a hundred years ago we had shipping to the amount of 600,000 tons engaged in foreign trade. From 600,000 tons one hundred years ago our registered shipping went up to two and one-half million tons at the outbreak of the civil war. To-day it is back at 900,000 tons. It has shrunk since the civil war began from two and a half million tons until now we have a beggarly nine hundred thousand engaged in the foreign trade.

One hundred years ago our international commerce only amounted to $150,000,000, while to-day it amounts to two thousand millions. Yet we have but little more shipping to-day engaged in foreign trade than we had a hundred years ago. Instead of having two and one-half millions of tons, as we had at the outbreak of the civil war, our fleet has disappeared from the ocean.

A hundred years ago we carried 85 per cent of our own commerce in our own bottoms, and to-day we do not carry 9 per cent. In other words, we have totally abandoned one of the most fruitful fields of human endeavor, one of the noblest callings on earth, abandoned it to the foreigner, apparently without a struggle, and it behooves us to ascertain the cause and search for a remedy.

The commercial side of this question is important, but the political side may become vital at any time. All of you remember that in our hundred days' war with Spain we took such of our merchant marine as we had, and splendid service it did us, scouting service, transport service, second line of defense, and supply service. We managed to buy fifty ships at exorbitant prices from foreign nations before the war broke out. We just managed to pull through a hundred days' war with that assistance. We could not have got any more vessels without violating the neutrality laws.

But let us suppose that instead of being a hundred days' disturbance with Spain it had been a war to the death between Germany and Great Britain, who to-day carry practically the whole of this two thousand millions of dollars which constitutes our foreign trade. Suppose that Germany and Great Britain begin to sweep each other's commerce off the seas. Who is going to carry that two thousand millions of dollars' worth of goods? If they are not carried, the congestion in our cities on the seashore will be far worse than it ever was during the Napoleonic wars, when the same sort of thing happened. Violate neutrality laws we must, if we wish our export trade to continue, and even the most sanctimonious crier of "Peace, peace!" must admit that the violation of neutrality laws is a serious business. If a war between Germany and Great Britain comes and finds us without a merchant marine, God help our foreign trade! Perhaps war will never arise between Germany and Great Britain. Perhaps it may arise in this decade. Who knows?

Mr. LUCKING. Will the gentleman permit me to ask him a question?

Mr. GARDNER of Massachusetts. Certainly.

Mr. LUCKING. Is it not true that in case of war between these countries the shipping of those countries will seek shelter under neutral flags at once?

Mr. GARDNER of Massachusetts. I am informed that it can not be done after the declaration of war without rendering such vessels liable to be fired on by the belligerents. And I further know that such was exactly the result during our civil war. Moreover, a large part of Great Britain's and Germany's steam tonnage is under contract to those Governments for use in war time.

But, Mr. Speaker, it is not only our shipping that is in this parlous state. Our shipbuilding industry is nearly bankrupt. In 1900 and 1901, owing to the fact that shipping men speculated upon the passage of a ship-subsidy bill, our shipyards seemed to have gained a new lease of life. Many orders for vessels were received, but the bubble soon burst. Since June, 1901, not a single keel has been laid in an American yard for a steel seagoing steam vessel. I want to read to you what our Commissioner of Navigation says in his current report.

Mr. GILBERT. What did he say in 1893 and 1894?

Mr. GARDNER of Massachusetts. I will leave that for you to tell us in your time.

This is what Commissioner Chamberlain says:

> The outlook for steel-ship building on the seaboard has not changed since the last report of the bureau. It was then stated, "New vessels have not been ordered to take the place on the ways of large ocean steamers which have been launched and have been completed or are nearing completion." Five of these large steamers, of which four have been launched, remain to be completed, and when these are in commission the building of steel steamers on the seaboard, unless conditions change in the meantime, will again be restricted to other demands of our coasting trade. These are insufficient to give full employment to our shipyards. Unless they are supplemented by large orders for war ships, by next summer our shipyards on the seaboard will probably be able to work barely one-third of their capacity or less.

Now, the experience of many years has shown that the Congress of the United States is divided on this question into three classes of men. One class believes that nothing should be done,

and that we should devote our energies to more lucrative objects. Another class believes that the true remedy lies in the repeal of our present navigation laws. The third class believes in constructive legislation, discriminating duties, discriminating tonnage charges, mail subsidies, Government aid to shipbuilding, and the like.

Now, I do not expect anyone who believes that nothing should be done to support this bill; but I fully believe those who believe in free ships and those who believe in other forms of remedy ought to join together and ask for a commission that can ascertain the true facts, as they have never yet been ascertained.

Every nation engaged in shipping to any extent subsidizes its merchant marine in one form or other, especially during infancy. Next to the fact that Englishmen are by nature and circumstances particularly adapted to the sea, I believe that the greatest factor in England's maritime supremacy was the extremely liberal financial assistance rendered by the British Government in the early days when steam was first beginning to supplant sails as a motive power.

I am going to publish in the RECORD certain tables showing the difference in the cost of building a ship in American yards and building a ship in English yards; also tables to show the different cost of wages paid to crews of different nationalities, my object being to show that while the subsidies of our rivals in part create the difficulty, they by no means constitute the whole. The greatest obstacle to our competition rests on the higher rate of wages in American shipping industries. About four or five years ago, in the Fifty-fifth Congress, a tabulation of figures was made from evidence furnished the United States Senate. The tables show that at that time, in the United States, it would cost about $300,000 to build a freighter of 4,000 tons, a tramp steamer of 11 knots trial speed—practically 8 or 9 knots actual speed. On the other hand, it would cost about $240,000 at that time to build the same vessel on the Clyde.

The report showed that the wages of an American crew of fifty, required to man a vessel of that sort, would amount to about $500 more per month, or $6,000 more per year, than the wages of an English crew on the same vessel.

The analysis revealed the fact that the disadvantage to the American vessel in cost of operation, insurance, interest, and depreciation annually would amount to about $18,000, or sufficient to wipe out the whole profit on the investment. Observe that these figures are somewhat antiquated. I shall give some more recent but less complete tables in the RECORD.

Mr. BAKER. Will the gentleman permit me to ask him a question?

Mr. GARDNER of Massachusetts. Yes.

Mr. BAKER. I understand you to say that the cost of building ships in American shipyards is a great deal more than the cost of building them in English yards?

Mr. GARDNER of Massachusetts. Yes, sir.

Mr. BAKER. And I understand you to say that is on account of the difference in the price of labor?

Mr. GARDNER of Massachusetts. Yes, sir.

Mr. BAKER. If that is so, will the gentleman please explain, in view of the fact that the per diem wages paid to labor is less in shipyards in France than it is in Great Britain, and that the British yards pay a higher per diem wage than is paid in French yards, why it is that ships are constructed in the English shipyards cheaper than they are constructed in France, where the rate of wages is lower than in Great Britain?

Mr. GARDNER of Massachusetts. Mr. Speaker, assuming the gentleman's facts to be correct, which I believe to be the case, I suppose that it is for the same reason that we can build steam engines and steel rails cheaper while England can build cotton machinery cheaper.

Mr. BAKER. Do I understand the gentleman to contend that there is not equal skill among American laborers and American mechanics in American shipyards that there is in English shipyards on the part of Englishmen?

Mr. GARDNER of Massachusetts. Mr. Speaker, I object to a question of that sort; but I will answer him in the words of Mr. Donald Crawford, a leader in one of the shipbuilding labor organizations. In his evidence before the Committee on Merchant Marine and Fisheries, on another matter connected with shipping, he asked how could they be expected to be so skillful when they have to be looking for a job one day in San Francisco, then be out of a job for three or four months, and look for employment at Bath, Me., then be out of a job for three or four months again, and look for another with Mr. Olcott, at Newport News. I may not be quoting the gentleman exactly, but that is the substance of what he said, if my memory serves me.

Mr. GAINES of Tennessee. Mr. Speaker, a few days ago we were informed on that side that there was a great ocean of idle vessels at San Francisco and Manila Bay owned by Americans, and we passed a law giving those vessels a monopoly of the freight between here and the Philippines. Now, how is it there are so many vessels over on that side, practically the young side of the United States, and such a dearth of vessels on this side? Why should they be all at the Golden Gate and none at Hell Gate?

Mr. GARDNER of Massachusetts. I do not understand the gentleman's question, but I believe that the *Minnetonka* and *Minnewaska* were mentioned in that list——

Mr. GAINES of Tennessee. Will you please——

Mr. GARDNER of Massachusetts. Will the gentleman allow me to answer the question? Those two vessels are, I understand, laid up on the Atlantic coast and not on the Pacific coast. Now, Mr. Chairman, my time is limited and——

Mr. GAINES of Tennessee. I will ask my distinguished friend from Maine [Mr. LITTLEFIELD] if it has not been stated that there is a great ocean of vessels over there at San Francisco and Manila to whom we have granted a monopoly in——

Mr. GARDNER of Massachusetts. Mr. Speaker, I do not yield my time to discussion in which I have no part.

The SPEAKER. The gentleman declines to yield further.

Mr. GARDNER of Massachusetts. But, Mr. Speaker, I will further say that this is a question of a matter of fact and not a matter of theory. Now, I do not believe anyone will deny that the high rate of wages in this country is the result of our protective system——

Mr. BAKER. I do.

Mr. GARDNER of Massachusetts (continuing). Even free traders admit this, although they claim that the high rate is nominal rather than actual, owing to the correspondingly high prices which protection, in their opinion, also encourages

Be that as it may, we have adopted the policy of taxing our imports for the upbuilding and maintenance of our great industries, believing that the result in greater prosperity far more than compensates the people for this exaction.

In pursuing this course we have left our foreign shipping reft of the last vestige of protection, granting it no assistance at all except in the form of small mail subsidies in the last decade, in the decade prior to the civil war, and sporadically at other times.

I am now going to take up the chief objections made in the minority report on this bill. I think they show as completely the reason why the bill should be passed as does the report of the majority.

In the first place, the report of the minority is based on the false assumption that this is a ship-subsidy scheme, pure and simple. Until I read it in the report I was not aware of the fact that I myself am necessarily an advocate of ship subsidies. On the contrary, I believe that the truth may be found in a combination of some of the various different systems which prevail all over the world.

On the basis that this is a ship-subsidy measure, pure and simply, the minority proceeds to erect an argument, an argument full of misstatements, excusable, perhaps, because quoted from previous misstatements on this subject. The purpose of this argument is to show that ship subsidies have proved failures. Perhaps they have, perhaps they have not; I do not know, nor does anybody else, and that is one of the reasons why we need a ship commission, because then we can get at the facts.

Mr. GOLDFOGLE. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Massachusetts yield to the gentleman from New York?

Mr. GARDNER of Massachusetts. For a question of fact.

Mr. GOLDFOGLE. Mr. Speaker, the gentleman has stated that it is necessary, in his judgment, to have a commission. Does the gentleman not believe that there has been enough written and that literature enough exists——

Mr. GARDNER of Massachusetts. Oh, I will come to all of that in a minute, if the gentleman will wait. I am coming to that question.

Mr. LITTLEFIELD. He will answer that later. [Laughter.]

Mr. GOLDFOGLE. The question I desired to ask is this: Whether the gentleman did not believe that after the Members of Congress had been so well informed on the subject of ship subsidy, and after so much had been written, and after so many reports on the subject had been written from time to time, and so much spoken in the House of Representatives, we have sufficient before us without going to the expense of creating another commission, to be composed of the Members of this House and of the Senate? [Applause on the Democratic side.]

Mr. GARDNER of Massachusetts. Mr. Speaker, it may be possible that the RECORD to-morrow morning will develop a question mark in that long sentence, but I confess that I do not understand the gentleman's question, nor do I care for its repetition.

I may say that I have read much of the literature and most of the recent debates on this subject, and I find running through all a mass of misstatement and contradiction on both sides. Therefore I believe that we ought to create a commission that will get together, ascertain the exact facts on which Republicans and Democrats alike can agree, and then proceed to frame an issue or

prescribe a remedy. Until we agree on the facts we can not intelligently prescribe a remedy.

Let me give some illustrations of the difficulty of getting at the facts. The minority report quotes Senator Vest as saying that not over 3 per cent of the merchant marine of Great Britain is subsidized. On the other hand Mr. W. W. Bates, ex-Commissioner of Navigation, an opponent of subsidies, whom the minority also quotes, says in his book on the American merchant marine that the tonnage of the British steamers earning subsidies or subventions is 13.75 per cent of the entire steam tonnage of Great Britain, both coastwise and foreign. Of course, coastwise shipping does not need a subsidy. Therefore, the proportion of competitive or foreign shipping that is subsidized vastly exceeds this 13.75 per cent. Next I find in a report made to the Senate in 1899 that out of 357 steamships in the world over 14 knots in speed, 289 were at that time subsidized in one form or another, 44 were not subsidized, and with regard to the remaining 24 the facts were not obtained.

Now, which side is right? Nothing but a commission can decide the facts in the face of such contradictions. The minority report says that the British merchant marine has not been built up on subsidy. On the other hand, ex-Commissioner of Navigation W. W. Bates says that fifty years ago, when the United States and Great Britain were engaged in a struggle for the commercial mastery of the ocean, every ton of steamer that went to sea received treasury support from the British Government. Which of those statements is correct? I do not pretend to be an expert on this question, but I will make the statement that in the sixty years from 1840 to 1900 Great Britain expended nearly two hundred and fifty millions in subsidies, or more than all the rest of the world put together.

I hold in my hand the new Cunard Line contract with Great Britain. It passed the House of Commons by a majority of over 5 to 1. It provides for the building of two great steamships, the best that the world can produce, at a cost of $13,000,000. The Government is to lend the money, and the company is to pay interest at the rate of 2½ per cent and repay the principal in twenty annual installments. On the other hand, the Government is to pay the company for carrying the mails a sum equal to the annual interest charge, and is to pay the two vessels yearly as an Admiralty subvention a sum sufficient to provide for the annual installment of principal repaid.

Commissioner of Navigation Chamberlain says of this contract in his last report:

> By this agreement in effect the British Government agrees to build and give to the Cunard Company the two best steamships Great Britain can produce, and the company agrees to operate them at its own cost.

Is the minority perfectly sure that subsidy plays no part in Great Britain's maritime policy?

The minority report says that France subsidizes her merchant marine and that it is dwindling. Lloyd's Register shows that from 1893 to 1900 instead of dwindling it increased 54 per cent. The minority report says that the Italian merchant marine is dwindling. Lloyd's Register shows that it is increasing. Let a competent commission sift these conflicting statements.

The minority report goes on to say that hitherto every effort to aid our merchant marine, except by the discriminative duties system, has resulted in undisputed failure. It says that every subsidy we ever granted, every mail contract, has so resulted. Now, I want to read from another book on American merchant marine, by Winthrop L. Marvin. He calls attention to the fact that the ocean-going steam fleet of the United States under subsidy increased from 55,000 tons in 1847 to 115,000 in 1855. Which statement is correct? We do not know.

I have heard again and again that the mail act of 1891 was passed exclusively for the American Line of steamers, and I have heard that they are the only ones who ever benefited by it; that it was a great boon to them. I have read of the amounts of money that they are supposed to have made out of those contracts, yet I tell you that the last report of the Superintendent of Foreign Mails shows that the American Line received last year less money for carrying the mail from New York to Southampton than it would have received if the act of 1891 had never been passed. For carrying this mail last year the American Line received $660,000. If it had carried mail under the act of 1872, as the Pacific Mail does, the bill to this Government would have been $700,000, for that was the full amount of sea and inland postage. In other words, the American Line received $40,000 less than they would otherwise have received if the alleged bonanza had never been given them.

Mr. BAKER. Will the gentleman yield for a question?

Mr. GARDNER of Massachusetts. Oh, I can not yield now. I make that statement and the other side makes another statement. Now, which is correct? I hear statements made about Chinese crews which are incorrect; I hear statements made about crews shipped in foreign countries which are incorrect; I hear statements made about the nationality of our crews which are incorrect. I say the statements are not correct; other men say that the statements are correct. Now, let a commission get to work to ascertain the facts and frame an issue, so that they can say, "We Democrats and Republicans agree that such and such are the facts." Then we can proceed to discuss what shall be the proper remedy.

Now, sir, the minority announce their intention of moving to recommit this bill with instructions that the committee report a measure providing for discriminative duties. I do not know what they mean by that. I know well enough what discriminative duties are as ordinarily understood. A policy of discriminative duties means that we shall charge one rate of duty on goods brought here in American bottoms and another rate of duty on goods brought here in foreign bottoms. I am by no means sure that there is not a great deal of helpfulness in that suggestion of the minority. But, before we recommit the bill, I want to know whether the proposition is to reduce the present rates of customs duties on goods brought in American bottoms, as the gentleman from Mississippi said, or whether the minority intends us to return to the ways of our fathers, which they tell us were such a great success between 1789 and 1825. If they intend to revert to that method, they must abandon their scheme for the reduction of import duties on goods brought in American bottoms. The fathers maintained the full schedule on goods brought in American bottoms, charging an additional rate on goods brought in foreign bottoms.

Mr. SHERLEY. Is it not true that at that time the tariff rates were infinitely less than the tariff rates are now? That is a question of fact.

Mr. GARDNER of Massachusetts. I think that probably they were. But I do not know how that matter affects the present question. There can be no doubt whatever that the discriminative duties, or, perhaps, rather the discriminative tonnage taxes between 1789 and 1825, were very successful; but except during five years of that period the system was not the system recommended by the minority—a system of reduction from the schedule rates. For all those years, except five, an addition to the schedule rates was charged upon goods brought here in foreign bottoms.

Mr. LUCKING. Is it not true that the five years which the gentleman excepts was the period during which the commercial marine flourished and was built up the most—from 1789 to 1794?

Mr. GARDNER of Massachusetts. My impression is that it did not flourish to the extent that the gentleman would intimate; but it did flourish quite as much during that period, comparatively speaking, as during any other. There was an upward trend. But the reason why the system was changed was not what the gentleman would intimate. It was changed for entirely other reasons than those concerning the merchant marine. It was changed on account of the nature of our industries and their prosperity at that time.

Mr. LUCKING. Was it not because of a desire to raise more duties at that time? Was not the tariff very low?

Mr. GARDNER of Massachusetts. If the gentleman so informs me, I will yield to his superior knowledge. I can not tell what all the motives were in 1794.

Probably most of the Members of the House have heard over and over again that there are some twenty to twenty-five treaties that will have to be abrogated before we can establish a system of discriminating duties. I do not mean to say that it would not be wise to abrogate those treaties; but before we do so let us have a commission to examine the provisions of those treaties; let us decide whether it is practicable to abolish all those treaties, most of them requiring for their abrogation a year's notice. Most of them, if abrogated at all, must be abrogated in their entirety, and not with reference to particular clauses.

Let us have a commission to look into the question and ascertain the facts. Let them decide whether it is advisable to abrogate those treaties; because if Great Britain, for instance, or some other nation thinks that the abrogation of a given commercial treaty is going to help our merchant marine, I believe we shall experience considerable difficulty in the speedy construction of new treaties to take the place of the old ones. I do not assume that that is an insuperable objection. I simply say that I should be glad to have a commission to look into the matter.

Mr. BENNY. How old are those treaties?

Mr. GARDNER of Massachusetts. If the gentleman will wait till I finish my remarks, I shall be glad to hand him the report on that subject made by ex-Senator Edmunds. The treaties are of all ages.

Mr. BENNY. Were most of them made before or since 1896?

Mr. GARDNER of Massachusetts. I am unable at this moment to say. I can easily explain the origin of those treaties. They were treaties calling for reciprocal action on our part. Our legislation from 1815 down to 1840 sought to take care of this very question.

Mr. Speaker, as I have only one minute more, I want to say a word to those persons who say that this matter can be best

handled by Congress. I want to call their attention to the fact that it never has been properly handled by Congress. Committees of the House and committees of the Senate have sat on particular bills. They have had ex parte statements, but no one to check the facts. They have had no method of comparing notes, and each committee has had a vast number of other matters under consideration. Men's minds invariably get facts confused when they are considering a large number of different measures. The proposition made to you in this bill to-day is for nothing more nor less than a joint committee of the two Houses of Congress to consider this question of the merchant marine, and to consider nothing else. It is especially desirous for them to get at the true facts, because even after we have got the facts we have still the remedy to prescribe. [Applause.]

APPENDIX A.

WAGES OF CREWS.

The following is reprinted from Senate Document No. 60, Fifty-fifth Congress, third session. The figures given are for the monthly pay roll of a "tramp" steamer of 4,000 gross tons, capable of developing a speed of 10 knots an hour:

COMPARATIVE WAGES OF CREWS IN 1898.

The rates of wages paid at American and foreign ports can be ascertained without difficulty, as maritime nations require seamen's contracts for labor to be made out in the presence of government officers, by whom they are filed. The salary of the master, however, is a matter of private agreement and can not thus be officially determined. Certain bonuses frequently enter into it, and occasionally he is under contract for a long period or is a part owner of the vessel. When stewards are employed fees are a factor, and boys are sometimes shipped virtually for their keep and instruction, with little or no pay. Following is a statement of the monthly pay roll of a vessel of the kind under consideration, engaged in trans-Atlantic trade at American, British, German, and French rates of wages. Norwegian rates have not been ascertained precisely, but they are about equal to the German rates:

Comparative wages of crews.

Crew.	American.	British.	German.	French.
Master	$65.00	$53.46	$39.76	$38.60
First mate	55.00	38.88	26.62	27.02
Second mate	40.00	29.16	22.22	22.00
Third mate	27.50	24.30	16.89	21.23
Boatswain	33.50	29.16	19.00	15.44
Carpenter	33.50	29.16	19.00	15.44
4 quartermasters	160.00	82.62	57.12	58.00
10 able seamen	200.00	109.35	119.00	115.80
First engineer	110.00	77.76	79.31	77.20
Second engineer	70.00	60.75	50.10	36.80
Third and fourth engineers	110.00	77.76	46.80	58.00
15 firemen and trimmers	525.00	291.60	195.00	210.00
5 stewards, etc				
5 miscellaneous				
Monthly	1,396.00	874.80	671.82	680.09

COMPARATIVE WAGES OF CREWS IN 1902, 1903, AND 1904.

The following are actual pay rolls of the last two years:

Memorandum of wages of English steamship Lady Joicey.

[Gross tonnage, 3,194; 30 men all told.]

Crew.	Pay per month.	Amount.
Captain	$150.00	$150.00
Mate	52.50	52.50
Second mate	37.50	37.50
Third mate	30.00	30.00
Carpenter	32.50	32.50
Boatswain	27.50	27.50
Steward	32.50	32.50
Cook	27.50	27.50
7 able-bodied seamen, at	21.25	148.75
1 ordinary seaman	12.50	12.50
First engineer	85.00	85.00
Second engineer	60.00	60.00
Third engineer	40.00	40.00
Fourth engineer	30.00	30.00
Donkeyman	27.50	27.50
8 firemen, at	22.50	180.00
Mess boy	15.00	15.00
Total		988.75
30 men, per year		11,865.00

Victualing averages 35 cents per man per day.

Memorandum of wages of English steamship Pinedene.

[Gross tonnage, 3,206; 27 men all told.]

Crew.	Pay per month.	Amount.
Captain	$100.00	$100.00
Mate	45.00	45.00
Second mate	35.00	35.00
Carpenter	30.00	30.00
Boatswain	25.00	25.00
Steward	30.00	30.00
Cook	27.50	27.50
6 able-bodied seamen, at	21.25	127.50
2 ordinary seamen, at	16.25	32.50
First engineer	80.00	80.00

Memorandum of wages of English steamship Pinedene—Continued.

Crew.	Pay per month.	Amount.
Second engineer	$55.00	$55.00
Third engineer	35.00	35.00
Fourth engineer	30.00	30.00
Donkeyman	25.00	25.00
6 firemen, at	21.25	127.50
Mess boy	10.00	10.00
Total		815.00
27 men, per year		9,780.00

Victualing averages 35 cents per man per day.

Memorandum of wages of crew of German steamship Albenga.

[Gross tonnage, 4,188; capacity, 8,000 tons; 32 men all told.]

Crew.	Pay per month.	Amount.
Deck department.		
Captain	$100	$100
First officer	60	60
Second officer	40	40
Third officer	25	25
Boatswain	25	25
Steward	36	36
Mess	10	10
Cook	36	36
Seamen, 8, at	20	160
Engineer department.		
Chief engineer	90	90
First assistant engineer	60	60
Third assistant engineer	35	35
Extra assistant engineer	20	20
Firemen, 8, at	22	176
Coal trimmers, 4, at	20	80
Total		953
32 men, per year		11,436

Memorandum of wages of crew of Norwegian steamer Nordkyn.

[Gross tonnage, 3,244; 26 men all told.]

Crew.	Wages per month.	Amount.
Deck department.		
Captain	$100.00	$100.00
First officer	35.10	35.10
Second officer	24.30	24.30
Third officer	18.90	18.90
Boatswain	16.20	16.20
Steward	24.30	24.30
Carpenter	24.30	24.30
4 A. B. seamen, at	13.50	54.00
4 ordinary seamen, at	9.45	37.80
Engine department.		
Chief engineer	67.50	67.50
Second engineer	33.75	33.75
Third engineer	24.30	24.30
5 firemen, at	16.20	81.00
2 trimmers, at	12.15	24.30
Donkeyman	18.90	18.90
Total		584.65
26 men per year		6,015.80

Victualing, averages 31 cents per man per day.

Memorandum of wages per month of crew of U. S. S. Hyades.

[Gross tonnage, 3,753; owned by Boston Towboat Company, Boston, Mass.]

Crew.	Atlantic trade.		Pacific trade.	
	Number.	Amount.	Number.	Amount.
Captain	1	$175	1	$300
First mate	1	70	1	90
Second mate	1	45	1	75
Third mate			1	60
Sailors	9	270	9	360
Lamp trimmer	1	30	1	30
Steward	1	55	1	70
Cook	1	40	1	50
Mess boy	1	20	1	30
Chief engineer	1	125	1	150
First assistant engineer	1	65	1	100
Second assistant engineer	1	50	1	80
Third assistant engineer			1	70
Fourth assistant engineer			1	60
Oilers	2	80	3	150
Firemen	6	240	6	300
Coal passers	2	70	2	90
Total	29	1,325	33	1,965
Per year		15,900		23,580

Extra wages of Pacific trade, $7,680 per year, or nearly 50 per cent.

Victualing: Atlantic trade, 50 cents per man per day; Pacific trade, 60 cents per man per day.

Comparative memorandum on 8,000-ton freight steamers.

AMERICAN.

Crew.	Men carried.	Pay per month.	Total.
First mate	1	$70	$70
Second mate	1	45	45
Third mate	1	35	35
Quartermasters	2	30	60
Boatswain	1	30	30
Carpenter	1	30	30
Seamen	6	25	150
Steward	1	55	55
Cooks	2	40	80
Boys	2	$20	40
Chief engineer	1	125	125
First assistant engineer		80	80
Second assistant engineer		65	65
Third assistant engineer		50	50
Oilers	3	40	120
Firemen	6	40	240
Trimmers	6	25	150
Storekeeper			
Total	37		1,425
Per year	37		17,100

GERMAN STEAMSHIP ARCADIA, HAMBURG-AMERICAN LINE.

Crew.	Men carried.	Pay per month.	Total.
First mate	1	$75	$75
Second mate	1	38	38
Third mate	1	30	30
Quartermasters	2	16	32
Boatswain	1	18	18
Carpenter	1	18	18
Seamen	8	15	120
Stewards	3	8 to 18	38
Cooks	2	18 to 25	43
Boy	1	4	4
Chief engineer	1	75	75
First assistant engineer	1	60	60
Second assistant engineer	1	40	40
Third assistant engineer	1	20	20
Oilers	3	18	54
Firemen	7	16	112
Trimmers	7	15	105
Storekeepers	2	20	40
Total	44		922
Per year	44		11,064

Or American about 54 per cent more.

APPENDIX B.

WAGES IN SHIPYARDS.

The following tables of wages in foreign shipyards are taken from the reports made by various United States consuls in 1899. (See Volume XVIII, Special Consular Reports.)

The table of wages in an American yard is the actual scale obtaining in an Atlantic coast yard in 1904.

GERMANY (1899).

Average wages paid in shipbuilding yards at Hamburg and Kiel.

Workmen.	Hamburg (weekly).		Kiel (per hour—10 working hours per day).	
	Marks.	United States equivalent.	Pfennigs.	Cents.
Pattern makers	70 to 80	$16.66 to $19.04		
Machinists	52	12.37		
Riveters	40 to 45	9.52 to 10.71	45	10.0
Ship carpenters	40	9.52	30 to 36	7 to 8.0
Joiners	40	9.52	50	9.0
Painters	36	8.57	32 to 36	7 to 9.0
Furnace men	30	7.14	35 to 40	8 to 9.0
Riggers	36	8.57	30	7.0
Plumbers	30	7.14	30 to 38	7 to 9.0
Sheet-iron workers	28	6.66	30 to 38	7 to 9.0
Iron molders	28	6.66	34 to 35	8 to 8.3
Brass molders	28 to 30	6.66 to 7.14	34 to 35	8 to 8.3
Laborers	14 to 28	3.33 to 6.66	28 to 30	6 to 7.0

ENGLAND (1899).

Trade.	Hours per week.	Rate per week.	United States equivalent.
		s. d.	
Pattern makers	53	40 0	$9.73
Ship carpenters on woodwork	54	40 6	9.85
Ship carpenters on ironwork, and liners off	54	43 6	10.58
Ship joiners	54	39 6	9.61
Joiners' machinists	54	39 6	9.61
Painters	54	34 0	8.27
Painters' laborers (on plain work, as on hulls and interiors of holds)	54	29 0	7.06
Riggers	54	30 0	7.30
Plumbers	54	36 0	8.76
Shipyard laborers	54	a 18 to 23 6	4.38 to 5.82
Gas-furnace men	54	27 0	6.57
Coal-furnace men	54	25 0	6.08

a Average about 22s. 6d. ($5.47).

SCOTLAND (1899).

Engineers, general, per hour	$0.16
Pattern makers, per hour	.17
Fitters, general, and not on piecework, per hour	.16
Turners, iron and steel, per hour	.16
Molders, brass, per hour	.20
Molders, general, per hour	.17½
Boiler makers, on "stab" wages, per hour	.18
Hole borers, "stab," per hour	.17
Holders-on, "stab," per hour	.16
General ironworkers' wages, not on piece and engaged by the builders, per hour	.18
Ship joiners (members of the Associated Carpenters and Joiners' Society of Scotland), per hour	.17
Shipwrights (members of the Associated Shipwrights' Society of England and Scotland), per hour	.17
Blacksmiths (members of the Associated Blacksmiths' Society of Scotland), per week	6.56
Hammer men (two trade societies), per hour	.15
Holders-on (2), per day	$2.19 to 3.04
Plumbers, special men engaged, per hour	.20
Cabinetmakers, general, per hour	.17 to .19
Riveters:	
First, per day of 9½ hours	3.65 to 4.38
Second, per day of 9½ hours	3.65 to 4.38
Plate setters, per day of 9½ hours	2.19 to 3.04
Plate laborers and adjusters, per day of 9½ hours	1.22 to 1.70
Laborers, general, per day of 9½ hours	.97 to 1.22
Brass molders, per hour	.17
Cabinetmakers (a large amount of this class of work is done by contract outside the yards), per hour	.17
Special turners and model makers, per week	6.81
Special metal workers and loftsmen, per week	10.95
General laborers, per hour	.11
Draftsmen (ship and engineer) on Clyde, per week	6.08 to 12.16
Store men (shipbuilding and engineering), per week	7.29 to 12.16
Painters, general, and red leaders, per hour	.13½ to .15

UNITED STATES (1904).

	Per week.
Pattern makers	$18.50
Boiler makers	15.00
Carpenters and joiners	18.00
Painters	18.00
Calkers	15.00
Sheet-iron workers	15.00
Machinists	16.50
Plumbers and fitters	15.00
Drillers	10.50
Riveters	15.00
Furnace men	12.00
Molders	17.00
Laborers	9.00

APPENDIX C.

COMPARATIVE COST OF SHIPBUILDING (1899).

[Reprinted from Senate Document No. 60, Fifty-fifth Congress, third session.]

The price of a steel steamship of 4,000 gross tons and about 11 knots speed, for the transoceanic freight trade, is now about $237,000 in the United States and $238,000 in Great Britain. No steamship of this description has been built in the United States for that sum or any other sum; but several firms can be found to undertake the work for that amount or a slightly larger sum. Numerous British vessels of this description have been built for less than the amount named, but in the present pressure of work in British yards, and with the machinery which would be accepted by an American owner, the figure named is reasonable. This price is distributed among the following items, the builders' profit entering, of course, into each:

	American.	British.
Hull:		
Labor	$124,000	$74,000
Plates, angles, beams, rivets, etc	57,000	68,000
Anchors, rigging, cement, paints, sails, chains, and general outfit	35,000	22,000
Machinery:		
Labor	41,000	25,000
Material	40,000	39,000
Total	297,000	238,000

The prices for the materials are for the materials laid down in the shipyard, and the labor cost included covers the labor in the shipyard in putting the materials together and also cost of plans and of general superintendence. It has not been feasible to ascertain the cost of similar construction in Germany, but though wages are lower than in Great Britain, the cost of construction is higher. German shipbuilders are now engaged in endeavoring to induce the Government to reduce freights on shipbuilding materials on the Government railroads, in order to compete on better terms with Great Britain.

APPENDIX D.

List of organizations which took action in support of H. R. 7056, a bill creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes.

Paris Board of Trade	Paris, Tex.
Island Pond Business Men's Association	Island Pond, Vt.
Board of Trade and Business Men's Association of Norfolk, Va.	Norfolk, Va.
Tacoma Chamber of Commerce and Board of Trade.	Tacoma, Wash.
Saratoga Board of Trade	Saratoga, Wyo.
The Sitka Chamber of Commerce	Sitka, Alaska.
Honolulu Chamber of Commerce	Honolulu, Hawaii.
The Chamber of Commerce of Porto Rico	Ponce, P. R.
Cleveland Chamber of Commerce	Cleveland, Ohio.
Chamber of Commerce	Santa Barbara County, Cal
Board of Trade	Plainfield, N. J.

Los Angeles Chamber of Commerce	Los Angeles, Cal.
Sailors' Union of the Pacific	Seattle, Wash.
Boston Associated Board of Trade	Boston, Mass.
Boston Real Estate Exchange	Do.
Boston Merchants' Association	Do.
Business Men's Association	Moscow, Idaho.
Chamber of Commerce	Sandusky, Ohio.
Huntsville Wholesale Grocers' Association	Huntsville, Ala.
The Commercial Club of Birmingham	Birmingham, Ala.
The Merchants' Exchange	San Francisco, Cal.
The Chamber of Commerce of San Francisco	Do.
San Jose Chamber of Commerce	San J se, Cal.
Manufacturers and Producers' Association of California.	San Francisco, Cal.
Ship Owners' Association of the Pacific Coast	Do.
Ouray Board of Trade	Ouray, Colo.
Washington Board of Trade	Washington, D. C.
Brunswick Board of Trade	Brunswick, Ga.
Indianapolis Board of Trade	Indianapolis, Ind.
Evansville Manufacturers' Association	Evansville, Ind.
Louisville Board of Trade	Louisville, Ky.
New Orleans Live Stock Exchange	New Orleans, La.
Wholesale Grocers' Association of New Orleans	Do.
New Orleans Board of Trade	Do.
Commercial Club	Minneapolis, Minn.
St. Paul Board of Trade	St. Paul, Minn.
St. Paul Chamber of Commerce	Do.
Northwestern Manufacturers' Association	Do.
Bricelyn Commercial Club	Bricelyn, Minn.
The Joplin Club	Joplin, Mo.
Merchants' Exchange	St. Louis, Mo.
St. Louis Cotton Exchange	Do.
The Home Market Club	Boston, Mass.
Gloucester Board of Trade	Gloucester, Mass.
Springfield Board of Trade	Springfield, Mass.
Real Estate Exchange and Auction Board	Boston, Mass.
Lawrence Board of Trade	Lawrence, Mass.
Fremont Commercial Club	Fremont, Nebr.
The Board of Trade of the City of Newark	Newark, N. J.
American Association of Masters and Pilots of Staten Island.	New York City.
The Yacht Masters and Engineers' Association	Brooklyn, N. Y.
The Manufacturers' Association of New York	Do.
New York Board of Trade and Transportation	New York.
Italian Chamber of Commerce	Do.
The Massillon Board of Trade	Massillon, Ohio.
Chamber of Commerce	Elyria, Ohio.
The Youngstown Builders' Exchange	Youngstown, Ohio.
The Portland Chamber of Commerce	Portland, Oreg.
Manufacturers' Association	Do
Philadelphia Board of Trade	Philadelphia, Pa.
Scranton Board of Trade	Scranton, Pa.
Builders' Exchange League	Pittsburg, Pa.
Eldred Business Men's Association	Eldred, Pa.
The Merchants' Association	York, Pa.
Builders' Exchange of Pittston, Pa	Pittston, Pa.
Providence Chamber of Commerce	Providence, R. I.
The Commercial Club of Charleston, S. C.	Charleston, S. C.
Lumber Exporters' Association	Memphis, Tenn.
Clearing House Association	Springfield, Ohio.
Spokane Chamber of Commerce	Spokane, Wash.

Mr. LUCKING. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. BREAZEALE].

Mr. BREAZEALE. Mr. Speaker, availing myself of the latitude of debate allowed on the pending bill, I desire to discuss a bill reported from the Agricultural Committee, now on the House Calendar, and which its friends sincerely hope will be called up for consideration by the House before this Congress adjourns.

Primarily I want to say that however anxious I am to return to my home, however much my political interests will be promoted by my early return, I would willingly and cheerfully remain here in Washington the remainder of the summer if by doing so the bill I refer to could be enacted into law.

Among the many meritorious bills introduced in this House, which are either dead in committee rooms or languishing in a paralytic condition on the Calendar, there is not one more important than H. R. 14098, introduced by Mr. ADAMS of Wisconsin, and reported favorably by the Agricultural Committee of the House on March 24.

This measure has in every detail of its provisions received the most careful and searching inquiry and investigation by the committee. Its consideration by the committee provoked thorough and careful analysis, with the result that it received practically the unanimous vote of the committee.

Considering the vast and overwhelming importance of the agricultural interests of the nation it has been to me a matter of the deepest astonishment to find the small, I might with propriety say the infinitesimal, consideration it has received at the hands of the nation's lawmakers.

The total amount appropriated by the present Congress for the Agricultural Department at Washington for the present year is only $6,000,000 in round numbers. A beggarly sum when the magnitude of the interests is considered.

The primal wealth of the nation is the farm.

Agriculture is the mud sill of the industrial and social fabric; the foundation upon which the whole superstructure of the nation's wealth and prosperity rests.

Commercial and manufacturing welfare depend entirely upon the success and prosperity of the farmer.

Crop failures produce widespread bankruptcy in all branches of commerce and industry, and are followed by panic and ruin.

It is the duty of Congress to encourage and foster this great interest, to look after the welfare of the farmer, to assist and encourage him, not along paternal lines, but within the just limits of the Constitution and by appropriations which will tend more directly to his immediate benefit.

The bill H. R. 14098, to provide for an increased annual appropriation for agricultural experiment stations, will in my judgment accomplish this object.

It has been but a few years since Congress inaugurated the policy of assisting the State experiment stations.

In 1887 Congress passed what is known as the "Hatch Act," which appropriated $15,000 annually to each State and Territory for the purpose of establishing therein agricultural stations. That was seventeen years ago. This amount has not been increased by Congress during that time.

The object of experiment stations and the laws governing them require original research or verifying experiments on the physiology of plants and animals; the diseases to which they are severally subject, with the remedies for the same; the chemical composition of useful plants at their different stages of growth; the value of rotative cropping; the analysis of soils and water; the composition of manures; the value of various grasses and forage plants; the composition and digestibility of foods for domestic animals; the scientific and economic questions involved in the production of butter and cheese, and such other researches as might bear directly on the agricultural industry of the United States.

Let me say a word of praise and commendation to the farseeing statesmanship of the patriotic Missourian who conceived the idea and induced Congress to enact the law that bears his name.

Under its wise provisions during the seventeen years of its life countless thousands of dollars have been saved to the American farmer.

The work of these experiment stations has been of incalculable benefit to the farmer of the nation. They have stimulated and developed the agricultural interest of the United States to a marvelous extent. They have eliminated more errors from farm practices and have added more to the profits and comforts of farm life than any other single agency. By the dissemination of bulletins and farming literature they have contributed in a wonderful degree to the agricultural education of the country, and in their great practical benefits are circumscribed only by the meager support accorded by the Government.

The sum in the aggregate appropriated by the Hatch bill has been more than repaid in dollars and cents saved by the farmers of the country in the work of the experimental stations in exposing the fallacy of feeding cooked food to stock and domestic animals. Millions of dollars were invested in appliances for this purpose. Several State experiment stations made exhaustive tests in feeding experiments to determine whether or not this practice was profitable. It was clearly proved it did not pay, and to-day there is scarcely a farmer who does not save this expense.

So, too, in the improved development of new varieties of wheat and in the selection and breeding of corn, whereby a larger proportion of protein is infused in the grain, the Minnesota and Illinois stations have saved a world of money to the individual farmer.

The Louisiana experiment station, through its fertilization tests, has nearly driven useless and fraudulent fertilizers out of the market, thus saving by this act alone thousands of dollars to the farmers of that State.

I might easily multiply these citations a thousand fold, but it is not necessary. These alone demonstrate that the experiment stations have saved more money to the farmers of the United States than their total cost since their original establishment.

In the practical object lessons along every line of agricultural industry the experiment stations have been a boon to the poor farmer.

The man enjoying sufficient wealth can engage in experimentation on his own account, but the poor man is denied this costly pleasure. His poverty prevents his purchasing rich and fertile lands; he is compelled to contentment with inferior, poor, and sometimes sterile soil. To know how to improve that soil, the character and kind of fertilizer best adapted to it, the most improved and scientific method of cultivation and its adaptability to distinctive crops, and a thousand and one other things, assist him to a wonderful extent in "earning his daily bread in the sweat of his face."

For the poor farmer, and in his name particularly, I appeal and ask the consideration and passage of the Adams bill.

This bill appropriates $5,000 the first year, and $2,000 annually in addition thereto each year until the limit of $15,000 each year is reached, in addition to the present appropriation for experiment stations in the States and Territories of the Union.

The total amount carried for the first year in the bill is the beggarly sum of $240,000.

This money can not, under the provisions of the bill, be used

other than for agricultural purposes. To meet a criticism based upon this ground, I suggested, and there was adopted by the committee, an amendment to the bill that permits 5 per cent only of the sum appropriated to be used under any pretense whatever for the "purchase, erection, preservation, or repair of any building or buildings, or to the purchase or rental of land, or to the payment of the salary of any official or instructor."

Ninety-five per cent of the appropriation, or practically the whole of it, is to be used and "applied only to paying the necessary expenses of conducting original researches or experiments bearing directly on the agricultural industry of the United States, having due regard to the varying conditions and needs of the respective States and Territories."

If it be urged that the several States should increase their respective appropriations for experiment stations, I answer that perhaps this criticism is just as regards some of the States, but unjust as regards others.

I have been kindly furnished by the gentleman from Iowa [Mr. HAUGEN] with a partial list of State appropriations in aid to State experiment stations. It shows the following annual appropriations:

State aid to experiment stations, 1903.

1. New York	$87,000
2. Illinois	85,000
3. Minnesota	42,000
4. Missouri	26,000
5. Louisiana	23,000
6. Ohio	21,000
7. New Jersey	20,000
8. Connecticut	17,000
9. Wisconsin	15,000
10. Texas	15,000
11. California	12,000
12. Massachusetts	11,000
13. Iowa	10,000

Iowa, the greatest agricultural State in the Union, stands thirteenth in the list of those receiving State aid for experimental work along the lines of agriculture.

I am pleased to call your attention to the position occupied by my State, Louisiana. She comes fifth on the list, and annually gives in aid of this great work a little more than one-fourth of the amount given by the great States of New York and Illinois; more than one-half of the amount given by the rich State of Minnesota, and only $3,000 less than the rich and powerful State of Missouri.

It shows the progressive spirit of the State and is a monument to the public spirit and advanced ideas of the people of Louisiana.

Compared in population and wealth to New York, Illinois, Minnesota, and Missouri, the above table easily places Louisiana at the very head of the list and stamps her as by long odds the most progressive State in the Union, having a full appreciation of the far-reaching effect and importance of the experiment station on the agricultural interest of the State.

Mr. Speaker, the insignificant and paltry amount carried by this bill can not affect the Republican party in the approaching Presidential election.

I am aware that your policy is to limit appropriations to the minimum and to adjourn Congress as soon as possible. But do you and the Republican majority here consider that you have only a few days ago appropriated $100,000,000 for an increased Navy and $75,000,000 for the War Department, and that we only ask a few thousand dollars for the farming interest of the nation? Do you fully appreciate the enormous significance of these figures?

Mind, I am making no criticism of the naval and war appropriations. I believe in a strong and powerful navy. But I do submit, sir, that the farmers of the country pay the greater portion of the taxes of the nation, and thus make it possible to establish and maintain a great navy, and when they ask for a small pittance that will encourage and aid them; that will make the burden of life a little more bearable; that will lighten a little the almost overwhelming burden of taxation, I do submit their voice should be heard, their appeal granted. [Applause.]

Mr. GARDNER of Massachusetts. Mr. Speaker, I ask unanimous consent for permission to extend and amplify my remarks and to include various reports.

The SPEAKER pro tempore. The Chair understands that that consent has already been given by the House.

Mr. LUCKING. I yield to the gentleman from Missouri [Mr. BENTON].

Mr. BENTON. Mr. Speaker, the subject of Federal taxation by means of duties on imports or tariff taxation has been discussed so often and so ably in this country that nothing new can be said except as tariff laws from time to time bear especially hard on some particular class of citizens, and it would seem that long ere this the matter of Federal taxation should have been permanently settled. Indeed, Republicans tell us that "protection is the settled policy of this Government." I deny it. We are declared to be a "free government." I insist that you can not finally settle anything in a government like ours that is not just in its make-up to all classes of our people.

The wage-earner of every class and in every part of our country is entitled to an even chance in the race of life. The professional man, the merchant, the farmer, the miner, and the day laborer are entitled to have the burdens of Federal taxation fairly distributed. This can not be done under a system that enables the manufacturer to sell his finished product to foreign consumers cheaper than he does to the home market.

Strip this tariff question of all party bias, take away from it the party coloring which is given it by support of a great party that profits by catering to the tariff barons, and the system can not sustain itself with a third of the American people. Hear for a moment: Reapers, mowers, plows, cultivators, trace chains, steel rails, wagons, sewing machines, typewriters, coarse cutlery, picks, shovels, nails, axes, wire, cotton goods, woolens, shoes, and harness manufactured in this country are shipped out of the country and sold in foreign markets from 20 to 35 per cent cheaper than the same articles are sold to the American consumer.

The Republican reply to this showing of facts is that "the tariff law that permits the manufacturers to thus discriminate against the American consumer gives employment to multiplied thousands of laborers who buy their living of those who raise cotton, corn, wheat, cattle, and other products of the farm and garden, thus benefiting the farmer and stock raiser as well as the manufacturer." But the surplus products of the farm, pasture, and plantation have to be sold in foreign markets.

If the American producer were dependent on the American market alone for the sale of what he raises, the cotton, tobacco, wheat, corn, stock, and meat markets would be paralyzed. But the Republican answer to this is that "we have also the foreign market for our surplus products." There is a steadily growing class of public men in England, led by Chamberlain and backed up by manufacturers, who insist on putting on our cotton, tobacco, wheat, flour, beef, mutton, pork, etc., a retaliatory tariff. Two-thirds of our export farm sales go to England.

The tariff laws of most other countries discriminate against the United States. If Great Britain, goaded to desperation by our unwise tax laws that make us want to sell her everything and buy of her nothing, puts a tariff of 35 per cent on our surplus products we will face disaster. If I were more of a partisan than a patriot, I could rejoice in the success of Chamberlain's scheme of protection for his country. Then the farmer and cotton planter and stock raiser here would know where he was hurt. Then the partisan Republican producer of corn, wheat, beef, mutton, and pork in Indiana, Illinois, Missouri, Iowa, Nebraska, and Kansas would have his eyes opened to the "confidence game" that is being played on him.

But, sir, it would be a costly lesson to our people, and I hope it may be avoided by a return to right principles by the American Congress and a fair revision of the Dingley law. The threadbare Republican excuse for keeping up these exorbitant rates is that "we must keep our scale o wages above what is paid in Europe." We have the most intelligent and best skilled mechanics in the United States that can be found in the world; we have the most improved and up-to-date machinery on earth; we have a greater quantity and variety of raw material than any other government; we have greater inventive genius among our mechanics and other laborers than all the world combined.

The insistence of the Republicans that it is the protection of the wage-earners that they are looking after is false and fraudulent. Do you dare tell us that with a tariff reduced to a revenue basis the shoemakers of Brockton, Lynn, and Haverhill, Mass., of St. Louis and Cincinnati can not compete with foreigners and yet pay as good wages as now and make as good profits?

Do you think, my Republican friends, that you can forever fool the people of these United States into the belief that English manufacturers can come to this country, buy our cotton, transport it back to England, manufacture it into cloth in the mills of Manchester, reship the finished cotton product to this country, pay a revenue tariff of, say, 25 per cent ad valorem, and then undersell the American production? With all the skill and inventive genius of our people, with all the good sense of all our citizens, I don't believe you can keep up this deception forever.

Let our New England neighbors all do as many of them have done—move your machinery and spindles into the cotton fields where the power is free, the raw material on the ground, a mild climate for the operatives—and you can beat our English cousins without any tariff. But we do not propose to throw down all barriers and open our country to "free trade." We are asked, "What do you Democrats really want?" "What do you believe in, anyway?" "Do you want no tariff?" The intelligent Democrat who has any right to speak for his party will tell you that our party does not desire to destroy any legitimate and non-monopolistic American industry.

We know, sir, that under the several tariffs—act of 1883, the

McKinley law, the Wilson law, and the so-called "Dingley Act"—large sums of capital have been invested in manufactures, and we know that when the tariff law is to be revised, no matter if the capitalist knew it was wrong, yet we, as legislators, must have regard for investments made in view of the protective rates. We do not desire to destroy American capital or American labor. We honestly and earnestly believe there should be a revision of the present tariff, but we believe we must have regard for all interests, manufacturing interests as well as the interests of the farmer, planter, and general consumer.

But, sir, I may be pardoned just here in calling attention to the wise words of an eminent American. Mr. Carlisle said in March, 1882, that—

> The unskilled and unpretending laborer who guides the plow and gathers the harvest is as much entitled to the protection of the law and to the encouragement of the Government as the scientific artisan who has mastered all the mysteries of his craft. Each one of the busy millions who helps to create and distribute the varied products of this wonderful land of ours has an undoubted right to demand an equal participation in all the advantages conferred by the laws of his country, and I repudiate every definition of American industry or American labor which excludes a single honest and useful occupation.

However much I may have disagreed with Mr. Carlisle in his position on other questions, I am willing to stand on his definition of American labor and its rights.

But, sir, we are confronted by the Republican figure maker and spellbinder with the statement that a panic was forced on us by the Wilson-Gorman tariff act of 1894; that values were destroyed, all products of the farm and field, mine and workshop went to pieces under that law. I deny it. I challenge the Republican tariff defenders to "make good" this declaration. I insist that the plain truth is that the American tariff does not control the price of the surplus products of our country.

I declare that the price of wheat, cotton, beef, pork, lard, hams, flour, zinc, and fruit is settled in the foreign markets of the world, where we must sell our surplus products.

The lowest price that zinc has brought in thirty years was the period between October, 1892, and July, 1894. In this time zinc fell to $13.62 per ton; wheat went down to 34 cents per bushel in the same time, and yet we had in every day of this period the much-vaunted "McKinley tariff."

The hard times set in during the fall of 1890 and grew worse from month to month, and finally culminated in the panic of 1893, and continued until wheat and beef began to rise and went up to a living price prior to the election of Mr. McKinley in 1896, and this was owing partially to exhaustion of the visible supply and still more to the famine in India and the cattle plague of South America.

The Republicans falsely charge that the financial woes of our country came about because of the Wilson-Gorman "free-trade law" of August, 1894. Free trade, indeed! This law was a high protective law, the highest we had then ever had except the McKinley law, which it repealed.

The Republican party leaders and managers demand recognition for every good thing and deny responsibility for every evil that comes to us as a people. This party takes credit for sunshine and rain, for early spring and late frosts; it insists on the prodigalities of nature being declared the result of its legislative enactments. This party has learned well at least one lesson taught by the "Plumed Knight," and that is to "claim everything." Sir, you can not legislate a people into prosperity and happiness. The law of supply and demand will inevitably control in what we sell as our surplus.

The so-called "Dingley law," which is the "top rail" of unjust tariff legislation, forces our miners, farmers, stock raisers, and cotton and tobacco planters to sell their surplus in the open (to them unprotected) markets of Europe; and the same iniquitous law compels them to buy the manufactured goods they need in the protected home market, where they are compelled to pay from 25 to 125 per cent more than they would have to pay in the markets where they sell their surplus.

Our forests of pine, oak, gum, and walnut are rapidly going, yet the farmers on the prairies of Indiana, Illinois, Missouri, Kansas, and Nebraska are asked to "be good;" to stand still and be sheared of $2 per thousand for lumber that they must have, and told with great unction that this "graft" is offset with the protection they get of 25 cents per bushel for wheat and 15 cents per bushel for corn. We sell our surplus of wheat and corn in foreign lands, many millions of bushels of each, in open competition with all the world.

No country on the "footstool" has so much to sell. We sow a greater acreage and get a greater yield; must sell our surplus to Europe; yet we are brazenly told that the farmer is "protected." The wheat tariff affords him no protection, but if he wants a little foreign wheat to sow he pays the 25 cents tariff. These political partners of the ever-fattening lords of the tariff tell us that the farmer's wife must have a protective duty of 5 cents per dozen on eggs; our hens must be protected from the "pauper hens" of Canada; aye, even though "Old Speck" can lay more eggs with less exertion in one season than the "pauper hens" of Canada can in two.

But Republicans demand the retention of this high protective and, in some items, prohibitive tariff for the reason, as they say, we must have the revenue. To that I reply that a little economy practiced in the several Departments of the Government would relieve us fifteen or twenty millions of dollars without crippling the service. Cut down the Army to half its present size and save thirty-five millions more; stop the making of so many new army posts; force the manufacturers to sell us armor plate for our new war ships for less than two prices. All these things would cut down expenses.

Besides, a revision of the tariff to reasonable rates would yield us more revenue than we now get under the Dingley Act. But I am confronted with the statement that I am a bold legislator to demand a revision of the tariff, when I have protected wheat and corn, zinc and lead, flour and beef, hams and lard in the section of country I represent.

I make no mistake when I say the Missouri farmer is not thus caught with chaff. Whatever may be said of his neighbor east, north, and west of him, the Missouri farmer knows, as I know and as you intelligent Republicans know, that there is no foreign competition worth the name that can compete with him in this country in prices of meat, lard, wheat, flour, corn, and meal. The Missouri farmer and stockman knows that a tariff of 2 cents per pound on beef, mutton, pork, and lard, of 25 cents per bushel on wheat, and of 5 cents a pound on poultry—nor, for that matter, 100 per cent on each—is no help to him, because he knows that he is without competition in the American market. Our farmer reads and thinks.

Our miners of zinc also know that our large surplus of zinc ore finds its market in "free-trade" England. They know full well that 1¼ cents a pound on pig zinc affords them no protection when they sell their surplus in Swansea, Wales. They know that ours are the greatest zinc fields in the world, and they know that the European demand for zinc is what controls its price. Our Missouri miners know that 1¼ cents per pound does not keep the price of zinc ore at any level. As I have said, the lowest price reached in recent years was under the McKinley tariff.

I read a statement from Jesse A. Zook, one of the very best informed men in the zinc district, as follows:

Shipments of zinc and lead from the Joplin district in 1903.

	Tons.	Value.
Zinc	234,873	$7,920,525
Lead	28,656	1,550,870

Highest price for zinc since 1897 was $55 per ton in April, 1899. Lowest top price for zinc since 1897 was $23 per ton in January, 1898.

Here is a difference of $32 per ton in the sale price of zinc within a year, and both sales under the Dingley law. A high protective tariff on zinc is "a delusion and a snare."

I quote again from Mr. Zook:

> Highest top price for lead since 1897 was $60.50 per ton in January, 1904. Lowest top price for lead since 1897 was $44 per ton in March, 1898.

Here, sir, is a difference of $16.50 per ton in lead values, all under this Republican tariff of 1897. You may convince the miner that the tariff on lead prevents competition by Mexico, but our miner knows that he pays very dearly for that little protection. Our miner has felt the "lead trust" grind him down by taking advantage of this very tariff to force down the price of his raw ore and the price of labor as well.

The miner knows that as compensation to the protected industries he has to pay for the hammers and sledges, track tools, wedges and crowbars, bolts, picks, and shovels, which he must constantly use in mining, which are taxed at 1¼ cents per pound; the table salt he uses at 12 cents a hundred, and on table sugar over 2 cents per pound. If he is able to build himself an humble home he must "stand by" the tariff to the tune of $2 per thousand feet on lumber, and for nails a cent a pound. When the Missouri miner counts the added cost of living which the Dingley law puts on him; when he considers that the very tariff law that he is asked to worship enables the "lead trust" magnate to crowd down the price of lead ore, he stands by the old Democratic doctrine of a "revenue tariff."

Mr. Speaker, we do not battle for tariff revision because we in Missouri have no pork in the protection barrel, but because we want justice to all classes.

Our great city of St. Louis is the greatest tobacco manufacturing center in the country; very near, if not at the head, of malt-liquor manufacturing; it is rapidly becoming the great center of shoe manufactures. I present some interesting figures in this connection. Harry Wood, a director in the shoe company headed

by that splendid Tennessee Democrat, J. C. Roberts, states as follows:

The last census report of 1900 gives the value of the Missouri product of shoes at $11,500,000. Of this amount St. Louis made $8,250,000. Four cities—viz, Brockton, Lynn, Haverhill, and Cincinnati—only led St. Louis. At the present time St. Louis is making $20,000,000 worth annually. There are thirty-eight manufactories of importance in the State. The shoe-manufacturing industry is rapidly shifting to the West. A census of the shoe-manufacturing business of this one city of the West for 1904 will bring before those interested the statement that St. Louis alone has actually made and distributed to the retail merchants more than $30,000,000 worth of shoes.

It is not that we in the great Democratic State of Missouri have no great manufacturing interests that causes us to stand for a revenue tariff, but it is a determination of our people to stand for, indorse, and uphold Thomas Jefferson's immortal words, "Equal and exact justice to all men."

A Republican friend said to me: "Are you fellows never going to be satisfied to let the tariff alone?" I say never, so long as the tariff schedules are made by or under direction of the manufacturers themselves.

"What is the Democratic idea of tariff?" asks the Republican politician. Briefly stated, it is that a "constitutional tariff" levies such a margin or duty on foreign-made goods as to raise sufficient taxes to carry on our Government prudently and economically, and that such a tariff will much more than compensate the American manufacturer for the greater price which should be paid the American over the foreign laborer.

Further, our notion of the tariff is that the lowest average rates should be levied upon those articles which are of absolute necessity and in general use among those who are least able to bear heavy taxes; that in general the article of greatest value, on which most labor has been expended and least in use among the poor people, should bear the highest rates. I, as one Democrat, plant myself on the doctrine of the Supreme Court of the United States, as voiced by Justice Miller in 20 Wallace:

To lay with one hand the power of the Government on the property of the citizen and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes is none the less robbery because it is done under the forms of law and is called "taxation."

Justice Marshall said that "the power to tax is the power to destroy;" and we believe that this power should be used for the benefit of all the people and not for a favored few.

The well-informed Democrat believes and our party stands pledged to establish and keep up an equality in taxation. In view of the fact that the Supreme Court of the United States has for the time put out of the question an equitable "income tax," we know that we must raise a large amount of the taxes for the use of the Government by means of import duties.

We believe these tax burdens should be lowest on articles of general use. We believe that the extra high protective duties imposed in the McKinley and Dingley tariff bills have given the trusts opportunity to organize against the home consumer, and we believe that part of the tariff prop should be taken from under the trusts.

Havemeyer, the sugar king, on oath stated that "the tariff is the mother of trusts." But Republican orators say that "Cleveland did not proceed against the trusts; Republicans will down the trusts."

Well, you took power more than seven years ago. You have had complete power—the Executive, both branches of Congress, and the court—to sustain you. Where are the broken fragments of the trusts? Where have you Republicans buried the iron, steel, sugar, copper, and leather trusts? Even when the Supreme Court recently upheld the power of Congress to curb trusts and protect the people, the Republican Attorney-General hastened to announce that "the Government is not going to run amuck."

This language from the law officer of the Administration was news to the trusts that they were safe in the hands of this "strenuous" Administration. When some of the protected trusts grumbled and intimated a disposition not to help carry the Republican party through, the "monarch of the steel trust" said: "All is well; I'll see that the campaign fund is kept up."

I am not in favor of enlarging the free list without a corresponding reduction in the tariff on the finished product, and I believe that is the sentiment of our party.

In other and plain, unmistakable words, our party stands for a fair revision of the tariff, such a revision as will not cripple the manufacturer or destroy labor. But we do think that after all these years of "stall feeding" the protected industries have long ago reached the period of which Mr. Clay spoke in the Fourteenth Congress, viz: "That the object of protecting manufacturers was that we might eventually get the articles of necessity made as cheap at home as they could be imported." We think sixty-eight years about long enough to wait.

We are for "fair trade;" and to that end we are for reciprocal trade with Canada and other countries. Periods of prosperity and adversity follow each other. We want to prepare for the adversity that is coming; we want the necessities of life put in reach of all the people against the time when the products of the farm and pasture bring lower prices.

We know that an American tariff does not control the price of wheat, zinc, beef, and cotton in foreign markets where we sell our surplus.

We want the trade of Canada; we want to sell her what we make that she needs and keep her trade on this side of the ocean; we want the benefit of many of her products without paying high tariff rates. We believe that reciprocity is an easy way to reach fairer trade than we now have. Mr. Speaker, the belief is almost universal that the existing tariff law is not fair and just. It is certain that it does not divide either its burdens or its benefits fairly among all the people.

It is true that even the labor employed in the manufacturing enterprises of the country does not get its fair share of the profits arising from the system and is destructive to other interests.

Let us set at rest the assertion of Republican leaders that Democrats are trying to steal up on the "system" with soft words about "revision." There is no doubt about the Democratic position. You passed a wicked high protective tariff law for the benefit of manufacturers and at the expense of two-thirds of the American people.

We know that a great deal of capital has been invested under that law, and we do not desire to destroy such investments; but, by reciprocity treaties and by an intelligent revision, we desire to relieve the consumers without lowering the tariff to the point where there will not be a reasonable return for invested capital after paying the best wages in the world to labor.

Ultimately we desire to see our tariff laws reduced to a revenue basis. Why this position? Because we believe that "the power of taxation can be legitimately employed only for public purposes" and that the "incidental protection" such as constitutional law would give will pay better wages to the American operative than the foreign laborer gets and still leave a handsome profit for the manufacturer; but not large enough to encourage the formation of trusts or extortion of prices to home consumers.

There is no doubt of our purpose, nor is there, in the minds of intelligent legislators, of the Republican purpose. There is a full, though silent, partnership between the protected manufacturers and the Republican party. The leaders of that party legislate for the special benefit of the iron, steel, wool, leather, sugar, and other trusts that are enabled to live by the prohibitive legislation of the party; and the trusts in turn open their coffers and give back to the Republican party a per cent of what they have wrongfully taken from the people by means of the tariff for "campaign purposes."

We are told by an eloquent declaimer at the other end of the Capitol that "if changes are required to bring the tariff law of 1897 into a more perfect relation to the industrial progress of the American people, we propose to make them ourselves whenever, in our judgment, the work can be undertaken without doing more harm than good." And I say that if the people of the United States wait until the greed of the highly protected industries is satisfied, if they wait the good pleasure of the Republican party, the partner of the tariff barons and trust magnates, they will pay these exorbitant rates till "the crack of doom." Artificial inflation of prices by means of tariff is at the expense of the consumer.

It may not be good news to the protectionist. It may be a disagreeable suggestion to the manufacturer who is now charging the American consumer two and three times a fair price for what he buys, but there will always be a "faithful few" to protest. There will always be some to lift a voice for the common people. The Democratic party does not believe in artificial inflation of prices at home at the expense of the consumer, but our great party thinks we should legislate for the whole people. Give every man a fair chance, and that will naturally develop every industry. On this solid ground we plant ourselves to win the battle of 1904.

Mr. LUCKING. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. GOLDFOGLE].

[Mr. GOLDFOGLE addressed the House. See Appendix.]

Mr. LUCKING. I yield fifteen minutes to the gentleman from Nebraska [Mr. HITCHCOCK].

Mr. HITCHCOCK. Mr. Speaker, nominally we have under debate a bill to create a commission of Senators and Representatives to consider means for developing our merchant marine. In fact, however, it is the first step to commit the Republican party irrevocably to the doctrine of ship subsidy. For some reason, best known to the gentlemen in charge of the measure, there has not been the necessary courage to bring before the House and before the country on the eve of a Presidential election the frank declaration that the party is to be committed to the ship-subsidy idea.

Mr. WILSON of Illinois. Why do you say that this is the first step toward a ship subsidy?

Mr. HITCHCOCK. Because the ship subsidy has been for some

time a mooted question in the Republican councils, and we all know that nothing has prevented that party from finally taking a firm stand in favor of the ship subsidy except the fear of the people in a popular election. [Applause on the Democratic side.] It is not a new or unknown subject. No question in this country has been more frequently gone over in recent years by commissions and by committees than this same subject of subsidizing American shipping interests by heavy annual payments of money from the National Treasury.

Mr. LITTLEFIELD. Mr. Speaker, may I ask the gentleman a question?

Mr. HITCHCOCK. Yes.

Mr. LITTLEFIELD. Bearing on the gentleman's suggestion as to the policy of the Republican party, is the gentleman aware of the fact that that party, in one of its national platforms, I think eight years ago, declared in favor of discriminating duties, exactly what you people suggest now in your minority views?

Mr. HITCHCOCK. Yes; your party declared for that in 1896, and your President, Mr. McKinley, in his letter of acceptance, made a declaration in favor of helping American ships, not by subsidies, but by discriminating duties. Your party, however, has forsaken that plan, and since then the great Republican leaders have been before this country and before Congress demanding a ship subsidy. [Applause on the Democratic side.]

Your policy has changed on that subject within a few years, just as your policy has changed on the subject of reciprocity, which President McKinley advocated and which present-day Republicans repudiate.

Mr. LITTLEFIELD. Has the party ever changed its declaration on discriminating duties to your knowledge?

Mr. HITCHCOCK. It has not made a declaration since that. It was silent in the campaign of 1900.

Mr. LITTLEFIELD. I thought not.

Mr. BAKER. Will the gentleman yield for a question?

Mr. HITCHCOCK. Certainly.

Mr. BAKER. Is it not also commonly believed and generally understood that subsequent to this declaration to which the gentleman from Maine refers the Republican party, being short of funds for the Congressional campaign of 1898, went to the ship-subsidy hunters, the ship-subsidy beggars, collected a corruption fund of four or five hundred thousand dollars, and that this bill is but a step toward their repayment? [Great laughter and applause on the Democratic side.]

Mr. HITCHCOCK. Now, Mr. Speaker, in further reply to the question of the gentleman from Maine, I desire to put to him a question. If the Republican party has not changed its policy since that utterance in favor of discriminating duties, why has the Republican majority of this committee in charge of this bill not joined with the Democratic minority of the committee in reporting that programme at this time? [Loud applause on the Democratic side.] In the platform of 1896 the Republican party declared in favor of reducing the tariff on goods brought to America in American ships, as follows:

> We favor restoring the early American policy of discriminating duties for the upbuilding of our merchant marine and the protection of our shipping in the foreign carrying trade, so that American ships may regain the carrying of our foreign commerce.

Mr. McKinley, in his letter of acceptance, said:

> The policy of discriminating duties which prevailed in the early days of our history should be again promptly adopted by Congress and vigorously supported until our prestige and supremacy on the seas are fully attained.

Why was that programme not carried out? Did the tariff-protected trusts object? Why was the declaration not at least repeated in the platform of 1900? Was it because the project of a ship subsidy was already being considered and urged by interested parties? They were already at work, and they made rapid headway.

The significant fact is that the late Senator Marcus A. Hanna, of Ohio the most representative Republican of the present generation, fathered the ship-subsidy project. He represented the dominant element of his party. He personified the faults as well as the virtues of his party. He stood for the liberal use of money in making politics and for the liberal use of politics in making money. This Republican leader, representing the very spirit of modern-day Republicanism, forced through the Senate of the United States in the last Congress as a Republican party measure a ship-subsidy bill. That fact certainly discloses what is the real purpose of the Republican leaders—the real policy of the Republican party. The present bill is simply a cloak to hide the ultimate plan—a makeshift to tide over the election. It is a device to satisfy the shipping interests that the subsidy is to be voted at the next session provided that they in this campaign help the Republican managers. It is a first step toward a subsidy so taken as not to alarm the people who are to be taxed to pay it. But, Mr. Speaker, we have further evidence that the ultimate purpose of the Republican leaders is to support a ship-subsidy policy after the campaign is over.

Mr. WILSON of Illinois. Will the gentleman allow me to ask him one question?

Mr. HITCHCOCK. I shall have to refuse, as I have such limited time.

The SPEAKER pro tempore. The gentleman from Nebraska prefers not to yield.

Mr. HITCHCOCK. Mr. Speaker, if further proof were needed, we have corroborative evidence in the fact that the Republican party is a subsidy party. It provides subsidies of the people's money for many favored interests. It believes in curing all ills by taxation. Its panacea for every national complaint is a bonus, a subsidy, a tariff, or some other form of bounty from taxes on the people for the pockets of the favored class.

What is the present high protective tariff but an enormous subsidy for the protected trusts of the country? Does it not legislate money out of the pockets of the people and into the swollen treasuries of these favored concerns? In return for this vast subsidy these favored interests yield up to campaign managers of the Republican party the sinews of war and those managers loudly insist that the party shall "stand pat" for that subsidy.

The same party, Mr. Speaker, gives subsidies to railroads. It has also bestowed enormous subsidies on favored banks. For several years the Secretary of the Treasury has kept on deposit in a few hundred national banks about $160,000,000. These banks pay absolutely no interest for the use of this giant deposit. What is the free use of that money if it is not a subsidy to those banks? [Applause on the Democratic side.] Of that vast sum over $40,000,000 is kept in New York, and one favored bank has over twelve millions of it.

Mr. WILSON of Illinois. Will the gentleman permit one question?

Mr. HITCHCOCK. Yes.

Mr. WILSON of Illinois. Who gave a subsidy to the southern railroads of this country?

Mr. HITCHCOCK. It was given by the Republican House of Representatives. The party in control is responsible for the grant. [Applause.]

Mr. WILSON of Illinois. But the Democratic party joined them.

Mr. HITCHCOCK. I have answered your question, sir. And, Mr. Speaker, who can defend the subsidy policy which leads this Administration to give to a few hundred national banks of this country the free use of $160,000,000? The use of that money is worth at least 3 per cent. It remains in those favored banks day after day and month after month, as we can see by the daily and monthly reports we get from the Treasury. It is loaned out by those banks, and represents in value a subsidy to them of not less than $5,000,000 a year. Is it any wonder that those banks believe in "standing pat?" Take, for instance, one of the great banks in New York City with a constant average deposit of over $12,000,000 of this money. Say it is worth to that bank only 3 per cent. That amounts to half a million dollars in a year. Such a great free gift or subsidy naturally leads the owners of that bank to hope that the policy of the Republican party in support of subsidies will continue. They believe in "standing pat." As that bank's subsidy amounts to over a thousand dollars a day, its owners must make generous campaign contributions, and they do.

Mr. Speaker, that there is a direct connection between these Government deposits and campaign contributions to the Republican party is notorious, but often not easily proven. The following letter, however, written by an officer of one of the largest New York banks to the Secretary of the Treasury in 1897, after the exciting campaign of 1896, reveals the system and proves the practice in one case at least:

THE NATIONAL CITY BANK OF NEW YORK,
New York, June 5, 1897.

MY DEAR MR. GAGE: The National City Bank of this city, of which I recently became vice-president through the consolidation of the Third National with it, is one of the banks designated as a United States depository, and I write to request that in any changes which may be made under the Administration we may not be disturbed in this respect.

We should like to remain a United States depository as at present. Of course the bank is very strong, and if you will take the pains to look at our list of directors you will see that we also have very great political claims in view of what was done during the canvass last year.

If not presuming too much, we would be greatly obliged for a suggestion from you as to the amount of bonds which it would be good judgment for us to acquire at the present time, this move on our part being quite as much in the public interest (in the prevention of any money stringency) as it is in our own interest as bankers.

It is apparent that the amount of money received from the Treasury from the sale of this property will considerably exceed the amount of currency 6's maturing on January 1 next, and it is in the hope that a considerable portion of these funds will be left with the banks for a sufficient length of time to afford a reasonable profit that we undertake the expense of procuring the necessary bonds to qualify us as a depository.

A. B. HEPBURN, *Vice-President.*

HON. LYMAN J. GAGE,
Secretary of the Treasury, Washington, D. C.

Mr. Speaker, there are other more recent events which prove that the Republican policy is one of subsidizing favored interests at the general expense of the people. At this present session the Republican majority of this House forced through a bill which provides that after a certain date American ships shall have the monopoly of business between the United States and the Philippine Islands. That means higher ocean freights. It is a tax on commerce for the benefit of those shipping interests to which the monopoly is given. It is a bounty or subsidy to them.

And again, later in the same session, a bill was forced through this House as a party measure granting a subsidy to such capitalists as construct railroads in the Philippine Islands. The subsidy is in the form of a guaranty of 5 per cent net yearly dividends for thirty years on an investment of $30,000,000. If the roads do not pay a dividend from their earnings, the people of the Philippine Islands must pay them by taxation. Their taxation is already higher than it was under Spanish rule, as I forced the chairman of the committee in charge of that bill to admit on the floor of the House when the bill was under discussion.

Now, Mr. Speaker, this subsidy record of the Republican party makes the ship subsidy a natural and appropriate climax. The present bill, on its face, merely provides a commission to investigate and report. That is a mere cloak to hide the subsidy programme till the fall election is passed. If it were the honest purpose of the Republican leaders to establish commissions for the investigation of important subjects upon which valuable information ought to be had in the interests of the people, why is it that they do not appoint a commission, for instance, to investigate the great question of postal savings banks for the people? [Applause.]

Almost every civilized nation of the world except ours has a system of government savings banks. Everybody knows that the poor people of this land do not have the confidence in private savings banks which they should have. Our savings-bank system is a business peril in time of any distress, because the depositors of those banks are the first to rush for their money, and those banks when pressed are the first to embarrass the banking world. If these banks were postal savings banks, there would be no such don t. no such anxiety, no such alarm at such a time.

The poor man has little inducement to save money and little opportunity to invest it. If there were an absolutely safe opportunity, such as a postal savings bank would provide, there would be no money hidden away in stockings and old teapots in times of financial alarm. Just now is the very best time to investigate this subject by a Congressional commission if the party in power desires to serve the people. It would be particularly opportune to establish a system of postal savings banks now that the United States is called upon to use a vast sum of money in a great enterprise—the Panama Canal.

Why is not this the proper time to establish a system of postal savings banks, and use the deposits there made on interest for carrying on this gigantic enterprise, instead of selling bonds to the favored banks of the country that may hunger for them as a tempting investment?

Again, Mr. Speaker, we are widely divided in this country on the subject of the tariff; not simply the two parties, but in the Republican party itself there is a wide division of sentiment on the subject of revision of the tariff. Why not have a commission to investigate the tariff question if investigation of vital questions is really desired?

In the great agricultural West, one of whose representatives I have the honor to be, there is a strong and growing sentiment that we have been taxed too long and too heavily for the benefit of the favored manufacturing interests located hundreds of miles away. This feeling is not confined to Democrats. It is growing among western Republicans. Take, for instance, Nebraska and her neighbors, Kansas, Iowa, and Minnesota.

In area these four States equal in size the same number of European nations. They contain at present only a few millions of people, but are destined in the future to be peopled by tens of millions, and they are capable of supporting to the square mile as dense a population as any Eastern State. In this vast region agriculture has been and must long continue to be the chief source of wealth and development.

To the millions of people in this western empire composed of these four States the protective tariff brings no immediate benefit and never has. No manufacturing enterprises which they own fear foreign competition or require protection. Such industries as have grown up in those States are founded on natural rather than on man-made laws. What is true of western manufactures is true of western commerce and western agriculture. Both have grown without ever having had any support from the protective tariff.

Agriculture came first to develop the country. Commerce followed to establish the distributing centers, and in the shadow of commerce manufacturing enterprises are being built up. The 7,000,000 people who inhabit these four States have fought the battle of life without national aid. They have converted millions of acres of wild lands into fruitful farms. They have bridged rivers, drained swamps, and irrigated arid lands. They have dotted the country with schoolhouses and churches and converted a dreary wilderness into a smiling landscape. Vil ages have become towns, towns have grown into cities, and in a number of cases they have become great metropolitan centers. The vast development of this agricultural region has been of enormous benefit to this nation and to the world. It has helped to feed the world and added vastly to the permanent resources and wealth of the United States. It is a gain taken from nature in natural ways for the benefit of man. Since the high tariff of 1890 and the prohibitive tariff of 1897 this development has been greatly checked.

All of this great conquest, all of this spread of civilization has been accomplished without artificial means, without the benefit of protective tariffs, but in spite of them. No other part of the country has been taxed to help the West in her struggle. On the other hand, during most of the two generations which have elapsed since the subjugation of the wilderness began, the laws of the United States have borne heavily on the West. Agriculture has achieved a triumph, but it has been in the face of great odds. It has not only had to subdue the wilderness, but to do so while carrying a burden for the benefit of favored eastern manufacturers. It has, while winning its own success, been compelled by tariff laws to help the manufacturing interests win theirs. Yet western agriculture has submitted to this. It is hardly possible anywhere in the Union to find four States that have more uniformly voted election after election for the so-called "protective tariff" than have Nebraska, Kansas, Iowa, and Minnesota.

It seems almost remarkable that States so purely agricultural as those I have indicated should have so long accepted a scheme of taxation which has so clearly imposed a burden on agriculture for the benefit of favored industrial enterprises located in remote States. Farmers, however, have consented in the past to pay more for plows, cultivators, harvesters, and all kinds of farm machinery in order that implement factories might prosper. They have consented to pay more for hundreds of articles made in America than they could be imported for. They have seen with acquiescence the cost of their houses and barns greatly increase in order that by tariff our lumber intesests might be made rich. They have been good-natured in paying extra prices for clothing, glass, nails, chemicals, and many other necessary articles. They have accepted all this in addition to other expenses of living arising from the tariff, because they have been deluded into a belief in three ancient doctrines of protection:

First, that the development of the various industries which manufactured these articles would build up a home market for farm products which would be preferable to a foreign market.

Second, that protection would only render it possible for manufacturers to compete with foreigners while paying American wages and earning a reasonable profit.

Third, that competition between American manufacturers would result in holding prices of their goods down to a reasonable basis, allowing necessary cost and a fair profit.

Thus, even though the protected interests and favored enterprises were in remote States, the western farmer, the western townsman, and the western politician have followed party leaders of the East and voted the Republican ticket. Such has been the past. For some time, however, a change has been pending. The western voter has seen a new light. His eyes have been gradually opening, and he now beholds not the theories of the Republican tariffs, but their effects.

He has seen a great enrichment of the protected manufacturing interests of the country, but the idea of a home market for products of American farmers is no nearer realization than before. We have taxed agriculture and increased the cost of living for all the people, and we have built up eastern factories; but our farmers are still compelled to find a market for their products abroad. Of our export trade, 63 per cent of it is composed of the products of the farm. These products are sold in competition with all the world. After helping the manufacturing interests to secure by a tariff the monopoly of the home market in America, free from competition, the farmer still finds that he must sell his products in the open markets of Europe in competition with the world. All that he has paid in increased cost of living has gone for naught. The home market has not materialized. He is compelled now, after many years of protection and taxation, to sell as large a portion of his products abroad as formerly.

The present Dingley Act was passed in 1897—seven years ago. In that year 27 per cent of American wheat and flour was exported. Still a larger per cent was exported last year. If we compare exports for seven years before the Dingley tariff with seven

years under that tariff, we find that we are now sending abroad just about as large a per cent of our farm produce as before. The western farmer, therefore, has found that the high tariff has not enabled him to escape the necessity of sending his products abroad to market. This discovery ends the delusion about the home market for his products.

Another discovery made by the West is that the tariff schedules of the Dingley law have gone far beyond the point of putting American manufacturers in a position to compete with foreign factories. It had been urged that the schedules were framed with the idea of making up the difference between the natural cost of manufacture in Europe and America. It has now been discovered that the tariff is several times greater than the difference in cost of production. Competition, instead of having been equalized, has been abolished. Exclusion has been accomplished.

No sooner had this exclusion been well achieved by the passage of the Dingley law of 1897 than the tariff-protected interests proceeded boldly to stifle competition at home. Protected from foreign competition by the tariff, it was a natural proceeding to guard against competition at home. The device to achieve this purpose was the trust. The domination of the trust has blasted the hope that the tariff-protected manufacturers would so compete with each other as to hold prices down to a fair level. The effect of the trust control has been an enormous increase in the cost of living, cost of building, and cost of development in the West. It has produced a profound impression on the western mind. Thousands upon thousands of the most intelligent Republicans in the West have had their faith in party practices, if not in party doctrines, shattered. Party discipline, party pride, and party spirit may keep them in line for a time, but they can not be much longer persuaded to "stand pat." They see the falsity of the home-market idea for western products. They see that monopoly and not competition has been the outcome of the present policy. They see that the advent of the trust has made the present tariff simply an opportunity for spoliation.

These Western States were settled largely by Northerners. The aftermath of the war made them naturally Republican. They have remained so far beyond the natural period. But by the inevitable laws of self-interest they will either change or their influence will make itself felt in changing the "stand-pat" policy of the Republican party. Already the "Iowa idea" has found expression. A tariff which shelters trusts is obnoxious to Iowa Republicans. In Minnesota Canadian reciprocity is becoming a party issue. In Kansas and Nebraska the time is almost ripe for a newer generation of Republicans to repudiate the stand-patters and join the tariff reformers.

Why not select a commission to investigate and report on a revised tariff, I repeat? It must come some time. If the commission plan is what is desired, why not try it on the tariff?

Or, again, Mr. Speaker, why not have a commission to investigate the important question of a reduction of national taxation? Why not have a commission to investigate the frauds in the Post-Office Department? Those are matters that the people are deeply interested in.

If we are to investigate by commissions, if we are to bring together important data from all sources, why not take up something that the people are all interested in instead of merely investigating a policy that has been investigated until it is threadbare and is intended by taxing all to benefit only a single industry?

Again, while we are investigating by a commission, Mr. Speaker, why not investigate the great subject of levying an income tax? The United States is behind the leading nations of the world in the matter of an income tax. We are crude, unjust, and antiquated in national taxation. Our taxes by the National Government, vast though they be, are practically nothing but a per capita tax. Our national revenues come from a tax on consumption, and these vast millions that we get together and spend so recklessly each year are contributed not at all by a tax on the wealth of the country. They add to the expenses of every American family. They are little more than a tax on each person regardless of his ability to pay and regardless of the benefits he enjoys under the protection of our National Government.

The Democratic Congress of ten years ago passed an income-tax law which unhappily was declared by the Supreme Court to be unconstitutional. If it be necessary to amend the Constitution, let us make a beginning. The brilliant gentleman from Mississippi, Mr. JOHN SHARP WILLIAMS, Democratic leader in this House, has introduced a proposed amendment to the Constitution empowering Congress to levy an income tax. Why not consider that? Why not a commission to investigate this great question in the interest of the people, in the interest of more just and fair national taxation. The idea of taxing the clothes that people wear, the manufactured articles they must buy, the medicines they require, and the food and drink they consume while exempting great incomes is barbarous, crude, and unjust.

Why not investigate ways and means for bringing about a reform so that part of the national taxes may be on the wealth of the land, and have an income tax such as Great Britain has? At all times it is useful and just, and it is particularly valuable in times of emergency. And again, while we are investigating and having commissions appointed, Mr. Speaker, if it is merely desired to investigate and get valuable knowledge, why not investigate the subject of public works, internal improvements?

We come back here every year in Congress and the subject comes up, and no one knows, no one is in a position to advise this House, just what public works, what internal improvements, what canals, what roads, what rivers shall be taken in charge by the National Government.

Mr. Speaker, if this is simply a bill for an inquiry as to what is desired for the public good, why not have a commission to investigate some of these subjects? [Applause on the Democratic side.]

Mr. LITTLEFIELD. May I ask the gentleman a question before he sits down?

Mr. HITCHCOCK. Yes.

Mr. LITTLEFIELD. Just one question. Does the gentleman support the proposition contained in the minority report of discriminating duties?

Mr. HITCHCOCK. I am not here as a member of the committee in charge of the bill, and I pretend to no particular knowledge of the subject any more than any intelligent citizen. I am here representing the West as against a Republican plan of paying a subsidy of any sort. [Applause on the Democratic side.]

Mr. LITTLEFIELD. Then do I understand the gentleman supports the proposition, or is the question offensive to the gentleman?

Mr. HITCHCOCK. I leave the discussion of discriminating duties to others who are more capable of answering, and I am quite sure the gentleman from Michigan [Mr. LUCKING] in charge of this matter for this side of the House will give a sufficient answer to the question.

Mr. LITTLEFIELD. Well, the gentleman does not know then——

Mr. HITCHCOCK. I think the gentleman from Maine will find out.

Mr. LITTLEFIELD. I yield five minutes to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL. Mr. Speaker, the gentleman from Nebraska, who has just taken his seat, has stated that it is one of the policies of the Republican party to subsidize the banks or the banking interests of this country by depositing the public moneys in them so as to control their influence for campaign purposes and in this way subsidize them.

Now, this statement is made without any definite or record information by the gentleman from Nebraska. I have found but one letter from a President of the United States who undertook to control the policy of his party upon questions of that kind, addressed to a Secretary of the Treasury upon this question. That letter bears date of July 12, 1803, written by Thomas Jefferson, the patron saint of the Democratic party. This was written to Mr. Gallatin, then Secretary of the Treasury. It reads as follows:

> I am decidedly in favor of making all banks Republican [Democratic] by sharing deposits among them in proportion to the disposition they show. If the law now forbid it I should not permit another session of Congress to pass without amending it. It is material to the safety of Republicanism [Democracy] to detach from the mercantile interests of the country its enemies and incorporate them in the body of its friends. A merchant is naturally a Republican [Democrat] and could be otherwise only by a vitiated state of things.

I have just read from Bell's Financial History of the United States, quoting a letter from Thomas Jefferson, on page 140, volume 1.

Mr. HITCHCOCK. Will the gentleman permit me to incorporate a letter——

Mr. CAMPBELL. Not in my time.

Mr. HITCHCOCK. Written by A. P. Hepburn, vice-president of the National City Bank of Newark, to Lyman J. Gage, Secretary of the Treasury, in which he asks for United States deposits on the ground that "we have very great political claims in view of what was done during the canvass last year (1896)?" [Applause on the Democratic side.]

Mr. CAMPBELL. No; I decline to yield. That has no connection whatever with this matter. If the gentleman has a letter from a Republican President to a Republican Secretary of the Treasury directing that public moneys be deposited with banks for the purpose of controlling the banks in the interests of the Republican party, I shall yield for that purpose, but for no other.

Mr. ROBINSON of Indiana. Mr. Speaker——

The SPEAKER pro tempore. Does the gentleman yield to the gentleman from Indiana?

Mr. ROBINSON of Indiana. I will give the gentleman President Harrison's address to this Congress, 1889, in which he did that very thing, and denounced that system.

Mr. GROSVENOR. Well, let us have it, and not give us just the gentleman's word for it.

Mr. CAMPBELL. The letter I have read speaks for itself.

No other President gave such direction for the use of our surplus. [Applause.]

Mr. LITTLEFIELD. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. PARKER].

[Mr. PARKER addressed the House. See Appendix.]

Mr. DOUGLAS. Mr. Speaker, it gives me great pleasure to record myself strongly in favor of and in sympathy with the passage of the present resolution to appoint a conference committee to carefully consider and report at our next session what means can likely best be adopted to lead to the restoration of the American flag commercially on the ocean.

It is the first dawn of hope, the first ray of light those who have interested themselves for so many years in the welfare and uplifting of the merchant marine have seen in the halls of Congress, and it is pleasing to think that this body is at last alive to the importance of the subject, and that the House now realizes that the voice of the people throughout the land is being raised, and that they are asking for and, in fact, demanding proper action shall be taken.

Our Republican national platforms in the past have inserted the strongest possible planks in favor of relief, and will probably again do so at Chicago in June, and it is time that the party awoke and carried out their promises. There is no doubt that this is one of the greatest national issues which we have to face at the beginning of the twentieth century, and it must be met and settled in the interest of the American people, as it undoubtedly affects seriously their national prosperity and the ultimate welfare of all classes—the farmer, the manufacturer, the producer of raw material, and the merchant. It is now receiving more attention from the press of the country generally and the people themselves than ever before, and all are evincing a keen and earnest interest that we should again take, at least in part, the proud position we once occupied as a freight-carrying nation on the high seas, and especially during that period when our wooden clipper ships built in our own shipyards sailed to all ports of the world, and not only carried our own but a good share of the merchandise of other lands.

For over twenty-five years this subject, as to whether Government aid should be extended to our shipping or foreign vessels should be admitted to American register if purchased abroad by United States citizens, has been talked about and discussed by the prominent men of the country and debated in our various legislative bodies. Different propositions to bring about what all desired were advanced from time to time and received enthusiastic support or aroused bitter enmity, according to the point of view which was taken. Even to-day we must recognize that there are powerful partisans on both sides of the question who are undoubtedly sincere and honest in their convictions, although of diametrically opposite opinions as to what is the best course to pursue.

With a commerce already in excess of fifteen hundred millions in exports, and a thousand millions in imports, practically all of which is carried by alien-vessels, it is well to call a halt and admit that we have now reached a point of national degradation which should go no further, or we will practically have no ships whatever engaged in the deep-sea water trade. We have to-day probably not more than one hundred and fifty to two hundred thousand gross tons so employed against the necessary tonnage of at least 10,000,000 gross tons to carry even 60 per cent of our vast and growing necessities. England alone possesses a merchant fleet of 12,000,000 gross tons.

So much has been written and spoken on the question that it would be fruitless, and is, in fact, almost useless at this late date to go into an elaborate argument as to the conditions which have led to the decline of our supremacy. It is, however, admitted by those who are not absolutely prejudiced that the chief causes of the decline have been the antiquated navigation laws which we have allowed to stand for so long a period on our statute books, and the precluding of American citizens from buying or building abroad and securing United States register.

A potent factor also was the civil war and the natural loss to shipping caused thereby, but probably above all reasons, and the most destructive to our glory on the sea, was the passing away of the wooden clipper and the building of iron and steel steamers and sailers. We are as yet in no position to compete in this industry on a parity with others, although I trust we shall be within a few years, and it is well known that the cost of sailing an American ship, by reason of the high wages that must be paid and better provisions for the crew called for rightly by our laws, also counts largely against us. Had it not been for our fortunate and wise provisions protecting the coastal trade, the condition of that branch of our carrying business and national prosperity, of which we are to-day so proud, would also be in as bad a shape as is our foreign trade.

It again is not desirable at present, in view of instructions given in this bill, to discuss at length measures of relief, whether subsidy proposals are the most desirable, or, as some advocate, tariff reductions when goods come to our shores in American vessels, or other methods which have been proposed. At the proper time, and if a bill is reported at our next session, which I hope will be done, it will then be proper to fully give one's opinion regarding the method which will commend itself most to our people and be the wisest to place on our statute books. The committee appointed will investigate all phases of this subject. They will stir up the people's interest, and a national agitation will follow. We commit ourselves to nothing in creating the commission, but its usefulness will be great, and I earnestly hope it will lead to practical results.

Personally I desire to state that I am committed to no special proposition and am agreeable to work and vote for any measure which can be brought forward, either by the Democratic or Republican side of the House, so long as it will commend itself to the majority as the long-sought-for solution of the question. There are some who persistently claim that we can build vessels as cheaply in this country as they can be built abroad; but those who have carefully looked into the subject will find that such is not the fact, except perhaps in special cases, and that we neither have the yards capable of turning out large quantities of steamers and sailers suitable for foreign trade nor can such yards build even the limited number of ships they are able to supply yearly within probably 30 per cent of the parity of cost with the English and German shipyards, and the evidence is exhaustive and the preponderance of testimony seems clear on this point.

Shipbuilding to-day has assumed the same position that all other industries have; and the larger the yard, the greater the capacity, and a special adaptability to one class of work, the cheaper can that work be done.

I regret to think that our shipbuilding industries have undoubtedly often looked upon the question in a selfish light, and we have had to encounter as well partisan jealousies and the hidden opposition of foreign steamship agencies or American firms who represent these interests, also the opposition of the railroads; but the absolute necessity for action will brush aside all such considerations in the near future.

The present output of all our American shipyards, so far as ocean-going vessels are in question, is extremely small, and it will thus be seen that, unless these yards largely increase their capacity, it would take a great number of years to build up sufficient tonnage to carry even a small portion of our exports, but I have every faith that if the merchant-marine service and the building of ships was thought more profitable, American capital would come to the rescue if stimulated by proper Congressional action, and that our yards will be built up quickly to meet the supply needed, and that a further national industry will be created, destined to become one of the largest in the land and supply work for many thousands of our laboring men.

At present our shipyards are fairly well supplied with work, taking into consideration the Government contracts, the coastwise requirement, and the great demand for all classes of vessels needed in various trades (including pleasure vessels), which must be built to meet the needs of 80,000,000 people. It must appeal to everyone who will look into the matter that those who seek to delay some action do so purposely and knowingly and as an argument in favor of allowing this question to lie dormant, being actuated by reasons that are unpatriotic and by the one desire to defeat all measures propcsed for our national benefit.

The Republican party is in power, and they should no longer compel the nation to further suffer in pocket and pride and lay ourselves open to the grave chances which would confront us in case of war between two of the great European nations. If we were called upon to face emergencies of this kind, while we might secure some shipping, there would not be sufficient tonnage available for our prompt needs and requirements, and in any case the greatly increased price that we would have to pay for the hire would be a heavy drawback on our export business, and we would probably lose as much if not more in six months or a year then we would have to expend on any judicious system of relief in twenty-five years.

It is absurd to deny or claim that all the great world nations of to-day are not safeguarding and protecting their shipping interests in every possible manner. It is stated by some that England does not protect her tramp steamers by subsidy, which is, in a measure, correct; but we must not forget that in many indirect ways she does help her merchant vessels. We should not shut our eyes to the fact that she is naturally a maritime nation, and her fleets secure the preference through community of interests in trading between her home ports and her extended possessions in various parts of the world, enabling them to obtain outward and home cargoes. She therefore has a decided advantage over others, and the German nation and the French nation are following in her footsteps.

Many claim that the French have not made a success of their protective policy in shipping: but this is hardly true, as they have succeeded in keeping on the ocean the French flag and to-day have a splendid deep-sea tonnage and many steamers specially built for the Government requirements in case of war that can be called upon at a moment's notice; and we must further recollect that the French nation is not in as advantageous a position as England or ourselves to accomplish results. While England, therefore, it is true, grants no direct measure of relief, she is most liberal in her payments to the permanently established lines under the plea of mail subsidy or payment for carrying the mails.

Her magnificent fleet of steamers thus paid, which is clearly nothing but a subsidy, run to all parts of the world, and the compensation is so liberal that it enables her merchants or corporations to also, as an adjunct to the fast greyhound, load regularly in the line the slower merchant vessel, thus building up her export trade. The fleet steamer carries the goods that are compact and run to large values, and the slower vessel takes out the cheap freight or bulk lines of cargo. It is well known that this is the intention, and, in fact, an understood arrangement, when the payment is fixed for the mail route. To expect our shipping to compete with such methods without proper Government aid is impossible, and we should no longer deceive ourselves or the people but admit the fact.

There can be no question but that we should establish similar lines ourselves at once to all markets where trade conditions and the volume of annual business done is such as will justly warrant, and I have introduced bills in both the Fifty-seventh and the present Congress to that end, and will again present for the House committee's consideration a measure when we meet for our third session in December.

We should start these mail and freight lines without further delay, and if we have not a sufficiency of available tonnage to meet our immediate requirements, we should not hesitate to allow the bidders for such mail and freight service to secure their vessels abroad at first by purchase to a reasonable extent, providing always said vessels should not be used when withdrawn from the service in the coastal trade, and it could then be arranged that each contracting line should build yearly a certain number of vessels in our own yards, so that within a few years all steamers purchased abroad should be replaced by American-built tonnage.

These vessels should be constructed under Government supervision and of a speed and strength and tonnage according to the requirements of the country they would run to, so that by contract the Secretary of the Navy would have the right in case of war or other contingency to call upon all classes and sizes of ships for Government service and have his pick of vessels of from 25 knots in speed downward which could be used as auxiliary cruisers, transports, colliers, and for such other service as might be wished. Some could be so built as to have sufficient strength to carry light armament as well. England to-day has several hundred steamers of this class and description which she can call upon at any moment, and France and Germany also a large number.

There is ample and sufficient proof that this is by far a better and cheaper way in which to provide for needed steamers for naval requirements than to buy in any and all directions when the stress comes, as we were obliged to do in the case of the Spanish war, and which led to so much scandal, as beyond doubt we paid in many cases two or three times what the ships were worth owing to our sheer necessities.

I would further point out that we did not hesitate at that time to buy foreign ships, although our merchants can not do this for peace requirements. What would have been our position if at that time we had been called upon to face a really first-class power? We should also make proper provision in the bill for training up a large extra number of seamen of American birth or acquired citizenship every line being called upon to have a certain number among the crew, who also could be used, if needed, for navy purposes, as it is admitted on all sides that we are sadly deficient today in efficient men to man our men-of-war.

It is often pointed out that Norway, although only a small nation and not a shipbuilding people, has greatly increased her tonnage and has become a factor in the carrying trade; but there is, after all, nothing singular in these conditions and her present prominent position. Her people are not only free to buy vessels where they please (and I might mention that they have purchased a large number of American vessels during the past ten to twenty years), but they are able to sail them as well far cheaper than we can under the American flag, as their laws are most favorable and the wages paid extremely low. They also insure under an established system of clubs, both against total and partial loss. They are shrewd and sharp in making their purchases and watch for their opportunities to secure bargains, and are often able to pay good dividends where an American owner would undoubtedly have to suffer a loss.

There appears to be a great prejudice among those who have not looked into it against Government compensation to shipping upon the theory advanced that it is class legislation, which, however, does not appear to be in reality correct. The actual facts show that a vessel leaving an American port loaded with a miscellaneous cargo really includes the products of our forests and farms, our manufacturing and canning industries, and benefits so large and varied a number of our interests as practically to take in all sections of our country. To show that this is absolutely correct and that the advantages are far-reaching and beneficial to most classes of our people, I will give a couple of illustrations, and print herewith the cargo carried by one steamer to Australia and two to South Africa.

EXPORTS TO AUSTRALIA.

Steamship Albuera cleared New York for Fremantle, Adelaide, Melbourne, Sydney, and Brisbane, by United States and Australasia Steamship Company, March 10, 1904.

Fremantle cargo.—238 packages axes and hatchets, 170 packages axle grease, 28 packages agricultural implements, 3,221 feet oak lumber, 10 packages axles, 14 packages bicycles and sundries, 30 packages butter dishes, 12 packages blacking, 859 packages canned goods, 22 packages carriage woodwork, 11 packages chair seats, 292 packages chairs, furniture, and desks, 29 packages clocks, 15 packages confectionery, 10 packages cod oil, 30 packages cigarettes, 1,500 packages candles, 38 packages castings and forgings, 50 packages clothespins, 102 packages calcium carbide, 47 packages cartridges and primers, 29 packages drugs, 800 doors, 10 packages drug sundries, 15 packages firearms, 32 packages food choppers, 10 packages fly paper, 127 packages glassware, 15 packages grindstones and fittings, 324 packages hardware, 117 packages handles, 215 feet hickory, 47 packages horseshoes, 24 packages ink, 143 packages lamps and lanterns, 65 packages lawn mowers, 460 packages lubricating oil, 40 packages moldings, 66 packages machinery, 105 packages maizena, 1,821 packages nails, 83 packages oil stoves, 105 packages paper, 52 packages paint and varnish, 10 packages printed and advertising matter, 43 packages paper bags, 300 packages plaster, 12 packages pump and valves, 235 railroad tires, 71 packages silk, 18 packages sewing machines, 23 packages stocks and dies, 50 packages shafting, 11 packages shovels, hoes, and rakes, 23 packages shoes, 18 packages shade rollers and curtain poles, 15,001 feet shelving, 16 packages tinware, 52 packages tobacco, 40 packages turpentine, 12 packages velocipede cars, 40 packages wooden ware, 366 packages windmill parts, 29 packages wringers, 4,618 feet walnut, 60 packages washboards, 35 tons barb wire, 45 tons plain wire, 144 packages sundries.

Adelaide cargo.—100 cases kerosene oil, 94 packages agricultural implements, 20 packages bicycles and sundries, 10 packages blacking, 15 packages bar steel, 28 packages clocks, 60 barrels cod oil, 500 packages candles, 108 packages cartridges and primers, 13 packages fire extinguishers, 60 barrels glucose, 137 packages hardware, 108 barrels lubricating oil, 120 barrels linseed oil, 295 packages nails, 145 packages oil stoves, 1,102 feet oak, 10 packages paint, 21 packages pulp boards, 281 packages printing paper, 15 packages roofing paper, 1,000 cases refined petroleum, 17 packages shoes, 10 packages shade rollers, 24 packages tobacco, 21 packages washboards, 10 packages wrecking-car crane, 15 tons barb wire, 105 packages sundries.

Melbourne cargo.—525 packages axes and hatchets, 96 packages agricultural implements, 46 packages axles, 111 packages bolts and nuts, 42 packages bicycles and sundries, 100 car wheels, 19 packages clocks, 1,500 packages clothespins, 200 packages candles, 13 packages chucks, 204 packages calcium carbide, 14 packages cartridges, 28 packages desks, 66 packages electric goods, 41 packages forgings and castings, 120 barrels glucose, 60 packages grape sugar, 133 packages hardware, 328 packages handles, 14 packages leather and leatheroid, 1,255 barrels lubricating oil, 14 packages lawn mowers, 18 packages moldings, 48 packages machinery, 500 packages maizena, 22 packages nails, 368 packages oil stoves, 3,169 feet oak, 10 packages oilcloth, 869 packages printing paper, 133 packages paint, 42 packages printed and advertising matter, 336 packages pipe, 144 packages pulp board, 45 packages phonograph and graphophone parts, 47 packages pimento, 752 barrels rosin, 15 packages soap and perfumery, 29 packages sewing machines, 500 packages seeds, 10 packages surgical dressing, 903 packages soda ash, 22,442 feet sycamore, 15 tons steel, 50 packages turpentine, 28 packages tools, 565 packages tobacco, 30 packages toys, 15 packages valves, 19 packages wringers, 26 packages wall paper, 100 tons plain wire, 124 packages sundries.

Sydney cargo.—152 packages agricultural implements, 50 packages axle grease, 18 packages automobiles and parts, 110 feet ash, 13 packages bicycles and sundries, 13 packages bath tubs, 30 packages butter dishes, 12 packages blacking, 10 packages celluloid goods, 13 packages castings and forgings, 500 packages candles, 100 packages clothespins, 42 packages clocks, 24 packages cane knives, 15 packages confectionery, 51 packages canned goods, 50 bags cocoa beans, 155 packages cartridges and paper caps, 1,200 Canada butts, 124 packages drugs, 16 packages domestics and duck, 17 packages electric cable and supplies, 47 packages furniture, 20 packages glassware, 292 packages hardware, 14 packages handles, 10 packages hatchets, 15 packages lead seals, 493 packages lubricating oil and grease, 54 packages locomotive parts, 21 packages lanterns and lamps, 38 packages machinery, 15 packages moldings, 91 packages muralo, 722 packages nails, 4,055 feet oak, 639 packages printing paper, 93 packages paint, 11 packages printed and advertising matter, 10 packages pianos and organs, 32 packages pimento, 100 barrels rosin, 16 packages sewing machines, 28 packages soap and perfumery, 40 packages steel, 14 packages sadirons, 50 tons steel plates, 5,228 feet shelving, 29 packages toys, 206 packages tobacco, 19 packages tools, 50 packages turpentine, 25 packages typewriters and supplies, 102 barrels wire, 37 packages wooden ware, 55 packages washboards, 276 packages wall paper, 13 packages wringers, 16 packages wheelbarrows, 65 tons plain wire, 149 packages sundries.

Brisbane cargo.—203 packages agricultural implements, 151 packages axes and hatchets, 60 packages axle grease, 804 feet ash, 32 packages bolts, 17 packages blacking, 21 packages butter dishes, 600 packages candles, 24 packages castings and forgings, 48 packages carriage and wagon material, 11 packages clocks, 50 packages clothespins, 50 packages corn flour, 23 packages cartridges, 67 packages domestics and duck, 179 packages drugs, 28 packages furniture, 10 packages food choppers, 22 packages fruit jars, 174 packages glassware, 164 packages hardware, 489 feet hickory, 144 packages handles, 164 packages hoop steel, 54 packages incubators, 441 packages lubricating oil, 51 packages lawn mowers, 136 packages lamps, 157 packages machinery, 16 packages mills, 125 packages nails, 283 packages printing paper, 31 packages paint, 14 packages perfumery and soap, 13 packages pulleys, 10 packages pulp boards, 25 packages rosin, 74 packages scales, 25 packages sadirons, 20 packages shovels, rakes, and scoops, 13 packages track jacks, 24 packages tools, 10 packages toys, 66 packages turpentine, 25 packages tinware, 10 packages tartaric acid,

150 packages tobacco, 15 packages valves, 14 packages vaseline, 52 packages washboards, 22 packages wooden ware, 60 tons plain wire, 15 tons barb wire, 126 packages sundries.

EXPORTS TO SOUTH AFRICA.

Steamship Corfe Castle cleared New York for Port Elizabeth and Delagoa Bay, February 13, 1904.—12,430 cases paraffin, 523 packages hardware, 384 packages manufactures of wood, 907 packages manufactures of iron, 135 packages lamp goods, 207 packages carriage woodwork, 68 packages drugs, 12 packages plated ware, 6,317 cases canned goods, 856 packages dried fruit, 477 cases cereals, 744 packages furniture, 17,684 feet lumber, 66 packages glassware, 216 packages stationery, 21 packages boots and shoes, 39 packages clocks, 17 packages blacking, 37 packages paint, 2,180 gallons lubricating oil, 600 gallons turpentine, 283 packages printing paper, 38 cases leather, 100 pounds manufactures of tobacco, 83 packages domestics, 21 barrels duck, 25 cases cigarettes, 40 packages machinery, 69 packages mining machinery, 19 packages electrical machinery, 110 packages poultry material, 48 packages car material, 76 packages pumps and material, 14 packages talking machines and material, 699 packages building material, 10 packages typewriters and material, 43 packages plows and material, 12 packages saddlery material, 11 packages windmill material, 22,212 pounds wax, 131,900 pounds lard, 10,730 bags flour, 7,547 bags meal, 595 bags sheep dip, 4,977 bushels wheat, 805 bushels oats, 50 bushels peas, 737 packages nails, 300 gallons lard oil, 918 gallons cotton-seed oil, 360 gallons varnish, 81 packages axle grease, 31 packages baking powder, 98 packages confectionery, 71 packages vehicles, 10 packages advertising material, 32 packages oilcloth, 19 packages groceries, 42 packages trunks, 71 packages agricultural implements, 35 packages hops, 123 packages calcimine, 14 cases saws, 135 packages corn flour, 25 cases organs, 75 cases scales, 82 cases Babbitt metal, 13 cases firearms, 28 packages manufactures of brass, 46 cases metal ceilings, 26 cases steel rollers, 83 packages wheelbarrows, 40 packages chairs, 10 cases cash registers, 15 spars, 15 barrels glucose, 61 packages sundries.

Steamship Manica cleared New York for Port Natal February 18, 1904.—17,500 cases paraffin, 578 packages hardware, 743 packages manufactures of wood, 3,821 packages manufactures of iron, 204 packages lamp goods, 126 packages carriage woodwork, 179 packages drugs, 11 packages manufactures of brass, 38,300 pounds lard, 24 cases metal ceilings, 18 packages confectionery, 4,678 packages canned goods, 116 packages canned fruit, 19 packages books, 280 cases dried fruit, 1,085 cases cereals, 327 packages furniture, 123,062 feet lumber, 74 pieces lumber, 20 packages groceries, 35 barrels glucose, 44 packages stationery, 88 packages boots and shoes, 20 packages soap, 76 packages calcimine, 14 packages vehicles, 36 packages paint, 4,250 gallons lubricating oil, 3,498 gallons turpentine, 61 packages printing paper, 880 pounds manufactures of tobacco, 20 barrels duck, 12 packages machinery, 10 packages pump machinery, 84 packages agricultural machinery, 33 packages electrical machinery, 11 packages machinery, 53 packages trunks, 210 packages agricultural implements, 1,500 gallons cotton-seed oil, 250 gallons lard oil, 21 packages fire extinguishers, 31,835 bushels corn, 60 tierces pork, 46 packages baking powder, 15 packages graphite, 35 packages axle grease, 22 packages hand carts, 16 packages talking machines and material, 152 packages pumps and material, 242 packages binding material, 13 packages plumbing material, 40 packages organs and material, 24 packages pipes and material, 105 packages windmills and material, 50 bags nuts, 405 bags sugar, 5,308 bags corn meal, 100 bags plaster, 31,771 bags flour, 293 packages manufactures of steel, 279 packages nails, 63 packages sundries.

I would call special attention to the Representatives on this floor of the farming districts that these steamers to South Africa had on board large quantities of flour, wheat, oats, peas, corn meal, and cereals (made from grain and wheat); also corned beef packed in the West and the cattle raised in the West; also large quantities of canned fruits and salmon packed in the far West. Other sections of the country were benefited by the shipments of oil from Pennsylvania and West Virginia; turpentine, carriage ware, etc., from the South. The Eastern States and Middle West also contributed all kinds of manufactured goods too numerous to mention. If, however, anyone interested will take the trouble and carefully scan the cargo of the steamer *Albuera* to Australia I am sure he will be amazed at the extent and variety of the products shown to have been shipped, and will be agreeable to frankly admit there is no class legislation in such a cargo, and that all parts of our land were greatly benefited. The cargo lists of vessels going to South America, the West Indies, China, Japan, etc., if examined will show the same results and prove the fallacy of this assertion by the misinformed.

These facts will clearly demonstrate the need for permanent and regular American lines to these and other countries, so that we may have ample shipping opportunities; and I desire particularly to bring out the above facts, as we are told that our farmers, especially in the North or Middle West, are not in favor of building up our shipping. I do not believe that this is correct, or the question has never been put before them properly. It will be seen that the manufacturing and other industries in over one-half of the States of the Union are benefited on these two ships alone; and it stands to reason that the grower of wheat in the West, shipped to South African ports, or in case of shortage in crops, to Australia, or made into flour and shipped to China and Japan, also the timber merchant who exports to China, Africa, and Australia, will benefit as much by a proper shipping measure as any manufacturing industry on our eastern and southern shores. I need hardly state the fact that both the vessels whose cargoes I have enumerated fly the flag of a foreign nation; and the profit on 14,000 to 16,000 tons of freight goes into the pockets of others, and not the American people.

We pass almost yearly river and harbor and other bills calling for an ultimate expenditure of hundreds of millions of dollars. Thus, if we can at such outlay dredge our rivers, improve our harbors and lakes, these feeders of the ocean, across which our goods must go to reach the world markets, why should we stop at the coast, instead of building up as well on the free seas a freight business for our additional benefit and profit? I contend that for every thousand dollars in value of goods sold abroad we do more good to our country's interest than double that amount in value sold to our own people. This is undoubtedly true, and it is becoming understood better day by day that our factories and other branches of industry have now outstripped the home demand, and we must look for an extension of their output to the new or older countries of the world if we wish to provide for the yearly increasing numbers of wage-earners from foreign lands who present themselves at our door to seek employment, or for the sons and daughters of our own population, and, further, if we desire to maintain our present high range of wages.

The tramp, or slow steamer, and their large fleet of sailers are to-day the backbone of the English merchant maritime power, and they should become the lifeblood of our hoped-for new supremacy on the ocean. This class of vessel commands no special attention. They come and go without ostentation, taking on their cargoes of every description of goods, and sail away to distant destinations. There is no blast of trumpet, but these vessels are filled to their hatches with cargoes sold at a profit by our people, and if they were also owned by us would bring a proportionate freight advantage, instead of our paying tribute to others as at present.

Steamers of 8 to 12 knots are the real factors in the carrying trade to-day and the beasts of burden on the ocean. We should not cater too much to the fast steamer and mail passenger boat, except for mail requirements and naval necessities in case of war. It may be an inspiring sight, and it is, as all who have witnessed will admit, to see a grand mail steamer leave her moorings with a crowd of tourists going abroad, the band playing and, if an American liner, our national emblem flying at the sternpost; but sentiment should not control in this question, and we must remember that these ten to twenty thousand ton vessels carry but four to five thousand tons of freight cargo at the most, that their cabins are filled with rich people who can afford to pay any price for transportation and who will likely spend thousands of dollars on foreign shores instead of buying their goods at home, and I can not advocate, therefore, paying the ocean greyhound enormous compensation for pride's sake only, while overlooking the modest freight steamer, perhaps loading only a few wharves away, but taking several times the amount of cargo for the benefit of our varied industries and the product of the brains and hands of our working men and women.

Fast steamers will always be in the European and other trades, and the traveling public should pay the necessary price for the splendid accommodations provided; but under any plan to build up our marine only sufficient of this class of vessels should be compensated to provide for such number as might be desired for Government demands as auxiliary cruisers when necessity arises. Our great shipping ports are to-day crowded with the vessels of other lands. The English, the Germans, French, Norwegians, etc., hold a firm grip on our carrying business.

The English and Germans especially, with their ripe wisdom and keen knowledge regarding shipping methods, have not been slow to observe the great growth of our country, and for the last fifteen to twenty years, with rare judgment, have been gradually but surely driving out every American line and the old-time merchant from the carrying trade, and also systematically establishing their own permanent freight lines from our ports to various foreign lands, and now practically control the business to Australasia, China, Japan, India, the Red Sea ports, the West Indies, South African ports, South American ports, etc.; and while they have met some vicissitudes of business, and at times encountered the opposition of other foreign lines looking also to the obtaining of a foothold on our shores, yet, on the whole, they have undoubtedly made large amounts of money, and, what is of far greater importance, succeeded in establishing connections and obtaining a position here which will require all our ingenuity to dislodge them from, and the task is probably practically impossible, unless through the encouragement and assistance of Government aid and protection to American vessels. Anyone who will look over the advertising columns of our papers, as, for instance, The Journal of Commerce and Commercial Bulletin, of New York, will clearly see that these statements regarding our freighting interests are correct.

One of the worst features in connection with these lines, and which is of such great importance that it must not be overlooked, and has not been brought out as yet in this discussion, but which must have a far-reaching effect on our commerce and presents one of the strongest arguments for action by our Congress, is the fact that American industries are or can be discriminated against at any time by reason of these foreign corporations being in control. In a number of instances they not only run the ships from this country, but the same corporations load regularly from English or German ports to the same markets as from our ports, thus having a practical monopoly; and they are the absolute arbitrators as to the rates of freight which are paid on American

goods, while at the same time also fixing the rate on similar classes of products going from English and German ports to any special market where these conditions prevail.

This presents a most humiliating spectacle for our nation to face; and it is clearly within the province of those who have this power and whose interests are not identified with this country, except to make money out of our freights, to discriminate against our merchants and manufacturers; and there is no question whatever that at times this has been and is being done to our serious detriment. The European chambers of commerce and commercial bodies generally are more active by far than similar institutions on this side of the water in looking after their material advancement; and they are careful watchers that the steamship lines operating here to other countries do not discriminate against them, and freight rates have been changed at their dictation on American goods and raised to admit of a differential in favor of merchants from their home ports.

This presents to the House a strong indictment and a true one, and a position we should not complacently face nor be willing to tolerate for a moment longer than possible. To-day our merchants and manufacturers are compelled to ask for rates in most directions named of paid agents of these foreign companies, who are frequently not even in position to name the rate, so carefully does the foreign owner watch and control, but must cable abroad to England or Germany to secure it, which is certainly a most galling position to our people and an unhealthy trade condition.

It can be readily seen that these firms control the freights from both ends, and can easily influence large contracts to the home market. Let us presume that some foreign government or merchant desires to purchase, say, a large quantity of rails—and I mention that line especially, as it is often called for, and most colonial countries own their railroad systems. It now becomes very easy for the English or German freighting interests in combination to so adjust the rate of freight from New York or from Hamburg or an English port as may best serve their interests, and the United States manufacturer must take his chances, accept the rate given, and tender under such uncertain and unfair conditions. An extra charge of 50 cents to a dollar a ton is sufficient to lose the business to our manufacturers, and we should be willing to make almost any sacrifice in a moneyed way to have these conditions changed.

It has been said that the merchant or manufacturer may protect himself by making his own freight arrangement and assume the risk of securing his vessel or vessels to carry the cargo he may have to sell; but those who are in the business know that this is not so easily done, as contracts of this order usually cover certain periods of shipment, and the seller can not likely forward the entire parcel at one time. It is also well known that the manufacturer, not familiar with a business foreign to his own, naturally hesitates about taking risks of this kind and much prefers to have his freight rate fixed for him and is unwilling to chance the uncertainty of what he may have to pay for a vessel when needed, and there would be loading difficulties which he could also hardly overcome.

I have merely mentioned rails as an apt illustration, but other lines are subject to the same conditions and equal disadvantages.

There is another point I desire to bring forward in regard to the methods of these lines in establishing their hold on the business, and that is the question of rebates, a system adopted to tie the hands of the shipper and importer for loyalty, or to bind the shipper to send all goods by their lines. He is paid at certain specified periods a rebate or commission, and meanwhile the amount is held over his head as a penalty in case of infringement of contract, so that should he take advantage of any lower rate which may be offered by a competing line, he would forfeit the expected agreed-upon refund and suffer a heavy loss.

These contracts are often unknown to the agent or shipper at this end, the bargain being made with the importer of the goods in the foreign country, or special contracts are made with said importer covering a specified time, and advantage is given him in accordance with the amount of freight he controls. This is very easily done, as the merchants abroad are largely English and German firms. It is true that under our law the rebate system to the shipper has for the present been done away with after existing for a number of years, but it is equally true that other methods are being adopted by foreign freight lines to hold the business in their own hands and force their position as a permanency upon us. If we had our own American lines, these matters would be controlled by our laws and proper protection guaranteed to all exporters.

Some theorists do not hesitate to advance the argument that if foreign ships can and will carry our merchandise cheaper by their established lines or through our merchants hiring their tramp vessels than we can carry it ourselves, we are foolish to trouble ourselves about building up a merchant marine and that we had better employ the ships of other nations. This, however, is such an absurd proposition that it is hardly worth dwelling upon except to show to what length some will go in their desire to prevent action on this issue.

It is the far-away markets of the world we should devote our special attention to for the further upbuilding of our industries. These are the countries to which we must look for the special cultivation of our export trade. It means in the long run much for our good, and we should give special fostering care to its encouragement. The trade between here and Europe will never be lacking in ample freight facilities and even competition in rates, but the distant market is in a different position.

Those who have been in the foreign business for the past twenty years will undoubtedly, if necessary, come forward and testify, if called upon, to the fact that during this entire period there has been, with perhaps a few months exception only, an absolute scarcity of vessels for the requirements of their business, no matter in what direction they might operate. It did not matter whether rates were high or charter rates low; the same dearth of vessels prevailed; and similar conditions exist to-day.

This can readily be understood, as the freight rate had practically nothing to do with the matter. If the rates were high, so much the better, of course, for the foreign steamship or sailing vessel when the owner chartered his vessel to us; and if they were low, so much the worse, but we had to depend in either case on ships heading this way; and when rates were high (as this was not their home market), the vessels naturally went mostly in other directions, and we had to pay extreme rates if we desired to secure them and bring them to our ports—mostly in ballast—for our requirements. Again, if the rates were low, they were not inclined to come here—knowing it would mean a loss—and we then had to pay a bonus to get them to come. This is accounted for to some extent by the fact that our export trade is much greater than our import business, and the latter comes very largely from Europe, where the regular lines are established; and the long-voyage shippers are practically dependent upon the tramp steamer or sailor, and there are comparatively few cargoes offering from abroad to our home markets from distant foreign lands.

The rapidity with which business is done in these days is also often a great factor, and this country to-day is losing many millions of dollars' worth of trade yearly—lost to those who raise our grain, cut down our timber, and manufacture our goods—owing to the fact that we are frequently not in position to put our hands on a proper steamer or sailer to meet immediate necessities. To-day in New York City alone, to say nothing of our southern and western ports, there are probably a hundred business requirements where vessels are desired, and it is simply impossible to secure them except by charter sixty to one hundred and twenty days ahead, or by waiting until a vessel is bound in that direction; and often at even higher prices the foreign merchant secures his requirements elsewhere rather than wait for us to deliver under these unsatisfactory hampers to trade.

Steamers and sailers owned by any country always seek the home market when possible. A sailor likes to go home, and the owner will so authorize when repairs are necessary or trade conditions will warrant. Therefore in England, France, and Germany a merchant can obtain a steamer or sailer of any size for any trade at almost any moment. It is simply a question of price. But far different is it with the merchant at our own shipping ports.

The development of the world in the last half century has been so great that to-day 30,000,000 people consume as much as ten times that number one hundred years ago, owing to the fact that what are now actual necessities even to the poorer people were then considered luxuries by the well-to-do.

There is undoubtedly room for all nations to trade amicably. The markets of the vast Orient, with its teeming population, will soon be thrown open. Our own new possession in the Philippine Islands will be a valuable opening for our goods. The great South American continent, which is to-day the real dark continent, will afford a splendid field for our enterprise. It is one of the richest, most productive, and greatest undeveloped lands that the world possesses to-day, and it is therefore time that we should take our place with other nations, enter into the commercial freight-carrying field, and regain our lost glory on the ocean.

The Panama Canal is about to be built. I am in favor of pushing through that great waterway for the benefit of the world's industries and people; but while in any case we should build the canal, I do not believe that it is the wish of our people that when completed we desire it to be used only by the merchant vessels of other lands, and that our own flag will not fly on a sufficient number of vessels to at least maintain to a proper degree our own national dignity; but unless we take active and quick steps to rectify the present unfortunate conditions which exist we will find ourselves in the humiliating position of even by that time having practically no deep-sea water carrying business.

In these remarks I have endeavored to bring out facts not covered by others for the consideration of the commission, and I trust that those who may be named will succeed in giving us a report that will enable all to unite on recommendations that may be made. I have every faith that this stain on our national escutcheon, this menace to our commercial advancement and material prosperity, this danger to our nation's greatness and source of weakness in case of war, this cause of irritation and loss of pride to every man who loves his country individually and of the entire people collectively, this almost unexplained position by reason of our unparalleled successes in all other directions, will also be swept aside by the irresistible march of our national progress and the sheer force of the necessities which confront us; and if I have studied the position aright, I do not doubt that within another quarter of a century we shall again hold a commanding position in this so desired particular, and that again the Stars and Stripes will proudly fly on every ocean. Our ships shall visit every land and be seen in every port, and the rightful heritage of our merchants to control our export and import commerce will again return to them for their benefit and the protection of American industries. Until this comes about our people will not rest content; nor should they, if we still possess that national pride which is our boast. [Applause.]

Mr. GREENE. Mr. Speaker, I introduced in the House of Representatives in February, 1903, Fifty-seventh Congress, second session, a joint resolution providing for a joint commission to investigate the policy of international navigation. This resolution provided that the President pro tempore of the Senate and the Speaker of the House of Representatives should be authorized and directed to appoint a joint commission of the two Houses of Congress, to consist of five Senators and nine Representatives, of whom at least two members of the Senate and four Members of the House of Representatives should belong to the minority party, to which was to be added the President pro tempore of the Senate, and said commission were to be authorized and directed before the meeting of the Fifty-eighth Congress to investigate our present policy of international navigation, to trace its effect upon our merchant marine, to consider how we might constitutionally encourage it in the foreign trade, thereby regaining our lost position on the sea and effect a renewed development of our shipping power. And said commission were authorized to make a full and complete report of such investigation and submit its conclusions thereon, together with a bill for its consideration, to the Fifty-eighth Congress, when it convened in regular session in December, 1903.

This joint resolution was referred to the Committee on the Merchant Marine and Fisheries, and the same was ordered favorably reported to the House of Representatives on February 24, 1903, by the unanimous action of said committee.

The report which I prepared by direction of said committee accompanied the joint resolution, and the same was placed upon the Calendar, but failed to obtain consideration, owing to the fact that the Fifty-seventh Congress expired by limitation March 4, 1903.

I respectfully present the report submitted as a part of my remarks.

[House Report No. 3854, Fifty-seventh Congress, second session.]

Policy of internal navigation. February 24, 1903.—Referred to the House Calendar and ordered to be printed. Mr. GREENE of Massachusetts, from the Committee on the Merchant Marine and Fisheries, submitted the following report:

The Committee on the Merchant Marine and Fisheries, to whom was referred the joint resolution (H. J. Res. 266) providing for a joint commission to investigate the policy of international navigation, having had the same under consideration, respectfully recommend the passage of said joint resolution with the following amendments:

Strike out the word "six," in the seventh line, page 1, and substitute the word "five."

Strike out the word "ten," in the eighth line, same page, and substitute the word "nine;" and add after the word "Congress," in the ninth line, same page, the words "of whom at least two of the members of the Senate and four of the Members of the House of Representatives shall belong to the minority party of the two Houses."

The history of sea power as it has concentrated at various times is largely of a military character, and is "aggressive, cruel, and bloody," but navigation policies, by putting it in the power of cunning and covetous nations to impose on the weak and liberal, have largely contributed to unbalance commerce and aid in its monopoly.

By such policies our marine has been sacrificed. The need of the world is equitable intercourse. This is not to be realized by permitting any nation to acquire the "command of the sea." Policies that work to this end are impolitic on the part of inferior nations. To them, at least, it should be self-evident that advancement requires between maritime states a commensurate growth and a fair balance of marine and naval power. A condition even approaching monopoly of shipbuilding and navigation, of commerce and sea carriage, with inordinate naval preparation, can not but threaten the general prosperity and even the peace of the world. These great objects would be best secured by the equitable principle of every maritime nation attaining and holding its rightful place upon the ocean, carrying its fair share of commerce, content to see its neighbors so carry theirs.

This condition does not now obtain, because the sea carrying trade of all nations is mostly open and free to vessels of any flag. Some nations, like ourselves, preserve their domestic carrying trade, but many nations, like our own, have no regulations to prevent the enterprising and the grasping from capturing their trade and transportation. Our domestic commerce—of coast, lake, and river—is the largest of its kind in the world. In fact, all the countries have not a larger home traffic. Our foreign carrying trade is open to the ships of the world, and under the methods which we have pursued more than 92 per cent of that trade is controlled and maintained by steamers built by other nations under privileges and subsidies granted for the purpose of depriving us of the advantages which would accrue to us in trade with the civilized world.

Not only do we suffer through actions by other nations jealous of our growth and ambitious to secure the advantages of our trade, but we also are injured by the action of the "Lloyds" and other combinations of foreign insurance capital, who have in many ways belittled, underrated, and overcharged our merchant marine, and these unfair, unjust, and almost criminal discriminations, together with the higher cost of construction and maintenance, of the American-built and American-manned ship, have nearly made our vessels unknown in the foreign trade. That there is abundant capital seeking investment in merchant marine is evidenced by the recent purchases of foreign steamship lines by American capitalists.

It is also an admitted fact that every additional stick of timber hewn in the forest, and every additional ton of ore taken from the mines and manipulated by the skill and enterprise of the shipbuilder and the skilled mechanic, means the greater employment of American labor, and the providing of a home market for the consumption of the products of the farm in a larger degree, and therefore the joint resolution herewith presented should command a generous support from all sections of the country. The need of a full and efficient inquiry into the present conditions of our foreign shipping trade is so plainly apparent that an attempt to provide a remedy which shall restore the United States to its former supremacy in the shipping trade of the world should certainly be undertaken.

Our policy for more than the past forty years has clearly been wrong. Without any investigation, that is altogether too apparent.

What ought to be investigated is the cause of the decline, with the purpose in view of providing a remedy, and submitting the conclusion in the form of a bill to be presented to the Fifty-eighth Congress for the purpose of rehabilitating our fast declining merchant marine in the foreign trade.

This is the intended purpose of the joint resolution recommended for adoption to the Congress of the United States, and it should commend itself to the careful consideration of every lover of his country, independent of party affiliation or partisan considerations.

The bill H. R. 7056 embodies the same features that were included in the joint resolution which I presented to the Fifty-seventh Congress. The necessity which existed then for the legislation has only become more pressing to-day, as by the lapse of time the continued decadence of our merchant marine, relatively, shows how as a nation we are not keeping pace with even the smaller and more inferior nations in the use of the great international highways of commerce.

During my membership in the House of Representatives I have been assigned a place upon the Committee on Merchant Marine and Fisheries. Long and patient hearings have been held and arguments have been presented both for and against the policy of rehabilitation of our merchant marine by means of providing a subsidy, and it has not been possible to agree upon a bill which could by any possibility be enacted into law. But there has always seemed to prevail a sentiment that something ought to be done, or some agreement ought to be secured, whereby a measure could be submitted to Congress upon which both sides could agree and which they would recognize was in the interest of the whole people and not for the purpose of partisan advantage.

I frankly declare that was my intention in presenting the joint resolution, to which I have referred, in the Fifty-seventh Congress; and as there was not any opposition in the committee to that resolution, it seemed to me very peculiar that there should be a partisan division upon the vote ordering a favorable report upon the bill we are now considering, and also that there should have been majority and minority reports presented thereon to confuse the minds or arouse the passions of the Members of this honorable body.

I accord to my colleague [Mr. GARDNER] the same high purpose with which I was actuated in striving to arouse the Members of the House and the people of the nation to the importance of this great question, of inquiring into the causes of the decline of our foreign merchant marine, and endeavoring to seek a remedy from the existing state of facts such as the inquiry might reveal.

Besides, this bill provides that the minority party in both Houses shall have representation on the proposed commission; and as the commission is to ascertain information and report the results of the inquiry to the Congress at its next session, if it should appear that there can not be an agreement upon facts at that time, it would seem to me most appropriate that partisanship should be made manifest. I have carefully read the majority and minority reports accompanying this bill, and they are well worthy the attention of the Members of the House and would be useful in setting forth the necessities of the situation for the information of the citizens of the nation.

The views of the minority regarding this commission, it seems to me, are peculiar. The commission is composed of members of both Houses and of both parties. In this respect it is not in accord with the usual custom of having separate committees, but there is no outside interference nor any suggestion of such action, and an inquiry of the same nature by separate committees would only result in double expenditure; therefore the contention of the minority in this respect seems to me unsound and unwise. It is certainly to be regretted that we are halted in the consideration of this inquiry at the outset by the declaration of the minority

that they see all sorts of ghosts and hobgoblins in this attempt to obtain information which shall guide the Congress in its attempts to solve one of the most perplexing problems that demand our consideration.

But accustomed as the Congress is, by long experience, to witness the attempts of the minority to neutralize all efforts to secure legislation by factious opposition, the majority will proceed to outline measures which they regard for the public good, and they will go forward with the confident belief that this bill, if it is adopted by the Congress and receives the approval of the President, will be the means of furnishing important information upon which to base legislation which will result in the rehabilitation of our merchant marine. This subject is one that should interest every citizen of the Republic.

We should be the greatest maritime nation. By wise legislation we have protected, maintained, and increased our coastwise and lake commerce until it is very much larger in volume than that of any other nation.

Bordering on the two great oceans, expending millions in widening the channels and deepening the harbors along the entire coast, we ought to take measures to construct the ships which shall enjoy the benefits and profits which should accrue from the export of our vast productions, and we also should reap the advantage which our great prosperity has made possible through the great increase of imports from other nations.

We hope to obtain in concise form the information as to the handicaps we suffer by reason of the bounties, subsidies, or other provisions made by other nations for the benefit of their shipowners. If through this commission reliable information is furnished, possibly we may then hope to obtain remedial legislation.

WE MUST START SOMEWHERE.

During the recent war with Spain we were compelled to buy or hire transports of other nations, for we were absolutely without the necessary tonnage to supply our Army and Navy with equipments, food, and the complement of men to preserve the national honor.

Through the efficiency, skill, and patriotism of our gallant boys in blue we were victorious on both land and sea and are regarded as invincible by the great nations of the world.

It is good economy to maintain a strong navy in time of peace as a preventive of war and the consequent loss of life and devastations, which great misfortunes can not be estimated in dollars and cents.

An adequate deep-sea merchant marine under American auspices and governed by laws which Congress in its wisdom has provided would develop seamen of the highest character, who would prove proficient auxiliaries in time of war and most exemplary and efficient citizens in time of peace.

Let us not forget the great shipbuilding interests. Along our coasts are well-equipped, modern shipyards. If the foreign merchant marine shall be strengthened so that the sound of the ax and hammer shall be heard in the shipyards and the mechanic and artisan shall find constant and remunerative employment, a demand will be created for labor in the forest, in the mine, at the furnace, and in the workshop, and the purchasing power of the wage-earner will be increased. He will consume a greater quantity of the products of the farm, the mill, and the workshop. A calm and careful consideration of the wide-reaching effects of the provisions of this bill, if it meets the expectations of its author, will convince the most obstinate and perverse opponent that it is the most beneficial legislation that has engaged the attention of Congress during recent years.

Since 1898 we have annexed the Sandwich Islands and acquired the Philippine Islands and Porto Rico, and have executed a treaty with Cuba. These acts are marked advances over our former policies of confining our energies to exploitation within the confines of the United States. Already we are reaching out in the Orient for our share in the trade of the great nations in the East. The great water highways are open to the nations which most deserve them, and this nation, with its vast resources, with its great abilities displayed in every line of domestic manufactures and domestic commerce, should enter the open field of competition for the foreign commerce which other nations have so long enjoyed, and by liberal provisions have made it possible for the foreign shipbuilder and shipowner to cause the American flag to almost disappear from the sea and from the ports of other nations.

The recent treaty negotiated with Panama and ratified by the Senate of the United States and the acquirement of the territory through which a canal is to be constructed connecting the two oceans is another marked advance beyond the lines maintained heretofore. The reasons which actuated and justified the expenditure of millions to accomplish this great result have been accepted by the citizens of the Republic as wise, patriotic, and public-spirited.

A portion of the minority in both Houses condemned this great act and the methods and wisdom of its accomplishment. They condemn this legislation with equal fervor and vindictiveness; but the sober, thinking, hard-headed citizens of this great nation will support and uphold the party which courageously and manfully takes up this important question affecting our international merchant marine and presses it to a successful conclusion.

The amendment offered by the gentleman from California [Mr. LIVERNASH], providing for an inquiry as to what "change or changes, if any, should be made in the existing laws relating to the treatment, comfort, and safety of seamen, in order to make more efficient the seafaring calling in the American merchant marine," and adopted by the House, broadens the scope of the inquiry and touches upon a very important element in the consideration of this great question.

The decline of our American shipping has been appalling, and I firmly believe that a discussion of the present status of our international merchant marine can not fail to be of interest.

Mr. Chairman, not one American merchant ship from the United States entered the ports of Germany last year. Not one American flag floating above an American cargo was seen in the ports of Russia, of the Scandinavian peninsula, of the Netherlands, Italy, Austria-Hungary, or Greece. So far as the commerce of these maritime countries of Europe is concerned, the Stars and Stripes have been blotted from the ocean. Less than one-tenth of our own imports and exports in our traffic with all the countries of the world was conveyed last year in American vessels, built, officered, and manned by our own citizens.

More than nine-tenths of the over-sea commerce of the great American port of New York is conveyed in the ships of foreign nations. Foreign mercantile and shipping houses dominate the lower portion of Manhattan Island. They crowd the streets around the Battery. They give that whole region an atmosphere of Europe, thoroughly alien and frankly hostile to American ideas and the extension of American commerce.

In this lower part of New York City, No. 78 Broad street, stands the new building of the Maritime Association of the Port of New York, the largest shipping association in America. Time was when the New York Maritime Exchange was the heart and soul of American maritime enterprise. Its floor was thronged with American merchants, with American shipowners, and American captains. Its atmosphere was of ardent patriotism. There were planned voyages that won wealth for the city and honor for the flag.

But little by little, step by step, through the years, with the disappearance of American ships, American shipowners and captains have been elbowed out of the exchange by aggressive foreigners, who know little and care less for the patriotic traditions of the institution. However, the management of the exchange has remained American because of its members; those best equipped to accept the responsibility were American citizens. In every effort to win back our vanished commerce the official voice and influence of the exchange have been heard and felt for the American ship.

When this very bill was being urged upon the House Committee on the Merchant Marine and Fisheries, the officers of the New York Maritime Exchange approved it and sent on their official indorsement of this measure to bring about the restoration of the American merchant marine. This act was instantly and bitterly resented by the foreigners of the exchange, and a determined attack was made by them upon the American element. There were angry words and fierce denunciation from the agents and employees of the great British and German shipping houses of London and Liverpool, Bremen and Hamburg.

The American officers of the New York Maritime Exchange were informed by these foreigners that they had no right so much as to raise a finger in behalf of their own country's flag on the high seas. They were told that, inasmuch as 90 per cent of the ocean commerce of the port of New York was carried in foreign vessels, the owners and agents of this foreign shipping had a right to dictate what should be the policy of the largest maritime association in America.

This insolent and aggressive foreign movement against the cause of the American ship has now culminated in an effort to defeat for reelection Capt. C. B. Parsons, the president of the exchange, an American shipowner, and a stanch friend of the United States merchant marine.

Captain Parsons is a successful merchant, a cultivated gentleman, American to the backbone, a gallant officer of the civil war. He has conducted the affairs of the exchange with skill and fidelity. He has recently installed the exchange in a fine new building. He is known and honored throughout the business community.

Yet, because he dared to approve this bill, following out the recommendation of the President of the United States for an official inquiry into the decline of American shipping, he was marked for defeat by spiteful agents of foreign steamship companies, whose monopoly of American commerce would suffer if the number of American ships and American seamen were increased.

This same foreign attack which is aimed at President Parsons is also directed at Mr. Fields S. Pendleton, one of the board of directors of the exchange, who is a candidate for reelection. Like Captain Parsons, Mr. Pendleton is known as an ardent friend of American shipping. He himself owns a large amount of American sailing property. He has no interest whatever in any ship beneath a foreign flag. Mr. Pendleton is president of the Atlantic Carriers' Association. He joined his fellow-officers of the exchange in advocacy of this bill for a commission to devise the best way possible to upbuild the American merchant marine, and for this he, too, has been marked for defeat by the foreign steamship companies that control 90 per cent of the ocean carrying of the port of New York.

To make this attack upon American shipping interests the more mistakable and offensive, the foreigners of the New York Maritime Exchange have named as their candidate against Captain Parsons the New York agent of the British shipping house of Furness, Withey & Co. (Limited)—an Englishman who has lived in this country only a few years and has never become an American citizen.

This man, Woolley by name, states his position with astonishing frankness. He leaves no doubt whatever of the real animus of this foreign raid upon American shipping interests:

We are opposed to the present president being reelected—

Declares this English steamship agent in an interview—

because he favors the control by American tonnage of the transport trade. He favors measures in Congress, you know, arranging things so merchandise can be shipped to the Philippines only in American bottoms. Now, 90 per cent of the business is controlled by English tonnage and of course we don't want to have that changed.

The newspaper representative who procured this illuminating statement from him said, "It is almost unnecessary to ask if you are an Englishman?" "I am," replied Mr. Woolley.

Here is a raid upon American shipping and American commerce right in the heart of the city of New York, which recalls some of the crass British blundering and intolerance of the days of the Revolution. These Englishmen have no more knowledge now of the American temper than they had then. They have no more respect for American patriotism or American independence. This whole episode of a British conspiracy in New York City against American merchants who have dared to stand up on the floor of the New York Maritime Exchange in behalf of the American ship ought of itself to insure the support of every Congressman, Republican and Democrat, for this bill now pending. What does the Democracy intend to do about it? What is the attitude of the Democratic Members of this House? Here in our own seaports we have the agents of foreign shipping impudently declaring that we must not have American ships, that American citizens who favor legislation in behalf of the American merchant marine must be punished by defeat in American maritime associations.

What do the Democrats of this House propose to do in the face of such a situation? Are they with their country or against it? Do they uphold men like Captain Parsons and Mr. Pendleton, who are striving with all their might to build up the American merchant marine, or do they side with the foreigners, who are seeking to cripple and destroy it?

Here is a straight-out, clear-cut issue. Shall we have American ships to convey our commerce, or shall we surrender to foreigners the pitiable fragment of this commerce which we still retain? What say the Democratic Representatives? Are they with their country or against it? Are they with the men who are trying to build up American shipping, or are they with the foreigners who are trying to strike it down?

These foreigners resent the idea that the Congress of the United States should even authorize an inquiry into the condition of our merchant shipping and the best method to restore it. They regard the ocean trade of the United States as theirs by prescription. They deny us the right of carrying even so much as one-tenth of our own goods in our own ships beneath our country's colors. They oppose this inquiry because they are afraid of its consequences, because they feel that it will lead to a popular realization of our weakness and a demand for the upbuilding of our merchant fleet, like the demand for the upbuilding of the Navy; they are afraid of this bill.

Are the Democratic Representatives also afraid of it? Will they join with foreigners in striking at their own flag and destroying what little is left of the sea power of our country?

Mr. Speaker, the bill under consideration aims at a purpose especially dear to the State I represent. The measure has aroused widespread interest in Massachusetts and has won the formal approval of many of the chief mercantile associations of the Commonwealth—the Boston Associated Board of Trade, the Boston Merchants' Association, the Home Market Club, which has its headquarters in Boston, the Gloucester Board of Trade, the Boston Real Estate Exchange, the Lawrence Board of Trade, and the Springfield Board of Trade.

These mercantile associations are made up of men of all parties. They urge the enactment of this bill not as partisans, but as patriotic American citizens honestly seeking the welfare and security of their own country and the extension of its commerce to foreign lands.

In the first half century of our national existence Massachusetts was the most active and enterprising maritime community of the United States In 1818 the port of Boston, according to Doctor Seybert's enumeration, led the whole list of American seaports, with 4.48 tons of shipping for every inhabitant. Next came Portsmouth, N. H., with 4.15 tons; Baltimore, with 2.90 tons; New York, with 2.78 tons; Philadelphia, with 2.23 tons; and Charleston, with 2.14 tons. Boston and Salem were our American pioneers in the trade beyond the Cape of Good Hope to the distant countries of the Orient. It was Massachusetts yards that built the earliest and most famous of our clippers, and when steam came in Massachusetts skill and enterprise instantly entered the field in a gallant, but, of course, impossible, rivalry with the heavily subsidized steamship lines of Europe.

Step by step Massachusetts has been driven from the ocean. Her first steam line succumbed to the State-aided competition of the British Cunard Line. Then British subsidized ships entered our oriental trade and drove our sail ships out of the ports of the East Indies. The cheap wages, aided sometimes by the subsidies, of Europe have driven our Massachusetts ships out even of the South American and West Indian trade, and little is now left to Massachusetts shipowners and seamen but the coastwise traffic, which, under the protection of wise and effective laws, has grown in these later years to great proportions.

But only a skeleton fleet of Massachusetts vessels now sails overseas. Out of the port of Boston, the second seaport of America, there goes not so much as one steamship in the great trade to Europe. Every one of the steam vessels regularly plying to and fro between Boston and the ports of Great Britain, northern Europe, and the Mediterranean is a foreign vessel, built abroad, owned abroad, manned abroad, and part of the naval reserve of European nations.

On the whole import and export trade of Boston, aggregating now a value of nearly $200,000,000 a year, our manufacturers, merchants and the farmers of the West pay a tribute to the foreign shipowners.

During the Boer war, when Great Britain required transports to convey her troops, with their ammunition and provisions, to South Africa, she took nearly all of the best British steamships out of our Boston service and so crippled our transportation facilities that in a few months the export trade of Boston, consisting chiefly of western grain, provisions, and cattle, was reduced by the amount of $10,000,000 or $12,000,000. There were no American ships to convey these goods, and the foreign owners of the few ships left, taking advantage of our necessities and our lack of American tonnage, deliberately advanced their freight rates 30 per cent.

This forced the American people, and especially the farmers of the West, to contribute to the cost of that long and desperate conflict in South Africa.

Not only is there no American steamship running out of the port of Boston to Europe, but there is no American steamship running out of Boston in the trade with South America, a trade in which Massachusetts vessels were once preeminent. For a long time there was not one American steamship regularly employed in the trade between Boston and the West Indies. But a few years ago, under the postal-subsidy act of March 3, 1891, the United Fruit Company, which has its headquarters in Massachusetts, built four American steamships of 15 knots speed and of 2,000 tons, qualified them under the severe terms of this postal act, and established a new American line, which has been running successfully ever since between Boston, Philadelphia, Jamaica, and occasionally ports of the farther Caribbean.

But this one line of the United Fruit Company, created and sustained by a small mail subvention, is the only American line of steamships now running out of Massachusetts in the foreign trade. This line receives in mail pay about $100,000 to $120,000 a year. It may be worth remarking that a British line running between England and Jamaica in the same fruit-carrying trade receives a subsidy of $200,000 annually. In other words, the rate of British as compared with the rate of American ship protection in this West Indian service is almost as two to one.

Massachusetts has good harbors, a long coast line, and a numerous maritime population inured to the sea and possessing a veritable genius for ocean adventure.

The old sea towns of Cape Ann, Cape Cod, Martha's Vineyard, and Nantucket and the old whaling city of New Bedford have for two hundred years bred the hardiest and most enterprising seamen in the world. Thousands of these men now find employment in the coasting trade, but they can not go over seas unless they sail on foreign ships, beneath foreign colors. The United States has done much, and justly, to encourage its iron and steel makers and its cotton spinners. The men who weave woolen

cloth, who make machinery, tools, and all the articles that go to fill the other needs of modern life—these are protected, but this nation of ours has almost forgotten its seafaring citizens. It has almost ignored the earliest and once the greatest of our industries. But for the coastwise trade there would be few American seamen to-day; there would be no American shipbuilders.

We once built ships of wood in Massachusetts. We are building there now ships of steel. But they are all for the coastwise service or the Navy. On the shores of Boston Harbor there stands to-day the great plant of the Fore River Company, one of the greatest shipyards of America. This yard has constructed coasting vessels. It is just about to launch a battle ship. It is building steamers for the route between New York and Boston. But never yet has this yard, with its 3,000 workmen, its splendid machinery, its unsurpassed resources, built so much as one vessel for the general ocean trade. It is many, many years since a ship of any kind was built at any port of Massachusetts exclusively for foreign voyaging.

Massachusetts merchants have abundant capital. They have enterprise and ambition. They have more—a native instinct for the sea and splendid talent for world-wide commerce. They are awaiting only an opportunity. When a bill for the encouragement of American shipping was introduced in Congress a few years ago, the Fore River shipyard immediately received inquiries for bids for the construction of forty or fifty seagoing ships of the first class. When that bill failed every one of those inquiries was withdrawn and the ships which brought our Massachusetts commerce overseas continued to be built in foreign yards, to be owned by foreign merchants, and officered and manned by the subjects of foreign governments.

How long shall this humiliating condition last? Is not the need of an inquiry imperative? An inquiry is what this bill provides for—an inquiry, and nothing else. Nobody can tell what particular kind of legislation may be recommended. It may be subsidy—it may be something else. The plan of discriminating duties and tonnage duties—suggested by the minority of the Committee on the Merchant Marine and Fisheries—deserves a fair hearing before this commission. If there is any merit in this plan, the country ought to know it. And if there is merit, a commission on which both parties are represented would establish it.

If some other way is the best way, let us have it. There is wisdom enough and patriotism enough in Congress, I am certain, to discover the best method, whatever that may be, to restore our almost lost ocean fleet and to set the Stars and Stripes afloat again on distant oceans.

An inquiry—a fair and square investigation of the causes that have reduced our merchant marine and the best method of increasing it—is what is asked by these business men of Massachusetts in common with the business men of other States. Can Congress afford to refuse even an inquiry? Will the minority Members of this House deny even this boon to American merchants, shipbuilders, and seamen? And if they do so—if, in spite of the appeals of the merchants of our cities and the sailors and mechanics of our coast towns, the minority party in this House votes to deny even this inquiry—how can it hope to justify itself in the approaching election to the merchants of the country and the people of the maritime States?

Remember this, that the present foreign monopoly of nine-tenths of our ocean commerce drains out of this country every year from $100,000,000 to $200,000,000, which goes to strengthen the commercial and naval power of the nations of Europe.

Is the Democratic party as represented by the minority in this House prepared to stand before the American people in this national election and declare that it will not consent that our Government should even inquire into the cause of this foreign monopoly, which is slowly strangling the maritime enterprise and destroying the sea power of the United States?

Mr. Chairman, this question of American shipping is a very simple one. Strangely enough, however, there is thrown over and around it a degree of mystery and misrepresentation that so confuses and complicates the question that many people give up its solution in despair. The shipping question is entirely a labor question, and I am quite within bounds in stating that the labor feature of the shipping question is but rarely and slightly considered. It may be well to inquire why this is so. The enemies of American shipping—and they are numerous, alert, resourceful, and aggressive—do not want the facts of the case known; they do not want the real issues defined; they do not want the American people to understand the question in its simplicity and nakedness; hence they very carefully keep away from the labor element in discussing it.

The American people want an American merchant marine for our foreign carrying, because they are ashamed to see their flag so little upon the seas. They feel humiliated to find foreign ships all but monopolizing our foreign carrying. They feel that the intelligence of the American people is in question so long as the great shipbuilding interest decays and is insignificant. They feel gratified to know that in exports we exceed all other nations, but they view with keen apprehension our almost utter dependence upon foreign shipping for its transportation. What they want to see is American shipyards busy building the ships needed for our ocean carrying. They know that we have an abundance of shipbuilding material equal to every possible need; that our soil is full of iron ore and coal—the two chief ingredients in modern shipbuilding. They know that our southern pine and western fir forests are almost boundless and all but inexhaustible, and they wonder that American labor is not employed in digging the iron ore and the coal from the earth and in felling the trees that supply the raw materials for shipbuilding.

They would like to see our great railroad and water transportation agencies and the American labor they employ engaged in carrying the raw materials required in shipbuilding to the mills and factories, and after they have been fashioned into the proper shapes at the mills and the factories by American labor they would like to see them again carried to our shipyards, there to engage American labor in assembling the different parts into the finished ships. The American people know that we are not lacking in skill for shipbuilding. They know that we have built the finest battle ships and the finest merchant ships, and the most modern, that ever sailed the seas. There is no question of our ability; there is no question of our resources with which to build ships. We possess each in the greatest abundance. Nor is the capital lacking; that, too, we have in the greatest abundance; and all that is necessary to cause the building of vast fleets of American merchantmen is the evidence that the investment is stable and profitable. Nor is the enterprise lacking.

So we have, first, the commerce to carry; second, the means with which to build the carriers; third, the materials for shipbuilding; fourth, the skill and the labor unequaled and in the greatest abundance ready for employment in shipbuilding. Why, then, do we not build the ships? Simply because investment in American-built ships under present conditions is unprofitable. So, capital being unwilling to invest in American-built ships, our materials are unused, our skill and labor are unemployed. The result is that foreign materials, foreign skill, and foreign labor supply us with the ships that are employed in doing our foreign carrying. The free trader says that this is a natural and proper condition; that if the foreigner will do our shipbuilding more cheaply than our own people will do it, that it is to our advantage to employ the foreigner and use our labor in employment that is profitable.

These same free traders, however, would have foreigners spin our cotton into cloth, because they are able to do it more cheaply than our own people are. Nevertheless we place a high duty on imported cotton manufactures, in order that our own people, even at higher prices, shall have employment in the manufacture of cotton. This country produces three-fourths of all of the cotton raised in the world; we ship three-fourths of our cotton abroad in a raw state; it is manufactured abroad, and even then, so keen is the foreign competition, so cheap is the foreign manufacture, that our imports of cotton manufactures approximate in value to our exports of cotton manufacture. Not only are our rivals able to pay the freightage on the raw cotton from the South to the mills in foreign countries, and to there manufacture it into cloths and then ship it back to the United States, and still pay high duty on it in order to get it into our markets in competition with our own cotton manufactures, but the people of the United States show a determination to continue that system indefinitely.

The suggestion, therefore, that it is to our advantage to have aliens build our ships, because they can build them more cheaply than we can, if a good one, should be equally good applied to cotton manufacturing. If foreigners can manufacture cotton cheaper than we can, why should they not? The answer is that the American people do not want American labor to work for the low wages that foreign labor is willing to work for in cotton manufacturing; they desire to maintain unimpaired the American standard of wages in cotton manufacturing, and if it is more costly the American people are quite willing to bear the higher cost, feeling and believing that the country is stronger, safer, and more contented with its labor earning good wages.

For the same reason the American people will be willing to have the ships required for our foreign carrying trade built in the United States. The people do not ask nor do they wish that the American labor employed in building ships shall work as cheaply as the foreign labor that is employed in building ships any more than they wish or desire that American labor employed in making cotton goods should work for the same wage that foreign cotton operatives receive. To be sure, we could get the ships we need by buying them abroad and putting them under the American flag and running them with foreign officers and foreign crews and

feeding them the same cheap way that the officers and men employed on foreign ships are fed, but that is not what is back of the demand for an American merchant marine.

The militant, aggressive demand for American shipping emanates from those who want ships built by well-paid American labor, officered and manned by well-paid and well-fed American officers and seamen; and such a shipping, so built, so officered, and so manned is the only kind that will ever satisfy the American people. Until we have just such a shipping, prosperous and profitable, the agitation will be kept up, the demand will be just as insistent and persistent as it is now. After half a century of decline, after American shipping has all but been effaced from the high seas, the demand for an American mercantile marine is still aggressive, still militant, still unsatisfied with existing conditions, still clamoring at the doors of Congress for relief.

Our Democratic friends have a warm feeling for alien labor; they abhor and detest the protective system, so they tell us to buy our ships abroad, because they are built more cheaply abroad, and put them under the American flag. They say let us have "free ships," and "free ships" means nothing unless it means alien-built ships. And that is all that the Democrats seem to stand for—the employment of underpaid foreign labor instead of the employment of properly paid American labor. The only objection that our Democratic friends have to American-built ships is that they cost more to build than foreign ships cost. We hear little from our Democratic friends for ships of American construction; their cry is for cheap ships, for "free ships," for alien-built ships. How can American labor look on and hear these Democratic demands for foreign-built instead of American-built ships and not realize that the Democratic party is opposed to American labor? If foreigners build our ships, where is American labor benefited? If foreign materials are employed in the building of ships, how does that help the men employed in the mines, the forests, the mills, and the factories of the United States? If foreign workingmen build the ships our commerce employs, what benefit does that confer upon American labor? And yet that is what our Democratic friends are lined up for; that, as a part of their free-trade propaganda, is what they offer to American labor.

There are 6,000,000 tons of foreign ships now employed in carrying our imports and exports, the cost of which must have been very close to $500,000,000. American commerce has paid for those ships. The money has been taken from the American people, out of the channels of trade, and paid over to aliens, and American labor remains idle, while the alien finds employment in the building of the ships needed for the carrying of the foreign commerce of the United States. It is estimated that every year $200,000,000 is paid out by the American people to foreign shipowners for the transportation of American foreign commerce. Think of it; every five years a billion dollars! During the past forty years probably all of $5,000,000,000 has been paid to foreigners for carrying the imports and exports of the United States! During the next quarter of a century, if things remain as they are, the people of the United States will pay out to foreign shipowners in freight charges another $5,000,000,000. The United States will be just that much poorer in wealth, in resources. The United States, at this rate, would be able to pay off the national debts of every nation on earth, all put together, and still leave a handsome surplus in the national treasuries of other nations.

The American people little realize what a fearful drain upon their resources and their wealth is made every year for the employment of alien ships. No other nation on earth could stand such a strain as this nation does and yet prosper—and this condition will not exist forever. We shall eventually impoverish ourselves if we continue to employ only alien instead of American shipping in our foreign trade. And yet that is what the Democratic policy will commit us to if present conditions remain unchanged. At the present time we employ foreign ships to carry over 90 per cent of our exports and imports. The Democrats would have us buy our ships abroad, officer and man them with aliens, in order to solve the problem of an American (?) mercantile marine. The only difference would be that the net earnings of the ships, after all of their expenses had been paid—say 5 per cent—would come into the United States; foreigners would have the remaining 95 per cent of the gross earnings of the ships under the Democratic plan for the rehabilitation of the American mercantile marine. What real benefit, therefore, would it be to the American people, and to the United States as a nation, to have our ships built abroad, officered and manned by aliens? The capitalist only would be benefited by this Democratic free-ship policy; American labor would be benefited nothing whatsoever.

To-day nearly 2,000,000 tons of ships built in alien shipyards by alien labor, employing alien officers and alien crews, and fed according to alien methods are owned by American capital and employed in carrying American exports and imports. Fully one-third the foreign shipping now engaged in doing our foreign carrying is owned by American capital. Has that solved the shipping problem? Not at all. The demand for American shipping is just as insistent as ever. Do you think, sir, that if American capital owned every ton of foreign shipping employed in our foreign carrying trade, the ships all manned by aliens, that the American people would think that the shipping question had been solved? Indeed they would not. But our Democratic friends would seek to solve it by merely displacing the foreign bunting at the peak and replacing it with the American flag.

The free-ship policy of our Democratic friends contemplates nothing that is American for our shipping but the capitalist who owns it and the flag that identifies it. Such a shipping, so owned, so officered, and so manned, masquerading under the American flag, would be intolerable to the American people, and yet that is precisely the way our Democratic friends would solve the question. Not a dollar for American labor; even the bunting at the peak would, probably, under such circumstances, even if fashioned into the Stars and Stripes, be so fashioned by alien hands in alien countries. And yet that is the kind of an American merchant marine that the Democrats offer us. Free ships mean nothing else.

Our Democratic friends can not consistently say that while they would favor buying from aliens the ships we need, they would advocate the employment of Americans to run them. Why would a Democrat be willing to have a foreigner build our ships, but be unwilling to have a foreigner run them? Would the Democrat who is unwilling to protect American labor in the building of the ship be willing to protect American labor in the running of the ship? Is the American workingman in the shipyard unworthy the protection at the hands of the Democrats which they would be willing to extend to the American seaman? No, no! The man who favors free ships—alien-built ships—can not help favoring alien officers and seamen and an alien food scale. That is Democracy's position carried to its logical conclusion—an alien-built, an alien-officered, an alien-manned ship, the men fed according to the skimpy and unwholesome foreign food scale—but owned by American capital! How considerate the Democrats are of the American capitalists, but how inconsiderate they are of American labor, in the mines and in the forests, in the mills and in the factories, in the shipyards and on board the ships! Is that the kind of a solution of the American shipping problem that the American people want? No. Then they do not want Democratic ascendency, because that is the only kind of a solution of the shipping question that Democracy is willing to advocate or that it would agree upon.

And what do the Republicans propose? Their concern is not so great for the capitalist as it is for the workingman. First of all, they insist that when we build up American shipping upon the seas, it must be composed of vessels constructed by American labor, out of American materials. That is the first demand of the Republicans. They will have nothing but that. Then they will require that the ships be officered by American citizens, that the crews shall be composed of American citizens so far as possible, and that the food scale shall be ample and generous, as befits good American citizens. That provided for, then the extra expense of the construction and the operation during the time that our ships are securing the carrying trade will be met by some protective system, just the same as the extra cost of American labor in other fields of industry is now provided for by our protective system.

I am not here at this time, Mr. Chairman, while the bill now pending is up for consideration, to state precisely by what plan the Republican party would cover the seas with American shipping; the method, the plan, the policy by which it is to be accomplished will be left to the commission that the pending bill creates to devise—a plan, a method, or a policy that will be acceptable to the American people, that will be satisfactory to American labor, and yet that will attract American capital into the ships that are needed for our carrying trade.

In 1890 the United States was confronted with the necessity for establishing the tin-plate industry in the United States. At that time aliens supplied practically all of the tin plate that we consumed, and the reason why aliens supplied it was because alien labor produced tin plate more cheaply than American labor could or would produce it. That was a condition of affairs that was entirely satisfactory to our Democratic friends, and they did not wish it disturbed any more than they now wish to have the foreign monopoly of our ocean transportation disturbed. But the Republicans were dissatisfied, and so they determined to build up tin-plate manufacturing in the United States.

Our Democratic friends came along and told us that it would ruin the American consumers of tin plate if they were compelled to buy American-made tin plate, costing so much more than foreign tin plate cost, because the American labor employed in its manufacture would insist upon receiving the American wage standard, a standard far above that received by the foreign tin-plate wage-earner. Nevertheless, Congress went forward under the leadership of the lamented McKinley and placed a high pro-

tective duty on imported tin plate. There had been no duty on imported tin plate up to that time. From one end of the country to the other our Democratic friends, who are our free-trade friends as well, insisted that we could not manufacture tin plate. They also insisted that our people could not afford to consume American-made tin plate. The people were fooled into believing the Democrats for a short time—long enough to take William McKinley temporarily out of public life—but the tin-plate manufactories were established, American labor received the American standard of wages in the making of tin plate, the American consumption of tin plate increased.

Everything the Democrats said we could not do we did; everything they said the people would not do, the people did. We have the tin-plate industry now firmly established in this country. We manufacture practically all of the tin plate that we consume. Indeed, we export large quantities of American manufactured tin plate. And all of this has been accomplished because the Republicans gave protection to tin-plate manufacturing in the United States. American materials, American demand, American skill, and American labor have done all the rest. We make our own tin plate; we employ our own labor in making it. The millions we formerly sent to aliens in alien lands to pay them for making tin plate for us we now pay to our own countrymen in the United States; we have the tin plate and we have the money expended for tin plate besides. In the case of shipping it is different: we have the ships, but aliens built them, aliens run them, and aliens own the larger part of them.

What has been done for the tin-plate manufacturers in the United States can be done for American shipbuilders and American shipowners. A way will be found, and there will be neither degradation of American labor nor a reduction in the wages paid to those who produce the materials out of which the ships are built or of those who build the ships or of those who operate them when built.

It has been said that the protection of American shipping meant the enrichment of American millionaire shipbuilders. It has been said that the protection of American shipping also meant the enrichment of wealthy American shipowners; that it was a scheme to still further enrich some one already rich; that it meant the taking of the money out of the Treasury of the United States and the giving of it to "a favored interest" and to a "favored few;" that the people would be robbed for the benefit of the shipbuilders and the shipowners.

What a weak and untruthful statement! If American capital wants to invest in ships it may do so, and it does do so. To be sure, it does not invest in American-built ships. But it invests in foreign-built ships, officered and manned by foreigners, and these ships return a profit to their owners. To be sure, American labor is not benefited by such an investment of American capital, but American capital is benefited. It doesn't matter to the individual American capitalist whether he buys an American or a foreign ship, but it makes a lot of difference to American labor. To-day investment in American-built ships is unprofitable, so the investment is made in the foreign-built ships that are profitable. There is no loss of employment to American capital in such a case—the loss all falls upon American labor. The American capitalist will make no more money out of a protected American-built ship when Congress in its wisdom puts protection upon the American-built ship than he now makes out of his foreign-built ship, because the protection that Congress will give will no more than compensate the American capitalist for the difference to him in the cost of the American-built ship, run by American officers and seamen, as compared with the present cost of a foreign-built ship, officered and manned by aliens. The return to American capital will be just the same, but the return to American labor will be far different.

The denial of protection to American shipping upon the high seas is a continuance of protection for the alien shipbuilders and alien shipowners who now enjoy the larger part of our foreign carrying—all but a fraction of it. So long as the Democrats are able to prevent Republicans from protecting American ships in the foreign trade, so long the Democrats continue to protect foreign shipowners in our foreign trade.

When the American shipping question is solved, when it is settled right, the workingmen of the United States will be the beneficiaries, not the capitalists. American capital suffers no loss because Congress denies protection to American ships upon the ocean; but American labor suffers a great loss, and the United States suffers a great loss, every year in the hundreds of millions of dollars that it expends upon foreign ships, foreign officers, and seamen.

The denial of protection to American shipping merely serves to withhold investment from American shipping. Capital finds investment in protected and in profitable industries instead, and American labor suffers the loss of employment in shipbuilding and in the running of ships. It is a clear, a plain, and a simple proposition.

I might extend my remarks further, Mr. Speaker. I might point out the loss the United States as a nation suffers through the employment of alien ships and alien officers and seamen. It can not be gainsaid that merchant ships and seamen are a part of the auxiliary naval equipment; merchant ships and seamen are essential resources of the national defense. We are weak, lacking merchant ships and seamen—weak in a military as well as in a commercial and in a maritime sense. On the other hand, our neglect of our shipping strengthens and fortifies our rivals with auxiliaries for their national defense. We fortify them with merchant ships and seamen; we strengthen their naval equipment while we keep our own weak.

The money paid to foreign shipowners for doing our foreign carrying helps to build foreign ships and to make experienced seamen, and those ships and those seamen form a resource of naval auxiliary strength for our rivals. This the nation suffers because protection is denied to our ships upon the sea. We protect all of our great industries that are subject to foreign competition but our ships. All of our great industries that are protected prosper. Our shipping, that is unprotected, has steadily declined and is still declining.

Other nations not only have the benefit of more cheaply built ships and more poorly paid officers and seamen than we have, but their governments come to their aid through subsidies and bounties and in many different ways, the aggregate of the national aid to the merchant shipping of different countries amounting to close to $30,000,000 a year. If unprotected American ships can not successfully compete with more cheaply built and more cheaply officered and manned foreign ships, how much harder the competition becomes when these cheaply built and cheaply run foreign ships are fortified with vast sums from the national treasuries of the different countries that possess a mercantile marine of their own.

I repeat that the whole question of American shipping—the great unsolved American problem—is merely a question of American labor. If we protect our shipping, we give employment to American labor. If we deny protection to our shipping, we continue to employ, and thus protect, foreign shipping. We have our choice of refusing to protect our own ships and protecting foreign ships in our trade, or of protecting our ships and thus supplanting foreign ships in our trade. I submit, as a part of my remarks, a series of documents put forth by the officers of the American Brotherhood of Boiler Makers and Iron-ship Builders, showing their interest in the building up of American shipping in the foreign trade.

KANSAS CITY, KANS., *February 23, 1904.*

Mr. ROBERT MCARTHUR,
Newport News, Va.

DEAR SIR AND BROTHER: Herewith please find a statement regarding three bills now pending in Congress, the passage of which would be of immediate and lasting help to boiler makers and iron-ship builders. Will you see that the statement is read at the next meeting of your lodge? As a precaution I am sending copies to other officers of your lodge, making the same request.

I also inclose form of resolution which I suggest that your lodge adopt, copies to be forwarded to the two Senators and the Member of the House of Representatives who represent your State and District in Congress, the copies so forwarded bearing the signature of your officers and the seal of your lodge.

I can not too strongly urge you to appoint committees to bring the resolutions to the attention of other lodges of other trades in your neighborhood, and that these other lodges be asked to adopt a similar resolution and forward copies to Washington to each Senator and the Representative of your district.

Please see that the newspapers in your locality are supplied with copies of the resolution you adopt for publication.

I shall greatly thank you to promptly advise me of the action taken by your lodge.

Yours, respectfully,

JOHN MCNEIL,
Grand President, Organizer.

Brotherhood of Boiler Makers and Iron-ship Builders of America. An address to officers and members regarding bills now before Congress that would give work to American boiler makers and iron-ship builders.

To the officers and members, greeting:

Boiler makers and iron-ship builders will all be interested in three great measures before Congress of great importance to them. These are: (1) Representative GARDNER'S bill, known as "House of Representatives bill No. 7050," introduced for the purpose of "creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes;" (2) Senator FRYE'S bill, known as "Senate bill No. 2259," the purpose of which is "to regulate shipping in trade between the ports of the United States and ports or places in the Philippine Archipelago, and for other purposes," and (3) Senator FRYE'S bill, known as "Senate bill No. 2263," the object of which is "to require the employment of vessels of the United States for public purposes"—that is to say, for the carriage of the war and naval stores of the United States.

Each of these bills, if enacted, will be of lasting benefit to every boiler maker and iron-ship builder in the United States. Their enactment will give increased employment to men of our craft, will help to increase their wages, and will help to secure a reduction in the hours of labor. For these reasons every lodge of the Brotherhood of Boiler Makers and Iron-ship Builders of America should immediately petition its Senators and Representatives in Congress, by formal resolution, to vote for their passage. Resolutions are inclosed herewith, suitable for your use, which, after being adopted and

filled in, should be at once mailed to each of your Senators and to your Representative in Congress.

There should be more than 500 of these resolutions in the hands of Senators and Representatives from our different lodges during the next month. These bills are not urged for the purpose of helping any political party, but for the purpose of giving our members more work.

The purposes of the bills referred to may be briefly stated as follows:

THE GARDNER SHIPPING-COMMISSION BILL.

The people of the United States all desire the upbuilding of American shipping; they only differ as to the plan or method by which to do it. Our foreign trade last year amounted to $2,500,000,000 in value, of which American vessels carried $200,000,000 and foreign vessels $2,300,000,000. Foreign vessels earned in freights fully $300,000,000. This money was drawn from the United States and was largely used in employing aliens in foreign shipyards to build the vessels for the foreign carrying trade of the United States that the members of our craft might far better have been employed in building. Representative GARDNER's bill provides for the appointment of a commission to consider this subject and recommend proper legislation for giving the building of the vessels our foreign trade employs into the hands of our own people. The commission is to report to Congress at the beginning of the next session, in December of this year. This bill is drawn directly in the interest of the members of our Brotherhood, and its enactment should be asked for by every lodge.

THE FRYE PHILIPPINES SHIPPING BILL.

From the foundation of the Government of the United States the carrying trade between the several States has been exclusively reserved for American vessels. As new territory has been acquired, the carrying trade between it and the rest of the United States has been reserved for American vessels. When Alaska, the Hawaiian Islands, and Porto Rico successively became possessions of the United States their trade with the rest of the United States was reserved for American vessels. This has given employment to American shipyards, which have been called upon to supply new ships, and that has given employment to our boiler makers and iron-ship builders. The Frye bill now proposes that the trade between the United States and the Philippine Islands shall be reserved for American vessels, and if this is done it will be sure to give additional employment to men of our craft in American shipyards. Each of our lodges should ask Congress to pass this bill.

THE FRYE GOVERNMENT-SUPPLY SHIPPING BILL.

Foreign vessels at present carry nearly all of the war and naval stores of the United States to distant parts of the world. No other great nation employs foreign vessels for this purpose. They all employ vessels of their own nationality. The Frye bill proposes that our Government war and naval stores shall be carried only in American vessels. Its passage will still further increase the employment for men of our craft in American shipyards, for which reason it should be urged for passage by every lodge in this brotherhood.

FOREIGN SHIPPING AGENTS ARE OPPOSING THESE BILLS.

The agents in the United States of foreign shipping are opposing the passage of these bills because, they claim, it will drive foreign vessels out of our trade and install American vessels in their places! Isn't that a good reason why members of our craft should support these bills? The agents of foreign shipping also claim that there are not enough American vessels to do the business that these bills would take away from foreign ships. But they do not claim that there are not enough American shipbuilders to build the ships that will be needed. The agents of foreign shipowners have pointed out the very best of reasons why members of this brotherhood should unite as one man in favor of the passage of these bills.

EMPLOYMENT BUT NOT POLITICS IN THESE BILLS.

These are not political bills; they are not partisan bills; they are bills that will give employment to American vessels, and the members of our craft will have the building of them. All we ask is that they should be speedily passed. We want work at our trade in the United States. These bills, if enacted, will give us more work. On this account every lodge should work for their prompt passage.

OTHER TRADES UNIONS SHOULD BE ASKED TO HELP.

If each lodge of our brotherhood would appoint committees of active members to visit other lodges of other trades, in their neighborhood, and point out to them that the passage of these three bills would give employment not alone to members of our craft, but to members of almost every other trade as well, they should be able to secure many additional resolutions, copies of which should be forwarded to Senators and Representatives in Congress. Remember that "in shipping all trades are united," wherefore all trades should unite to petition the Congress of the United States to pass all measures that will cause the building of our merchant ships in the United States.

LET LOCAL NEWSPAPERS PUBLISH YOUR RESOLUTIONS.

As soon as you have adopted resolutions as suggested, and have forwarded copies to your two Senators and your Representatives in Congress, send copies to the newspapers in your locality with the request that they be published. By this means other trades will be informed of your action, and indorsements of these bills may be made more general, and therefore Congressional action for their enactment hastened.

JOHN MCNEIL,
Grand President-Organizer of the Brotherhood of Boiler Makers and Iron-ship Builders of America.

KANSAS CITY, KANS., *February 20, 1904.*

[Copy of letter sent to every Senator and Representative in Congress.]

DEAR SIR: In the name of 24,000 American workingmen, members of the Brotherhood of Boiler Makers and Iron-ship Builders of America, with 500 lodges in as many different parts of the United States, I most respectfully ask you to support the following bills now pending in Congress, on the sole ground that their passage will mean more work for our members at their trade:

Senate bill 2259, to regulate shipping in the trade between the ports of the United States and ports or places in the Philippine Islands, and House bill 12222, which is the same thing; Senate bill 2253, for the carriage of Government war and naval stores in American vessels, and House bill 16139, which is the same thing; and House bill 7056, creating a commission to consider and recommend legislation for the development of the American merchant marine.

We are not interested in trusts, combinations, or monopolies; we have neither political nor partisan interest in these bills; we want them passed because they mean work for us at our trade.

American shipbuilders can not build ships as cheaply in the United States as foreign ships are built, largely because the wages men of our craft receive are far higher than obtain in foreign shipyards and boiler shops. We stand for the American standard of wages and of living and are better citizens because we enjoy them. We want no diminution in our wages and no reduction in our style of living, but we want to stand, as do workingmen in other trades, on the American level. They are able to do so, largely because our Government protects them against the free competition of foreign products. Our ships in the deep-sea trade are unprotected, and so can not compete with foreign ships. Congress should remedy this condition, and this we ask. The bills above named will help. Wherefore we again appeal to you to work and vote for them in the interest of American workingmen.

Very respectfully, yours,

JOHN MCNEIL,
Grand President-Organizer
Brotherhood of Boiler Makers and Iron-ship Builders of America.

The following document was printed some years ago as an editorial in the Knights of Labor Journal, published in Washington, D. C.:

LABOR'S INTEREST IN SHIPPING.

One of the most pressing needs of the hour is that of reviving our shipping in the foreign carrying trade. Of our foreign commerce, worth nearly $2,000,000,000 annually, less than 10 per cent is now carried in American vessels. This almost utter lack of seagoing shipping and seamen, accentuated as it was during our recent war with Spain, has commanded for this subject more widespread attention than has been accorded to any other of the great economic and industrial questions during recent years. At the last session of the Fifty-fifth Congress there was a bill introduced in each branch identical in form, and which was intended to encourage American citizens to invest in home-built ships for the carriage of our imports and exports, and the further object of which is to attract our young men back into the seafaring careers their fathers abandoned a generation ago.

That bill was favorably reported by each of the proper committees in each branch of Congress, in the Senate without any opposition whatever, and it is the general belief that it would have been passed without a doubt but for the lengthy consideration of the peace treaty. There is no measure that has been before Congress since the close of the civil war that is so full of promise to American labor in every branch than this same shipping bill.

We believe there is no point of view from which we can consider this subject that will be of deeper interest to our readers and to the American people generally than from the view point of American labor. What we shall say, therefore, will bear more particularly upon that part of the subject.

To those who have made even a superficial study of our maritime condition it must be quickly manifest that were it not for our domestic water-borne commerce, and the system under which it flourishes, it is probable that shipbuilding, as well as shipowning, would be extinct American industries.

It seems not to be generally known that the statistics of the last census show that in 1889 there were 32,059 vessels of all kinds, of a gross tonnage of 8,603,489 tons, and valued at $220,774,250, owned in the United States, yet that is the fact. Of this vast aggregation only 1,681 vessels of 1,021,595 tons, valued at $44,394,703, were engaged in our foreign trade. During the census year of 1889—just ten years ago—our American vessels in the foreign trade carried 14.3 per cent of the imports and exports of the United States, while during 1898 only 9.3 per cent of our foreign commerce was carried in American vessels—a falling off of 5 per cent in nine years. The number of American vessels thus employed in 1898 was 1,135, of 737,709 tons—a decline since 1889 of one-third in the number and in the tonnage of our vessels so employed.

This phenomenal falling off in American shipping engaged in the foreign carrying trade can not be accounted for by any decline in the volume or value of our exports and imports during the last nine years. On the contrary, our foreign commerce increased from $1,487,533,027 in 1889 to $1,847,355,109 in value in 1898—or more than 24 per cent.

During the same time vessel entries from foreign ports increased from 13,311,652 tons in 1889 to 20,002,639 tons in 1897—an increase of nearly 50 per cent in the tonnage employed in carrying our imports and exports—during which time the number and tonnage of vessels under the American flag in that carrying decreased one-third! These are hard official statistics, which tell our people truths of momentous import, and which they must heed lest our last remaining but rapidly vanishing remnant of shipping be swept from the high seas.

The Eleventh Census report shows that in 1889 there were 114,736 persons employed "making ordinary crews on all operating craft" in the United States, to whom were paid in wages $41,729,842—an average per employee of $364 during that year.

The total gross earnings of all vessels owned in the United States amounted, in 1889, to $166,838,776, with expenses amounting to $130,237,970, for wages, food, fuel, repairs, and all purposes, with net earnings of $36,580,806. This, of course, includes American vessels engaged in the foreign trade. We find a total of 7,040 sail and steam vessels of 2,072,270 tons, valued at $94,540,002, were employed in carrying passengers and freight upon the Atlantic, Gulf, and Pacific coasts and waters tributary thereto, which vessels employed 58,180 men, to whom were paid $19,500,821, or an average of $335 per man, in 1889. This particular branch of shipping affords a basis for comparisons that will enable us to ascertain at least approximately what American labor loses through the employment of foreign-built ships and alien crews for the carriage of over 90 per cent of our foreign commerce.

We have now employed in our foreign trade 294,064 tons of steamers and 443,645 tons of sailing vessels of a value of $26,276,964 and $14,480,593, respectively, or a total of $40,757,557. In 1898 these were the vessels that carried 9.3 per cent of our imports and exports. In 1892 Capt. William W. Bates, who had shortly before retired from the office of United States Commissioner of Navigation, published an exhaustive work on "American Marine," which is devoted almost altogether to the rise and decline of our shipping in the foreign trade. He calculates the tonnage required for the carriage of our foreign commerce in 1891 and arrives at the following:

"An estimate of our shipping necessities for the present year may be fixed at 1,200,000 tons of sail and 3,000,000 of steam. To increase the shipping we now have in the foreign trade to this amount would require an outlay of $300,000,000. Under due protection, with this preparation made, we might command a business of $2,000,000,000, a vanishing fraction of which is now barely possible of attainment."

In that year 30 per cent of the entries at our ports were sail vessels, while to-day only 20 per cent is of sail.

Moreover, the tonnage our foreign commerce employs has increased by one-third since 1891. It is conceded that a steam vessel is able to carry in a year three times as much as a sail vessel of identical size. If, therefore, we add but 100,000 tons to the sail-vessel estimate to meet the increased need since Captain Bates wrote, we shall probably concede at least all of that type and more that is likely to be built, and if we reduce the remaining 300,000 tons of sail to make up the one-third of increase since 1891 to 100,000 tons of steam—the equivalent of 300,000 tons of sail—and add one-third to the steam tonnage estimated by Captain Bates, our shipping necessities to-day would be as follows:

	Tons.
Sail vessels	1,500,000
Steam vessels	4,100,000
Total	5,400,000

Deducting from the above the tonnage under our flag in the foreign trade,

we would require the following additional tonnage if American ships wholly superseded all foreign ships in our foreign trade:

	Tons.
Sail vessels	856,355
Steam vessels	3,805,936
Total	4,662,291

As a matter of fact, existing American shipyards could not construct that tonnage much within twenty years, at which time our shipping necessities would probably have again doubled. But there is nothing except the demand for the ships to prevent enormous increases in our shipbuilding facilities.

The census report of the average value of the steam and sail vessels engaged in carrying passengers and freight, above referred to as the basis for our computations and comparisons, places the value of our steam vessels on the Atlantic and Gulf at a fraction less than $76 per ton, and sail vessels in that trade at a fraction under $31 a ton. The values on the Pacific coast are much higer, but these we exclude from our comparisons in order to be conservative.

We also have assumed for comparison purposes, and to be fair, that there has been a reduction of about 12 per cent in the cost of vessels, wherefore we place the probable cost of new steam tonnage at $67 and of sail at $27 per ton. To supply the additional tonnage that would be necessary to carry all of our foreign commerce under our own flag would involve the following expenditures in American shipyards:

856,355 tons of sail vessels, at $27 per ton	$22,121,585
3,805,936 tons of steam vessels, at $67 per ton	254,997,712
4,662,291 tons of sail and steam vessels	277,119,297

American labor would, from the mine and forest to the finished ship and through all the processes to which the raw material would be subjected, receive about 95 per cent of that vast sum if the ships our foreign commerce employs were built in the United States. But that sum we are now paying to foreign shipowners, who, in turn, expended it in the employment of aliens in foreign shipyards and on board foreign ships.

Assuming this tonnage to be in existence, under the American flag, let us see what that would mean in employment to Americans on board the ships: Basing our comparisons on the same vessels we have previously used, from the last census, we find that for each 26 tons of steam and for each 41 tons of sail vessels one man was employed, respectively. On steam, the average rate of wages, including all on board, was $443.70 per year; and on sail, the yearly compensation per man was $300, including all hands. On this basis our present 294,064 tons of steam vessels engaged in the foreign trade employ 11,310 men, who earn, in the aggregate, $5,018,247 a year; and on the 487,939 tons of sail vessels in our foreign trade, on the same basis of calculation, 11,901 men were employed and who received, in the aggregate, $3,570,300 in the year, an annual total in wages paid to the 23,211 men now employed, under the American flag, in the foreign trade, of $8,588,547.

If American ships did all our foreign carrying, and in the proportion of sail to steam we have estimated, the additional steam vessels would require 146,382 men, whose compensation would average annually $443.70, or a total of $64,949,693; and the sailing vessels would require 20,887 additional men, who would receive, at the annual rate of $300 per man, a total in a year of $6,226,100. Put in another way, the employment of foreign ships to carry American foreign commerce deprives 167,269 American officers, seamen, and firemen of employment that would net them annually an aggregate of $71,215,793. It must be borne in mind that men on shipboard are fed at owners' expense. Estimating that the average cost per man per diem for food would be 30 cents, the additional expense for food foots up to $18,405,955.50 per year, or a total for wages and food aggregating $89,621,748.50 a year, all of which is now received by foreigners and paid for by American producers and consumers, respectively, of our imports and exports.

Of course we have stated the extreme case. We have shown that if our foreign carrying were wholly in the hands of our own people, as is our domestic carrying, we would be one of the greatest, if not the greatest, maritime nations on earth. But in no event is it probable that American ships will secure the carrying of all of our imports and exports. But that we should carry more than 9.3 per cent all will concede. Whatever proportion of the shipbuilding, shipowning, and ship employment our own people should secure, our readers may figure out from the data we have furnished, to show them just what it would mean in money retained and employment given in the United States.

It will be seen from what we have shown that our domestic commerce is in a state of magnificent development and gratifying prosperity in every branch. The system under which this growth and prosperity have been possible is the system which absolutely excludes foreign ships from participation in our domestic trade. That trade is reserved exclusively for American-built and American-owned vessels.

In that department of our marine Americans are in absolute control. From the mine and forest to the shipyard and on board the finished ship American labor enjoys the employment. One hundred per cent of our domestic commerce is carried in American vessels, and it is carried cheaper than similar commerce is carried anywhere else in the world—the result of competition between our own people.

Contrast the splendid condition of our domestic commerce with that of our foreign commerce. Foreign ships are permitted under our laws to enjoy every privilege accorded to American vessels in our import and export carrying, except that of American registry. There is perfect free trade in the carriage of our foreign commerce, with the result that 9.3 per cent of that commerce is carried by American and all the rest by foreign ships. The fact that our laws deny our registry to foreign-built ships does not debar our citizens from owning foreign-built ships and running them in our foreign trade.

In fact it is admitted that between two and three hundred thousand tons of foreign-built ships are owned by American citizens to-day. Being built cheaper and run cheaper than our American ships are, what incentive is there for such American owners to place them under our flag, and thus increase the expense of running them? Who hears of the owners of these foreign-built ships asking Congress to admit them to our registry?

The mere "sentiment" of seeing the American flag flying over his foreign-built and foreign-manned ship will not persuade an American business man to seek an American register for her when the inevitable result will be largely increased expense of operation, and which in a short time would give his business to his foreign competitors under foreign flags. The American rate of wages and the American scale of food are not enjoyed on board any ships under foreign flags.

There are two ways of attempting to remedy the present condition of our marine in the foreign trade: (1) To grant American register to foreign-built ships and permit them to be officered and manned by foreigners, with a scale of food down to the level of foreign scales. We shall be interested to learn what there is in that proposition to secure the advocacy and support of American labor. American labor can only be interested in or favor ships built in home shipyards. Aliens seem to be fully able to take care of themselves. (2) The other way is to compensate American citizens for the extra expense involved in buying American-built ships and employing and feeding American seamen according to American standards of wages and food. To the extent that this is done effectively to that extent our own people will reach out and gather to themselves a larger share of our foreign carrying than we now enjoy. Whether we shall continue to pay foreign shipowners $200,000,000 for carrying our imports and exports or pay it to our own citizens will depend upon the extent to which the Government of the United States will make shipowning in the foreign trade sufficiently attractive to induce American capital to invest.

If this policy is pursued, then American mines and forests, American transportation agencies, American mills and factories, American merchants and farmers, American shipbuilders and American shipmasters, seamen, engineers, and firemen will secure employment where aliens are now employed at our expense.

The shipping bill before Congress states in its preamble that it is "to promote the commerce and increase the foreign trade of the United States and to provide auxiliary cruisers, transports, and seamen for Government use when necessary." The passage of that bill will restore a large share of our foreign carrying to our own citizens, who will have the ships built by American labor and then officered and manned by Americans, and to that extent keep the money at home now spent abroad. For the compensation to American shipowners that will be necessary under this bill—estimated by our Commissioner of Navigation to average from $5,000,000 to $6,000,000 a year for twelve or fifteen years—the United States Government will be building up auxiliary cruisers and training possible future seamen for the Navy in the always possible contingency of war.

And of what good, we may inquire, would foreign-built ships, manned by alien subjects, be to this country in such an emergency? Our readers must know that foreign governments, recognizing the national protection and military value of merchant ships and seamen, now pay them, in subsidies and bounties and in compensation to merchant seamen enrolled in their naval reserves, $26,000,000 annually. How will it be possible for unaided American ships, costing more to construct and operate, to compete with these subsidized and bountied ships and naval-reserve seamen, unless our Government also recognizes the military and naval value of merchant ships and seamen and, like other rival powers, pays for them as a resource for national defense?

It is the present condition of our shipping on the seas that keeps the United States so perilously exposed in that quarter; it is this condition which persuaded Spain that there was a chance for her to cope with the United States, and which, as a consequence, has cost this nation hundreds of millions of dollars; it is this condition that, if continued, will one day place this nation at the mercy of some great power; it is this condition which the above referred to shipping bill, if passed, will remedy, by providing for the national defense a bulwark and resource of strength where now only weakness exists, by using America's boundless resources and our skilled and intelligent workingmen to bring the iron and coal and timber from the mines and forests and fashion them into ships, which ships shall employ our own citizens and thus make of the United States as great a power upon the sea as it is upon the land. For every dollar the nation pays out for this purpose it secures immunity from foreign attack; for every dollar paid out by the Government American labor will receive ten in return. The increased ships will mean reduced freights, and the reduction is likely to be greater than the payment from the National Treasury; reduced freights mean greater opportunities to dispose of our exports at a profit, and this means additional employment in mine, forest, factory, and farm.

If it be said that the shipping bill lets in a large number of foreign-built ships to American registry, let the truth be known. It is considered desirable that such of our citizens as are experienced in owning and operating ships in the foreign trade should be persuaded to become the owners of American ships, built in our home shipyards and manned by our own citizens, so that we may the more rapidly acquire the strength upon the seas so essential to our national safety. Such owners of foreign ships, the total of which would not supply 5 per cent of the shipping our foreign commerce employs, are permitted to register their vessels under our flag, on condition that they contract to build tonnage in American shipyards equal to that so admitted.

There will be immediate employment for Americans on board these ships, and they will be the means of giving our shipyards a considerable amount of new constructions, the benefits of which largely accrue to American labor. The admission of foreign-built ships is only a temporary matter. The bill does not permit Americans to now go abroad and buy foreign ships and register them as American; it only admits such foreign-built ships as are owned, to the amount of 80 per cent, by Americans, and were so owned on December 1, 1898; and it also lets in such few ships as may now be under construction for Americans in foreign shipyards, only on condition, however, of 100 per cent as much new tonnage being contracted for in American shipyards as is so admitted.

We have a chance under this bill to place an American merchant marine in the foreign trade upon a basis of development and prosperity approximating to that of our domestic merchant marine, and unless we mistake our men every workingman in the United States will do all in his power to secure the passage of the bill.

Mr. Speaker, I also desire to submit as part of my remarks articles in the Marine Review, Cleveland, Ohio, on "Our foreign merchant marine," by Harvey D. Goulder, of the Lake Carriers' Association, published April 21, 1904, and on "Labor's concern with shipping," by John McNeil, president of the Brotherhood of Boiler Makers and Iron-ship Builders of America, published March 10, 1904.

[Marine Review, Cleveland, Ohio, April 21, 1904.]

OUR FOREIGN MERCHANT MARINE.

[By Harvey D. Goulder, of the Lake Carriers' Association.]

In February last the steamer *Manchuria*, for the Pacific over-sea trade, was launched in the Delaware River. She is the last steamer under construction in the United States for the foreign trade, and on high authority I can say that there is not a contract to-day for any ship designed for our foreign trade. Our consul at Bergen, the principal port of Norway, imposed fines which had several years before been repealed by Congress.

In extenuation he said: "The fact that I have been consul here for fifteen years and that this is the only American vessel that I have seen may be some excuse for my ignorance of the law." Last year in the trade between the United States and Europe not one American vessel entered or cleared for Germany, Russia, Sweden, Norway, Denmark, the Netherlands, Italy, Austria, Hungary, or Greece. The United States has a coast line approximating 10,000 miles. It is by nature the premier maritime country in the world. It should also be the principal shipbuilding and shipowning nation in the world. It is among the least of the nations in the foreign carrying trade. It is patent that this condition is not natural but abnormal, and must be the result of artificial influence. The maritime development of the United States should

be loose-limbed, free-grown, and giant-like under normal conditions. In fact, it is a dwarf. A great national influence has been unwittingly exerted to restrain the development of American shipping. The Federal Government has conferred the benefits of protection upon every industry except our foreign shipping. To make one great exception to the list puts upon the industry so excepted a tremendous handicap, for it has to fight not alone the directly aided shipping of other nations, but the burden of added cost of construction and operation as an inevitable consequence of protection extended to other trades. American shipping is suffering because it has been discriminated against.

The exports from this country for the last year reported, ending June 30, 1903, were $1,420,141,679; the imports for that year were $1,025,719,237, a grand total of $2,445,860,916; the freights paid for transporting these goods were approximately $200,000,000. In American ships we carried a little less than 8 per cent of the exports and less than 6 per cent of the imports. Of the $200,000,000 of freight paid for the transaction of business with this country, American shipowners and the seamen employed on their ships received less than $16,000,000. Of the seamen employed even in this meager share of the business, 31 per cent were native-born Americans, 10 per cent were naturalized citizens, and the remainder were foreigners.

It was not always so. As far back as 1838 we built in this country 105 steamers of 24,000 tons, while Great Britain built 84 steamers of 9,500 tons. From that year, which perhaps distinctly marks the beginning of commercial steam navigation, until 1860, our total tonnage engaged in foreign trade increased over 3,250,000 tons against an increase in the United Kingdom of a little over 2,200,000 tons, and the totals were then for the United States, 5,353,868 tons against for the United Kingdom the total of 4,586,742 tons. In steam tonnage during that time we distinctly surpassed, and the figures came to be nearly double in our favor. Up to 1860 the United States made more rapid and extensive progress than Great Britain in the general application of steam to the purposes of navigation. Then Great Britain began to gain superiority by applying steam to the foreign trade, particularly regarding ocean mail service.

In one decade they paid $52,000,000 to steamship lines, an amount very much greater than the first cost of the steamships so aided. It is beyond dispute that a leading cause of British ascendancy as a commercial maritime power was due to the aid given to and the influence exercised by steamship lines extending her trade to all the ports of the world. Illustrative of this is the fact that Great Britain pays in postal subsidies and admiralty subventions more than $6,000,000 a year, while the United States last year paid a trifle less than $1,000,000 for carrying the mails.

I have tabulated by decades, from 1821 to 1901, the foreign carrying trade of the United States and the percentage carried in American vessels. The total in 1821 was a little over 27,500,000. In 1901 it reached a total of over 2,150,000,000. In 1821 we carried in American ships nearly 89 per cent of this, and in 1901 a trifle over 8 per cent. The progression is still downward, and in 1903 we carried a somewhat smaller percentage.

Taking other figures. In 1791 our vessels engaged in the foreign trade had considerably more than three times the tonnage of those of the coasting trade. In 1861 the figures were nearer even, being practically 2,500,000 in foreign and 2,700,000 in the coasting trade. In 1901 we had in foreign trade 879,000 tons against 4,500,000 in the coasting trade. I present these figures to show that not only has the percentage of traffic declined, but there has been an absolute decline in the number and in the ton capacity of ships engaged in our foreign trade. In 1901 we had only one-third the tonnage which we employed in foreign trade forty years before, while the value of the products taken to and from the United States in the same period increased nearly fourfold.

The approximate total amount paid for freightage on the goods taken from this country and brought here is $200,000,000, of which American ships received less than 8 per cent. Here is an industry inseparably connected with our country which, aside from any sentimental or broad international question, presents this fact: We are paying for the carriage of our goods $184,000,000 to foreigners and the paltry sum of $16,000,000 to our own people. But the condition is more far-reaching. The ships which carry the products and manufactures of our country and our imports are built abroad. Shipyards in other countries are teeming with industry. There does not exist in the United States to-day even a contract for construction of a ship for this service.

Put in another way, we are building up an efficient navy. Our people seem disposed to go almost any length in furnishing money for a magnificent navy which shall be a pride and source of strength and glory to the United States, but as matter of fact the Government on its men-of-war and other vessels to-day actually employs more men than are engaged in the entire foreign marine service whose protection is the first office and justification of a navy in any maritime country. Primarily because a nation is maritime, because it has a commerce to protect as well as foster, it has a navy. You do not hear of the navy of a nonmaritime nation. In assisting and maintaining the peace of the world your daily reading of the newspapers will teach that we contribute more than we receive; that we do not receive our proportion of definite and actual aid because we have not the merchant marine and merchant establishments in proportion with other nations.

It is remarkable that this question should be so bandied about as it has been with such failure of result. While it has been under discussion in political platforms and has been urged upon the attention of Congress persistently in Presidential messages and the humiliating condition pressed upon the attention of the lawmakers and of the people, the condition has been growing worse for fifty years, and never was worse than at this moment. All this time the conditions which are conducive to the building up of our foreign merchant marine have been rapidly growing and increasing until the desirability—I would rather say the necessity—was never so great or the time so opportune as at this moment.

To my mind the important thing to-day is to bring the people of the United States to realize that great and magnificent as are the advantages of the building of ships in the United States, and the payment of freights to American owners and to American seamen, this almost may be said to be insignificant compared with the national advantages judged upon the broader monetary standpoint and on lines of national safety.

Does it not mean something that the manufacturer of harvesting machinery in Ohio to attain the best delivery in South America must and does ship his goods first to Liverpool? Is it not significant that a President of the United States in a message to Congress should state that delegates from South American countries coming to the United States for purposes of conference to extend and enlarge trade relations with South America should be obliged to come from South America to New York by way of Europe? Yet this is the case.

Great Britain and Germany and France have established lines of regular communication very much over the world. Their merchants and their customers in foreign places may rely upon regularity not only of mail service but in the delivery of goods. Our merchants can not do this. We have fostered the manufacturing and agricultural industries of this country wisely, as shown in magnificent results. That we have burst the bonds of home market and home consumption; that we are coming to, if we have not reached, the position of the world's manufactory, results from our abundant natural resources and the energy and progressiveness of our people, and, as abundantly shown in consular reports, we have simply pushed our foreign trade against every commercial drawback in its carrying. A general war in Europe would paralyze our industries, because, while we might have everything to supply an increased demand, about 93 per cent of what we had to sell must be carried in ships of one or the other warring nation.

It is a matter at once for pride and humiliation that we find in the last report of the Commissioner of Navigation that in the last ten years the tonnage engaged in the domestic commerce of the United States has increased more than 1,250,000 tons, with an actual decrease in foreign tonnage of some 4,000 tons.

It is a source of pride to us locally that practically one-half of the increase has been upon the Great Lakes. It is time for the people of the entire country to realize that this matter of foreign merchant marine is not a mere question of the profit of a shipbuilder or a shipowner; that it is not local to any seaport, but concerns the nation.

The question will be asked, "Why, if there is so much business, are not the ships built and employed?" Three reasons are advanced: First, it is claimed, and more or less spiritedly disputed, that the initial cost of building a ship is greater in the United States than in some foreign countries. Second, it is indisputable that by reason of higher wages, better food, and other conditions the cost of operating a ship under the American flag is higher than in English ships, and the operating expense of Norwegian and Italian ships is still less. Third, subsidies and subventions obtain in other countries, one of the last being the arrangement between the English Government and the Cunard Steamship Line by which, in addition to an annual subsidy, brought up to $1,101,000, there is advanced to that company $13,000,000 at 2½ per cent interest for the construction of two ships larger and better than anything afloat, with an arrangement that they shall be so constructed as to be convertible into cruisers and at command for naval purposes whenever demanded.

Taking up these three reasons for a bare moment's consideration: What is often erroneously referred to as raw materials in shipbuilding are angle irons and shapes ready for the construction, but into which, as a matter of fact, more than 90 per cent of the cost up to the shipyard is for labor. Iron ore in the ground is raw material. The shapes and beams and plates are 90 per cent the product of labor. It is conceded that we can furnish these as cheaply as any country in the world, notwithstanding the higher wages paid in this country. It is claimed that by reason of the higher wages of shipwrights in this country the price of building is approximately 20 per cent higher than in foreign countries. This is denied, and I once heard Mr. Cramp say that he could compete in the world's markets in the building of ships.

In respect to higher wages and better conditions on American ships, this, to my mind, is a serious obstacle to unaided private enterprise building up our merchant marine. On the Great Lakes we have what we proudly regard as the first business fleet in the world. We pay the highest wages, and men are better housed, better fed, find all their conditions better than in any other merchant marine. This trade has been built up under the laws which gave to American citizens the exclusive privilege of trading between American ports. If in the beginning, or years ago, this trade had been opened to foreign competition, we would have had the cheaply built and cheaply operated foreign vessels. We would never have had the fleet we have, nor the service we have, nor anything like so low a rate of freight which here on the Lakes is claimed to be the lowest in the world, despite our fine ships, high wages, and good conditions of the men. The same thing is largely true in the coasting trade.

Joining the possibly cheaper construction, the certain cheaper operation, with the subsidies, subventions, and other awards granted by foreign governments to their merchant marine, the cold logic of facts and results shows that American capital will not go into ships to inaugurate what at the beginning must be an unequal contest. Every citizen in this country is interested vitally in having a foreign merchant marine which shall measurably give us in peace or in war control of our shipments and imports, which shall give us established routes and definite communication with foreign ports, of which those of South America and the Far East are coming to be of vast importance. This American movement would be successful if it could be put on its feet. I do not care, except as a matter of success, whether it be by any of the means which have been suggested so long as something effective is done. I would not advocate the doing of anything in that direction if I believed that it had to be indefinitely continued.

I have such confidence in American genius and enterprise as to believe that if we could, pursuing the same or better policies than those which other nations have found successful, get our merchant marine on its feet and started, that the same results would be achieved in the foreign trade as have been in our domestic trade. When we were on even terms, America was the mistress of the seas. In this country we are furnishing a domestic transportation by water and by land lower, you will find, than anywhere else in the world. Recently I heard James J. Hill, in an address before a committee of Congress, give a comparative statement of the cost of moving a ton of freight 100 miles. He gave the statistics of various European countries and showed for this country less than one-half of the lowest price in any European country. So that whether we take it by land or by water, notwithstanding our larger wages, our larger apparent cost of operation, we have succeeded in producing the lowest price for transportation in the world. I know of no reason why, if our foreign merchant marine were rehabilitated under the great American doctrine of protection, or if in any manner given a chance to get upon its feet, we would not in due and reasonable course reach the period where it would be self-sustaining.

[Marine Review, Cleveland, Ohio, March 10, 1904.]

LABOR'S CONCERN WITH SHIPPING—A PLEA FOR PROTECTION FOR AMERICAN DEEP-SEA SHIPPING IN ORDER THAT 30,000 WORKINGMEN MAY BE GIVEN EMPLOYMENT IN AMERICAN SHIPYARDS.

[By John McNeil, president of the Brotherhood of Boiler Makers and Iron-ship Builders of America.]

I am the president of an organization of American workingmen all of whom are dependent upon shipbuilding for their livelihood. We have a membership of 30,000, scattered over the country among 500 different lodges. We are mostly concerned in securing work at our trade. There were never so many of our members seeking employment at their trade as there are to-day. Fully 20,000, or two-thirds, of our members are looking for work at their trade. If the United States built all of the ships that are employed in the deep-sea trade of the United States, there would be 100,000 of our craftsmen steadily employed where to-day not to exceed 10,000 men are so employed. Between fifty and one hundred millions of dollars now annually spent in foreign shipyards, employing foreign shipbuilders in the building of ships to keep up the tonnage required for the carrying of the foreign commerce of the United States, would be spent in the United States and paid out to men of our craft if we built the ships we need ourselves.

No one can say, therefore, that the shipping question is not an acute one with the Brotherhood of Boiler Makers and Iron-ship Builders; no one can say that I, as president of this organization, am invading the field of politics or discussing a partisan question from a political point of view when I add

my voice to an appeal to Congress for legislation that shall give employment to the idle men of our craft—that shall give work and wages to 20,000 idle boiler makers and shipbuilders in the United States and food and comfort to their families. I make this preliminary explanation to avoid being charged with being in any way mixed up in politics or partisanship, and I ask all those who discuss what I say to be fair enough to consider this denial.

We find ourselves in a country where the wages are far higher than they are in any other country. We do not desire any reduction in the average rates of American wages. Rather than suffer a reduction our men will refuse work at their trade; they will accept the lower rates of wages that are paid in other trades, perhaps, or they will decline employment at wages below the average American rate. Economists may say this is foolish and unwise. Whatever it is let it be known that American boiler makers and iron-ship builders demand and insist upon receiving the average rates of wages paid to men in their trades in the United States.

If there is a change wrought in the economic policy of the United States—which we shall resist if attempted—that means a lower wage rate, we shall then conform to the American standard, as we do now. Considering the wages paid to our men in the shipyards, the prices of materials, and other expenses connected with shipbuilding, it is impossible to produce a ship in this country as cheaply as it can be produced in other countries. If we were steadily employed, like locomotive and bridge builders, year in and year out, through a great widespread demand for our product, we should then, no doubt, be able to build ships as cheaply, if not more cheaply, than foreigners do, just as our locomotives and bridges are constructed as cheaply or more cheaply than foreign locomotives and bridges are constructed.

An American with capital which he is willing to invest in ships for our deep-sea carrying is confronted at the threshold, therefore, with the fact that an American-built ship costs more than a foreign-built ship. The longer he studies the question the more clearly he will realize that this condition will continue until a great and permanent demand is created for American-built ships, or until the nation changes to a free-trade condition. I regard the latter as too far in the future for consideration in connection with this problem. The great and permanent demand for ships for the deep-sea trade is what is wanted. The problem is how to get it. Just such a situation existed in this country fourteen years ago with respect to the tin-plate industry. We knew how to make tin plate, we had all the facilities with which to make it, the skill, the materials, and the demand for tin plate. The price was the obstacle. Americans could not make it as cheaply as foreigners could. So Congress laid a high duty on imported tin plate, and we all know that in the fourteen years that have passed since that duty was laid we not only make all of the tin plate we need for ourselves, but we also export large quantities.

If the high protective duty were withdrawn doubtless we should soon lose the manufacture of tin plate. It was through the action of Congress made worth the while of American capital to invest in tin-plate making in this country. The wages of men employed at tin-plate manufacture were not reduced to the foreign level, but the cost of the foreign product was so increased as to enable Americans to make it and still pay the going rates of wages in the United States to the workingmen employed in tin-plate manufacturing.

We ask Congress to do for the shipbuilding industry precisely what it did for the tin-plate industry. First, to realize that ships will not be built here for the foreign price, and, secondly, to make it profitable for American capital to invest in American-built ships. And we ask Congress to do this for our ships employed in the deep-sea trade just as it has done it for the tin-plate industry—through protection. We have tried free trade in ocean transportation so long that the results of the trial are manifest to everybody. We have now 800,000 tons of ocean shipping where a generation and more ago we had 2,500,000 tons.

But Congress is told that if protection is accorded to shipping for our ocean trade American millionaires will be still further enriched. So Congress hesitates to act. What results? Congress's inaction is protection for the foreign shipbuilder and the foreign shipowner. They prosper while we fail. Americans have invested nearly $200,000,000 in ships built in foreign countries, officered and manned by foreign subjects, sailing under foreign flags, and carrying perhaps one-third of the total foreign commerce of the United States. It is commonly and frequently said that our laws do not permit Americans to buy foreign ships, the answer to which is that American citizens now own between 1,500,000 and 2,000,000 tons of foreign shipping. They have invested in foreign shipping because it is more cheaply built and more cheaply operated than American shipping is. It is only possible for Americans to successfully compete with foreign ships in our ocean trade by themselves owning foreign ships, and they do so.

The 30,000 American boiler makers and iron-ship builders that I represent understand this, and we realize, as perhaps Congress does not, and as we are sure the people do not, that the denial of protection to American ships in the deep-sea trade amounts to a denial of employment for men of our craft at our trade in the United States; that the injury falls upon American labor, and not upon American capital. It is idle to tell us that we can prosper by accepting the foreign rates of wages; we could not if we would, and we would not if we could. We want to be as good as other American workingmen in every respect; we want to earn as good wages, to enjoy as many of the necessaries, the comforts, and the luxuries of life as the rest of our fellow-workingmen do, and since acts of Congress have created and long maintained a high standard of wages for American workingmen in all other trades than ours, we still cling to the hope—long deferred, to be sure—that Congress will yet see, and then rectify, the injustice it does to American workingmen employed in building ships through its persistent refusal to protect American ships that compete with foreign ships in our over-sea trade.

Refusal to protect American ships in our deep-sea trade, I repeat, is in effect absolute protection for foreign shipbuilders and foreign shipowners. They and their friends and business connections in the United States and the free-trade advocates constitute every element of opposition to protection for American shipping.

Not only American workingmen are injured by Congress's refusal to protect American ships in the deep-sea trade—the nation as a whole is injured, vitally injured. Merchant ships and citizen seamen are an indispensable resource of national defense. They constitute an auxiliary to our Navy. They are the sources upon which the Navy alone can draw for reenforcement. Lacking merchant ships and citizen seamen, the Navy is in grave peril. It is weak where it should be strong.

More than that, our rivals are strong through our inaction; they are strong where we are weak: our commerce gives them employment, gives them experience, gives them skill. In a moment this advantage may be utilized by our foreign rivals, who may become our enemies, to attempt our destruction or our subjection. Again, lacking ships and seamen of our own, and being dependent wholly upon foreign shipping as we are, we are at all times exposed to the possible and wholesale withdrawal of foreign shipping through the necessities of foreign countries should they become embroiled in war. Then we should be without the means to send our surplus products abroad; production would be curtailed in the United States; employment would be cut down; consumption would diminish; and industrial paralysis would herald widespread misery. We need the means for building our own merchant ships, kept in a constant state of efficiency and prosperity, just as much as we need the means for building our war ships. We need a great navy to protect our commerce, our interests, our seacoast, and for the maintenance of the Monroe doctrine. But our Navy is, and will constantly remain, perilously weak and unsupported so long as we lack a great, efficient, prosperous, and adequate merchant shipping of our own.

Mr. LUCKING. I yield ten minutes to the gentleman from California [Mr. LIVERNASH].

Mr. LIVERNASH. Mr. Speaker, it is with very great reluctance that I find myself to-day occupying a position seemingly out of line with many of my colleagues on this side of the Chamber; for I entertain so fine a respect for my associates on the Democratic side of the House that it gives me pain to have even the appearance of parting company with them on any matter of importance. I feel it, sir, to be a matter of high duty that I make clear the reasons actuating me in the course on which I have entered, that persons unfriendly to the party in which I believe may not distort my motives.

When I came into this body, one of my principal ambitions was to contribute something toward upbuilding the American over-sea merchant marine. My studies and observations had convinced me that so far as I could I ought to count for improvement of the situation of seamen, for making sea life less and less unattractive to American boys and men, for arresting the drift from the sea and arousing a maritime spirit among Americans.

I believed, Mr. Speaker, and I continue to believe, that the condition precedent to restoration of our merchant marine and establishment of an effective naval reserve is the making of sea life a life consistent with healthy Americanism—consistent with self-respect, consistent with progressive manliness.

My reasons in this regard I have expressed at length in a speech delivered in this House some weeks ago. I shall refrain from repetition. But, sir, it seems proper to say that with my convictions of duty to the seamen, and through them to the country, I can not but hail with satisfaction any means, however inadequate, tending in the direction of my hopes.

I am sorry to have to feel that the pending bill does not come to us from a circle animated by unselfish devotion to the common welfare. I do not mean to impugn the patriotism of many on the other side of the Chamber, but I feel obliged to sympathize with those Democrats who suspect that the policy makers of the dominant party are not animated by the soundest motives in bringing in this bill. I would be glad to believe that the measure had sprung from a simple purpose to inquire in good faith with a view to just legislation, but I can not.

Nevertheless, sir, I do not favor a policy of opposition when opposition can reach no conclusion of real value. I am for taking the weapon it is planned shall make for mere delay and using it against those who have drawn it. I am for utilizing the time between the long session and the short session of the Fifty-eighth Congress in such aggressive inquiry as shall inform the nation on many questions as to which Americans in general are in the dark.

Especially, Mr. Speaker, do I hail this as an excellent opportunity for turning a searchlight on our neglected seamen and the wretched conditions under which they toil—conditions which, if widely understood, would not be tolerated.

I have already introduced in this House a bill designed to change existing laws affecting seamen, my purpose being to make sea life worth pursuing, and thus to make the upbuilding of an American merchant marine in the over-sea trade and the establishing of an adequate naval reserve a possibility.

But, sir, I have encountered misinformation and absence of information, astonishing to contemplate. The measure of ignorance of sea life and maritime law among Members of this Congress is amazing and almost hopeless. I can understand our neglect of the seamen somewhat more readily since I have studied the remarkable want of knowledge obtaining among those charged with the making of our laws cancerning the sea and the men who follow it.

I am not dissuaded from my inclinations, therefore, by the claim of my Democratic brethren that the country has had a surplusage of inquiries into the merchant marine. I say nothing about subsidies to-day, but I am certain that there never has been since the civil war anything like a thorough official inquiry into the everyday life of seamen; into the facts driving Americans from seamanship; into the experiences killing the maritime spirit among our people.

A searching inquiry, I feel sure, would convince well-meaning men of the value and need of the legislation I have proposed here on behalf of the seamen, and I think the interim between the long session of this Congress and the short session might very profitably be employed in making such an inquiry.

Accordingly, Mr. Speaker, at the proper time I shall offer an amendment to the pending bill, an amendment obliging the commission called for by the measure to investigate the life of the seamen, so that light may be thrown on the defects of present laws relating to sea life.

I do not think that a sufficient inquiry can be made by standing committees of Congress under their ordinary rules. The inquiry demanded by the situation confronting us must be prosecuted, I feel, not here in Washington, but in the various seaports, where poor, dependent men of the sea may be sought and heard as they can not be sought and heard in the capital.

If the amendment thus referred to shall be adopted, I shall feel it to be my duty to vote for the bill as amended. If the amendment be not adopted, of course I shall not give my support to the measure.

And now, Mr. Speaker, I embrace this opportunity of directing the attention of my friends in the House to the bill I have introduced for the seamen. I am glad of a chance to explain some of its features.

First, sir, let me quote its title and opening section:

A bill to amend the laws relating to American seamen, to prevent undermanning and unskilled manning of American vessels, and to encourage the training of boys in the merchant marine.

Be it enacted, etc., That section 4516 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4516. In case of desertion or casualty, resulting in the loss of one or more seamen, the master must ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same grade or rating and equally expert with those whose place or position they refill.

"And in all merchant vessels of the United States the sailors shall, while at sea, be divided into two watches, which shall be kept on deck alternately for the performance of ordinary work incident to the sailing and management of the vessel: but this provision shall not limit either the authority of the master or other officer or the obedience of the sailors when, in the judgment of the master or other officer, the whole crew is needed for the maneuvering of the vessel or the performance of the work necessary for the safety of the vessel or her cargo.

"While the vessel is in a safe harbor no seaman shall be required to do any unnecessary work on Sundays or legal holidays; and at all other times while the vessel is in a safe harbor nine hours, inclusive of anchor watch, shall constitute a day's work. Whenever the master of any vessel shall fail to comply with this section, the seamen shall be entitled to discharge from such vessel, and shall, upon demand, receive wages then earned. But this section shall not apply to fishing or whaling vessels or to yachts."

All of this section is new excepting the first sentence.

The new matter has two principal purposes: To give greater security to life and property at sea, and to prevent needless exhaustion of seamen at sea and in port.

The second section of the bill is as follows:

SEC. 2. That section 4529 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4529. The master or owner of any vessel making coasting voyages shall pay to every seaman his wages within two days after the termination of the agreement under which he shipped, or at the time such seaman is discharged, whichever first happens; and in the case of vessels making foreign voyages, or from a port on the Atlantic to a port on the Pacific, or vice versa, within twenty-four hours after the cargo has been discharged, or within four days after the seaman has been discharged, whichever first happens; and in all cases the seaman shall be entitled to be paid, at the time of his discharge, on account of wages, a sum equal to one-third part of the balance due him. Every master or owner who refuses or neglects to make payment in manner hereinbefore mentioned without sufficient excuse shall pay to the seaman a sum equal to two days' pay for each and every day during which payment is delayed beyond the respective periods, which sum shall be recoverable as wages in any claim made before the court; but this section shall not apply to the masters or owners of any vessel the seamen of which are entitled to share in the profits of the cruise or voyage."

The change in existing law, proposed by this second section, consists in increasing the costliness to a vessel of inexcusable neglect in paying wages due seamen whose engagement with her has ceased.

The third section runs thus:

SEC. 3. That section 4530 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4530. Every seaman on a vessel of the United States shall be entitled to receive (within forty-eight hours after demand therefor) from the master of the vessel to which he belongs one-half part of the wages which shall be due him, at every port where such vessel, after the voyage has commenced, shall load or deliver cargo before the voyage is ended; and all stipulations to the contrary shall be held as void. And when the voyage is ended every such seaman shall be entitled to the remainder of the wages which shall then be due him, as provided in section 4529 of the Revised Statutes."

This section changes existing law by making it impossible for the necessities of seamen to be traded on to their disadvantage—and therefore to the disadvantage of our merchant marine—in the matter of wages, which, as a matter of personal independence, should be kept available for ports of call.

The next section of the bill follows:

SEC. 4. That section 4559 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4559. Upon a complaint in writing, signed by the first and second officers, or a majority of the crew of any vessel, while in a foreign port, that such vessel is in an unsuitable condition to go to sea because she is leaky or insufficiently supplied with sails, rigging, anchors, or any other equipment, or that the crew is insufficient to man her, or that her provisions, stores, and supplies are not, or have not been during the voyage, sufficient and wholesome, thereupon, in any of these or like cases, the consul, or a commercial agent who may discharge any of the duties of a consul, shall cause to be appointed three persons of like qualifications with those described in section 4557, who shall proceed to examine into the causes of complaint and who shall proceed and be governed in all their proceedings as provided by said section."

This section changes existing law by giving to seamen the same rights and powers in foreign ports they now have in domestic ports in the matter of protection against unseaworthiness of vessels and unfitness or insufficiency of provisions.

The fifth section I quote now:

SEC. 5. That section 2 of the act entitled "An act to amend the laws relating to navigation," approved March 3, 1897, be, and is hereby, amended to read as follows:

"SEC. 2. That on and after June 30, 1905, every place appropriated to the crew of any merchant vessel of the United States, except a yacht, a pilot boat, or any vessel of less than 100 tons register, shall have a crew space of not less than 100 cubic feet, and not less than 16 square feet, measured on the deck or floor of that place, for each seaman or apprentice lodged therein. Such place of lodging shall be securely constructed, properly lighted, heated, and ventilated, properly protected from weather and sea, and, as far as practicable, properly shut off and protected from the effluvium of cargo or bilge water. And every such crew space shall be kept free from goods or stores not being the personal property of the crew occupying said place in use during the voyage.

"Every steamboat of the United States plying upon the Mississippi River or its tributaries shall furnish an appropriate place for the crew, which shall conform to the requirements of this section, so far as they shall be applicable thereto, by providing sleeping room in the engine room of such steamboat, properly protected from the cold, winds, and rain by means of suitable awnings or screens on either side of the guards or sides and forward, reaching from the boiler deck to the lower or main deck, under the direction and approval of the Supervising Inspector-General of Steam Vessels, and shall be properly heated.

"Any failure to comply with this section shall subject the owner or owners to a penalty of $500."

Section 5 changes existing law by increasing as to old sailing vessels and all steam vessels the space allotment per man in forecastles, bringing all vessels up to the present requirement for sailing vessels built or rebuilt since 1898.

Section 6 is as follows:

SEC. 6. That section 4596 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4596. Whenever any seaman who has been lawfully engaged, or any apprentice to the sea service, commits any of the following offenses, he shall be punishable as follows:

"First. For desertion, by forfeiture of all or any part of the clothes or effects he leaves on board and of all or any part of the wages or emoluments which he has then earned.

"Second. For neglecting or refusing, without reasonable cause, to join his vessel or to proceed to sea in his vessel, or for absence without leave at any time within twenty-four hours of the vessel's sailing from any port, either at the commencement or during the progress of any voyage, or for absence at any time without leave and without sufficient reason from his vessel or from his duty, not amounting to desertion or not treated as such by the master, by a forfeiture from his wages of not more than two days' pay, or sufficient to defray any expenses which have been properly incurred in hiring a substitute.

"Third. For quitting the vessel, in whatever trade engaged, without leave, after her arrival at her port of delivery and before she is placed in security, by forfeiture from his wages of not more than one month's pay.

"Fourth. For willful disobedience to any lawful command at sea by being, at the option of the master, placed in irons until such disobedience shall cease, and upon arrival in port by forfeiture from his wages of not more than four days' pay, or, at the discretion of the court, by imprisonment for not more than one month.

"Fifth. For continued willful disobedience to lawful commands or continued willful neglect of duty at sea, by being, at the option of the master, placed in irons, on bread and water, with full rations every fifth day, until such disobedience shall cease, and r pon arrival in port by forfeiture, for every twenty-four hours' continuance of such disobedience or neglect, of a sum not more than twelve days' pay or by imprisonment for not more than three months, at the discretion of the court.

"Sixth. For assaulting any master or mate, in whatever trade engaged, by imprisonment for not more than two years.

"Seventh. For willfully damaging the vessel, or embezzling or willfully damaging any of the stores or cargo, in whatever trade engaged, by forfeiture out of his wages of a sum equal in amount to the loss thereby sustained, and also, at the discretion of the court, by imprisonment for not more than twelve months.

"Eighth. For any act of smuggling for which he is convicted, and whereby loss or damage is occasioned to the master or owner, he shall be liable to pay such master or owner such a sum as is sufficient to reimburse the master or owner for such loss or damage, and the whole or any part of his wages may be retained in satisfaction or on account of such liability, and he shall be liable to imprisonment for a period of not more than twelve months."

This section changes existing law by giving to seamen while in foreign ports the liberty of quitting their employment, which they enjoy while in domestic ports, destroying the last vestiges of imprisonment for violation of civil contract to labor.

Then follows section 7, thus:

SEC. 7. That section 4600 of the Revised Statutes of the United States be, and is hereby, amended as follows:

"SEC. 4600. It shall be the duty of all consular officers to discountenance insubordination by every means in their power, and where the local authorities can be usefully employed for that purpose, to lend their aid and use their exertions to that end in the most effectual manner. In all cases where seamen or officers are accused the consular officer shall inquire into the facts and proceed as provided in section 4583 of the Revised Statutes; and the officer discharging such seamen shall enter upon the crew list and shipping articles and official log the cause of discharge and the particulars in which the cruel or unusual treatment consisted, and subscribe his name thereto officially. He shall read the entry made in the official log to the master, and his reply thereto, if any, shall likewise be entered and subscribed in the same manner."

This section changes existing law as to consular authority in such manner as to make procedure consistent with the change made by the preceding section.

The next section is worded as follows:

SEC. 8. That section 4611 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4611. Flogging and all other forms of corporal punishment are hereby

prohibited on board any vessel, and no form of corporal punishment on board any vessel shall be deemed justifiable, and any master or other officer thereof who shall violate the aforesaid provisions of this section, or either thereof, shall be deemed guilty of a misdemeanor, punishable by imprisonment not less than three months nor more than two years. Whenever any officer other than the master of such vessel shall violate any provision of this section it shall be the duty of such master to surrender such officer to the proper authorities as soon as practicable. Any failure on the part of such master to comply herewith, which failure shall result in the escape of such officer, shall render the master or vessel liable in damages for such punishment to the person illegally punished by such officer."

This section changes existing law by making the vessel and master liable in damages where the master fails to do his duty in surrendering an officer offending the statutes against corporal punishment of seamen. At present only the master is so liable.

The ninth section runs in this way:

SEC. 9. That section 23 of the act entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," approved December 21, 1898, be, and is hereby, amended as respects the items water and butter, so that in lieu of a daily requirement of 4 quarts of water there shall be a requirement of 5 quarts of water every day, and that in lieu of a daily requirement of 1 ounce of butter there shall be a requirement of 2 ounces of butter every day.

This section changes existing law by increasing the daily allotment of water and butter for seamen.

The ensuing section I now quote:

SEC. 10. That section 24 of the act entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," approved December 21, 1898, be, and is hereby, amended to read as follows:

"SEC. 24. That section 10 of chapter 121 of the laws of 1884, as amended by section 3 of chapter 421 of the laws of 1886, be, and is hereby, amended to read as follows:

"'SEC. 10. (a) That it shall be, and is hereby, made unlawful in any case to pay any seaman wages in advance of the time when he has actually earned the same, or to pay such advance wages, or to issue any note for the payment of the same, to any other person, or to pay any person other than an officer authorized by an act of Congress to collect fees for such service, any remuneration for the shipment of seamen. Any person paying such advance wages or such remuneration, or issuing any note for the payment of same, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than four times the amount of wages so advanced, or remuneration so paid, or of the note so issued, and may also be imprisoned for a period not exceeding six months, at the discretion of the court. The payment of such advance wages shall in no case, excepting as herein provided, absolve the vessel, or the master or owner thereof, from full payment of wages after the same shall have been actually earned, and shall be no defense to a libel, suit, or action for the recovery of such wages. If any person shall demand or receive, either directly or indirectly, from any seaman or other person seeking employment as a seaman, or from any person on his behalf, any remuneration whatever for providing him with employment, he shall for every such offense be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than $100.

"'(b) That it shall be lawful for any seaman to stipulate in his shipping agreement for an allotment of any portion of the wages he may earn to his grandparents, parents, wife, sister, or children. But no allotment whatever shall be allowed in the trade between the mainland ports of the United States, or in the trade between the insular ports of the United States, or in the trade between the mainland and the insular ports of the United States, or in the trade between ports of the United States and the Dominion of Canada, Newfoundland, the West Indies, and Mexico.

"'(c) That no allotment note shall be valid unless signed by and approved by the shipping commissioner. It shall be the duty of said commissioner to examine such allotments and the parties to them and enforce compliance with the law. All stipulations for the allotment of any part of the wages of a seaman during his absence which are made at the commencement of the voyage shall be inserted in the agreement, and shall state the amounts and times of the payments to be made and the persons to whom the payments are to be made.

"'(d) That no allotment except as provided for in this section shall be lawful. Any person who shall falsely claim to be such relation as above described of a seaman under this section shall for every such offense be punishable by a fine not exceeding $500 or imprisonment not exceeding six months, at the discretion of the court.

"'(e) That this section shall apply as well to foreign vessels as to vessels of the United States; and any master, owner, consignee, or agent of any foreign vessel who has violated its provisions shall be liable to the same penalty that the master, owner, or agent of a vessel of the United States would be for a similar violation: *Provided*, That treaties in force between the United States and foreign nations do not conflict herewith.

"'(f) That for the purposes of subsection (e) of this section the master, owner, consignee, or agent of any foreign vessel seeking clearance from a port of the United States shall present his shipping articles at the office of clearance, and no clearance shall be granted any such vessel unless the provisions of this section have been complied with.

"'(g) That under the direction of the Secretary of Commerce and Labor the Commissioner of Navigation shall make regulations to carry out this section.'"

This section changes existing law by adding a new guard against such advances and allotments of seamen's wages as are now forbidden in the coastwise trade and extends all the guards to the foreign trade.

Then comes this section:

SEC. 11. That section 26 of an act entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," approved December 21, 1898, be, and is hereby, amended to read as follows:

"SEC. 26. That this act shall take effect sixty days after its approval and shall apply to all vessels not herein specifically exempted; but sections 2, 3, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 23, and 24 shall not apply to yachts."

This section changes existing law by extending to fishing and whaling vessels certain provisions now applicable only to other classes of vessels. The provisions referred to are designed to make the life of a seaman secure and healthful and to protect him in his wages, and the same reasons making them valuable in the case of vessels in general are of force in the case of fishing and whaling craft.

After this comes the twelfth section, as follows:

SEC. 12. That section 4536 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4536. No wages due or accruing to any seaman or apprentice shall be subject to attachment or arrestment from any court; and every payment of wages to a seaman or apprentice shall be valid in law, notwithstanding any previous sale or assignment of wages, or of any attachment, incumbrance, or arrestment thereon; and no assignment or sale of wages, or of salvage, made prior to the accruing thereof, shall bind the party making the same, except such advance securities as are authorized by this title. This section shall apply to fishermen employed on fishing vessels, as well as to other seamen."

This section changes existing law by giving to fishermen that exemption from attachment of wages which is now enjoyed by seamen in general.

The thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, and nineteenth sections run thus:

SEC. 13. That before proceeding to sea, the master of every sailing vessel of the United States shall engage a sufficient number of seamen, as provided by the following minimum schedule: Vessels of 200 tons under deck, 5½ effective hands; vessels of 250 tons under deck, 6½ effective hands; vessels of 300 tons under deck, 7½ effective hands; vessels of 350 tons under deck, 8½ effective hands; vessels of 400 tons under deck, 9 effective hands; vessels of 450 tons under deck, 9½ effective hands; vessels of 500 tons under deck, 10½ effective hands; vessels of 550 tons under deck, 11½ effective hands; vessels of 600 tons under deck, 12 effective hands; vessels of 650 tons under deck, 13 effective hands; vessels of 700 tons under deck, 13½ effective hands; vessels of 750 tons under deck, 14½ effective hands; vessels of 800 tons under deck, 15 effective hands; vessels of 850 tons under deck, 15½ effective hands; vessels of 900 tons under deck, 16½ effective hands; vessels of 950 tons under deck, 17 effective hands; vessels of 1,000 tons under deck, 17½ effective hands; vessels of 1,100 tons under deck, 18½ effective hands; vessels of 1,200 tons under deck, 19 effective hands; vessels of 1,300 tons under deck, 20 effective hands; vessels of 1,400 tons under deck, 21 effective hands; vessels of 1,500 tons under deck, 22 effective hands; vessels of 1,600 tons under deck, 22½ effective hands; vessels of 1,700 tons under deck, 23½ effective hands; vessels of 1,800 tons under deck, 24 effective hands; vessels of 1,900 tons under deck, 25 effective hands; vessels of 2,000 tons under deck, 25½ effective hands; vessels of 2,100 tons under deck, 26 effective hands; vessels of 2,200 tons under deck, 26½ effective hands; vessels of 2,300 tons under deck, 27 effective hands; vessels of 2,400 tons under deck, 27½ effective hands; vessels of 2,500 tons under deck, 28 effective hands; vessels of 2,600 tons under deck, 28½ effective hands; vessels of 2,700 tons under deck, 29 effective hands; vessels of 2,800 tons under deck, 29½ effective hands; vessels of 2,900 tons under deck, 30 effective hands; vessels of 3,000 tons under deck, 30½ effective hands.

In sailing vessels above 3,000 tons under deck, additional seamen shall be engaged at the rate of one-third effective hand for every 100 tons, or one effective hand for every 300 tons: *Provided*, That on vessels of schooner rig using steam for the handling of sails at sea, the number of effective hands required by the foregoing schedule may be reduced as follows: By one, in the case of a vessel of 450 to 500 tons; by two, in the case of a vessel of 500 to 700 tons; by three, in the case of a vessel of 700 to 900 tons; by four, in the case of a vessel of 900 to 1,200 tons; by five, in the case of a vessel of 1,200 to 1,400 tons; by six, in the case of a vessel of 1,400 to 1,800 tons; by seven, in the case of a vessel of 1,800 to 2,300 tons; by eight, in the case of a vessel of 2,300 to 3,000 tons; by one for every 1,000 tons, in the case of a vessel exceeding 3,000 tons: *And provided further*, That every vessel of less than 1,500 tons using steam for the handling of sails at sea shall carry one man capable of operating a donkey engine; and every vessel of 1,500 tons or more using steam for the handling of sails at sea shall carry two such men. Each donkey man shall be either a carpenter or capable of doing duty of an able seaman, and shall be counted as one effective hand.

SEC. 14. That not less than three-fourths of each complement called for by the minimum schedule of either the preceding or the succeeding section shall be individually effective hands—that is, of ratings not lower than A. B.

SEC. 15. That before proceeding to sea the master of every steam vessel of the United States shall engage a sufficient number of seamen, as provided by the following minimum schedule:

Tons (gross).	Master.	Mates.	Carpenter or A. B.	Boatswain or A. B.	Able seamen.	Ordinary seamen.
200 and under 350	1	1	-------	-------	3	1
350 and under 500	1	1	-------	-------	4	1
500 and under 700	1	2	-------	-------	4	1
700 and under 1,000	1	2	-------	-------	4	2
1,000 and under 1,500	1	2	-------	-------	5	2
1,500 and under 2,000	1	3	1	1	5	1
2,000 and under 2,500	1	3	1	1	5	1
2,500 and under 3,000	1	3	1	1	5	2
3,000 and under 3,500	1	3	1	1	6	1
3,500 and under 4,000	1	3	1	1	6	2
4,000 and under 4,500	1	3	1	1	7	1
4,500 and under 5,000	1	3	1	1	7	2
5,000 and under 5,500	1	3	1	1	8	1
5,500 and under 6,000	1	3	1	1	8	2

In steamers of 6,000 tons and upward one able seaman or his equivalent shall be added for every 1,000 tons.

SEC. 16. That any sailing or steam vessel proceeding to sea without the full complement of seamen provided for by the minimum schedules of this act shall forfeit to the United States for each effective hand or equivalent a sum double the wages saved by reason of such shortage: *Provided*, That this penalty shall not apply to any vessel unable, after reasonable diligence, to obtain her full complement: *And provided further*, That in every such case the wages saved during the continuance of undermanning shall be distributed, pro rata to monthly wages, among the seamen employed during such continuance.

SEC. 17. That for the purposes of this act the able seaman shall be considered the unit upon which to calculate the number of effective hands. Each of the following named shall be counted as one effective hand: Master, mate, carpenter, boatswain, sailmaker, donkey man, able seaman, and apprentice, 18 or more years of age and with two years of sea service. Each of the following named shall be counted as two-thirds of one effective hand: Ordinary seaman, apprentice 17 years of age and with one year of sea serv-

ice, steward, male cook. Each of the following named shall be counted as one-third of one effective hand: Apprentice under 17 years of age, boy.

SEC. 18. That an able seaman within the meaning of this act must be 19 or more years of age, and must have had at least three years of experience at sea, on deck, of which at least one year shall have been spent aboard a sailing vessel; and an ordinary seaman within the meaning of this act must be 18 or more years of age and must have had at least one year of experience at sea, on deck.

SEC. 19. That no person shall be engaged as an able seaman or an ordinary seaman except upon proof that he is such within the meaning of this act. It is hereby made the duty of every board of local inspectors to examine applicants claiming to be able seamen or ordinary seamen, and to issue to each such applicant, after examination, provided he shall have shown the requisite fitness, a certificate as an able seaman or an ordinary seaman, as the case may be, which certificate shall be at all times retained by the person to whom it is issued. And any able seaman or ordinary seaman may prove his rating within the meaning of this act by producing the certificate issued to him by any board of local inspectors in pursuance of this section.

All of these sections are new. They apply to American vessels the manning schedules recommended by the British board of trade committee appointed to inquire into the manning of British merchant ships (June, 1896), except that a proviso is added making due deductions because of the difference of rig which enables numerous American vessels, especially in our coastwise trade, to run with fewer seamen than commonly required by British bottoms.

The law as it stands in terms requires that American vessels shall be "properly" manned, but the requirement is meaningless in the absence of definition of skill and fixing of manning minimums. The change proposed is thus only in effectuation of existing law.

SEC. 20. That every sailing or steam vessel voyaging between mainland ports of the United States, or between mainland and insular ports of the United States, or between insular ports of the United States, shall carry in her crew a boy or boys as follows: If she be of 800 tons or more, but under 1,500 tons (under deck), at least one boy; if she be of 1,500 tons or more (under deck), at least two boys. Any vessel leaving any port of the United States without the boy or boys required by this section shall be liable to a penalty of $100 for each offense: *Provided*, That this penalty shall not apply if, after reasonable diligence, the boy or boys required by this section could not be obtained.

This section is entirely new. It is designed to encourage the training of boys in our merchant marine, and, taking notice of the immunity from competition with other nations characterizing vessels engaged in our coastwise trade, requires those vessels to carry a small proportion of boys in crews when boys may be obtained.

And now, Mr. Speaker, I shall no further tax the indulgence of the House. I hope, however, that the vote on my amendment will show an earnest friendliness for the men who go down to the sea in ships. [Loud and prolonged applause.]

Mr. ROBINSON of Indiana. Mr. Speaker, the proposition to create a Congressional commission, composed of Senators and Members of the House, to gather facts and mold policies for our guidance and, incidentally, spend $20,000 is a transparent Republican makeshift, designed to relieve a divided Republican party from present responsibility; designed to tide over the election, to ease up ante-election promises to the ship-subsidy interests and post-election performance; designed to solace the supercritical official conscience before reelection and to pass the bill when that official conscience is dulled by individual election—in short, to tide over that which political cowardice prevents from being presented now.

This is a miserable makeshift of political expediency. This matter has been before the country and the world for thirty years. We have had it in every form; we have looked at it from every point of view. History and statistics teem with its figures and tables, its operation, its rise and fall. The facts have been gathered, the arguments garnered. Did the Senate act without information when it passed a ship-subsidy bill in the last Congress? Did the House committee act without light when the Democrats on that committee, aided by a few Republican Members who responded to the call of their constituents, defeated that bill in committee of the House? No one in that Congress claimed that the flood of information was not full and enlightening. They did not have and did not need the aid of a mock Congressional commission, either to unite the two branches of Congress, which should act independently, or to aid them in a bipartisan inquiry.

If the Republican party wants to pass a ship-subsidy bill, let them introduce their bill and pass it; it has the machinery of the House and the Rules Committee. Let them ram it through, but let it run the gantlet of consideration. Let us have a roll call and let us see what Republican Members will stand for ship subsidy.

Give us your substantive proposition and see whether the States of Indiana, Iowa, Minnesota, Michigan, and Wisconsin and the other States will stand for it, and let those who vote for it take and bear the responsibility.

For my part I will not permit the Republican party unchallenged to shift the responsibility by this transparent subterfuge, or put off the evil day by resorting to this deception on the shipping interests, this duplicity on the voters.

Let the Republican party come out in the open and face the shipping interests on the one hand and the voters on the other. Let the Members here fish or cut bait in regular order. [Applause.]

Mr. LUCKING. I yield five minutes to the gentleman from Kentucky [Mr. SMITH].

Mr. SMITH of Kentucky. Mr. Speaker, I have no doubt that the Members of the House on both sides were somewhat astonished a short while ago when my friend from Kansas [Mr. CAMPBELL] read and construed the letter written by Thomas Jefferson to Mr. Gallatin, then Secretary of the Treasury, to mean that he (Mr. Jefferson) was in favor of subsidies. Mr. Speaker, if anyone will take the time to investigate the matter then under consideration and the circumstances, it will be easily seen that the letter was not intended to lay down any such principle as the gentleman from Kansas would have the members of this committee believe.

The two great political parties in the country at that period were the Federalists and the Antifederalists, the latter of which began about that time to be designated by the name "Republican." There was then in operation an institution known as the "United States Bank," which had been chartered through the influences of Alexander Hamilton in 1791. Jefferson and his followers had opposed the establishment of this institution most vigorously, because they believed it inimical to the best interest of the people and fraught with danger to the Government itself. When this letter was written a large part of the stock in the bank was owned by foreigners, and it was contended that it had, as its subsequent history proved, become a powerful and corrupt political machine, and that Hamilton was friendly to it to the exclusion of the State banks. Upon that subject, without further comment, I desire to read in part what this historian has said, and then to couple with that the language of Mr. Jefferson, that the Members may fully understand what was meant by Mr. Jefferson's letter. The historian says:

Doubtless many of the criticisms against Hamilton's administration of the finances of the Government sprang from ignorance, though not all of them. So long as he remained at his post his enemies never wearied in assailing him for his dealings with the bank. They were more merciful toward his successor, but even Wolcott was not left wholly to himself. When their party came into power their jealousy of the institution broke forth. In the autumn of 1802 Jefferson wrote to Gallatin that he should make a judicious distribution of his favors among all the banks, since the stock of the United States Bank was held largely by foreigners, and *were the Bank of the United States to swallow up the others and monopolize the whole banking business of the United States, which the demands we furnish them with tend shortly to favor*, we might, on a misunderstanding with a foreign power, be immensely embarrassed by any disaffection in that bank.

Mr. Jefferson, as you will observe, was speaking in favor of patronizing banks whose stocks were owned by American citizens. He was speaking in favor of homes as against foreign institutions. He was advocating the use of friendly and trustworthy agencies as against doubtful ones. He was unwilling to have the Government participate in the creation of a banking monopoly.

Mr. LITTLEFIELD. As I understand it, he was supporting home industries as against foreign industry?

Mr. SMITH of Kentucky. Yes, sir.

Mr. LITTLEFIELD. That was very proper, and that is our scheme.

Mr. SMITH of Kentucky. He was speaking in favor of republican institutions as against monarchical institutions.

I am decidedly in favor——

Mr. CAMPBELL. This last letter is a year subsequent to the one from which the deductions of the author are taken that the gentleman has just read.

Mr. SMITH of Kentucky. I understand perfectly.

I am decidedly in favor of making all the banks republican—

That is, believers in and supporters of the theory of a government by the people—

by sharing the deposits among them in proportion to the dispositions they show.

That is to say, it was his purpose to at least deal fairly with banks that favored popular government rather than patronize exclusively one subject to, if not controlled by, influences that sympathized with and tended to monarchy.

It is but one of many instances showing the vigilance with which he guarded the welfare of the Republic, and not the shameless prostitution of the public service to promote a party organization, as the gentleman from Kansas would have us believe.

Mr. DALZELL. Will the gentleman tell us what he meant by "republican banks?"

Mr. SMITH of Kentucky. He meant, evidently, a bank that was owned and manned by people who believed in popular as against monarchical government. [Applause on the Democratic side.]

Mr. DALZELL. Why, if the gentleman will read the context he will see how ridiculous his statement is.

The SPEAKER. The time of the gentleman has expired.

Mr. LUCKING. Mr. Speaker, I yield five minutes more to the gentleman from Kentucky.

Mr. SMITH of Kentucky (reading):

If the law now forbid it, we should not permit another session of Congress to pass without amending it. It is material to the safety of republicanism—

That is, free public institutions—

to detach the mercantile interests from its enemies and incorporate them into the body of its friends. A merchant is naturally a republican, and could not be otherwise only from a vitiated state of things.

Mr. Speaker, it was the evident purpose of the gentleman from Kansas to have the House believe that where this letter used the word "republican" it had reference to mere party affiliation and not to the fundamental principles of free popular government.

Mr. CAMPBELL. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Kentucky. Yes, sir.

Mr. CAMPBELL. And if the gentleman will read the subsequent twenty pages of that book he will reach another conclusion himself. Jefferson was talking for a party he was then organizing. There is no question about that.

Mr. SMITH of Kentucky. No; Mr. Jefferson opposed the United States Bank on principle. He distrusted it because its stock was owned in part by foreigners, and he also saw the danger of monopoly in it unless there should be a distribution of Government deposits among other banks. These, and not the wish to subsidize other institutions, were the reasons that prompted him to make the suggestions to Mr. Gallatin.

No man had lived who was more firmly attached to the doctrine and its observance of justice and equality to all men and exclusive privileges to none in the operation of government. All his official acts and public utterances were squared by this matchless standard. No cause ever had an abler or more fearless advocate than he, but his great labors and talents served but little purpose if what he did and said can now be distorted into a precedent or authority to justify, excuse, or persuade those of the present generation into supporting measures that are intended to enrich those engaged in one kind of business by either injuring or impoverishing all others.

Jefferson was talking then as he always talked, for free popular government—a government of the people, by the people, and for the people. [Applause on the Democratic side.] Now, Mr. Speaker, since this subject has been brought forth, I want to call the attention of the gentleman from Kansas and Members of the House generally to the utterances of a President of the United States in recent years condemning the practice of keeping money in the banks of the country without interest, and I read:

Mr. LITTLEFIELD. Will my friend yield for a question?

Mr. SMITH of Kentucky. Yes, sir.

Mr. LITTLEFIELD. Is it a fact that Jefferson recommended for some purpose—no matter what—a subsidy, in effect, of banks? Is that true or not?

Mr. SMITH of Kentucky. That is not true, in my opinion.

Mr. LITTLEFIELD. Was the intent to confer any popular favor or give any aid, or was the intent anything of that kind? How do you understand that?

Mr. SMITH of Kentucky. I do not understand that to be his purpose at all.

Mr. LITTLEFIELD. Then there was apparently no purpose and it was simply perfunctory?

Mr. SMITH of Kentucky. Mr. Speaker, in the short time I have allotted to me I have not time to answer the gentleman's questions in detail, but I should be pleased to do so if I had the time.

Mr. LITTLEFIELD. I think that is quite obvious.

Mr. SMITH of Kentucky. Now, I am going to read you from the first annual message of President Harrison, in which he condemns the practice that had been in force in this country for several years and yet prevails. He says:

The loaning of public funds to the banks without interest upon the security of Government bonds I regard as an unauthorized and dangerous expedient. It results in a temporary and unnatural increase of bank capital of favored localities and compels a cautious and gradual recall of deposits to avoid injury to the commercial interests. It is not to be expected that the banks having these deposits will sell their bonds to the Treasury so long as the present highly beneficial arrangement is continued. They now practically get interest both upon the bonds and their proceeds. No further use should be made of this method of getting the surplus into circulation, and the deposits now outstanding should be gradually withdrawn and applied to the purchase of bonds.

[Applause on the Democratic side.]

It has been almost fifteen years since President Harrison submitted this recommendation to Congress, and in the meantime many millions of dollars collected by the Government from the people have been kept without interest on deposit with certain national banks of the country that have loaned it back to the people, whose money in part it was, at profitable and sometimes exorbitant rates of interest. It is not strange that these organizations should oppose any change in the revenue laws that will reduce the surplus in the Treasury and thus deprive them of one source of great profit. President Harrison was right in condemning this practice that has been tolerated too long. The evil of it is not alone of a financial character, but political collusion and corruption are among its inevitable results. Who does not remember the letter written in June, 1897, by Mr. A. B. Hepburn, of the National City Bank, of New York, in which he appealed to the Secretary of the Treasury for a continuation of favors upon the ground that the directors of that institution had contributed to the Republican campaign fund in 1896. The letter reads as follows:

NATIONAL CITY BANK OF NEW YORK,
New York, June 5, 1897.

MY DEAR MR. GAGE: The National City Bank, of this city, of which I recently became president through the consolidation of the business of the Third National with it, is one of the banks designated as a United States depository; and I write to request that in any changes that may be made under the Administration we may not be disturbed in this respect. We should like to remain United States depository, as at present.

Of course the bank is very strong, and if you will take the pains to look at our list of directors you will see that we also have very great political claims in view of what was done during the canvass last year.

Yours, very truly, A. B. HEPBURN.

And the records will show that the Government deposits in this institution were largely increased within a few months from that date. I denounce the system under which such conditions can exist and flourish as intolerable, and declare that no higher duty rests upon the party charged with the administration of the Government than to abolish it as speedily as possible. It has been nearly seven years since the foregoing instance occurred, during all which time the Republican party has controlled the executive and both branches of the legislative department, and yet not a step has that party taken toward correcting this iniquitous system, and in view of what Mr. Hepburn assured Mr. Gage was done in 1896 by the directors of his bank, I am quite sure that party will give to the country no relief against this pernicious practice as long as these institutions find it profitable to make contributions to the Republican campaign fund in exchange for Government deposits. [Applause.]

Mr. GROSVENOR. Mr. Speaker, I withdraw the bill from further consideration at this time.

Mr. SMITH of Kentucky. Mr. Speaker, I ask leave to extend my remarks in the RECORD.

The SPEAKER. The gentleman has that privilege under the order.

CIRCULATION OF READING MATTER AMONG THE BLIND.

Mr. RUCKER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 3129.

The SPEAKER. The gentleman asks unanimous consent for the present consideration of a Senate bill, which the Clerk will report.

The Clerk read as follows:

An act (S. 3129) to promote the circulation of reading matter among the blind

Be it enacted, etc., That books, pamphlets, and other reading matter in raised characters for the use of the blind, whether prepared by hand or printed, in single volumes or in packages, and containing no advertising or other matter whatever, unsealed, and not exceeding 4 pounds in weight, when sent by public institutions for the blind, or by any public libraries, as a loan to blind readers, or when returned by the latter to such institutions or public libraries, shall be transmitted in the United States mails free of postage.

SEC. 2. That all acts or parts of acts repugnant to this act are hereby repealed, and the Postmaster-General shall prescribe such regulations as he may deem necessary to carry this act into effect.

The amendments recommended by the committee were read, as follows:

Line 5, after the word "volumes," add "not exceeding 10 pounds in weight;" and same line, after the word "packages," add "not exceeding 4 pounds in weight."

Lines 6 and 7, strike out the words "not exceeding 4 pounds in weight."

Line 11, after the word "postage," strike out the period and insert in lieu a comma, and add after the comma the following: "and under such regulations as the Postmaster-General may prescribe."

Strike out all of section 2.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

On motion of Mr. RUCKER, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On April 21, 1904:

H. J. Res. 85. Joint resolution to authorize the lowering of the height of the Government dams in the Illinois River at Kampsville and Lagrange;

H. R. 7266. An act to ratify, approve, confirm, and amend an act duly enacted by the legislature of the Territory of Hawaii to authorize and provide for the manufacture, distribution, and supply of electric light and power on the island of Oahu, Territory of Hawaii;

H. R. 9643. An act to ratify, approve, and confirm an act duly enacted by the legislature of the Territory of Hawaii to authorize and provide for the maintenance and supply of fuel and illuminating gas and its by-products in Honolulu;

H. R. 13739. An act to authorize the Blackberry, Kentucky and West Virginia Coal and Coke Company (Incorporated) to bridge the Tug Fork of the Big Sandy River, about 1 mile east of Matewan, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky;

H. R. 13742. An act in relation to the location of the navigable channel of the Calumet River, Illinois and Indiana;

H. R. 13992. An act permitting the Missouri, Kansas and Oklahoma Railroad Company to sell its railroads and properties to the Missouri, Kansas and Texas Railway Company;

H. R. 14750. An act authorizing the county of Itasca, in the State of Minnesota, to construct a wagon and foot bridge over the Mississippi River in section 22, township 55 north, range 27 west of the fourth principal meridian; and

H. R. 12446. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

On April 22, 1904:

H. R. 10956. An act to amend sections 2566 and 2567 of the Revised Statutes of the United States, 1878, so as to remove the port of entry for the district of Pearl River from Shieldsboro to Gulfport, and for other purposes.

CARE AND CUSTODY OF THE INSANE IN ALASKA.

Mr. POWERS of Maine. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3035) supplemental to and amendatory of an act entitled "An act making further provisions for a civil government for Alaska, and for other purposes," approved June 6, 1900, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior shall, in the month of November, 1904, and from time to time thereafter, as in his judgment may be deemed advisable, advertise for and receive bids for the care and custody of persons legally adjudged insane in the district of Alaska, and thereafter, in behalf of the United States, shall contract, for one or more years, as he may deem best, with a responsible asylum or sanitarium west of the main range of the Rocky Mountains submitting the lowest and best responsible bid for the care and custody of persons legally adjudged insane in said district of Alaska, the cost of advertising for bids, executing the contract, and caring for the insane to be paid, until otherwise provided by law, by the Secretary of the Treasury, out of any money in the Treasury not otherwise appropriated, on accounts and vouchers duly approved by the Secretary of the Interior, and all acts and parts of acts in conflict with these provisions are hereby repealed.

The SPEAKER. Is there objection?

Mr. CLARK. Mr. Speaker, I would like to ask the gentleman a question or two. I will ask if this is a unanimous report from his committee?

Mr. POWERS of Maine. It is. I will say that I was asked to call up the Senate bill and asked unanimously to do so. If the gentleman desires an explanation of the changes this bill makes in existing law, I shall give it. They are very slight.

Mr. CLARK. Mr. Speaker, I reserve the right to object until we hear the explanation.

Mr. POWERS of Maine. Mr. Speaker, there are a large number of insane persons in Alaska. Under present conditions they are cared for by the governor advertising each year and sending them, I think, down to Washington. It is proposed to change the law somewhat, and this change has the indorsement of the Secretary of the Interior. I shall read from his letter how much the present bill changes the law and why he thinks it is better. He writes as follows:

There are but three changes from the existing law proposed by the above amendment, and they are as follows:

(1) The power to advertise and contract for the care of said insane is vested directly in the Secretary of the Interior, instead of in the governor subject to the approval of the Secretary, as in the existing law.

(2) Contracts therefor may be made either for one year or for a longer period, whereas the existing law requires that contracts be made "from year to year."

(3) Contracts may be awarded to the "lowest and best responsible bidder" instead of merely to the lowest, as the law now requires.

Those are the changes that the present bill makes in the present law, and I think they are in the interest of the insane.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, read the third time, and passed.

On motion of Mr. POWERS of Maine, a motion to reconsider the last vote was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 11676) to ratify and amend an agreement with the Indians of the Crow Reservation in Montana, and making appropriation to carry the same into effect, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. BARD, Mr. STEWART, and Mr. OVERMAN as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 14416) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALLISON, Mr. HALE, and Mr. COCKRELL as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 1343) to amend an act approved March 3, 1899, entitled "An act to amend an act entitled 'An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain,' approved July 8, 1898," and so forth, and for other purposes.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 3036) for the protection of the Bull Run Forest Reserve and the sources of the water supply of the city of Portland, State of Oregon.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House of Representatives on the disagreeing votes of the two Houses thereon, and had appointed Mr. PLATT of Connecticut, Mr. CLARK of Wyoming, and Mr. BACON as the conferees on the part of the Senate.

NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I submit a conference report on the naval appropriation bill and ask that the same be printed under the rules.

The SPEAKER. It will be so ordered.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 12220) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 15, 24, and 38.

That the House recede from its disagreement to the amendments of the Senate numbered 19, 20, 21, 31, 32, and 33, and agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "storehouse and storekeeper's office, to complete, fifty thousand dollars; in all, navy-yard, Charleston, South Carolina, seven hundred and six thousand five hundred dollars;" and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$7,284,071;" and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In line 14 of the amendment strike out all after the word "President" down to and including the word "action," in line 15, and insert in lieu thereof the following: "who, upon approval of such report, shall authorize the purchase of such site and the establishment of such naval training station;" and the Senate agree to the same.

GEORGE EDMUND FOSS,
ALSTON G. DAYTON,
ADOLPH MEYER,
Managers on the part of the House.

EUGENE HALE,
GEO. C. PERKINS,
THOMAS S. MARTIN,
Managers on the part of the Senate.

The statement of the House conferees is as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12220) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report on each of the amendments, viz:

On amendment numbered 10: Strikes out for Charleston Navy-Yard the Senate provision for quay wall, $50,000; dredging, $20,000; locomotive power house, $5,000; railroad scales, $3,000; sewers, $20,000; telephone system, $2,000; entrance gate and police station, $28,000; grading and drainage, $10,000; latrines, $3,000; railroad-system extension, $12,000; railroad equipment, $5,000; tools and machinery for yards and docks workshop, $8,000; officers' quarters, $8,000; and provides for the storehouse and storekeeper's offices, to complete, $50,000, instead of storehouse and storekeeper's offices, to extend, $50,000; to cost in all not to exceed $150,000, as proposed by the Senate.

On amendment numbered 15: Restores the House provision for the consolidation of the several power plants in any or all of the several yards and stations at each navy-yard and station under the Bureau of Yards and Docks for the generation and distribution of light, heat, and power for all the purposes of the Navy. To the above end all such plants may be transferred from other bureaus to the Bureau of Yards and Docks and all appropriations heretofore made for power houses and power plants for bureaus other than Yards and Docks are hereby reappropriated and made available under the Bureau of Yards and Docks for the consolidation herein provided for, and to further carry out the purposes of this provision there is hereby appropriated the sum of $300,000.

On amendment numbered 16: Changes totals in accordance therewith.

On amendment numbered 18: Provides that the board appointed by the President to select the site for the naval training station on the Great Lakes, as proposed by the Senate, shall make report to the President, who upon approval of such report shall authorize the purchase of such site and the establishment of such naval training station.

On amendment numbered 19: Changes the totals in accordance therewith.

On amendment numbered 20: Provides for a naval magazine, as proposed by the Senate, on the New England coast, $70,000. The total cost of the establishment completed in all respects shall not exceed the sum of $500,000.

On amendment numbered 21: Changes totals in accordance therewith.

On amendment numbered 24: Strikes out the Senate provision to place the frigate *Constitution*, as near as may be, in the same condition as regards hull and rigging as she was when in active service, for use as practice, training, or receiving ship, and appropriates $400,000 therefor.

On amendment numbered 31: Provides in the office of the assistant quartermaster at Philadelphia, Pa., one clerk at $1,600, in lieu of the House provision for one clerk at $1,400.

On amendments numbered 32 and 33: Which are clerical computations.

On amendment numbered 38: Restores the House provision that before any subsurface or submarine torpedo boat is purchased or contracted for it shall be accepted by the Navy Department as fulfilling all reasonable requirements of submarine warfare, and shall have been fully tested to the satisfaction of the Secretary of the Navy, and strikes out the Senate provision that before any subsurface or submarine torpedo boat or boats are purchased or accepted by the Navy Department they shall have been fully tested to the satisfaction of the Secretary of the Navy and shall fulfill all reasonable requirements for torpedo or submarine warfare; provided also that the boats contracted for in this act shall be constructed in accordance with the plans and specifications of the contractor.

The bill as passed by the Senate appropriated $99,093,434.59, being an increase of $1,514,893.65 over the amount carried as it passed the House. Of this sum the committee of conference recommended that $1,034,293.65 be stricken out and that $480,600 be agreed to. The bill now carries, as completely agreed to, $98,005,140.94.

GEORGE EDMUND FOSS,
ALSTON G. DAYTON,
ADOLPH MEYER,
Managers on the part of the House.

LIGHT-HOUSE AND FOG SIGNAL AT DIAMOND SHOALS, NORTH CAROLINA.

Mr. RICHARDSON of Alabama rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. RICHARDSON of Alabama. I rise on a privileged matter, to call up the bill (H. R. 7264) to provide for the construction of a light-house and fog signal at Diamond Shoals, on the coast of North Carolina, at Cape Hatteras, made so on February 15, 1904, by a vote of the House, and I ask unanimous consent that this bill be taken up and considered in the House as in Committee of the Whole. I think it will be approved of in a very few minutes.

The SPEAKER. Is the gentleman from Ohio [Mr. BURTON] present?

Mr. RICHARDSON of Alabama. Mr. Speaker, I have talked with him this afternoon, since the Speaker advised me that the gentleman from Ohio [Mr. BURTON] would oppose the bill.

The SPEAKER. Is he willing that unanimous consent should be given?

Mr. RICHARDSON of Alabama. He did not say that. I saw him this afternoon, and the matter of unanimous consent was not mentioned between us. I did not tell him how I would call the bill up.

The SPEAKER. The Chair has every desire to submit for unanimous consent all matters that should be submitted——

Mr. RICHARDSON of Alabama. Mr. Speaker, the gentleman from Ohio [Mr. BURTON] does not necessarily have to be here when we take up these matters. He said he did not know whether he would make any remarks on the bill or not, but rather indicated that he would leave the matter to the distinguished gentlemen who had signed the minority report.

The SPEAKER. Yes; but after what the gentleman from Ohio [Mr. BURTON] has stated to the Chair, the Chair does not think he should submit that request at this time.

Mr. RICHARDSON of Alabama. There are gentlemen here who have made a minority report and they do not object.

The SPEAKER. The Chair can not, in justice to himself, submit the request for unanimous consent to consider this bill in the House as in the Committee of the Whole. It is on the Union Calendar, is it not?

Mr. RICHARDSON of Alabama. Yes.

The SPEAKER. Of course the gentleman can make the motion under the rule.

Mr. RICHARDSON of Alabama. I know that, but I thought this would be the more expeditious way of disposing of it.

The SPEAKER. After having been notified by the gentleman from Ohio [Mr. BURTON], as the Chair has been, the Chair does not feel that he should in fairness put the request for unanimous consent.

Mr. RICHARDSON of Alabama. I thought we might get along better with our public business, if this were done.

The SPEAKER. Well, if no one else objected at this time, and if the gentleman from Ohio [Mr. BURTON] were here, the Chair would put the request.

Mr. RICHARDSON of Alabama. I see the gentleman from Ohio [Mr. BURTON] has just entered the Chamber.

The SPEAKER. The gentleman from Alabama asks unanimous consent to consider the present order which is called up and is privileged by unanimous consent, viz, the Diamond Shoals light-house bill, in the House as in the Committee of the Whole. Is there objection?

Mr. BURTON. Mr. Speaker, I object.

Mr. RICHARDSON of Alabama. The gentleman from Ohio [Mr. BURTON] will recall the fact that I mentioned this matter to him this afternoon.

Mr. BURTON. Mr. Speaker, I would state that the gentleman from Minnesota [Mr. STEVENS] filed a minority report on this bill, and he is not at present in the House. I think he should be here when the bill comes up and that it should be carefully discussed.

Mr. RICHARDSON of Alabama. The gentleman, as I understand, does not make any objection to this being considered.

Mr. BURTON. I am not willing that it should be considered in the absence of the gentleman from Minnesota.

Mr. RICHARDSON of Alabama. Very well; I have no wish to take any advantage of the gentleman from Minnesota who filed the minority report. I suggest, Mr. Speaker, that the matter be passed over until to-morrow.

RESTORATION OF CERTAIN MIDSHIPMEN.

Mr. LACEY. I ask unanimous consent for the present consideration of House bill 12273, with certain amendments reported by the committee and also an amendment interlined in the bill.

The title of the bill was read, as follows:

A bill granting authority to the President in his discretion to restore certain midshipmen to the naval service.

Mr. HAY. I object.

INDIANS OF CROW RESERVATION.

Mr. CURTIS submitted for printing in the RECORD the conference report and statement of House conferees upon the bill (H. R. 11676) to ratify and amend an agreement with the Indians of Crow Reservation in Montana, and making an appropriation to carry the same into effect.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11676) to ratify and amend an agreement with the Indians of the Crow Reservation in Montana, and making appropriations to carry the same into effect, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: Add at the end of said amendment the following: ", the same to be reimbursed out of the first moneys to be received from the sale of said lands;" and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In line 19 of said amendment, after the word "practicable," strike out the word "the" and insert the following: "*Provided, however*, That if the lands withdrawn under the reclamation act are not disposed of within five years after the passage of this act, then all of said lands so withdrawn shall be disposed of as other lands provided for in this act. That the;" and the Senate agree to the same.

CHARLES CURTIS,
JOHN F. LACEY,
JNO. H. STEPHENS,
Managers on the part of the House.

THOMAS R. BARD,
WM. M. STEWART,
LEE S. OVERMAN,
Managers on the part of the Senate.

The statement of the managers on the part of the House is as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11676) entitled "An act to ratify and amend an agreement with the Indians of the Crow Reservation, in Montana, and making appropriations to carry the same into effect," make the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report on the amendments:

The House receded from its disagreement to amendments of the Senate numbered 1, 2, 3, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21. All these amendments are of such a minor character that your managers do not deem it necessary to refer to them specifically by number, except the following:

Amendments numbered 2 and 10 increase the price for which the land is to be sold from $3 to $4 per acre.

Amendment numbered 4: The House receded with an amendment requiring the money appropriated for a survey of the reservation to be reimbursed out of the first money derived from the sale of the land. The Senate amendment authorized the payment of expenses of the survey, and made no provision for reimbursement. On account of the large number of acres in the reservation, and the likelihood of the land being readily disposed of, your managers thought it best to provide that the cost of survey should be reimbursed to the United States.

Amendment numbered 7: The House receded from this amendment with an amendment providing that if the land shall not be disposed of under the reclamation act within five years then it shall be disposed of as other lands are disposed of under the terms of this act, and this amendment your committee believes to be for the best interests of all concerned and will insure the sale of lands within a reasonable time.

CHAS. CURTIS.
JOHN F. LACEY.
JNO. H. STEPHENS.

TRAILWAY IN COCONINO COUNTY, ARIZ.

Mr. WILSON of Arizona. I ask unanimous consent for the present consideration of the bill (H. R. 10411) granting right of way for trailway to W. W. Bass, of Coconino County, Ariz., for travel across the Grand Canyon of Arizona, and ferry privileges, etc., across the Colorado River therein.

The Clerk proceeded to read the bill; but before the reading was concluded,

Mr. MONDELL objected.

Mr. UNDERWOOD. Mr. Speaker, it is now 5 o'clock; and I demand the regular order.

DIRECTORS OF COLUMBIA HOSPITAL.

The SPEAKER announced the appointment of Mr. HUNTER and Mr. LIVINGSTON as directors, upon the part of the House, of the Columbia Hospital.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 803. An act for the relief of John Stewart;

S. 5557. An act to authorize the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, to construct a bridge across the Connecticut River between Chicopee and West Springfield, in said county and Commonwealth; and

S. 4651. An act for the relief of James T. Barry and Richard Cushion, executors of the last will and testament of Martin Dowling, deceased.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11676) to ratify and amend an agreement with the Indians of the Crow Reservation in Montana, and making appropriations to carry the same into effect.

WITHDRAWAL OF PAPERS.

Mr. HUMPHREY of Washington, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, papers in the case of Henry C. Jordan, Fifty-eighth Congress, no adverse report having been made thereon.

DELEGATE FROM ALASKA.

Mr. CUSHMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House bill No. 13356, the Alaska delegate bill.

Mr. LACEY. I move to amend that motion by inserting in lieu of the Alaska bill House bill 12273.

Mr. PAYNE. I make a point of order upon this amendment. I understand that the bill of the gentleman from Iowa [Mr. LACEY] is not privileged.

The SPEAKER. Is the bill privileged?

Mr. LACEY. It is not.

The SPEAKER. Then the point of order is sustained.

The question being taken upon the motion of Mr. CUSHMAN, it was agreed to.

The House accordingly resolved itself into the Committee of the Whole (Mr. PERKINS in the chair) and resumed the consideration of House bill 13356, the Alaska Delegate bill.

The CHAIRMAN. The gentleman from Michigan [Mr. HAMILTON] is recognized.

Mr. HAMILTON. I yield to the gentleman from Washington [Mr. HUMPHREY].

Mr. HUMPHREY of Washington. Mr. Chairman, the Government is constructing a slip canal at Seattle, connecting Puget Sound with Lake Union and Lake Washington. When this canal is completed it will give Seattle a harbor unmatched in all the world.

THE LAKE WASHINGTON CANAL—HISTORY.

This canal should be completed by the Government with all convenient speed for two reasons: First, because of the benefit it would be to commerce; second, because of the benefit it would be to the vessels of the Government. There would be a third incidental benefit to the surrounding country by the redemption of some 50,000 acres of as fine agricultural land as there is in America and the prevention of frequent floods that destroy millions of dollars' worth of property.

On the great Pacific coast line of this country there are really only two great ports—San Francisco Bay and Puget Sound. Said one of the first explorers, Charles Wilkes, of that marvelous body of water known as "Puget Sound:"

> Nothing can surpass the beauty of these waters and their safety. I venture nothing in saying that there is no country in the world that possesses waters equal to these. They cover an area of about 2,000 square miles. The shores of all its inlets and bays are remarkably bold, so much so that a ship's side would strike the shore before her keel would touch the ground. The country by which these waters are surrounded is remarkably salubrious, and affords every advantage for the accommodation of a vast commercial and military marine, with convenience for docks and a great many sites for towns and cities.

No one who is acquainted with this wonderful Puget Sound country will contend that this description is overdrawn. Seattle is situated on the eastern shore of Elliott Bay on a series of ridges and hills running back to the east about 2½ miles to the western shore of Lake Washington, and northeast of the water front of Seattle about a mile and one-third is Lake Union, and about a mile and a half beyond Lake Union is situated Green Lake. The city of Seattle largely surrounds Lake Union and Green Lake and extends several miles along Lake Washington. The city set upon these hills, around these lakes, facing Puget Sound, almost entirely encircled by eternal snow-capped mountains, has a beauty of location that is not surpassed, if equaled, by any other city in the world.

The proposed canal connects Puget Sound, starting at Salmon Bay, on which is situated the prosperous city of Ballard, now having about 10,000 population, with Lake Union and Lake Washington. The advantage of this canal has attracted the attention of every officer of the Army and Navy who has ever visited this region. Commencing with the report of Gen. George B. McClellan in 1860, this canal has been examined and indorsed and recommended to the Government by General McClellan, General Cullom, Captain Powell, Captain Taylor, Major Elliott, General Alexander, Colonel Mendell, Major Handbury, Major Symons, Gen. J. M. Wilson, of the Engineer Corps of the Army; Captain Mahan, Captain Stockton, Captain Chester, Admiral Selfridge, Captain Barker, Captain Clark, Commander Drake, Captain Burwell, Naval Constructor Hibbs, of the Army and Navy. The army board of 1891, appointed for the purpose of investigating this proposition, says of Lake Union:

Lake Union, which is the nearest to the heart of Seattle and to the sound, is the smallest of these lakes. It has an area of 905 acres, of which 499 acres cover a depth of 25 feet, and with a maximum observed depth of 60 feet. The area of the drainage basin of this lake is 6 square miles.

Lake Washington, the largest of the three lakes, lies directly east of Lake Union and of Seattle. It is 19 miles long, averages about 2 miles in width, and has an area of 38.9 square miles, or 24,896 acres, of which probably 22,000 acres cover a depth of 25 feet or more.

The Chamber of Commerce of Seattle gives the following description of the topography of the proposed canal:

The project for the construction of a waterway connecting the waters of Puget Sound with Lakes Union and Washington is based on natural topographic conditions without a parallel in the world. Lying along the eastern shore of the city of Seattle is Lake Washington, a body of fresh water nearly 20 miles in length, 2 or 3 miles in width, and several hundred feet in depth, separated from the tidal waters of the sound by a strip of land, at some points less than 2 miles wide, on which is situated the city of Seattle.

At the north of the city the shore of the sound is indented by the salt-water inlet of Salmon Bay, whose gently sloping shores furnish an admirable town site, on which is situated the thriving town of Ballard. This town is the site of a great lumber and shingle industry and has a population of more than 6,000 people. Between Lake Washington and this inlet, and entirely within the limits of the city of Seattle, lies Lake Union, a fresh-water lake with an area of about 900 acres and from 35 to 60 feet in depth. The entire bottom of the lake constitutes excellent holding ground.

The shores of the lake are well adapted for the construction of wharves and warehouses and are reached by an easy grade from the present business center of the city. An arm of this lake stretches eastward toward Union Bay, an arm of Lake Washington. Between Lake Washington and Salmon Bay, along this route, lies a natural valley, through which a ship canal could be built at the minimum of expense. Lake Union and Salmon Bay are connected by a natural waterway, now enlarged by the General Government into an artificial canal as a part of the preliminary work on the projected ship canal. Lakes Washington and Union are separated by a strip of land only half a mile in width whose greatest elevation above Lake Washington is only about 30 feet.

Nowhere in the world does such an opportunity exist for the construction of a magnificent landlocked fresh-water harbor directly accessible from the sea. The situation is absolutely unique, and consequently none of the general rules laid down by Congress governing river and harbor improvements can apply to it. It stands in a class by itself and must be governed by rules that apply to it alone.

Nature has so plainly pointed out the place and the advantage of this canal that none who have studied the situation can fail to understand why the officers of the Government have been struck by its feasibility and recommended its construction, or why the legislature of Washington has passed laws to aid its construction, and why it is the hope and the dream of every patriotic and progressive citizen of Seattle.

The proposition of constructing this canal is so well known that after this brief review I desire to devote my time to answering the three only possible objections that can be urged against its construction.

These objections are, first, objections urged against its use as a navy basin; second, the claim of the Seattle and Lake Washington Waterway Company that they intend to construct or can construct a similar canal; third, the contention that the construction of this canal is not advisable at the present time.

A board was appointed in 1902 by the Secretary of War, in accordance with an act of Congress, to investigate and report upon continuing the construction of this proposed canal. This board was composed of Col. William H. Heuer, Capt. W. C. Langfitt, and Lieutenant Johnston. Their report was made June 6, 1903, and is embodied in Senate Report 127, Fifty-seventh Congress, second session. This report refers to each of the objections which I wish to discuss.

FEASIBILITY

Inasmuch as the last board of engineers appointed to investigate this work said in their report—

Having decided upon the Shilshole Bay route as being the most advantageous of the routes via Lake Union, and having gone over this route and examined the maps thereof and the character of the material to be excavated, as revealed by the work already done and by the borings made, the board decided that there is no doubt of the entire feasibility of constructing on this route a canal of the required dimensions—

And in view of the further fact that the Government has already appropriated the sum of over $350,000 toward its construction—and not only this, but in order to make a portion of this appropriation available the Government exacted as a condition precedent that King County should procure a right of way, now worth a million dollars, and give the same to the Government, and the same was by the Government accepted—I think it entirely useless to present argument as to the feasibility of this great undertaking.

ADVANTAGES TO THE NAVY.

Every officer of the Navy who has ever seen Lake Washington enthusiastically indorses it as an ideal naval basin. Lieut. J. J. Drake, then executive officer of the U. S. battle ship *Oregon*, in his letter to the Hon. W. D. Wood, among other things, said:

The most important question which is absorbing the attention of the Navy Department is the following: What is the most economical method by which our steel vessels can be preserved in readiness for an emergency call? The answer to this question involves the following conditions:

A. A clear fresh-water basin of uniform depth, not exposed to freshets, strong currents, or heavy winds.

B. This basin to be accessible at all times and any stage of tides, conditions of weather, and season.

C. To be located near a navy-yard which is capable of docking and taking care of our largest battle ships.

D. To be within the limits of a large manufacturing center, in order that material, skilled labor, and mechanics may be had at any and all times.

Having merely outlined the obstacles which stand in the way of conditions set forth in paragraphs A, B, C, and D for fresh-water basin on the proposed sites on the Atlantic and Pacific seaboards south of Puget Sound, let us examine this locality in which is located the only dry dock capable of docking first-class battle ships and cruisers. Reference is had, of course, to the Puget Sound Naval Station, at Port Orchard, where this dock is located. Condition A calls for a clear fresh-water basin of uniform depth, not exposed to freshets, strong currents, or heavy winds.

In Lake Union all of the above requirements are found. Purely a fresh-water basin, surrounded by high hills covered with verdure the year around, having a clear soil, and hence no deposits of scourings of watersheds are carried into this lake from adjacent slopes. The high hills surrounding it cut off any heavy winds which could possibly sweep over this portion of the sound, as numerous trees, both old and young, bear evidence by their perpendicular trunks on hilltops and slopes around the lake. The locality is free from any nuisances which usually surround the suburbs of cities.

Here battle ships and vessels of all types could lie quietly at their moorings in depths suitable to the draft of the vessel and fear not the elements and ravages of time. Hundreds of ships could be safely housed here, within the finest ideal spot upon this globe, the like of which does not exist to-day in any climate.

Condition B calls for a basin accessible at all times.

As the approach to Lake Union would naturally be made by canal cut through from Duwamish Bay (Seattle Harbor) entrance on the north side, and of less than a mile in length, and as all approaches are clear of outlying dangers, we have at once an ideal harbor entrance.

The conditions of tides or weather will not affect the approach to this basin by the canal.

Condition C. To be located near a navy-yard which is capable of docking our largest vessels.

Lake Union is only 14 miles from Port Orchard dock. A vessel can be docked and put in perfect order for commission, then steam to the entrance of Lake Union, and in a few hours be safely moored in a fresh-water basin.

Condition D. To be within the limits of a large manufacturing center, where skilled labor can be had at all times.

This condition is fulfilled in every respect. The natural surroundings of Lake Union offer all the necessary features of a repair station of the first order.

No man, before nor since that letter was written, has ever disputed a single statement made in the part quoted except as to accessibility. All the statements made by Lieutenant Drake regarding Lake Union apply equally to Lake Washington. Lake Washington has far greater advantages, so far as sites and locations for yards, docks, barracks, etc., are concerned, and in Lake Washington there is not only room enough that the navies of all the nations of earth might lay up their fighting ships, but large enough to permit the maneuvering of the same and to furnish room for all training necessary for the schooling of sailors.

The last board appointed to investigate and report with reference to locating a fresh-water naval basin on the Pacific coast, after unanimously reaching the conclusion that such a basin could not possibly be located anywhere on the Pacific coast than on Puget Sound, made the following majority report:

Lake Washington, considered within itself, offers a fresh-water basin where the fleets of the world might lie in reserve. On its shores a number of sites might be selected, all of which would be excellent for the purpose of erecting repair shops, storehouses, and other buildings which might spring up in connection with a fresh-water basin for vessels of the Navy, when laid up in ordinary away from a navy-yard. It offers suitable depth of water, free from currents, and safe from danger of storm.

In the opinion of the majority of the board, in considering it as a naval basin, Lake Washington lacks accessibility, because a vessel must be passed through a canal about 6 miles in length, and naval vessels, whose scope of action is upon the seas, would be dependent upon this artificial waterway for access to their scenes of action. Accident to the lock, its destruction by the act of an enemy or dissatisfied person, or grounding of vessels in exit might lock within the waters of Lake Washington for an indefinite length of time vessels needed for the defense of the country. It has a local security from water attack due to position and natural surroundings. Access by an enemy's ships would be impossible, but in the face of an enemy it would be no slight matter to get out through this narrow pass.

It lacks favorable position with respect to the line of communication with the present source of repair and supply at the Puget Sound naval station. The sudden dash of an enemy through the defenses at the entrance of Puget Sound would cut off such vessels as might be in the lake. In view of the above objection, bearing in mind these future possibilities, the majority of the board decide that, in its opinion, Lake Washington and, therefore, Lake Union are declared most unsuitable sites for fresh-water basins for the use of the Navy, with regrets that such a magnificent body of fresh water, with the grand and daring scheme for converting it into a fresh-water basin for naval use, can not meet with its approval.

This board was appointed April 5, 1901, by order of the Navy Department, and was composed of Capt. Thomas Perry, Lieut. Commander George W. Peters, Lieut. A. B. Willets, Ensign H. N.

Jenson, of the U. S. S. *Iowa*, and Capt. W. T. Burwell, commandant, and Naval Constructor F. W. Hibbs, of the Puget Sound Navy-Yard. The majority report was signed only by Captain Perry and his three subordinates.

The minority report contained the following language:

The lakes are the most advantageous of all Pacific coast sites and in themselves are admirably suited for the purpose of a naval basin. The minority considers that the construction of a commercial canal is not to be questioned, but only whether in its construction provision for a naval basin would be advisable, and it believes there should be no hesitation in advising it.

The Navy Department in 1894 received from a board to whom the question was submitted a report, in which the following language was used:

The cost of this work appears to be small in comparison with the very great advantages to the Navy and commerce which its construction would secure.

The existence of this fine sheltered and tideless fresh-water harbor on the coast, situated as it is in such a mild climate in the midst of great natural resources, already skirted by railways and reached direct by three transcontinental lines, and its proximity to our naval station requiring such an adjunct would seem to raise this question of its availability by this proposed improvement of the waterway to one of national importance.

Against the statement of the captain of the *Iowa* and his three subordinate officers we have the statement of the minority and the statement of the board of 1894. We also have against them the splendid brain of Captain Monahan and of the heroic Captain Clark, the brilliant commander of the *Oregon* duri g our war with Spain. Captain Clark in his report says:

It will be seen that Lake Union is all that could be desired as a fresh-water basin, and that secure anchorage exists in Lake Washington, especially at the northern end and to the eastward of Mercer Island. From the appearance of the surrounding hills and from the reports that violent rain storms are almost unknown in this region, it is evident that little in the way of surface scourings, which would lessen the depth is carried into these lakes. People who have lived on their shores for many years assert that they are never frozen over and that only a thin film of ice forms occasionally near the banks.

So far as the Navy is concerned, the canal would be advantageous only in times of peace. All the vessels laid up would be hurried out clear of the locks at the first sign of rupture with a strong naval power, and should our fleet in the sound be defeated by an enemy that had run the batteries at the entrance—the channel is nearly 3 miles wide, and the smoke of forest fires, as well as the fog, is often dense—a retreat would be made, not to a canal with a lock in it, but through the narrow and easily defended approaches to Port Orchard.

His statement in the last paragraph that it would be used as a naval basin only in time of peace is the keynote to the situation. It shows his common sense rather than his technical training. It appeals at once to the experience and knowledge of mankind and makes utterly ridiculous the report of the majority of the last naval board.

In times of peace, which we hope will be all the time, which we know will be almost all the time, is when we want a naval basin of fresh water to preserve our Navy. It is in time of peace when our Navy rusts and decays in salt water at a cost of millions of dollars annually. If fresh water would add a reasonable per cent to the life of these great fighting machines, this one item alone would many times more than pay for the cost of the construction of this canal, for it is estimated that the average life of a battle ship is only twelve years, and one of these modern first-class ships costs twice as much as it would to construct this canal.

What a picture must have been mirrored in the brain of the majority of that board when they rejected this proposition, because "in the face of an enemy it would be no slight matter to get out through this narrow pass." They saw this enemy, all unknown to the people of Seattle and in spite of the system of wire and wireless telegraphy already in operation on Puget Sound, pass our fortifications at the entrance of the strait, pass the fortifications lining the sound for 100 miles, and under the great guns on the surrounding bluffs proceed to bombard the entrance to this canal, regardless of the chances they would have to run to pass out again in front of this line of cannon. Not only does this wonderful enemy do all this, but it is done not only so soon after there is a declaration of war, but so quickly after this nation is aware even of the prospect of war that we would not have time to move a battle ship 6 miles.

With the majority of this board, with this enemy, as with God, all things are possible. Such objections are but the shadowy dreams of an overtechnical imagination. I am glad to know, for the sake of this great work, that of all the eminent engineers and officials of the Navy that have examined this great proposition that such objection has only been subscribed to by the then captain of the *Iowa* and his three subordinates. Just a little of the saving common sense shown by Captain Clark when he said that this basin would be for use in time of peace and that at the first sign of rupture the vessels would be hurried out would have saved the majority of this board from a position so utterly absurd as to excite the ridicule of everyone except those who signed the report.

As a fresh-water basin, Lake Union and Lake Washington are the only spots available to this great nation; that they will be used finally for this purpose is as certain as that we shall continue to have a navy built of iron and steel.

THE "SOUTH" CANAL SCHEME.

I now wish to call your attention to the claims of the Seattle and Lake Washington Waterway Company. In view of the fact that the board of engineers sent to examine this scheme reported it as practically unworthy of consideration, it seems that there is no necessity of considering this proposition; but as they are still here, still insisting, and still trying to defeat the appropriation for the Government canal on the grounds that they are going to construct a similar canal, connecting Puget Sound with Lake Washington, I desire to take up and discuss their scheme.

My further apology for giving time to this project is that it is the only enemy that this proposition has ever had; because it works and will work directly and indirectly in every way possible to influence this committee; because it constantly misrepresents the people of the city of Seattle and of the State of Washington, and places many of our leading men in a false light; because it is now reiterating and asking an opportunity to repeat these statements; because its pretensions are false, and its motive is to mislead and to conceal the truth.

This company is filling the tide flats south of the city of Seattle, and so far as they are engaged in this work it is legitimate, of benefit to the public, and a financial success. Their claim that they are constructing a canal or ever intend to construct a canal has no foundation in fact whatever. This company states to the Committee on Rivers and Harbors that it proposes to construct a canal sufficient for the use of the largest ships afloat, something over 2 miles in length, with a mean average cut of 183 feet and a maximum cut of 340 feet, necessitating at the top, in places, a cut not less than 1,000 feet, and this great canal is to run through the city of Seattle, cutting streets, destroying and damaging property. The president of this company in his communications to this committee says that they have contracted with the State to construct this canal, and that they are prosecuting this work in good faith.

The first statement is untrue, and the second ridiculous. He says that they have already expended $1,300,000. At the present rate of progress, at the present rate of good faith, at the present rate of expenditure, it would take 500 years to complete this canal and cost a billion dollars. This canal, if it could be constructed, if the company was really in good faith trying to construct it, would cost not less than $25,000,000 if they constructed it through the property of others and paid nothing for the land taken or the damage done. The cost of the right of way alone for this canal, if it were possible to obtain it, would cost more than the entire construction of the Government, or "North," canal.

This "South" canal scheme, if possible, would be one of the greatest and one of the costliest ever undertaken. And upon what does this company base its ability to accomplish this stupendous task? Upon assertion alone, the audacity of which is only equaled by its lack of foundation. This company proposes to accomplish one of the most gigantic engineering feats in the history of the world, and yet has neither credit nor money nor good reputation. Its only assets, so far as known, is what it receives for filling the tide lands. Its stock has no market value, and its bonds, so far as the public knows, have never been sold. You will search in vain its voluminous literature for a list of its stockholders. For some reason they have deemed it wise to keep this usual information from the public.

Outside of being prohibited by the cost, I believe that the construction of the so-called "South" canal is practically a physical impossibility. Along the shore of Puget Sound and along the shores of Lake Washington we have what is known as "slides." Owing to the presence of blue clay, great masses of soil slip and move, and when this slide once starts it continues, on even a very moderate slope. These slides are to be found in the immediate vicinity and on each side of the line of the proposed "South" canal. The probability of striking a slide in the construction of this canal would be very great; so great as to amount almost to a certainty.

A slide of this kind once started has so far baffled the skill of engineers to control. These "slides" are one of the worst obstacles known to railroad building, and when one is encounte ed of any size, according to a great German engineer, the only remedy is to move the road. Considering the depth of the cut, I believe that this one fact alone, independent of all others, would prevent the Government or anyone else from attempting to construct the "South" Canal.

MOTIVE OF THE COMPANY.

This company claims to have an exclusive contract with the State to fill the tide lands, some 2,000 acres in entent, lying immediately south of the city of Seattle, and to make the cost of such filling, at a stipulated price, a first lien upon the land filled. In order to get this contract in the first place, it was necessary to show that sufficient material could be procured to fill the entire area to a height of 2 feet above high tide. The dredging of the proposed waterways mentioned in their literature would furnish but a small part of the amount necessary, and out of the necessity

for additional material to fill the tide flats was born the canal scheme connected with the proposition. This was the only legitimate purpose the canal was ever intended to serve, the only one it ever has served, and the only one it ever will serve.

There is not now, and never has been, any guaranty or even legal obligation on behalf of this company to construct any canal. From this proposed canal and the waterways is the only place where the company can legally get material for their fill and enforce payment for their work from the tide-land owner. The canal scheme was further used to induce capital to assist the project. The president of the company says:

> It was the main idea upon which the project was financed, and it was made an indispensable requisite by the Mississippi Valley Trust Company, that first undertook the sale of the company's bonds, and also by Morris & Whitehead, bankers, who now handle these bonds.

The whole "South" Canal scheme is told in a sentence: Theh must have capital and material to fill the tide flats. The canal scheme secured both. It is still being used for the same purpose.

The question naturally suggests itself to one not familiar with the situation, Why have the people of Seattle been so liberal in their treatment of this company if it is an enemy to the Government canal? Why was the subsidy which they mention given? Why was their contract with the State renewed?

They came with this scheme to the people of Seattle when we were suffering all the horrors of the worst panic that this nation has ever experienced, when our city was driven to the very verge of despair, when starving men filled our streets, and when universal bankruptcy seemed inevitable, and represented that seven millions of eastern capital could be had to invest in the scheme if the people would but subscribe a subsidy payable upon the completion of the canal. The people knew that the filling of the tide flats would be a public benefit and that to give work to the idle, hungry workingmen looking for an opportunity to work for their bread would be a public blessing.

Under such conditions it was not hard to secure a note when the maker knew that the day of payment would never come. Under such circumstances the subscribers of these notes looked to the legitimate part of the scheme and left the impossible and the visionary to the consciences of the promoters. Until after the giving of the notes this company always denied any interference with or any antagonism to the Government canal.

Their contract has been renewed because the filling of the tide flats is of immense public utility, and if not done under their present contract, as the law now stands, it is doubtful if there could be a plan formulated whereby this great work could be done. Certain it is that every assistance, every favor that the people have shown this company, has been used by it to injure those who gave it help.

NO RIGHT OF WAY.

This company has not even taken the first requisite for the construction of a canal, notwithstanding their pretentions and assertions continued for the last nine years. They have no right of way; they have not attempted to get a right of way; they will not attempt to get a right of way; they can not get a right of way. This fact alone forever condemns this company, convicts it of bad faith, and demonstrates that its statements are unworthy of belief or consideration. For nine years they have protested that they were engaged in building a canal, but during that time they have failed and neglected to even commence condemnation proceedings, as by law required; they have failed to even obtain a place for its construction.

They dare not commence action for this purpose; for, outside of the fact that this company could no more pay the cost of such right of way than they could pay the cost of the construction of the Panama Canal, the first thing that it would have to obtain in condemnation proceedings would be a decree of the court declaring that the undertaking was one of public necessity and of public benefit. Such a decree they know full well can never be obtained. They dare not go into court, and none realize this better than this company. They will not and dare not attempt to procure this right of way.

A PUBLIC ENEMY.

This company has been the persistent and tireless enemy of the Govenment canal in every way that resource and ingenuity could devise except by open and honorable opposition. It has been the traitor at home; it has stabbed in the back; it has not struck aimlessly, but has usually struck in the dark; it is here to-day, repeating its false pretenses, its assertions, its promises, its deceits, its frauds, and its misrepresentations, trying to destroy the dearest hopes of those by whose favor it has waxed fat and by whose patience it is permitted to live. Never was there a more vicious example of the venomous serpent striking its deadly fangs into the bosom that warmed it into life. As a canal scheme it was conceived in fraud, born of false pretenses, and sustained by misrepresentation.

As a canal scheme it is condemned and damned by every sane and disinterested man in the State of Washington. As a canal scheme it is utterly unworthy of the slightest consideration by the Rivers and Harbors Committee or by this House. As a canal scheme it has been and is now a public enemy. If I mistake not the temper of the people of the city of Seattle and the State of Washington, its opposition to the Government canal will cease or it will be strangled to death at the end of its present contract with the State, which expires, I believe, within a year.

BUSSELL'S CLAIM.

One C. B. Bussell has filed a brief with the Rivers and Harbors Committee asking that certain alleged damages be paid to him for certain alleged interest which he claims to own in certain tide lands. He asked that any further appropriations for continuing the work be withheld until his alleged claim is paid. Although he files a brief of more than thirty pages with this committee, all the material information contained therein could have been given in three sentences. The evident purpose of the brief is to conceal and not to inform.

It certainly can not be charged to stupidity instead of design that in all those pages no statement is made of the amount of damages claimed, the amount of land taken, or the interest of the claimant in such lands. The only light we get from this brief is that the supreme court of the State has decided that it was the duty of the state land commissioner to accept from said Russell, under the terms of a certain lease, rents for certain tide lands, upon a paper case made out by Russell.

What is the extent or value of these lands? Thirty pages of brief fail to state. In the thirty pages of brief the claimant omits to state how much land the proposed canal will take from him. In thirty pages of brief this oppressed and outraged citizen makes only this wonderfully lucid and explicit statement as to the outrage that is about to be perpetrated upon him:

> On the 19th day of August, 1899, the said county of King, in which county said city of Seattle is located, claiming title under said proceedings for appropriation of land, executed to the United States a deed purporting to convey to the United States in fee a tract of land embracing a part of the land covered by the said lease held by the undersigned and embraced within the line of survey for said canal.

So the outrage consists of taking an unknown part of an unknown quantity of land upon which the claimant has a shadowy claim of some character, vaguely described "as a thirty years lease."

So far as the brief informs, the part taken might be 1 square foot or 100,000 square acres. All that we know is that the opinion of the Supreme Court shows that the whole of this land rents for $113 per year. What part of this valuable leasehold is taken? What effect upon the balance will the construction of this canal have? We are not told.

On page 5 of said brief it shows that this claimant did not acquire his rights to such lands until December 13, 1900, more than a year after the county had executed this deed to the United States for the canal right of way, as shown in said brief on page 8. The claimant was not an innocent purchaser. He bought with his eyes open. It is to be presumed that he paid only a nominal sum or the purchase price would have been given. He bought it only for speculative purposes.

In other words, he bought this interest in this land for the very purpose for which it is now being used—that is, to compel somebody to pay him something for nothing by obstructing a great public work. Why should this man receive different treatment from that accorded all other property owners? If he has any rights, the courts are open to him. A man who dare not state what he paid for his interest, what his interest is, what part of his interest is taken, what is the value of his interest taken, by his silence alone convicts himself of fraud. He does not come with clean hands. He proves himself unworthy of consideration. This claimant should certainly first establish his right to damages before securing attention.

THE OBLIGATIONS OF THE GOVERNMENT TO CONTINUE THIS WORK.

The Government placed upon the people of King County as a condition precedent to the use of the last appropriation that they should secure free of cost to the Government the right of way. This was done and the money appropriated was used. This action on the part of King County and of the Government contains every element of a contract. While specific performance might not be legally enforcible, every element of equity, every element of good faith, and every moral obligation that would be necessary to obtain such decree is present.

King County has performed her part of the obligation. She has furnished the right of way; the United States has paid the money and accepted it. The United States must either now complete the contract or violate her obligations and the rules of equity and good conscience. No other city of the earth, in proportion to its ability, has ever given so much financial aid toward the construction of a government public work. The right of way given to the Government and accepted by it is worth to-day $1,000,000.

And, again, I protest against the opinion of three untrained, unknown men, of ordinary intelligence, without opportunity to know, and who made no effort to create such opportunity, being considered of any value against obligations of such great weight, on behalf of the Government, and against interest so vast as is involved in this proposition.

I reiterate that to take the opinion of these three men—not experts, not men in any way especially qualified, not men of unusual ability, with only limited opportunities to know—and let this opinion weigh against many eminent men whose judgment has been given to the contrary, against the action of the Government heretofore taken, against the vital commercial interest of a city of 150,000 people, against the marvelous growth of our commerce since their report was made, would not only be ridiculous, but unfair and unjust; it would be perpetrating an outrage upon the great Puget Sound country.

THE WORK WILL BE PERMANENT.

One thing I wish to impress, and that is that when this great canal is once completed it is always completed. There will be no sediment, no silt, no deposits to obstruct or fill it. It is not like the dredging done in many places where you constantly combat the forces of nature, where the dredging must continue as long and as surely as the rivers run to the sea.

If you will give us an appropriation equal to that given to many temporary projects of this character, we will soon have this great permanent work completed.

THE BOARD OF 1902.

The board of 1902, appointed to investigate and report on this proposition, may have been fair, but their appointment, to say the least, was unfortunate. It may not be just, but our people feel that they were not fairly treated by this board. There was one incident, among others, that caused much comment as to the members of this board. On page 3 of their report, Senate Document No. 127, they say:

> The board reassembled in Seattle on the morning of November 17, 1902, and remained in session three days. After due notice, published in the local papers, another public meeting was held in the rooms of the Seattle Chamber of Commerce on the afternoon of November 19, 1902. Persons wishing to state their views in regard to the proposed canal were invited to do so at this meeting, but no one responded to this invitation, and the meeting was therefore adjourned.

At the second meeting mentioned this board did not remain in session five minutes when the chairman, in a manner, to say the least, not exactly after the manner of Lord Chesterfield, abruptly adjourned the board. There were those present who desired to be heard. There was neither justification nor excuse for this action of the board. They doubtless would have received much information at that meeting relative to the necessity for immediate construction of the canal, a proposition against which they afterwards reported. I am sorry to say that nothing in the conduct of this board while at Seattle either won or merited the confidence of the people.

I contend that it was neither competent nor proper for this board of engineers to pass upon the question of the expediency of the construction of this canal. The members thereof have neither training nor experience that fits them to pass upon this question. When this board passed from the engineering to the commercial side of this question, their opinion is not entitled to any more weight than that of any other ordinary citizens that would sojourn a few days in Seattle. Simply because a trained engineer can tell as to the feasibility of the construction of a canal raises no presumption that he is competent to pass upon the advisability of its construction from a commercial standpoint.

I think, if anything, the presumption would be to the contrary. Suppose they did understand the present commercial condition surrounding Seattle, a proposition which I most emphatically deny, are we going to look only to the present? Are we to learn nothing from the past or build nothing for the future? According to this report you should not prepare the swaddling clothes until after the baby is born; we should not begin the building of the battle ship until the enemy has declared war; we should do nothing for the future until the present becomes intolerable. There is a present necessity for the construction of this canal. New mills, new factories, new shops, and new industries of all kinds need it. The people of Seattle, the greatest city of Washington and of the far Northwest, are asking for nothing else, her interests demand it, we are entitled to it, and we expect to have it.

ADVANTAGES.

The commercial advantages of this canal, as set forth by the report of the said board of 1902, are as follows:

> The proposed canal, by affording entrance to Lakes Union and Washington, would add many miles to the present water front of the city of Seattle, and thus afford unlimited wharfage room, as well as unlimited anchorage in fresh water, perfectly protected from storms; the construction and maintenance of wharves would be much less expensive than on the present water front, where the depth of water is very great and where the teredo is especially destructive; vessels lying at wharves would be free from tidal oscillations, and hence the cost of taking on or discharging cargo would be less than in the sound, where the mean tidal oscillation is about 12 feet, and vessels, whether lying at wharf or at anchor, would have the advantage of being in fresh water.

This board then discusses each of these advantages, as follows:

Increased wharfage room.—The commerce of Seattle is already large, and is increasing very rapidly. The present water front of the city is limited in extent, being cut off by the tide flats on the south and by bluffs or hills on the north. If the commerce of the port continues to grow as rapidly as it has in the last few years, the wharfage room may become overtaxed; but it can scarcely be claimed that this is the case at present. It seldom, if ever, happens that all or even a majority of the present wharves are occupied at the same time, and but few vessels are required to lie at anchor for any great length of time while awaiting a berth.

Since the time of the report, August, 1902, Seattle has added to her population 25,000 people, and her business has increased 25 per cent, and the increased demand for wharfage has increased even more; so that since that time the city has not only grown as rapidly as it had in the few years prior, but it has grown more rapidly than ever before.

Increased and safer anchorage room.—The water in Elliott Bay is so very deep that it is not safe for a vessel to anchor, and therefore mooring buoys have to be provided. This, of course, restricts the anchorage room to such points as may be provided with these buoys, and on account of occasional severe storms vessels thus moored are not always safe. But, as stated above, so few vessels are forced to lie at anchor that the providing of additional anchorage room is not yet a necessity, and if it were it could be done far less expensively than by constructing a canal into Lakes Union and Washington.

This last observation, while true, is not pertinent, as increased anchorage is only one of the benefits, and no one would advocate the construction of the canal for this purpose alone.

Decreased cost of constructing and maintaining wharves.—It is not to be denied that on account of the very rapid deepening of the water in Elliott Bay the construction of wharves is unusually expensive, and that on account of the great activity of marine insects in these waters the piles, unless treated, last but a comparatively short time. This disadvantage, however, is largely offset by the abundance and cheapness of lumber in that region. Furthermore, it is questionable whether the general public would receive enough benefit from the decreased cost of wharves to justify the Government in expending money with that object in view.

The cost of timber, as mentioned in this paragraph, cuts but little figure in the cost of wharves. It is the labor of getting the piles to the wharves and the cost of treating them and driving them. Without this treatment they would only last from twelve to eighteen months. These facts, together with the depth of the water and the rapid sloping of the shores, is what makes the wharves so expensive to build and so expensive to maintain. The statement of the board that this advantage is largely offset by the cheapness of lumber in this region is obviously ridiculous.

Absence of tidal oscillations and consequent decrease in the cost of loading and unloading vessels.—The great range of tide level in the sound may, and doubtless does, increase in some measure the cost of handling cargoes; but this increase is not thought to be very material. In fact, the stevedore rates are not now perceptibly higher in Seattle than in San Francisco, where the mean range of tides is only about 4½ feet.

There is an extreme change of 18 feet in the tide in Seattle Harbor. No man that ever saw a boat load or unload that does not know that such change is a material disadvantage not only in the loading and unloading of vessels, but in the construction and maintenance of wharves. The board concludes upon this question of the advisability of the construction of the canal as follows:

> The board considers, therefore, that the demands of commerce are not at all adequate at the present time to warrant the construction of the proposed canal; and as the Navy Department holds that there is no necessity for the canal from a naval standpoint, the board is of the opinion that the construction of the proposed canal at the present time is not advisable.

The conclusion of this board is that so far as the benefit to the already established and existing industries is concerned it would not be advisable at present to construct the canal. If there was no future, if we were forever hereafter to stand in our present position, then this statement of the board might have some weight—just the weight, however, that should be given to the opinion of three ordinary men; no more. They say that the present industries do not demand it, but what of the new industries that must be constructed on the water front?

Consider what an advantage it would have been to the Moran Shipbuilding Company, now constructing one of the great battle ships of the Navy, to have had that great plant on Lake Washington, in fresh water, free from the perpetual rise and fall of the tide and free from the destroying insects that infest the Sound. Think of the advantage it would be to the lumber and shingle mills constantly being erected to be on this great lake, not counting the first cost of a location, for there is on Lake Washington more than 75 miles of shore line, affording splendid locations for mills and shops and factories. Fresh water, freedom from tides and storms, unequaled climate—scarcely a day in a year unfit for outdoor work—great coal fields along its shores, water power sufficient to turn the machinery of the world in close proximity, reached by all railroads.

In short, Lake Washington possesses every industrial advantage that nature could bestow save one—that is, access for great ships to the sea; and even in this direction nature has done so much

that there is comparatively little for man to do. No man who is familiar with the facts but what will admit all of the natural advantages of this canal, as I have stated; but the officials constantly say, "Not now, wait a while; the business of your city does not yet demand it." Some years ago you gave us a survey; then a small appropriation to commence work on a canal much smaller than the one at present contemplated; then you annexed as a condition precedent to the expenditure of the appropriation that we must, free of cost, secure to the Government a right of way.

Although then in the midst of the panic, the citizens of Seattle started out bravely on this, to them, great work. It was done at a cost of $250,000. Still the Government hesitated, and during the time of that hesitation, from 1897 to 1902, Seattle grew from a city of 40,000 to a city of 110,000. Then a board again pronounced the undertaking feasible, but said, "Not yet;" and before that report can be considered we have added 40,000 more to our population, and during all of these years our increase in business has surpassed our increase in population, and to-day, both in business and population, Seattle is growing more rapidly than ever before.

I beg to remind you, gentlemen, that five years ago our shipping business was insignificant, but to-day there is more shipping business transacted at Seattle than is transacted at any other city on the Pacific coast. If this canal were pushed with all speed, by the time of its completion Seattle would be a city of half a million of people, with a trade ten times greater than at present, and the conditions under which the construction of this canal would become advisable, even according to this board, would have been reached and passed.

I will give you some of the reasons for this faith. The only prophecy of the future is the past and present. The discovery of gold in Alaska assured Seattle's prosperity, but the day that Dewey sailed into Manila Bay assured her commercial supremacy. That day was the greatest day in the history of Seattle. That day the Fates decreed that Seattle was destined to be one of the great cities of the earth—the greatest city on the greatest ocean in this greatest nation. That day inevitably designated Seattle as the gateway to the Orient. It brought us commercially face to face with 500,000,000 customers—customers who largely buy what we produce and who largely sell what we can not produce, a condition radically different, promising much for the future, from the conditions between this country and Europe. This nation controls practically one-half of the coast line of the Pacific, and if we are not criminally negligent or inconceivably ignorant of our interest with our new possessions, we will eventually control the future trade with the Orient and the Philippines. The extent of this trade no mind can measure, and it will in time certainly become the greatest foreign trade of this country.

Seattle has to-day two great transcontinental railways; three more send their cars into Seattle. These railways from St. Paul to the coast traverse a section of country that is rapidly developing and is capable of supporting a large population. Such conditions, at least not to so great extent, do not exist with those roads that terminate at San Francisco. Seattle is two days nearer the oriental ports than is San Francisco. Seattle is 500 miles nearer the Great Lakes than San Francisco. When a car comes from the East loaded with wheat or cotton or other products to the wharves at Seattle it does not have to depend upon oriental products or return empty, but it is loaded with Washington lumber or shingles.

It is estimated that there is to-day standing in the forests of Washington 195,000,000,000 feet of merchantable timber; enough to supply the demand of the civilized world for years to come. Last year Washington furnished more than 50 per cent of all the shingles used in the United States. The Washington shingle comes even to the Atlantic coast. The Puget Sound country is enabled to furnish loaded cars both ways, thus solving one of the greatest problems of modern transportation and meeting a condition impossible for other Pacific ports. Puget Sound timber is not only brought eastward by railways, but it is carried by ships to every part of the civilized world.

This advantage of loaded cars both ways, of being nearer to oriental markets, nearer to the Great Lakes, of having between it and the Great Lakes a rich and productive country, as certain as our trade with the Orient continues to grow, will, day by day and year by year, with the ever-increasing power, weigh in Seattle's favor, and will eventually, as certain as the law of supply and demand, as certain as distance shall be an element in transportation, establish Seattle's supremacy.

SEATTLE'S GROWTH.

With the law requiring all army and navy supplies to be carried in American bottoms, and the coastwise laws applied to the trade between the Philippines and this country, laws that are likely to be enacted at this session of Congress, in the next two years our trade will grow with a rapidity heretofore unapproached even by the recent marvelous increase. The two greatest ships that float the seas have just been launched for the trade between the Orient and Seattle.

I call your attention to the following facts with relation to the growth of Seattle as bearing upon the necessity for the rapid prosecution of the construction of the canal:

Seattle had a population in 1897 of 40,000 people; to-day she has 150,000. In 1900 $173,580 was spent in street improvements; in 1902 $1,014,688, and in 1903 $1,230,094.

Building permits: 1897, 616,000; 1902, 6,384,000; 1903, 6,914,000.

Value of improvements: 1897, $360,131; 1902, $6,325,178; 1903, $6,495,781.

Assessed valuation of property: 1903, $56,942,505; an increase over 1902 of $5,373,852.

Mercantile business has increased, as a whole, within the past twelve months, from 20 to 25 per cent.

Bank deposits: 1896, $2,710,371; 1902, $28,242,805; 1903, $31,762,324.

Bank clearances: 1896, $28,157,065; 1902, $191,885,973; 1903, $206,913,571.

Post-office receipts: 1896, $82,549; 1902, $276,983; 1903, $338,024.

Custom-house receipts: 1896, $66,794; 1902, $507,760; 1903, $578,673.

Real-estate transfers: 1896, $8,574,965; 1902, $17,927,763; 1903, $18,486,510.

Seattle has 92 miles of street railway, employs 1,825 men, and carried in 1903 42,000,000 passengers.

At the one shipyard of the Moran Bros. & Co. not only has there been splendid progress made on the battle ship *Nebraska* during 1903, but in addition, at this yard, there has been repaired 116 different vessels at a total cost of more than $2,000,000.

Since the board met and made their report that there was no present necessity for increased wharfage room at Seattle there has been built twenty-three new wharves, furnishing about 3 miles additional frontage. The boats going from and coming to Seattle in the last year have carried 1,000,000 passengers.

Lumber shipments: 1899, 647,836,262 feet; 1902, 1,134,147,226 feet: 1903, 1,410,572,846 feet.

Shingles: 1903, 5,722,240,000; increase over 1902, 593,760,000 (11½ per cent).

Number of cars of lumber and shingles: 1897, 25,610; 1902, 69,560; 1903, 78,465.

Last year we sold to the Philippines exports to the value of $614,151, and goods from the Philippines for transportation amounted to more than $1,000,000.

The total commerce of Seattle for 1903 was as follows:

Foreign exports	$12,894,905
Foreign imports	20,343,552
Shipped coastwise	22,006,523
Received from coastwise	16,212,232
Shipped to local ports	10,165,262
Received from local ports	7,032,755
Total	88,655,229

I challenge the history of the world to equal that record. This is but the beginning of Seattle's trade. It is but a promise of what the future will bring.

Let me urge you, in conclusion, to remember that our country has a Pacific coast as well as an Atlantic coast; that the Pacific looks out upon a people vastly greater in population, a trade vastly greater in its future possibilities than does the Atlantic. The Pacific coast faces 500,000,000 people who are anxious and willing to trade with us. In the Orient lies our future commercial prosperity; in the Orient lies our future commercial greatness; in the Orient lies the hope of the future commercial supremacy of this great Republic.

Fate has destined Puget Sound to be the gateway of this great oriental trade. Puget Sound to-day has more natural advantages, more natural resources, is more rapidly developing than any other region upon the face of the globe. Its marvelous growth within the last few years is but the beginning of what it will be within the next few years to come.

Eight years ago Seattle had practically no trade upon the seas, but to-day more business is transacted upon the wharves of Seattle than is transacted at the wharves of any other city upon the entire western coast of the great Pacific Ocean.

While I claim no power "to look into the seeds of time," yet I have perfect confidence in the prophecy that some of this House will live to see Seattle the third city, commercially, in this country. The people of Seattle and of the State of Washington are terribly earnest in their request for the construction of this canal.

We understand its benefits and its necessities. We know the possibilities and the promises of our city and her commerce, so we come asking an appropriation; ont an insignificant appropriation, as crumbs thrown to a beggar, but we want an appropriation commensurate with our commerce, commensurate with our future greatness.

Mr. LLOYD. I yield three minutes to the gentleman from Nevada [Mr. VAN DUZER].

Mr. VAN DUZER. Mr. Chairman, I rise simply for the purpose of referring to a little incident that occurred here the other day, in which the State of Nevada and the distinguished gentleman from Pennsylvania [Mr. DALZELL] and myself, as a Representative from Nevada, were concerned.

When the rule regarding the statehood bill was being debated, one of my constituents from Nevada sent in his card and I promptly responded and escorted him and his charming bride to the gallery. My friend was a young man from Tonopah [laughter], and he just recently married a very handsome young lady from Pennsylvania. [Laughter.] There is a sort of reciprocity between Pennsylvania and Nevada. Pennsylvania comes to Nevada for her rich mines and, in this case, Nevada has gone to Pennsylvania for a handsome wife. [Laughter and applause.]

Mr. DALZELL had the floor, and I remarked to the young lady sitting by my side, "There is one of the distinguished statesmen from Pennsylvania," referring to Mr. DALZELL. "Oh, yes," said she, "we are very proud of Mr. DALZELL [laughter]; I live in his district." I was just about to add a good Democratic compliment as a courtesy, when, with a sweeping gesture and characteristic emphasis, he said, in closing his speech, "And we have before us always, and will always have before us, unfortunately, because of our system, the example of Nevada." [Laughter.]

It is unnecessary to state that I hastily excused myself and sought the floor, but by the time I reached the floor he had moved the previous question. It was my intention to have asked unanimous consent that the gentleman be given five minutes to explain why the State of Nevada is "an unfortunate example." [Laughter.] I rise in my place at this time merely to show why the State of Nevada is not "an unfortunate example." [Laughter.]

I thank God that the gentleman "will always have before him the example of Nevada." [Laughter.] I am quite sure that the example of Nevada is anything but unfortunate as far as Pennsylvania is concerned. Some few months ago Charles M. Schwab invested a few thousand dollars in Tonopah, and in sinking a shaft struck ore the size and richness of which indicates millions, and just to-day in looking over the Tonopah papers I notice that Charles M. Schwab and a party of Pittsburg millionaires have gone to Tonopah in a private car. [Laughter.]

While we do not particularly fancy the example "of Pennsylvania steel-trust promotions" [laughter], yet we welcome Pennsylvania and hope that the next private car will include the Hon. JOHN DALZELL, of Pittsburg. [Laughter.]

To-day Philadelphia, sadly stricken by the asphalt trust, the steel trust, and Lake Superior consolidated, is rapidly recouping her losses in Tonapah.

It strikes me that Nevada has not been such an unfortunate example, at least as far as Pennsylvania is concerned, because to-day both Pittsburg and Philadelphia are investing more heavily in Nevada than in any section of the West and are reaping a golden harvest of profits. [Laughter and applause.] All I fear is that when once the distinguished gentleman brushes the cobwebs of protection from his vision he will be wanting to annex Nevada to Pennsylvania. [Laughter and applause.]

But, sir, I wish to say to you that the greatness and glory which surround your own section are due rather to law than to human energy or natural resources. Pittsburg, a city which you no doubt love, is the creature of law. High protection has enabled vast fortunes to be accumulated and has reared a mighty city at the junction of two waterways. Protection, which has stifled competition, fostered trusts, created monopoly, stimulated political corruption, has made Pittsburg a city, it is true, to be wondered at; but, sir, whatever of greatness attaches to my State is and has been the result of human energy and of the natural resources, and we have not relied upon the Government or the Republican party or upon statutory enactment for our history, full of activity, intensity, and achievement. [Applause.]

If there has been any unfortunate example, it is certainly not the example of Nevada, but the example of the Republican party, which has been unfortunate for Nevada. I recognize in you the most distinguished leader of the Republican party in Congress, and if western Pennsylvania has outstripped Nevada in wealth and population it is because your party and your party policy, while it was giving legislative protection to your chief industry—your iron mines and steel plants—was striking down our great industry—our silver mines and milling plants.

Your party forced us into the Union. Your party, the Republican party, needed Nevada. You had to have her. She served your purposes splendidly. She saved the Union and your party with her vote, and saved the finances of this nation when we needed metallic money. I serve notice upon Congress right now, and particularly upon the Republicans in this House, that I do not propose that any man shall make a political football out of Nevada. [Applause.]

At this late day, when the very darkest of her days was caused by the adverse legislation of the Republican party upon our leading industries, and while you are profoundly silent upon the silver question and are standing guard as watchful sentinels over what you term the "corpse of silver," you know full well that it is to you a live issue, which you will revivify as soon as expedient from a political standpoint for the purpose of absolutely destroying it if you have the power so to do.

It is not a dead issue, and to-day it is the greatest factor in our financial system. Your Fowler bill, your Hill bill, your Aldrich bill are all aimed at this issue, which you are constantly endeavoring to keep in abeyance, and your ultimate intention is to eliminate silver from our currency and reduce its value to a few cents an ounce. The Republican party, as far as Nevada is concerned, is indeed an "unfortunate example."

Why should the distinguished gentleman from Pennsylvania, the distinguished leader of the Republican party, see fit to lament Nevada? Nevada has no cause to hide her face in shame, and it is a distinguished honor for me to defend her from the attacks of gentlemen whose geographical horizon is bounded either by partisanship or by local self-interest. [Applause.] Her admission into the Union was dramatic; her services at that time to the Union a continuing source of pride. Her United States Senators for forty years have ranked with the statesmen of America.

They have contributed more to the legislative history of the nation than have those from Pennsylvania. Her wealth has added as much to civilization and progress as has that of Pennsylvania. It is true we have no steel trust, nor have we ever had any Homestead riots nor whisky rebellions, neither do we have long hours of labor nor low wages. With few millionaires, yet we are without paupers. Our wealth is not wrought by tears, heartaches, or blood, by child labor, foreign labor, nor by motherhood's sacrifice. [Applause.]

It is needless for me to enter into any extended description of Nevada's history and Nevada's resources.

The gentleman from Pennsylvania thinks Nevada an unfortunate example. Is it because of her history? Her history is one of a race of conquering and dominating pioneers, adding to civilization an empire of magnificent resources. Is it because of her productions? She has added more to the wealth of the nation than Pittsburg. Is it because of her population? Then I simply wish to call to the attention of the gentleman that the future development of western America will be a realization more fascinating and wonderful than that which has marked the growth of the great East.

Jefferson could hardly foresee the magnificence of the Louisiana Exposition at St. Louis. Lewis and Clark could hardly foretell the future of the great Northwest. The present development of the West, if sounded in prophecy of fifty years ago, would have seemed more visionary than the stories Columbus carried back to Spain. One hundred years ago Pittsburg was the outpost of western civilization. Fifty years ago Pittsburg was a village and no one could foresee the day when the smoke of commerce should hang like a cloud over a rich and populous city. Without any stretch of imagination, in answer to the gentleman from Pennsylvania, we have in Nevada a town named Reno that has more promise to-day than Pittsburg had fifty years ago.

It will be no extravagant statement to say that the possibilities of Reno to-day are as great as those of Pittsburg fifty years ago. Reno's natural resources are as great. Her agricultural possibilities are greater. Her mineral possibilities are greater. Her railroad possibilities are as great. She is not only the gateway to the West, through which commerce must go East and West and North and South, as it was the case with Pittsburg fifty years ago, but she is the center of a richer and more resourceful territory, with possibilities of less competition than Pittsburg. We have not the coal, but Reno is situated to-day as the natural center of a country the richest in the West. Her climatic conditions are most favorable. Her present population is full of energy and hustle. She is a city of beautiful residences. She is an educational center. She is full of industrial activity. She is destined to be an agricultural center, a railroad center, a mining center, and a manufacturing center.

Her railroads reach northward into southern Oregon, where the forests of the West are untouched; her roads lead south to where the greatest mineral zones of the world lie. She is midway between Portland and Los Angeles, and will be some day the midway terminal between the eastern slope of the Sierras, with her lumber, mines, horticulture, agriculture, power possibilities, and mineral wealth tributary to her. As a railroad center she has the lead of any city in the arid region.

As a manufacturing center she has power possibilities which may make her a Worcester or a Salem. A turbulent stream with rapid fall furnishes unlimited possibilities. And then, why ship our wool to New England when we have the facilities at home? Why ship our hides and leather eastward, when we have the raw

material and the power at home? Why ship our cattle to Chicago and Kansas City, when we can build our own great cold-storage plants.

Why ship our ores to Denver, Salt Lake City, and El Paso, when Reno is a natural smelting center with inexhaustible mineral resources? Pittsburg of fifty years ago hardly justified the predictions of the Pittsburg of to-day. Yet within three years Reno has grown from 5,000 to 12,000 in population.

Give Reno competitive freight rates by competing lines of transcontinental lines, make her a terminal traffic point, and she will rival Sacramento, Cal., or Salt Lake City, Utah. Her growth will be magic.

Nevada only needs opportunity to make her great; Reno only needs opportunity to make her great. She is the natural terminal point for southern Oregon. Reno is destined to be a great distributing center. She will be the industrial clearing house of the arid region. She needs low freight rates to bring in raw materials and low freight rates to ship out her products and finished raw materials.

The Newlands irrigation act means an immense population for the arid region. Reno stands as the gateway. Mr. Newell, of the reclamation, prophesies a population of 500,000 for Nevada, and under such conditions Reno will be a young Pittsburg.

She stands ready to furnish all the beef Pittsburg can eat; she can supply you with creamery butter, with honey. Her woolen mills of the future can clothe you; her shoe manufactories of the future keep you dry shod. She can supply the lumber of commerce for you.

She can give you copper sufficient for your electrical purposes, your borax, your salt, and furnish gold and silver for your commerce and dividends from mines to strengthen your financial credit.

You call Nevada an unfortunate example, and yet the dreams of a swift industrial development will make Reno in half a century the Pittsburg of the West—in population possibly not your equal now, but in patriotic citizenship quite your equal, in abundance of raw materials your superior, in mineral products at least your rival, and in the production of the precious metals without a peer.

When we look to a future bright with such promise, is there aught in the example of brave Nevada that can shame any American citizen?

Large in area, small in population, rich in resources, which the policy of your party has continually retarded, we are an examples of energy and achievement of which the Union should be proud.

Senator WILLIAM M. STEWART added to the Constitution of the United States an amendment which has shaped our racial and industrial greatness.

Senator John P. Jones delivered a speech on protection which has since become a text-book, and from which even the great protection State of Pennsylvania has never equaled.

Senator FRANCIS G. NEWLANDS is the father of irrigation, a governmental policy which will have a wider influence on American civilization than any law ever placed on the statute book, a measure which will furnish homes for the millions and build up an empire as rich and populous as can be found anywhere in the world.

Has the fortunate example of Pennsylvania ever produced three Senators whose names will live as long in political history? Our Mackey has done more for commerce than your greatest money king; our George Hearst more for education than your Carnegie.

Our millionaires will have influenced our times more than yours.

In literature we have our Bret, Hartes, Mark Twains, our Sam Davis, and our Sam Dunham.

I might compare and contrast and exploit our greatness with that of your State, and I could reach only one conclusion, and that would be that in the example of Pennsylvania there is little we could follow with credit, but in the example of Nevada there is much that Pennsylvania could follow with profit. [Laughter.]

I think the time has arrived in Nevada's history, now so full of promise, and whose history has been a history bright in example, that, fast assuming a position when her wealth and population is making her a factor, further taunt or insult should be omitted, and that gentlemen who are prone to criticise should first inform themselves as to our history and our possible future.

Feeling that the constant carping about Nevada has become a habit rather than an intentional reflection, I promise the House that just as often as the misinformed continue to hold Nevada up as an unfortunate example, just so long will her present Representative hold her up as an example that any State could emulate with safety and with honor. [Applause.]

The CHAIRMAN. The gentleman from Nevada asks unanimous consent to extend his remarks in the RECORD.

Mr. DALZELL. I only suggest that my friend from Nevada would do well hereafter to wait until a speech is ended before he makes his compliments. [Laughter.]

The CHAIRMAN. Is there objection to the request of the gentleman from Nevada? The Chair hears none.

Mr. LLOYD. I yield to the gentleman from South Carolina [Mr. AIKEN].

Mr. AIKEN. Mr. Chairman, several days ago I introduced a bill, H. R. 14833, identical in terms with the bill introduced by the distinguished Senator from North Carolina [Mr. SIMMONS], authorizing the Commissioner-General of Immigration to establish an information bureau on Ellis Island for the better enlightenment of immigrants and for their better distribution throughout this land.

I fear, Mr. Chairman, that we do not fully realize the tremendous influence that immigration has had and is destined to have upon the internal development of this country.

We are a nation born, as it were, of the peoples of the earth. Already more than one-third of our population are of foreign parentage, and this number is annually augmented by over three-quarters of a million immigrants. That the future of this country will be wrought largely by foreign hands is beyond question. What is the work of development which this country unfolds before the industrious immigrant, and what are the opportunities offered him here? These are the questions now agitating the country and which we as Representatives are called on to aid in solving. Some rambling poet thus apostrophized this country:

> America! half-brother of the world!
> With something good and bad of every land.

So wide and varied are our industries, so cosmopolitan are our people, that we can scarcely escape the application of these lines. We may add, however, that with an area measured only by an entire zone, with climatic conditions unapproximated in any country on the globe, with physical conditions as varied as the thoughts of the wildest dreamer, we have, by the skillful and energetic use of those natural advantages, become not only a brother but an elder brother, feeding and clothing the nations of the earth. We lead the world in the production of cotton, corn, and wheat and it is to this fact that we owe the distinction of being the wealthiest of nations.

With what zeal, then, should we guard the agricultural interests of those sections which pour into our coffers annually millions of newly created wealth.

In passing let us look briefly at the industrial status of those sections. In the Middle West, and some Northern States where corn is the product, we find a dense white population, composed largely of desirable European immigrants and their descendants, and as a natural consequence we find farm lands in the highest state of cultivation and selling at what to us of the South seem to be fabulous prices. Agricultural conditions there are all that could be desired.

In the West and Northwest, the great wheat-growing section of this country, we have witnessed industrial evolutions which are simply startling. Modern appliances for planting and harvesting, and the railroads, those great arteries of commerce which have done so much for our internal improvement, have enabled a somewhat scattered immigrant population to take first place in the world's supply of cereals.

Now, let us turn to the South and view the conditions there, for it is of this section mainly that I desire to speak.

It is said that in the South alone may be found the pure blood of the settlers of this country. This is a very pretty thought, but it scarcely compensates for retarded industrial development.

Though we have about $200,000,000 invested in textile industries in the South, to say nothing of the millions invested in other manufacturing enterprises, we are nevertheless essentially an agricultural people.

The doctrine of political economy is: "That communities manufacture only when the population has become too dense to profit by tilling the soil." Measured by this standard we are not naturally a manufacturing people, and are such only because of our proximity to the raw material and of our unequaled natural advantages. While we welcome capital into our midst, and feel that ere long conditions will warrant a fuller development of manufacturing interests, the sudden and enormous growth of this industry has brought us face to face with a grave problem.

Since the days of slavery our lands have been but poorly tilled. No thought of their preservation is ever entertained, the doctrine being to "wear out the old and cut down the new." A German family is often supported on the products grown on 2 acres of land, while 30 to 40 acres constitute a one-horse farm in the South. This prodigality and wasting of lands, than which none better may be had in the world, is due to the scarcity of labor; and yet from ranks already thin have been drawn annually thousands of mill operatives.

We are practically without competition in the production of cotton. Our crop just marketed amounted to over half a billion dollars. Think what this means to the South. Think what it means to the United States. Can we afford to allow this industry to decline? And yet, I tell you that it is declining. Every year witnesses a great influx to our cotton mills of the intelligent farming population, which at best was inadequate for the proper

cultivation of our soil. Under the new conditions cities and towns are springing up everywhere. Demand for farm products of every kind is growing, while the capacity for production, owing to the scarcity of labor, is declining fearfully.

But some, from the past, would call up the skeleton of overproduction. Mr. Chairman, in a few years the South, under the most favorable conditions, can not supply the world's demand for cotton. Have we not seen the world's demand raised from 10,000,000 to 12,000,000 bales within the past five years? What, at this rate of increase, will be the demand, say, twenty years hence? A well-informed English authority states that at the present ratio of demand the world will require 23,000,000 bales of cotton annually within the next ten years.

Those who read between the lines in the many eastern disturbances know that within a score of years China, like Japan, will have felt the quickening effect of western influences, and in the most remote corner of that great sleeping Empire will be sold the products of this and European countries. Overproduction to-day is but little more than a specter of Wall street, and at most can be only temporary. The danger is that England, being the greatest sufferer from underproduction in this country, will so encourage cotton growing in India and Africa as to develop serious competition. Already the English spinners have this matter under consideration, with a view to urging it upon the Government.

If increased production is necessary to meet increased demands, let the demand be met by southern development. Having seen the great western wilderness, with its hostile Indians, its scarcity of water, and other attendant obstacles, pass, as if by magic, into peaceful, thrifty Commonwealths, and, considering that this was wrought by immigrants in little more than a quarter of a century, we conclude that with this tide of immigration once turned southward we may look forward to an era of agricultural development which will meet all demands upon us and allay competition abroad.

In the light of experience it is evident that great activity and concert of action on the part of the southern people will be necessary in order to direct immigration southward. Of 700,000 foreigners landing in this country during the year ending June 30, 1902, less than 10,000 settled in the entire South, and 5,000 of that number settled in Louisiana.

Let me digress a little here to correct two erroneous ideas which have militated very much against the South in securing desirable immigrants. The first error is that the South does not desire immigration. This is utterly untrue. While the South has never exercised itself as other sections have in securing immigrants, there is no place under the Stars and Stripes where the stranger finds a more congenial reception.

The second error is that the immigrant fears he will be degraded by contact with the negro in the same line of work. In answer to this I will say that the southern white man works in the field and elsewhere with the negro and is fully respected. From personal observation I may add that the immigrants who settled in my own section are not only as highly respected, but are as thrifty and prosperous as the best of our citizens.

Let me say in this connection that there is no disposition in the South to get rid of the negro. While he is improvident touching his own affairs, under the intelligent direction of the white man he is unexcelled as a laborer. When let alone by agitators he is contented and happy and is well adapted to the warm, southern climate. He will be found as useful to the small immigrant farmer as he has proven to be to us.

We will now review some of the opportunities which the South offers to the immigrant:

The land area of the South is 585,310,000 acres. In 1900 the total farm acreage was 387,690,426 acres. The total improved acreage was only 145,185,599. This leaves about 242,000,000 acres of farm lands to be put into profitable cultivation.

The unimproved farm lands of the South give a greater area for settlement and cultivation than the total area of Texas, Louisiana, and Arkansas combined. Over 110,000,000 acres of this land lies east of the Mississippi River, and there is comparatively a small amount of it which is not available for crops of some kind. For diversity, quantity, and quality of productions the Southern States are unsurpassed. Mr. Wilson, Secretary of Agriculture, after touring the South, said: "No section of the world offers such inducements for diversified farming;" and he predicted a future for that section such as has not been witnessed before in this country.

That our people grow cotton almost exclusively is due to the fact that at prevailing prices it is the most profitable and merchantable crop that is planted. Where the farmer turns his attention to diversified crops the results compare favorably with the best efforts of farmers without this region. A Pennsylvania farmer settling in North Carolina on lands which cost him $5 per acre, lands thought to have been worn out, raised 18 bushels of wheat per acre. An Illinois farmer settling in Madison County, Ala., a few years ago bought 500 acres of land at $15 per acre. Last year this land yielded 30 bushels of wheat per acre on 175 acres planted.

A farmer in Anderson County, my district, realized this year on a one-horse farm of ordinary land, from cotton and other products, over $1,200. According to the figures of a late yearbook, good and bad wheat fields together in South Carolina yielded an average of $8.62 per acre, against $7.57 in Minnesota, $7.07 in North Dakota, $6.84 in South Dakota, and $9.75 in Iowa; and the value of land in South Carolina is much lower than in any of the States named. A few years ago tobacco culture was not thought of in South Carolina. To-day, from a comparatively small area in which the experiment has been made, we sell annually more than $2,000,000 worth of tobacco.

In the great Appalachian belt, from the Potomac River to the Tennessee line, the soil is peculiarly adapted to fruit growing, and especially to the apple industry. Virginia has been giving attention to this industry, and she is now the third State in the Union, with a fair prospect of becoming the first, in the production of this fruit. The celebrated Albemarle pippin, of Virginia, is considered the finest export apple that this country produces, and practically the whole crop of this variety is marketed in London at $5 per barrel and more. It is said that the mountainous sections of North and South Carolina are also well adapted to the growth of this variety of apple. In this same belt peaches, grapes, and other fruits are produced in the highest state of excellence.

That the greatest yield of corn per acre was in South Carolina, I need scarcely remind you. That the North has its vegetable gardens in the South Atlantic and Gulf States; that the greater portion of semitropical fruits, such as oranges and bananas, are shipped from Southern States; that great quantities of fish and game with which the northern markets are supplied are shipped from that section are facts with which every vendor in the streets is familiar.

In fact, the scope of southern industries is so great that we can not classify or enumerate them in the brief space of this discourse. Suffice it to say that no worthy immigrant from the North or from Europe can land in our midst without finding an inviting field in which to exercise his bent or inclination.

As I am perhaps more familiar with the peculiar advantages of my own State, and as it is perhaps becoming that I should particularize only with reference to it, I shall attempt to lay before you some of those advantages.

South Carolina's 34,000 square miles of territory may be considered the garden spot of the Atlantic coast country and the ideal location for the home seeker for several very potent reasons. The State is in the shape of an isosceles triangle, protected on its northern side by the towering walls of the Blue Ridge mountain chain, while on the east, the coast line, the tempering Gulf stream makes its inward bend on its way to the British Isles, its influence on the climate being so marked that an annual mean temperature of 65° is obtained, it never being greater than 50°, even in the extreme alpine region.

In the center of the triangle an unvarying mean temperature of 47.2° in winter, 63.4° in spring, 76.4° in summer, and 63.9° in autumn is maintained, with ten and one-half hours of daylight on the shortest day of the year and fourteen on the longest. With such meteorological conditions South Carolina is easily the southern France of America. Coupling this matchless climate—known the world over through the scores who have sought and recovered lost health at such resorts as Aiken, Camden, and Summerville—with a most productive, sandy, and porous soil, capable of growing money crops the year through—cotton, indigo, tobacco, sugar, tea, rice, corn, wheat, oats, barley, fruits of all kinds of finest quality, truck of every description, in short, all crops common to the different portions of the United States—coupling this with rarest deposits of minerals—gold, tin, iron, lead, copper, manganese, bismuth, aluminum—granite of finest quality, kaolin and other money-value clays, her great water powers and other resources of value to the investor, the warrant for the assertion that this State is the ideal spot for the home-seeker who wishes to devote his energy to agriculture or industrial pursuits or the investor seeking sure results from his energy and enterprise is apparent.

South Carolina is one of the original States of this Union. She has been primarily an agricultural State. She has never realized the need of labor until the last year or two, but now she has established her "department of agriculture, commerce, and immigration," in charge of Commissioner E. J. Watson, a most able and efficient officer, and issued her invitation to the peoples of other lands and other portions of this country to come and enjoy her exceptional advantages. This has come about by reason of the industrial awakening of her people in the last decade and by the phenomenal success attained in industrial development. The upbuilding of the cotton-manufacturing industry and of manufacturing enterprises of other kinds to that degree which makes

her the second State in the Union to-day, with about $40,000,000 invested in such plants, as stated generally of the South, has unconsciously drawn from the fields the intelligent white tenant class of her citizens, a strong type of American citizen, until now intelligent white labor is needed to carry the agricultural development to that state of perfection that it can easily attain.

The tendency of the negro is to the trades in the great centers of population. This is following in the wake of the education of the race. This State is to-day aiding the negro in these lines by maintaining a mechanical college, where he is given such training, preferring intelligent white labor on the farms, with their intensified methods, and aiding in the solution of a great problem.

Diversified farming is now claiming the attention of this State's best farmers and landowners, and they want European, eastern and western, methods employed. Hence they invite the sturdy white settlers to come and share with them what nature has so lavishly bestowed upon their land. They ask them to come while undeveloped lands may be had at minimum prices on easy terms, and not, as in thickly settled strips of country, at $150 an acre. It is the province of this new department of our State government, just established, to collect these lands, locate the settlers, and watch over them, giving fostering care to their welfare.

The stock-raising industry is now merely in its infancy, notwithstanding the thousands of acres of rich and valuable meadow lands. Many are going into this industry, and the man who is familiar with its methods, settling there at this time, can not but reap a harvest. So it is with poultry raising, dairying, and trucking for the early eastern markets.

No State in the Union for its size has finer railroad facilities. The map is a network of railroad lines, converging at the center of the triangle, Through the State run the three main North-to-South trunk lines, with fast passenger and refrigerator service, each with many branch lines, reaching into all the counties. One of the trunk lines has more of its mileage in this State than in any other of the States it traverses. The navigation of the inland waterways is now thorough, a line with connections with steamships for New York, Philadelphia, and Boston having just been opened to the very center of the State, making rich river bottom lands available for such settlers as are furnished by Holland, for instance. The telegraph and the telephone connect practically every town and hamlet with the outside world, and the farms can and do secure the latter service.

Educational advantages in South Carolina are unsurpassed. In the country the State maintains a superior type of public free schools under the direction of the State superintendent of education. All the towns and cities have modern and up-to-date free public schools and high schools, carrying the education of the children to the college stage. The State maintains and heartily supports a literary higher institution of learning with a record of a century, a splendid agricultural and mechanical college, a fine military academy, and a college for the literary and industrial training of its women that possesses a widespread reputation. There are in different portions of the State four other high-class colleges and universities for the education of men and seven colleges for the education of women. Surely South Carolina's educational atmosphere equals her matchless climate and makes her a leader in the cause of education.

But not alone in the instances mentioned is the prosperous and rapidly developing little State a leader. She has set the pace in the South in the matter of building model good roads. It is now some years since the work was begun, and the sand-clay mixture, well-drained system of roads was first introduced here, soon attracting the attention of the Federal Government's good-roads experts, who have used them as object lessons in good-road building in other parts of the country. To-day this State has miles upon miles of this class of roads, a joy to the farmer and automobilist alike, and the good work has but just begun. In some counties the splendid granite deposits have been well utilized in the building of lasting macadam roadways.

The topography of the country in South Carolina has blessed the State with rarest water powers. A conservative estimate places the developed and undeveloped water powers at 1,000,000 horsepower of water power. The development of a portion of this power a decade ago led to the introduction of transmitted electric power, generated at water-power plants, to cotton mills some miles distant. This was first tried here, and to-day many a spindle is operated by the overhead motor drive furnished with electricity carried long distances over wires. This was one of the great elements entering into the rapid development of cotton manufacturing in South Carolina. It made investors independent of high-priced sites beside water powers, and removed all question of availability of sites. It is noteworthy to remark in this connection that in 1882 only 4,113 horsepower of water power was in use. To-day, in one city alone, there is a single plant developing nearly three times as much.

In speaking thus at length of my own State it is in no sense with the idea of disparaging the resources of other States, but I rather refer to it as something of a type of the whole South. Surely there is much in common for which we should feel justly proud, to which I can only refer in this connection.

The value of cotton mills in the South in 1880 was $21,000,000; in 1903, $175,000,000. In 1880 farm property was valued at $2,212,000,000; in 1900 it was valued at $5,158,000,000. In 1893 southern exports amounted to $250,072,790; in 1903 to $542,011,661. In 1880 the South had 20,000 miles of railroad; in 1903 the mileage was 50,000. In 1880 the South manufactured 397,000 tons of pig iron; in 1903, 3,300,000 tons. The value of lumber products in 1880 was $39,000,000; in 1903 they reached the sum of $200,000,000. In 1880 the South mined 6,000,000 tons of coal; in 1903 she mined 70,000,000 tons.

This internal development, rapid and stupendous as it is, is only an earnest of what we may reasonably expect in the future under proper conditions.

We invite the northern and western farmer and the deserving European immigrant to share with us "this goodly heritage." We would have them link their arms in ours now at the dawn of a new era and participate fully in the benefits and glories of our development.

In England, Ireland, and Scotland only one person in thirty-one owns land, and this is mortgaged for 60 per cent of its value. In the populous rural sections of the North farm lands sell at from $100 to $150 per acre. We offer you lands at from $5 to $15 per acre, which, with a little attention, are just as productive and more desirable, owing to climatic advantages which adapt them to a great variety of crops. While we are awake to the necessity of immigration as a means of keeping our farming interests commensurate with our manufacturing interests, we confess some solicitation, and we think the United States Government should feel some solicitation, as to the character of those immigrants.

This Government should look well to the laws restricting immigration; and while no worthy person, sound physically and mentally, should be turned back, we should see to it that this country is not made an asylum or almshouse for the undesirable citizen of the Old World. We want only voluntary immigrants; not such as are induced by their own countries to seek new homes. It is true that the constant loss of able-bodied young men, for it is this class who usually emigrate, is a severe drain on the old countries. They have all the care and expense of rearing them to years of maturity, which is estimated at $600 to $1,000 per individual, and receive absolutely nothing in return. Aside from this item of expense, however, emigration works but little detriment to the old countries, for they are all densely populated, and in all, save Ireland, the births are very much in excess of the deaths.

While we should hold out open arms to the deserving immigrant who is not satisfied with conditions in his native land, it is our inherent right and but self-preservation to exclude that turbulent, thriftless, disaffected element who, restrained only by force at home, in this country indulge in most unbridled license. We need tillers of the soil, who by industry will build up the waste places and make our hillsides and valleys golden with the fruits of honest toil.

That this is a condition and not a theory which we are confronting may be inferred from the following figures compiled by Chairman McLeod, of the Western Passenger Association: Out of 700,000 immigrants arriving here in 1902, New York received 203,824; Pennsylvania, 139,000; Illinois, 45,845; Massachusetts, 50,939; Ohio, 25,900, with other Northern and Western States following with from 5,000 to 15,000. You will note that the greatest influx was into States having the largest cities, already overpopulated, and, as I have stated previously, comparatively none went to the South. Of this 700,000 accounted for, 2,947 had professions, 79,769 were skilled workmen, 422,379 were classed as miscellaneous, and 153,149, including women and children, had no occupations.

If this miscellaneous class were laborers, who in time would seek the rural districts, we might well welcome them. If they are so many additional charges on cities already burdened, we can not calculate the possible evils which may arise from their coming. We can easily assimilate the industrious workingman, but this country can no more assimilate great hordes of disaffected immigrants than the human system can assimilate an overdose of poison.

It is the purpose of the bill which I introduced to meet this very exigency by establishing a bureau for the intelligent distribution of worthy immigrants. As to what countries furnish the most desirable immigrants, speculation or opinion is very much divided. There seems to be strong prejudice against the Asiatic and southwestern European. Until lately considerable prejudice existed against the Italian, but with most favorable testimony in his behalf from Georgia, Louisiana, and a number of other Southern States, our people look with a great deal more favor on these hardy, industrious agriculturists.

It is not alone the foreigner whom we would invite to our Southland. In fact, the settler whom we most desire is the intensive northern farmer. In the South he will find conditions of soil and climate which respond most readily and abundantly to intensive methods of farming. He will find lands selling at much less per acre than he rents his northern lands for annually. He will find a people frank and congenial in their dealings. He will obtain a better idea of southern conditions, and will more fully acquaint his northern brother with those conditions, thereby overcoming local prejudices. I assert, in the light of wide observation, that no northern farmer can reside for two years in our midst without becoming one with us.

Now, Mr. Chairman, that my bill is an important one, looking to the proper selection and distribution of immigrants and to the best interests of the immigrants themselves, in furnishing them, helpless and alone as they are, such information as will enable them to choose wisely the homes of their adoption, must be apparent to everyone. The importance to this nation of aiding and encouraging desirable immigrants to come amongst us can be realized only in the light of the fact that our future history will reflect in great measure the characteristics of those immigrants.

Mr. LLOYD. I yield thirty minutes to the gentleman from North Carolina [Mr. CLAUDE KITCHIN].

Mr. CLAUDE KITCHIN. Mr. Chairman, I regret at this time to intrude myself upon the quiet and calm of this deliberative body. The Republican Members of this House and of the Senate have, during this entire session, vied with each other in eulogizing and in glorifying the distinguished President of the United States. They have tumbled over each other in the rush to give unqualified indorsement and approval to everything he has done and to everything he has said. I do not wish to make invidious comparisons in this House, especially among Republican Members, but candor compels me to say that no gentleman of the Republican side has even approached the distinguished gentleman from Ohio [Mr. GROSVENOR] in the extravagance, in the fulsomeness, and in the elaborateness of his praise. The gentleman has attributed to the President all the virtues which an ideal man, an ideal citizen, an ideal soldier, or an ideal statesman should possess.

We on this side, Mr. Chairman, respectfully beg to differ with the gentleman from Ohio. In such conflict of opinion authority is always of the highest importance. And, sir, to sustain our opinion of the distinguished occupant of the White House I shall cite to you an authority so high, so eminent, and so infallible that no Member upon that side, not even the distinguished gentleman from Ohio [Mr. GROSVENOR], will have reason to dispute or doubt. That authority is no more and no less than the distinguished gentleman from Ohio himself [Mr. GROSVENOR]. [Applause and laughter on the Democratic side.]

It may seem strange, Mr. Chairman—it may astonish the Republican Members of this House to know that at one time in his life the distinguished gentleman from Ohio [Mr. GROSVENOR] was an eminent and an interesting contributor to the New York Journal. [Laughter.] When the Republican convention met in Philadelphia in 1900 it was General GROSVENOR who was a most entertaining and conspicuous contributor to the New York Journal in regard to the character and the Vice-Presidential qualifications of the distinguished President. Bespeaking his permission, I beg to quote from the four signed letters by the gentleman from Ohio.

On June 21, 1900, in a signed letter to the New York Journal, the gentleman from Ohio said of Mr. Roosevelt:

There is something new here under the sun.

[Laughter on the Democratic side.]

We have a brilliant, erratic, curious sort of a man—

[Laughter on the Democratic side]—

whose friends are trying to promote him. His enemies are trying to destroy him, and a great herd of selfish politicians are trying to use him for their own selfish and shameful ends.

Just here I wish to say to the gentleman from New York [Mr. FITZGERALD] that perhaps from these letters he got the idea into his head that he had seen somewhere that "everybody is for Mr. Roosevelt and nobody wants him." [Laughter.] He gets it from the distinguished gentleman from Ohio. We recall that the gentleman from Ohio [Mr. GROSVENOR], in reply to the gentleman from New York [Mr. FITZGERALD] the other day, said that he had never heard it or seen it in any paper.

But I have. [Laughter on the Democratic side.]

I read on:

And apparently not one of them, neither friend nor foe nor selfish person, seems to have the slightest care for his welfare. That man is Theodore Roosevelt, governor of New York.

[Loud applause and laughter on the Democratic side.]

And again:

It is said that last night he shouted and screamed and danced in the meeting of the New York delegation and said: "I am saved; I am saved!" Saved from whom? Saved from the men who want to get rid of him. Is that it? Saved from the men who injudiciously in their friendship for him want to see him nominated. Is that it? Saved from the men who are fighting over him as a bone of contention, one for his defeat and another for his elevation, and neither one cares for him. Is that it?

[Laughter.]

Further he says:

It is coolly and calmly admitted, and not denied when charged, by a certain great force in New York and in the New York delegation, that they are opposed to Roosevelt for governor because they do not think he is the proper man for the place and because he does not suit them. Therefore they are willing to push him off and dump him—

Just mark the word "dump!" That is the way we get rid of refuse in the South—"dump" it [laughter]—

and dump him upon the Presidential ticket, upon the sole and sordid interest of themselves and their own schemes of politics. Here he is. Suppose he should be nominated for Vice-President to-morrow, what will be said of him?

You must remember that Roosevelt had time and time again said he was not going to be a candidate, and would not be a candidate under any circumstances, and the gentleman from Ohio was opposed to Mr. Roosevelt as a Vice-Presidential candidate. He knew him. [Laughter.]

Suppose he should be nominated for Vice-President to-morrow. What will be said of him? That either he was a dishonest man or else that he did not want the place, and in this last instance it would be said of him that he had no power of his own, no will, no voice—

But we all know that Roosevelt has a voice [laughter]—

that he was simply taken possession of by the men who hated him, who were opposed to him, and forced into the position in order that they might get rid of him.

[Laughter on the Democratic side.]

So, then, we have him made Vice-President by the very men who wanted to get rid of him. And the gentleman from Ohio [Mr. GROSVENOR] is corroborated by ex-Senator Thurston, who also was a contributor to this paper at the same time. I want to call attention to how accurately they sized up this Vice-Presidential candidate. Here is what Senator Thurston says. Remember they were trying to get rid of him:

And it would be a cage for a man of Roosevelt's temperament and boundless ambition. Now, a caged lion at least can roar, but a lion in the Vice-Presidential cage can not even roar. He must keep still. He has no voice in the Government.

[Laughter and applause on the Democratic side.]

So, then, Roosevelt is in public life to-day, nationally, because his friends and his enemies wanted to put him in a place where he could do neither harm nor good. [Laughter and applause on the Democratic side.]

But, gentlemen, I want to make an alarming statement, especially in the face of all this exaltation of Roosevelt by the Republican party, and declare to you that Theodore Roosevelt was distasteful to William McKinley; and I challenge any Republican on that side, and I challenge any Republican in this nation to deny it here or elsewhere. I charge more, that Theodore Roosevelt as a candidate for Vice-President upon the Republican ticket was distasteful to William McKinley, and not one of you can deny it.

I charge, further, that Theodore Roosevelt, as Vice-Presidential candidate, was humiliating to the friends of the McKinley Administration, and I dare any one of you to deny it. [Loud applause on the Democratic side.] Gentlemen, think of it! He was humiliating to General GROSVENOR himself, how his great champion upon this floor, and he dares not deny it. [Laughter and applause on the Democratic side.] I call upon him to deny it. [Laughter on the Democratic side.] Now, Mr. Speaker, I have made that charge, and none of you will deny it. I now produce the same high and infallible Republican authority for that, and it is a little pathetic. [Laughter.]

In another letter of the gentleman from Ohio to his paper, the New York Journal [laughter and applause on the Democratic side], of date June 19, 1900, he writes:

That Roosevelt to-day is being pressed by the following influences is very well understood. First. The demand of Mr. PLATT and the Platt-Quay combination that McKinley shall be forced to take a distasteful running mate of their selection.

[Applause on the Democratic side.]

No man in this House, no man in this nation, was closer to William McKinley than the distinguished gentleman from Ohio. No man knew McKinley's wishes, and no man knew McKinley's tastes better than the gentleman from Ohio, and he says that Roosevelt's promoters were trying to "dump him upon the Presidential ticket," because they knew he was "a distasteful running mate" to William McKinley. And yet you men stand here in this House and gulp down every single thought of Roosevelt, everything that he says, and everything that he does, and no one of you dares to raise a defending voice in memory of William McKinley.

I declare to you that the gentleman from Ohio was right, that McKinley was right, for both felt and knew that Roosevelt would be a distasteful running mate for any American statesman. [Applause on the Democratic side.]

I said that I could show that Roosevelt not only was distasteful to McKinley, but was absolutely humiliating to the closest friends of his Administration. The gentleman from Ohio was as close a friend of McKinley's Administration as anybody. In speaking of the purposes of the Platt-Quay combination in attempting to force the unfortunate Governor Roosevelt on the national ticket, he says in his letter that it was "the wish of Mr. QUAY and his coadjutors to humiliate the immediate and close friends of the Administration of McKinley." [Applause on the Democratic side.]

To humiliate my good friend from Ohio and other close friends of McKinley's Administration was the reason why they were pushing him! [Laughter and applause on the Democratic side.]

Gentlemen, just think of it. Contemplate the amusing spectacle of any Republican in the United States being humiliating to my friend from Ohio [laughter], and contemplate the more amusing spectacle that to-day this man who was distasteful to McKinley and was humiliating to his friends is now marshaling under his banner the combined hosts of Republicanism, with the gentleman from Ohio as chief bugle blower. [Laughter and applause on the Democratic side.]

My friends, my Republican friends, I wish I had time to read all of these extracts from the letters of this distinguished gentleman. I have them typewritten here, and it would make most interesting reading for all if placed in parallel columns with the twenty-eight page eulogy of Roosevelt which the gentleman from Ohio [Mr. GROSVENOR] put into the RECORD the other day. [Laughter.]

I wish the gentleman from Ohio to understand that it is not out of any hostile spirit toward him. I will show before I get through that I am the best friend that he ever had upon this floor. [Renewed laughter.] I wished these extracts from his letters to go into the RECORD as a tribute to his knowledge of men. [Renewed laughter.] I want to embalm them in the RECORD as a monument to that unerring judgment of human nature that is essential to a statesman and a leader. [Laughter on the Democratic side.] As a further mark of my respect and friendship for him, I desire to say to the gentleman that I agree with him in his solemn, written, signed, unshackled, deliberate estimate of the man. [Laughter on the Democratic side.]

I know that General GROSVENOR was right when he wrote these letters. He may have been right by mistake [laughter], but he was right that time. I wish to ask the Clerk to read one more extract from them.

Mr. GAINES of Tennessee. Read it yourself.

Mr. CLAUDE KITCHIN. No; I want the Clerk to read it, because it sounds so great I wish to enjoy its melody and its music. [Laughter.] Now, this is the advice which the distinguished gentleman from Ohio gives to Mr. Roosevelt—a "Rooseveltian soliloquy," it would be called.

The Clerk read as follows:

Let Mr. Roosevelt sit down right now and calmly consider. I do not believe he is a man who can appreciate good advice when he gets it, but let him sit down and calmly reason with himself in this way:

"The little temporary time I operate upon the tail end of the Presidential ticket will, of course, have a whole lot of hurrahs in it. All the McKinley men will hurrah for me, and all the other fellows will hurrah for me; but is it not the calm, deliberate judgment that when the moment comes to turn the searchlight on me four years hence, the people will say: 'This man has not any courage, any nerve, for he could not bring himself by one word to extricate himself from the dilemma he admits he was in, though crying out, "I am saved! I am saved!" ' But it is a great thing to be shouted at in a convention. It is a great thing to have men come to my room and cheer me and congratulate me, but the American people are the coldest-blooded people on earth. They look through shams, they look through tricks, and they look through all sorts of performances."

[Laughter on the Democratic side.]

"Where will I be when they study the whole of this issue of this campaign? Why should there be any such question over me? Is there anyone so anxious to make me Vice-President—an inconsiderable office as compared with the governor of New York? Is there anybody who intelligently wants to do this, and who intelligently believes it is for my good? Not much!"

[Much laughter on the Democratic side.]

Mr. CLAUDE KITCHIN. He declares in one of these letters that Mr. Hanna was opposed to Roosevelt's nomination as Vice-President, and adds that "it would be a great thing for Roosevelt to defy somebody once and stick to it."

I want to leave these extracts, but there is one that amuses me so much that I will read it. He knew and had seen this soldier, this hero of San Juan Hill and El Caney, and described him as he entered the convention:

The governor wore his Santiago hat, and the very atmosphere of San Juan Hill and El Caney and all that sort of thing was around it and diffused from it, and he marched with a martial tread down the aisle—

And sat down. [Laughter and applause on the Democratic side.]

Mr. Chairman, Roosevelt was elected Vice-President. His friends and his enemies had, as they thought, securely put him in the cage prepared for him. But fate, with stoic indifference to the dignity of our nation, disdaining to consider consequences, broke the bars of the cage which the Republican party had made for him, and Theodore Roosevelt was made President, not by the people's ballot, but by the assassin's bullet. But they tell us that this "curious, erratic sort of man" magnificently takes McKinley's place. Here in this House I solemnly protest against such desecration of the memory of William McKinley. [Applause on the Democratic side.] The ant-hill taking the place of the mountain! The owl's screech taking the place of Beethoven's divine symphonies! The minnow taking the place of the whale! The firefly taking the place of the noonday sun! [Applause on the Democratic side.] Theodore Roosevelt taking the place of William McKinley! I protest! I protest!

Mr. Chairman, your party and your section might have expected great things and good treatment at the hands of Mr. Roosevelt, but we of the South could not. We knew that twenty-five years after Lee surrendered, this gentleman, in two of his public volumes, had denounced Jefferson Davis as an arch traitor and had declared that until out of the dictionary had been stricken the word "treason" Jefferson Davis was a traitor. We felt then and we feel now that that was a strike, across the memory of the idolized dead, at the whole South and the old Confederate soldiers. We knew, too, that in one of his volumes, The Life of Benton, perhaps the most widely read work of which he is author, he declared that "through the southern character there ran a streak of coarse and brutal barbarism." We could expect little from him. Would I startle this House to remind it that after the passing of nearly forty years from Appomattox, Mr. Roosevelt, President of the United States and of a united people, stood here in the capital city of our nation and proclaimed to the world that the Confederate soldier was an anarchist? So surprising was this utterance, so revolting was it, that the Washington Post, a loyal supporter of Mr. Roosevelt's Administration, was led to observe editorially:

It is disagreeable enough to the southern people to be officially designated as "rebels," and now to add "anarchist" is an exasperation which we find it impossible to believe the President really intended.

These words from the lips of a President, and at the national capital, while yet the grave at Canton was wet with the tears of southern grief!

Let this House and the Republican membership of this House compare, if you please, these stinging, coarse, insulting words of your President with the kindly, gentle, loving words of William McKinley as he stood in the heart of the South and, in the presence of the old Confederate soldiers, said:

And while when these graves were made we differed widely about the future of this Government, those differences were long ago settled by the arbitrament of arms, and the time has now come in the evolution of sentiment and feeling under the providence of God when, in the spirit of fraternity, we should share with you in the care of the graves of the old Confederate soldiers.

[Applause on the Democratic side.]

Again he says:

Sectional feeling no longer holds back the love which we bear in our hearts for each other.

And again:

It is a pleasure for me to meet in this welcome these veterans of the gray, these ex-Confederate soldiers, and to feel that, in common with all our fellow-citizens, their hearts are in touch with the highest aims and purposes of our great Republic.

[Applause on the Democratic side.]

Compare these words of William McKinley with those words of Theodore Roosevelt and then tell us if he magnificently "fills the shoes of William McKinley!" [Applause on the Democratic side.]

Mr. Chairman, some days ago the distinguished gentleman from Massachusetts [Mr. GILLETT], in his speech complained that lawlessness and lynchings in the South stimulated lawlessness and lynchings in the North. In passing, he will permit me to express regret that the good people of Massachusetts are so quick to imitate our vices and so slow to emulate our virtues. [Applause and laughter on the Democratic side.] Now, I want to ask him if it is not a fact that the three books which I have before me, Ranch Life and the Hunting Trail, Oliver Cromwell, and The Winning of the West, by Theodore Roosevelt, are not in almost every private and public library and in every school library throughout the North?

I trust, sir, it will not shock this House and the law-loving and law-abiding people of our country too greatly when I tell them that Theodore Roosevelt in these books deliberately justifies and advocates lynch law for the stealing of a $10 rat-tailed Texas pony. [Applause on the Democratic side.] I wish to suggest to my friend from Massachusetts that these books of this distinguished author, so widely read in the North, teaching the right to lynch human beings for stealing horses, might possibly have some influence in stimulating to lawlessness the great and good people of the North. Let me read from Ranch Life and Hunting Trail, pages 14 and 93:

During the last two or three years the stockmen have united to put down all these dangerous characters, often by the most summary exercise of lynch law. * * * Bands of horse and cattle thieves have been regularly hunted down and destroyed in pitched fights by parties of armed cowboys, and as a

consequence most of our Territory is perfectly law abiding. * * * A little over two years ago one committee of vigilantes in eastern Montana shot or hung nearly sixty—not, however, with the best judgment in all cases.

[Prolonged laughter and applause.]

It is the fashion—

Not to be shocked, not to be outraged, not to be horrified, but—

It is the fashion to laugh at the severity with which horse stealing is punished on the border, but the reasons are evident. Horses are the most valuable property of the frontiersman, whether cowboy, hunter, or settler. * * * They are always marketable and are very easily stolen. Horse stealing is a most temptiffg business, etc.

Now, let me read from the work on Oliver Cromwell, at page 52:

In great crises it may be necessary to overturn constitutions, to disregard statutes, just as it may be necessary to establish a vigilance committee or take refuge in lynch laws.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. CLAUDE KITCHIN. Mr. Chairman, I would like to have a few minutes more.

Several MEMBERS. Give it to him.

Mr. LLOYD. How much time does the gentleman want?

Mr. CLAUDE KITCHIN. Twenty-five minutes.

The CHAIRMAN. How much time does the gentleman yield?

Mr. LLOYD. I have not yielded any.

Several MEMBERS. Give it to him.

Mr. LLOYD. Mr. Chairman, I yield fifteen minutes more.

The CHAIRMAN. The gentleman is recognized for fifteen minutes, yielded by the gentleman from Missouri [Mr. LLOYD], who has control of the time.

Mr. CLAUDE KITCHIN. In Winning of the West we find the following:

The good men in such a case band themselves together as regulators and put down with ruthless severity by the exercise of lynch law, shooting and hanging the worst offhand.

In many of the cases of lynch law which have come to my knowledge the effect has been healthy for the community—

[Applause and laughter on the Democratic side]——

but sometimes great injustice is done. Generally the vigilantes, by a series of summary executions, do really good work, but I have rarely known them to fail, among the men whom they kill for good reasons, to also kill one or two either by mistake or to gratify private malice.

Mr. Chairman, I do not defend, nor do we in the South defend, lynching for any crime. [Applause.] I condemn, and we in the South condemn, lynching for any crime except the unspeakable crime against womanhood. We do not, and law-abiding people should not, advocate or encourage lynching even for this. The hand of civilization and Christianity is uplifted against it, and, sir, good people the wide world over should uphold that hand. But lynch law, to avenge the brutal outrage upon innocent, helpless womanhood, and to protect it, is a statute written, old and unrepealed, in the heart of poor, weak human nature, and at unfortunate times is invoked in every section and in every land. Let us who believe in the absolute sovereignty of the law over all crimes, from the lowest to the highest, not despair when, in sparsely settled communities, with no ready and sufficient police force, excited men turn to lynch law. There are times when the mute lips of the outraged and murdered victim appeal too loudly for even the strongest of us to resist. We can only hope that through the Christian manhood of our country, in the mercy and wisdom of God, a way may be found for the final repeal of this terrible and dangerous law.

But, Mr. Chairman, I challenge you to point out another man in official life throughout the civilized world that has ever publicly defended or justified lynch law for theft of any kind under any circumstances.

I put it to your consciences. Do you not believe that we have a right to protest against any Republican in this House or in this nation condemning any section or any man in this country for lynching a brute, white or black, who commits the unspeakable crime, until you have burned these lynch-law-teaching books or until you have repudiated, either at your convention or at the polls, their author, Theodore Roosevelt? [Loud applause.]

I believe in American citizenship—in its freedom, in its independence. I believe that every American, regardless of parties, owes some loyalty, some allegiance to the President of his country. But, Democrat as I am, I must believe that every self-respecting Republican in this House and in this country will feel his cheek burn with shame when he contemplates the fact that a President of the United States, a President of this civilized, Christianized Republic, has openly published, and has persistently, in three volumes, disseminated throughout this country and throughout the world his defense and his advocacy of lynch law for theft. [Loud applause on the Democratic side.]

How high has our civilization reached when here a great party of great men, standing by decency, standing by order, standing by civilization, persists in making President of the United States this lawless-spirited man? I ask the people of this nation, in the name of God how the spirit of anarchy can ever be driven out of this country while one of its great parties insists upon retaining in the highest office of this Republic the master spirit of lawlessness? [Applause on the Democratic side.] When may we expect the law to assert its majesty throughout our broad land while a great party bows its acknowledgment to Theodore Roosevelt as superior to the law?

My friends, you may search yonder Library with its millions of volumes and I venture the assertion that, barring the books of the President, upon no page can you find where a man claiming to be civilized and Christianized has ever advocated publicly lynch law for theft.

The surprise of one who loves his country and cherishes the memory of the great men who have honored it will not surpass his humiliation when he is reminded of the vicious, persistent, and unwarranted attacks which our President, in his books, has made upon so many of his distinguished predecessors. He has defamed Thomas Jefferson in every imaginable way. In his Winning of the West, Naval War of 1812, and Thomas H. Benton he denounces Jefferson as "vacillating," "timid," "shifty doctrinaire," "incompetent," "ungrateful," "intriguing against Washington," "secretly aiding French," his influence "distinctly evil," declaring that he was "constitutionally unable to put the proper value on truthfulness," and that he "was the most incapable Executive that ever filled the Presidential chair."

He denounces Madison as "timid," "incapable," "a ridiculously incompetent leader for a war with Great Britain," his Administration as "feeble," and accuses him of "imbecile incapacity" and of bringing "shame and disgrace to America" in the war of 1812.

He denounces Monroe as a mere "figurehead" President, with "no especial ability," and declares that his administration as Secretary of War under Madison was a "triumph of imbecility to the last."

He denounces Andrew Jackson as a "figurehead," "ignorant," "managed by politicians," "low politicians molded him to their will," and declared that his Administration "corrupted the public service in every way." He denounces Van Buren as sordid, odious, corrupt, declaring that "he faithfully served the mammon of unrighteousness," that "he succeeded because of and not in spite of his moral shortcomings."

He denounces Harrison, Taylor, and Fillmore as "small Presidents." He denounces Tyler as a "politician of monumental littleness," and declares that he was "peevish and puzzleheaded" and that to "call him a mediocre man is unwarranted flattery."

He denounces Polk as "the very smallest, excepting Tyler, of the line of small Presidents who came in between Jackson and Lincoln," and declared that he gathered to him the "vicious, corrupt, and criminal."

He denounces Pierce as a "truckling, time-serving, northern politician" and a "small politician of low capacity and mean surroundings."

He denounces Buchanan as a "truckling, timeserving politician, fit representative of the sordid and odious political organization of Pennsylvania."

Mr. Chairman, one who has such a profound contempt for those who have gone before him can not hope to merit the respect of those who shall come after him. I know not what place in the life of our Republic posterity may accord him, but whatever he has done, whatever he may do, one thing is certain, history will mark Theodore Roosevelt out, in unique and shameless solitude, as the relentless defamer of our nation's Presidents.

What, sir, will that good and godly sect, the Quakers, think of our President when they are reminded of their outlawry by him? In his Thomas H. Benton (p. 37) we read:

A class of professional noncombatants is as hurtful to the real healthy growth of a nation as is a class of fire eaters, for a weakness or folly is nationally as bad as a vice or worse, and in the long run a Quaker may be quite as undesirable a citizen as is a duelist. No man who is not willing to bear arms and to fight for his rights can give a good reason why he should be entitled to the privilege of living in a free community.

No man in public life has ever expressed such a merciless contempt for the farmers and laborers of our country. After attributing to the cowboys of the West a moral depravity of which no cowboy has been guilty within half a century and against which I must protest; after declaring that they were "brutally dissipated," that "when drunk on villainous whisky they cut mad antics, ride horses in saloons, firing their pistols right and left," etc., in his Ranch Life and Hunting Trail (pp. 9 and 10), he adds:

They are much better fellows and pleasanter companions than small farmers or agricultural laborers; nor are the mechanics and workmen of a great city to be mentioned in the same breath.

I am indebted to the diligence and kindness of my distinguished friend from Georgia, Judge BARTLETT, for the following additional evidence of Mr. Roosevelt's supreme contempt for the American farmer. In a speech made by him in New York in October, 1896, at a "sound-money" meeting in the Wool Ex-

change, reported in the New York Journal October 28, 1896, Mr. Roosevelt said:

I shall confine my remarks to what General Porter has said about patriotism. Patriotism comes first, and I hope you will not fail to display it next Tuesday. Mr. Bryan and his adherents have appealed to the basest set in the land, the farmers.

Mr. Chairman, search the world over, ransack history from the beginning, and you will look in vain to find another who has in any way maligned the farmer of his own country. It is a marvel that any party should offer as a candidate for the Presidency a man who has so viciously traduced the character of the best type of our citizenship, the American farmer.

In referring to a committee of the New York legislature, before which questions affecting the interest of labor came, and to a delegation of labor men who appeared before it, he describes them in his American Ideals, Volume I, page 105, as "The rogues' gallery," and one of the labor men who spoke as "a sleek, oily little fellow, with a black mustache, who had never done a stroke of work in his life." And another as "a fellow-professional of another type—a great, burly man who would speak of the Wrongs (with a capital W) of Labor (with a capital L) and bellow as if he had been a bull of Bashan."

No workingman should ever again object to government by injunction after reading the following from Mr. Roosevelt's American Ideals (Vol. II, p. 18):

The men who object to what they style "government by injunction" are, as regards the essential principles of government, in hearty sympathy with their remote skin-clad ancestors who lived in caves, fought one another with stone-headed axes, and ate the mammoth and woolly rhinoceros.

They are interesting as representing a geological survival, but they are dangerous whenever there is the least chance of their making the principles of this ages-buried past living factors in our present life.

They are not in sympathy with men of good minds and sound civic morality.

Mr. Chairman, I want every man in this House who has any respect for this body, who has any respect for the Senate, be he Democrat or Republican, to hear what I shall read. It will astound every Republican in this House, and every Democrat, when I tell them that Theodore Roosevelt, while governor of New York, the dignity and responsibility of which position should have controlled his rashness and sobered his judgment, denounced a Republican Congress as "cattle"—the Congress, be it remembered, that was giving ready loyalty to William McKinley in all things!

In proof of this startling statement let me read from his speech. I hold in my hand a book entitled "The Public Papers of Governor Roosevelt," containing his speech before the Chamber of Commerce at Syracuse. Congress, guided by the wisdom and conservatism of McKinley, was not enacting just the particular legislation touching the Army and Navy that in his (Roosevelt's) individual opinion they ought. I now read from that speech:

Just at this moment Congress, in Washington, seems to have made up its mind that, having provided for the fact that we must take care of the Philippines and of Cuba, there is not to be any army with which to take care of it, and that the armed resistance is to be made by proclamation. Well, it is a little soul harrowing to have to deal with cattle who take that view of the responsibility of the nation

So this man denounces you as a herd of cattle. [Loud applause on the Democratic side.]

Mr. Chairman, we need not be surprised at this denunciation; but the humiliating spectacle is that since he has been made President he has treated this Republican Congress as a herd of cattle. [Loud applause on the Democratic side.]

And, more humiliating still, you have allowed him to treat you as cattle, and you have lain down before him in his green pastures. Think of the leadership in that Congress—the same leadership that is in this Congress. I see the gentleman from Iowa [Mr. HEPBURN], the gentleman from Ohio [Mr. GROSVENOR], the gentleman from Pennsylvania [Mr. DALZELL], the gentleman from New York [Mr. PAYNE], who were the leaders upon this floor; and he virtually denounces them as the old lead steers of the bunch! [Laughter on the Democratic side.] He thinks Congress is his great ranch, that you have been roped in for the "round-up," and he treats you as he did his herd at Elk Horn. He allows no hooking and no kicking. [Laughter on the Democratic side.]

Mr. SIMS. They are all dehorned.

Mr. CLAUDE KITCHIN. And none has started a stampede except the young gentleman from Michigan [Mr. WM. ALDEN SMITH], and now I believe he confesses himself the tamest and gentlest yearling in the whole herd. [Laughter on the Democratic side.]

A MEMBER on the Democratic side. Branded!

Mr. CLAUDE KITCHIN. Branded! Now, my friends, permit me to say this to you not in a partisan spirit. I assert but the simple truth, wishing I had voice loud enough for every man in the nation to hear, when I declare to you that any man who has such a profound contempt for the legislative branch of this Government is unfit to be the head of the executive branch. [Loud applause on the Democratic side.] I have read from his speech to give you an inkling as to what you may expect from him when he is no longer held back by an ambition to succeed himself. You must continue to be the herd of cattle for him or else he will turn you out of his ranch. [Laughter on the Democratic side.]

Contemplate the intolerance of the man! A Congress that was acting in harmony with the wishes of conservative William McKinley was not doing exactly what he thought they ought to do in every detail. In a published speech, while governor of New York, he denounces them as "cattle." Don't you know he is a dangerous man? I don't care what you say outside, I know you say inside that he is. [Applause on the Democratic side.]

I said in the beginning that I was going to show the distinguished gentleman from Ohio that I was the best friend he has in this body. I think I am going to show him that I am the only friend in this nation who will come to his rescue. He may be surprised when I read from one of Roosevelt's published books, in which Roosevelt denounces the gentleman by name as a "champion of foul government and dishonest politics." [Applause on the Democratic side.] I hold in my hand a book—just look at it!—spectacular, like the President. [Laughter.] From American Ideals, volume 1, pages 166, 167, and 168, discussing the subject of civil-service reform, I read—the distinguished gentleman from Iowa [Mr. HEPBURN] will give attention, too:

The main fight [on civil service] at each session [of Congress] comes up on the appropriation bill. There is not the slightest danger that the law will be repealed. * * * As a matter of fact, in every Congress resolute efforts are made by the champions of foul government and dishonest politics to cut off the commission's supplies. The bolder men, who come from districts where little is known of the law, and where there is no adequate expression of intelligence and honest opinion on the subject, attack it openly. Every man interested in decent government should keep an eye on his Congressman and see how he votes on the question of appropriations for the commission. The opposition to the reform is generally well led by skilled parliamentarians, and they fight with the vindictiveness natural to men who see a chance of striking at the institution which has baffled their ferocious greed.

[Laughter on the Democratic side.]

These men have a gift at office mongering, just as other men have a peculiar knack of picking other people's pockets.

[Laughter on the Democratic side.]

Many of the spoils leaders are both efficient and fearless. They strike hard blows. In consequence, the leaders on the side of decency must also be men of ability and force, or the cause will suffer.

I wish I had time to mention all of the names he mentions, but among the chief of these he mentions General GROSVENOR, of Ohio, as one. I want to ask the gentleman from Iowa [Mr. HEPBURN] to read pages 167 and 168 and 169, and then read his speech in this House on January 12 and 13, and tell this House, honor bright, if the President does not make you feel like "thirty cents." [Applause on the Democratic side.]

Mr. Chairman, what high crime had these gentlemen committed that they should be thus publicly branded and their good names stigmatized by Theodore Roosevelt? Their only offense was their views did not exactly coincide with Mr. Roosevelt's views on civil service.

This is the man whom we fear. This is the man whom the people of this country—Republicans and Democrats, capitalists and laborers, rich and poor, strong and weak—fear. And, sir, when the check of his ambition to succeed himself has been loosened from his conduct no man can tell, no man can dream, to what length he will go and to what length he will carry this nation.

[Prolonged applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLAUDE KITCHIN. Mr. Chairman, availing myself of the privilege of extending my remarks by printing in the RECORD accorded to me by the House, I desire to submit some further views and opinions entertained by our strenuous President.

Of the political organizations of his own State, forgetting that he was a product of one of them, he, in Thomas H. Benton, page 81, says:

New York has always had a low political standard, one or the other of its great parties and factional organizations, and often both or all of them, being at all times most unlovely bodies of excessively unwholesome moral tone.

In American Ideals (Vol. I, p. 69), he says of the New York legislature:

Among my colleagues there were many very good men. There was a still more numerous class of men who were neither very good nor very bad, but went one way or the other, according to the strength of the various conflicting influences acting around, behind, and upon them; and, finally, there were many very bad men.

Again, on page 73, he says:

In other words, before taking any active steps we had to "size up" our fellow-legislators, to find out their past history and present character and associates, to find out whether they were their own masters or were acting under the directions of somebody else, whether they were bright or stupid, etc. As a result, and after very careful study, conducted purely with the object of learning the truth, so that we might work more effectually, we came to the conclusion that about a third of the members were open to corrupt influences in some form or other; in certain sessions the proportion was greater and in some less.

* * * * * * *

On one occasion there came before a committee of which I happened to be a member a perfectly proper bill in the interest of a certain corporation.

The majority of the committee, six in number, were thoroughly bad men who opposed the measure with the hope of being paid to cease their opposition.

On page 71 he gives this tip to the man of foreign birth who has been elevated to public life by his fellow-men:

It is from these same great cities that the worst legislators come. It is true that there are always among them a few cultivated and scholarly men who are well educated and who stand on a higher and broader intellectual and moral plane than the country members, but the bulk are very low indeed. They are usually foreigners, of little or no education, with exceedingly misty ideas as to morality, and possessed of an ignorance so profound that it could only be called comic were it not for the fact that it has at times such serious effects upon our laws.

In American Ideals, volume 2, page 23, he favors the Populists with this compliment:

Refinement and comfort they are apt to consider quite as objectionable as immorality. * * * A taste for learning and cultivated friends, and a tendency to bathe frequently, cause them the deepest suspicion. * * * Though they often make war on vice, they rather prefer making war on prosperity and refinement.

And again, in his pamphlet on the Campaign of 1896:

Thrift, industry, and business energy are qualities which are quite incompatible with true Populistic feeling Payment of debts, like the suppression of riots, is abhorrent to the Populistic mind. Such conduct strikes the Populist as immoral.

Space forbids other extracts from the writings of Mr. Roosevelt. His attacks upon almost every element and phase of American citizenship would exhaust the RECORD.

Mr. Chairman, Mr. Roosevelt has expressed his contempt for the farmer; he has expressed his contempt for the workingman; he has expressed his contempt for the Quakers; he has expressed his contempt for the American of foreign birth; he has expressed his contempt for both the great political parties; he has expressed his contempt for law; he has expressed his contempt for one great section of our country; he has expressed contempt for the legislative branch of the Government; he has expressed contempt for a long line of distinguished Presidents; he has expressed contempt for eminent leaders of his own party on this floor.

Could it surprise him if the people of all parties in retributive justice should express at the polls in November their contempt for him?

Mr. THOMAS of North Carolina. I ask unanimous consent that the gentleman may proceed for five minutes.

The CHAIRMAN. The time is in control of the gentleman from Missouri [Mr. LLOYD].

Mr. LLOYD. Mr. Chairman, the majority side have been very kind in this debate. I do not think that under the circumstances they will object if I yield five minutes more, but that is the extent of it.

Mr. HAMILTON. I would say to the gentleman from Missouri that an opportunity ought to be given to the gentleman from Ohio to make a reply to-night. It is growing late. Both sides of this House are anxious to pass this bill under consideration, and if it is possible the gentleman from North Carolina can get along without the additional minutes yielded to him.

Mr. CLAUDE KITCHIN. I will ask this——

Mr. HAMILTON. The reply ought to come to-night. The gentleman from North Carolina will admit that.

Mr. CLAUDE KITCHIN. I will ask, then, with the permission of the House, that I may have leave to extend my remarks in the RECORD.

Mr. LIVINGSTON. You have got that.

Mr. HAMILTON. I want to yield to the gentleman from Ohio to make a reply to-night.

Mr. CLAUDE KITCHIN. I would be willing to yield, provided that I can have some time after the gentleman from Ohio concludes.

Mr. HAMILTON. Both sides of the House want to pass this bill.

Mr. CLAUDE KITCHIN. I wish, Mr. Chairman, to get permission to extend my remarks.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. HAMILTON. I yield to the gentleman from Ohio time to reply to the gentleman from North Carolina. [Loud general applause.]

Mr. GROSVENOR. Mr. Chairman, it is totally unimportant, so far as the Members of this House are concerned, and it is, moreover, unimportant to the country what I might have said or written at some other far remote time. [Laughter on the Democratic side.] We on this side of the House have listened with absolute attention to the gentleman from North Carolina while we were all anxious to go to dinner, and the moment I begin a brief reply there seems to be a disposition to make discord and interruption on the other side.

The CHAIRMAN. The House will be in order.

Mr. GROSVENOR. As I was saying, it is unimportant what I may have said, or what I may have believed, or what I may have written four years ago. If men are to be judged from that standpoint, then will the gentleman from North Carolina object to his associates who then shouted themselves hoarse for Bryan and 16 to 1, and to-day denounce Bryan from one end of the country to the other? Not only so, but the gentleman and his associates—I do not say the gentleman himself—would be found guilty of having spoken over and over again in the most vindictive and denunciatory manner of that great, beloved, dead statesman, McKinley, whom he to-day eulogizes with sycophantic praise on this floor. [Applause on the Republican side.]

No man from the days of George Washington down to the present time was ever hounded, pursued, and condemned as William McKinley was by the Democratic side of this House, and by the Democratic press and stump orators only four years ago. Not long before that they came upon the floor of this House and publicly and without rebuke charged William McKinley with having held back the proclamation of war against Spain for the purpose of enriching his friends by speculation on Wall street. Those charges were not rebuked; and yet to-day the gentleman from North Carolina can come with tears in his voice as he reads the utterance of that grand statesman, who spoke words of kindness to the people who were hurling anathemas against him.

Four years ago, at the city of Philadelphia, I was an opponent of the nomination of Roosevelt for Vice-President. I was there a delegate at large from the State of Ohio, and I had a perfect right to have a choice, and I chose to support with all the power I had the nomination of a distinguished gentleman from Iowa, now Senator DOLLIVER. I wrote in the New York Journal, an enterprising newspaper, whose editor and owner is to-day being hounded from one end of the United States to the other by every Democrat who aspires to any sort of leadership or dictation in the party, and then they come here and denounce me, a man who is not afraid to speak his mind on the stump or in a newspaper. [Loud applause on the Republican side.]

At that time I wrote and published the popular opinion of gentlemen of position at Philadelphia of Roosevelt. It was widely circulated, and generally and indeed unanimously believed by public men, as I understood it, that the leading Republicans of the State of New York were urging the nomination of Roosevelt because, in their opinion, some of his policies as governor of that State had made it doubtful as to his reelection, or at least doubtful as to his being the strongest candidate for governor of the State of New York, and I made perfectly plain that which was said by every man there, and I take back no word that I said. If the gentleman supposes he is coming here with an utterance that I wrote in a newspaper, and that he can humiliate and bring me to an apology, he has got the wrong man, and does not know the situation as I do. [Applause on the Republican side.]

Now, what was the condition? Mr. Roosevelt was not a man with whom I had ever associated intimately in public life, and that was my misfortune. I knew him, and had a sharp contention with him upon this identical question of civil-service reform, and I had stood firmly then where I stand now, and where the Democratic party stands to-day if they are not hypocrites in what they declare.

I differed with Mr. Roosevelt. I did not believe that the machinery of this Civil Service Commission was a proper adjunct to the administration of a great government, and I have never changed my mind, and I should think vastly less of the President if he had not in those days of contention used strong language in denouncing the men, my associates here in Congress, who seemed to put ourselves in so absurd a position by voting to strike out the pay of the Civil Service Commission. Of course the public by this time has come to understand that we have done all that merely as a matter of protest against the absorption of the political power of this country by the Civil Service Commission.

And I contended, just as I contend to-day, against the position of the President at that time upon the question of the administration of the Civil Service Department of this Government, of which he was a member. So he wrote of me what he had the right to write. He wrote of me that I was one of the active and strong opponents of the doctrine, and he used language that was by no means unfitted for the occasion from the standpoint that he believed at the time, and the gentleman from Iowa and myself and others were classified, and the gentleman has seen fit to garble the statement and not read the names of a large number of other prominent gentlemen who were included in the category at that time. And I can say to the gentleman he has not sprung anything so wonderfully new in this House, as it was very ably and eloquently presented in the House some days ago by the gentleman from Tennessee [Mr. PATTERSON], and he is only thrashing over old straw when he comes here and reads what had been read by the gentleman from Tennessee.

A MEMBER. He thrashed it pretty well.

Mr. GROSVENOR. Let us see what happened from that time to this. This is now over four years ago, and my connection with

Mr. Roosevelt in public life is just what I have described, and no more. That I ever said of him that he was distasteful to me as a candidate for Vice-President I deny.

Mr. CLAUDE KITCHIN. I did not make that charge.

Mr. GROSVENOR. Then what did you say, and what do you mean? Innuendo and insinuation are much more adapted to the gentleman's course of argument than bringing forward the facts.

Mr. CLAUDE KITCHIN. I read from your letter.

Mr. GROSVENOR. I never said he was distasteful to me, nor did I say that he was distasteful to anybody else, that I remember of. [Laughter on Democratic side.] Now, Mr. Chairman, if anybody can tell what is alarming the other side by that remark, I do not know. Now what happened? Mr. Roosevelt was nominated. No matter what the motives that secured his nomination were. No matter whether I was in favor of him or not. He was nominated and put upon the Republican platform, side by side with McKinley, and he was not abused in that campaign by the Democrats.

McKinley received all the bitterness, all the vile vituperation that the English language can convey, and his running mate was exempt. Mr. Roosevelt went upon the stump, and I have this to say, with some knowledge of stump oratory in the United States, and the career of men who have participated, that from my earliest recollection down to the present time no man ever made a better impression for himself and for his party than Theodore Roosevelt made in the campaign of 1900. [Applause on the Republican side.] That was the start. Then he came to this city, modestly took his place under the constitutional provision, and presided in the Senate of the United States. It is not a place or a grand opportunity for a man to display greatness, or characteristics peculiar to special types of manhood, yet there never was a word of criticism, so far as I can recall, as to his dignified presiding in the Senate and his modest demeanor among the Senators and his actions among the people of the United States whom he met here.

Then came the crisis in his life. William McKinley was dead, and the tears of the Democratic party began to gush out for the first time. The man who had been denounced with all the bitterness that the language can communicate was wept over by the same men; and Roosevelt was called by the Constitution and by the call of duty to appear at Buffalo and take the oath of office and become President of the United States, and then it was that the people of the United States began to know him, and then it was that he entered upon a policy, a wider and grander field of operation, for the kind of a man who becomes a great man, than he had ever had before. The first thing he did, standing almost over the dead body of McKinley, was to state that, in the presence of Almighty God, he assumed the duties of the President, and promised that he would carry into faithful execution all the policies of William McKinley. That sentence, Mr. Speaker, of Roosevelt's, saved the loss to the people of this country in money alone of hundreds of millions of dollars.

At the death of a President, and that, too, a President who stood as the champion of a great policy, and who held in his hands the threads of the governmental action in so many directions that affected trade and commerce, it was natural to fear, and we all did fear, that there would be a panic in Wall street that might spread to the country and might precipitate the country into an immeasurable stampede of destruction.

It was feared that there was a panic almost ready to break out in very many centers of the country, and which would have extended itself to Europe, but the voice of the man in whose integrity of purpose the people had confidence stilled the rising tide as the voice that on the lake spoke the words "Peace, be still," and allayed the storm. He spoke to the business interests of the United States and of the world and his "Peace, be still," was the promise faithfully to carry out the work of McKinley.

It was the statement of the man, and the public believed that he would take up the work of McKinley; take up the broken chain of his Administration and go forward to the discharge of his duty, following the impulse of a generous nature and guided by the Cabinet that McKinley had left. [Applause on the Republican side.] And I stand here to-day a friend of McKinley—that is true, as suggested by the gentleman—knowing something as to whom his real friends are, knowing something of whom his assumed friends are, and I say that there is not one of the leading and distinguished friends of William McKinley in the United States of America whose name and opinion has come to my knowledge who is not ready at all times to say without hesitation and always that he has been treated with kindness, with cordiality, and with the strongest kind of support by Theodore Roosevelt. [Applause on the Republican side.]

Look at the men who stood by McKinley and see who the men were that were taken into the counsel and advice of Roosevelt. I do not care now to enumerate them, but the man who above all other men stood nearest to McKinley, the man who loved him like a brother, transferred his affection instantly at Buffalo to Theodore Roosevelt, and from that day until he himself passed away, never faltered in his utterances, always and everywhere, that Roosevelt had cordially and earnestly and honestly redeemed the pledges that he made at Buffalo. [Applause on the Republican side.] I know something about Theodore Roosevelt now, and do you think that you can, by a quibble and by taking little extracts from newspapers, carrying your sneers and innuendoes with them and carrying your manipulation of the words that he used, sow discord among the friends of McKinley now cordially supporting Roosevelt or among the Republicans of the United States? If you think so, go on, and when the campaign is over you will find that you have, to use a western expression, been all the time casting your eyes up a tree where the animal had not climbed.

Four years have developed this man. Four years have brought out from him the great characteristics that you are afraid of. Four years have impressed his character upon the people of the United States. Four years have taught them to know that however strongly his language may have been, used in certain arguments he may have made, behind it and over it and under it and all around it is the great essence of patriotism and integrity of purpose and honesty, such as becomes an honest man. These are the opinions of Roosevelt. Nobody undertakes to say that he can not go back over his career and find some utterance of his that he would not have him repeat, and the same thing can be said of every other man. Nobody doubts that, but how contemptible it is in the light of the great questions ahead of us, how picayunish it is, how little it is, how like a peanut politician from a back township in the district of Podunk somewhere, to go before a great audience of intelligent men and undertake to pick out and criticise utterances made by a gentleman writing books for popular approval when he was a private citizen of the United States of America.

He has spoken unkindly of somebody down South, and that is a crime in the estimation of the gentleman from North Carolina [Mr. CLAUDE KITCHIN]. He has spoken unkindly of Jefferson Davis, and I hold in my hand a document published by one of these organizations that are so much afraid of the bloody shirt, anxious to get rid of dissensions between the North and South, which declares solemnly, and puts it in an official document, that Mrs. Julia Ward Howe's Battle Hymn of the Republic is blasphemy; that beautiful poem that has thrilled millions of men, women, and children, "The Battle Hymn of the Republic," is now called "blasphemy" in this year of conciliation and good will. Loyalty and "blasphemy" run along very closely together.

To add something to my speech which will remind our people of the olden times, I add the beautiful hymn:

BATTLE HYMN OF THE REPUBLIC.

Mine eyes have seen the glory of the coming of the Lord:
He is trampling out the vintage where the grapes of wrath are stored;
He hath loosed the fateful lightning of his terrible swift sword:
His truth is marching on.

I have seen him in the watch fires of a hundred circling camps:
They have builded Him an altar in the evening dews and damps;
I can read his righteous sentence by the dim and flaring lamps:
His day is marching on.

I have read a fiery gospel, writ in burnished rows of steel:
"As ye deal with my contemners, so with you my grace shall deal;
Let the hero, born of woman, crush the serpent with his heel,
Since God is marching on."

He has sounded forth the trumpet that shall never call retreat;
He is sifting out the hearts of men before His judgment seat.
Oh, be swift, my soul, to answer Him! be jubilant my feet!
Our God is marching on.

In the beauty of the lilies Christ was born across the sea,
With a glory in His bosom that transfigures you and me.
As He died to make men holy, let us die to make men free,
While God is marching on.

What are we coming to when such a beautiful hymn as this is thus denounced and driven from the schools of the South?

So you see that this is a mere quibbling about words, and to think that by reason of an attack upon the President of the United States because in some remote day he said something about Jeff. Davis—and I do not think the gentleman from North Carolina [Mr. CLAUDE KITCHIN] would greatly condemn him for it in private conversation to-day—the people of the North are going to condemn Roosevelt is the height of absurdity. In no act of his official life has he done anything that you can criticise. You tell us in the language of the gentleman from New York [Mr. COCKRAN], copying copiously from the very able remarks that he made here a few days ago, in substance if not literally, that he has assumed to dictate to Congress. What is it that he dictated to Congress? I challenge the gentleman from North Carolina [Mr. CLAUDE KITCHIN] in his own time, sometime, when we do not want to go home to dinner, to tell us what it was that he has dictated to this side of the House or to that. What public act of Congress was the result of the dictation of the President?

I deny that he has dictated anything to Congress; I deny that he has gone beyond the purpose and intent and letter of the Constitution in advising Congress as to what he desired, fulfilling his duty as the President of the United States, and I have had some knowledge of public men. I have been in the country a long time, much longer than has the gentleman from North Carolina [Mr. CLAUDE KITCHIN], and I have had access to and knowledge of public men, and I will say that I have never known a public man holding a high position that was more amenable to the sentiment of public declarations and the advice of his party and those surrounding him than is Theodore Roosevelt. [Applause on the Republican side.]

If it were proper I could go into details, showing where he here changed his policy upon a certain thing and there changed his declarations in his message, and here did this to accommodate the opinion of men surrounding him, and I believe that to-day of my own personal knowledge and personal acquaintance with the two men, as between Theodore Roosevelt and William McKinley, there has been less of determined purpose to carry out his own personal views in public affairs than there was with Mr. McKinley. So much for that. So the whole thing falls to the ground, excepting that somebody said that I wrote, from Philadelphia, that, in my judgment, he was not a desirable candidate for Vice-President. I believe to-day that there is a much more important question before us, and I believe that he is the most available man for the office of President, and the most threatening and dangerous candidate to the Democratic party that can be named on the Continent of America. [Applause on the Republican side.] And I do not doubt that the sharp criticisms of Roosevelt and his personality and his past speeches and writings are all born of the dread the Democrats have of the man as our candidate.

I believe that President Roosevelt represents in his own career, in his own utterances, in his own position to-day, the highest ideals and best sentiment of the Republicans of the United States. I believe that his whole career has been a protest against the demoralizing, antiquated, and obnoxious ideas of the Democratic party. I believe that the people of the United States have confidence in his integrity, and I know they have. I believe his career as President has been one of the most brilliant that has ever graced and adorned the head of the Government of the United States, and I speak with no extravagance when I say that his judgment upon the great public questions of the day has been unerring. I speak calmly and deliberately, and measure my words when I say that he is in exact and perfect accord with the best sentiment and the truest instincts of the Republicans of the United States, and yet the Democratic party's manifest purpose is to enter the campaign of 1904 with the silly battle cry, "Personal detraction and personal abuse of Theodore Roosevelt."

And that seems to be your object and purpose. You have no principles; you can not agree upon them. You gathered together the wisdom of the Democratic party of the United States, and went over to Albany, N. Y., to promulgate a platform, and, having got through with it, you can not tell to-day whether it was the utterance of a Democratic platform or the soliloquy of some student in a Sunday school or country debating society. [Laughter and applause.] Colorless, unimportant, odorless and unsatisfactory, tasteless and insipid. And if you will only nominate a colorless candidate, and put him upon a colorless platform—and you can not get any other one agreed to—we will show you that the people of the United States believe in a man that says something, believes in something, believe in a man that does not undertake to secure a nomination for President without daring to tell the convention that nominates him, or the country, whether he stands on his "head or on his heels upon the great questions of the hour." [Applause on the Republican side.]

The American people will not be satisfied with a candidate for President whom they do not know. They will not be satisfied with a President who will go into the Presidential office unpledged to any party policy or any political action. It is typical of Democratic policy to suppress from the people all knowledge of their candidates and their past, and in the present case we are threatened very strongly it seems to me with the manifest purpose of the Democratic party to make a platform of scattering generalities and make personal assaults upon the President of the United States, assail the Administration of the country and disgrace it as far as possible in the estimation of mankind, and then bring a colorless and odorless candidate and place him upon a colorless and odorless platform and ask the people of the United States to commit themselves to the horrors and uncertainties of a Democratic Administration unpledged to anything.

And there will be nobody cheated when we nominate Roosevelt at Chicago. We know who he is, what he is, and what he is in favor of. Can you say as much for your candidate? Who of you can guess? What is he? Nobody knows. What is he in favor of? Nobody dares to undertake to say. What is his platform? There is no platform upon which you can agree.

Without detaining my friends here from their dinner, I have simply to say that all these attacks upon Roosevelt only attract the attention of the people to the sterling character of the man and the brilliancy of his career. No man in this country ever had a brighter, a more brilliant career. He undertook that task which men coming before him had attempted and in which they had usually failed. He undertook the task of holding his party in line and standing by the platform and doctrines and teachings of his party, coming to his high office, as he did, by the death of the President; and he has succeeded beyond the hope of his closest friends. [Applause on the Republican side.]

Therefore it is that I warn the gentleman from North Carolina [Mr. KITCHIN] that that rock upon which he is pounding—the eternal principles of truth and justice and Republicanism—is too securely anchored to be moved by any such attack. The waves may dash against it in vain. Let me remind the gentleman—using the language of Scripture—he has pointed out that some of us were not originally believers in Roosevelt, and we agree to it; but let me tell him the times have changed, and the stone that the builders tried to reject has become the head of the Republican corner. [Loud and long-continued applause on the Republican side.]

Mr. HAMILTON. I move that the committee now rise.

Mr. LLOYD. Will the gentleman yield to me for two minutes?

Mr. HAMILTON. Certainly.

Mr. LLOYD. Mr. Speaker, I yield to the gentleman from Texas [Mr. BEALL].

[Mr. BEALL of Texas addressed the committee. See Appendix.]

Mr. LLOYD. I yield to the gentleman from New Jersey [Mr. BENNY].

Mr. BENNY. Mr. Chairman, since the beginning of the present session there has been an almost continuous procession of Republican orators on the floor of this House proclaiming "the Republican party is the friend of labor." It looks as though the Republican Members of the House had begun to think that the people of the land, and particularly the laboring classes, didn't see things that way, and that attention might be drawn from the shortcomings of the party in power, so far as labor is concerned, by a grand cry all along the line, "We are the friends of labor."

But, verily, you on the other side do protest too much. You have overdone the thing, and have called attention, by the very vehemence of your announcement, to the glaring difference between your promises and your performances concerning the welfare of labor in the United States. If the Republican party has been labor's friend, why is it necessary to make announcement to that effect day after day? Do you suppose, if you had been the friend of labor, that labor would not know that just as well as you do? Don't you know that labor has been lately keeping at least one eye open to see who its friends have been and who its enemies? And I have marveled in this, my first session, to hear so many protestations of love for labor from the Republican side. I have been lead to wonder what it all means. One would think, to listen to your speeches, that your chief men sat up late at night thinking out ways and means for helping labor along on its stormy path. Why all this outcry at this particular time?

Mr. Chairman, your party has been in control of this Government for the past seven years, subject, of course, during the last three years to the lien of the partial possession thereof by the distinguished gentleman now occupying the Presidential chair. During all that time your promises to labor were many, your opportunities to carry out those promises were without limit, but your performances were pitiably few.

In the burying ground at Cemetery Hill, just outside of Lakewood, N. J., is a tombstone upon which is inscribed, after the name of the person in whose memory it was erected, these words: "He meant well, tried little, and failed much." I have thought more than once this session that when a monument is erected to the memory of the Republican party and proper inscriptions are to be made thereon, what it did for labor could best be told by striking out the first two words of that old inscription and placing in their stead the words "It promised," so that the message to posterity then will read: "It promised well, tried little, and failed much."

And now a Presidential election is only six and one-half months away. Is that why you talk until the RECORD is full to overflowing about your love for the workingman? Your show of affection for him before election is really pathetic, and the extent to which your love grows cold immediately after election must be due, at least in part, to the abnormal pressure on your emotional organ in the earlier period.

No wonder the Republican party would like at this time to be known as the friend of those who earn their living by hard work. You know you have succeeded more than once in recent years in

frightening the workingman into voting your ticket by awful tales of mills closing down, factories bursting up, and business going to the bow-wows in case of Democratic success, but you seem now to realize that Lincoln told a great truth when he said: "You can fool some of the people all the time; you can fool all of the people some of the time; but you can't fool all the people all the time." And you have about made up your minds there is only one way to get the vote this year of those who labor, and that is by appealing, not to their fears, but to their sense of gratitude. If you can only make them believe that you have honestly and truly been their friends, then you might turn to them with the cry now, "One good turn deserves another, won't you return our kindness to you by voting to keep us in control of the Government?"

But there is one wise old man on your side who could see a little farther than most of you. He had his ear close to the ground for, lo, these many moons. He heard the people coming. He knew from the voice of the multitude that little credit was given to the statement that the Republican party was the laborer's friend, and so the gentleman from Ohio [Mr. GROSVENOR] a few days ago, fearing that his party's record would wreck it in the coming campaign, devoted about eighteen pages of the CONGRESSIONAL RECORD to the object of bringing to the front the record of Theodore Roosevelt and relegating to the rear the record of his party, and the gentleman from Ohio apologized while he did it.

There are about 14,000,000 voters in this country, nearly, if not quite, two-thirds of whom are wage-earners. Organized labor in the various labor unions numbers 2,000,000 voters. These 2,000,000 union men, organized and fighting for the uplifting of all men who labor, will absolutely control the next election for President, because they hold the balance of power, and it is this army of hard-working, well-organized men that the Republican party is trying by every means in its power to first convince that your party. Mr. Chairman, has been its friend, and after that to get the vote of for its candidate next November.

A short review of some Republican promises to the laboring men and the way they were not carried out may be interesting at this time.

In the Republican national platform of 1896, under the head of "The merchant marine," I find these words:

We favor restoring the early American policy of discriminating duties for the upbuilding of our merchant marine and the protection of our shipping in the foreign carrying trade, so that American ships—the product of American labor employed in American shipyards, sailing under the Stars and Stripes, and manned, officered, and owned by Americans—may regain the carrying of our foreign commerce.

Four years went by and nothing—absolutely nothing—was done, although your party was in power in every branch of the Government.

A few weeks ago more than 100 Members of this House went on a pilgrimage to Jamestown, Va., and stopped off at the great shipbuilding plant at Newport News. You who were there saw a number of vessels—five, I think—being built for the United States Navy. There was a plant, valued, it is said, at twelve or thirteen millions of dollars and employing 7,000 men, complete in every detail and prepared to handle every kind of work known to the shipbuilder. Those present marveled at the extent of the works as they were shown through. A splendid little city of nearly 30,000 people has grown up behind this plant and depends largely upon that industry for its prosperity, aye, for its very existence, and yet the one pathetic fact that riveted the attention of most of the Members that day is that not one merchant vessel of any kind or class was in course of construction in that great yard. A few vessels building for the Navy of our country was all that stood between that plant and that city on the one side and ruin on the other. Let the United States stop suddenly the building of ships of war, and the city of Newport News and the shipbuilding yards there, with their thousands of men, would be plunged into ruin.

We have paid during the past twenty years three thousand millions of dollars and are now paying $200,000,000 a year to foreigners to carry, in foreign ships, the foreign commerce of this country, almost every dollar of which ought to be paid to Americans for carrying that foreign commerce in American ships.

For the year ending June 30, 1903, the repeated entrances of foreign vessels employed in our foreign carrying trade was 21,018, with an aggregate tonnage of 24,187,081 tons.

You Republicans who talk long and loudly of your love for labor, have you any idea at all what the upbuilding of our merchant marine means for labor, without counting what it means to the country itself, or to our other interests? You promised in 1896, in the interest of labor, to restore "the early American policy of discriminating duties, * * * so that American ships—the product of American labor," etc., would regain the carrying of this enormous commerce. Don't you know that to build ships to carry this commerce would give steady employment to 100,000 men for five years, and to keep up such a fleet of merchant vessels after they were built would maintain every shipbuilding plant in the country on full time?

Have you had time to figure out the number of men, the thousands and thousands to whom employment would come in the various works of providing tools, and houses to live in, and food and clothing, and other necessaries and comforts of life for this army of men? Wouldn't the rebuilding of our merchant marine be a healthy prosperity that would send its blessings into every channel?

The first four years of President McKinley's Administration passed by and a very small portion of the second term when President Roosevelt became, through the lamented death of his predecessor, the Chief Executive. His principal characteristic is said to be energy, or, as many put it, strenuousness, and his motto "Words are good when backed by deeds, and only so." And surely with such an energetic man to push matters, and this plain platform of 1896, there ought to have been at once some forceful legislation on this subject.

Your party and your President were well aware of the necessity for action, for, in addition to the clear language of your 1896 declaration, your platform of 1900, upon which Theodore Roosevelt stood as a candidate for Vice-President, contained this paragraph:

SHIPPING.

Our present dependence upon foreign shipping for nine-tenths of our foreign carrying is a great loss to the industry of this country. It is also a serious danger to our trade, for its sudden withdrawal in the event of European war would seriously cripple our expanding commerce. The national defense and naval efficiency of this country, moreover, supp y a compelling reason for legislation which will enable us to recover our former place among the trade-carrying fleets of the world.

When those declarations of 1896 and 1900 were made you knew the condition of affairs. You knew that in 1796 we carried 17 per cent of our foreign commerce in American ships, and that in 1826, just thirty years later, by reason of the Jefferson and Madison policy of discriminating duties, this had increased to 98 per cent, so that then we carried almost all of our foreign commerce in our own vessels.

These are the early American policies to which your platforms promised we would return. You were aware that our shipping has been dwindling until at the end of the last fiscal year, June 30, 1903, the percentage of our foreign commerce carried in our own ships had dropped to 9.1 per cent, and at this date is even less. And the most lamentable fact is that not one vessel for this commerce is now being built in the United States.

The situation is one that ought to make every American who loves his country hang his head in shame.

Your 1896 platform mapped out very plainly your pathway. Your 1900 declaration called attention once more to the danger of delay. The American mechanic was all ready for his employment and willing to bless you if you gave it to him. Why, then, didn't you do something? Why didn't you try to do something? Why didn't you go ahead and return to the early American policies, as you promised? Where has your love of country and of labor gone to? And why have you failed so absolutely?

And now after seven years of promise your mountain has labored and brought forth a mouse in the shape of a bill now before the House providing for a commission to investigate and report at the next session—just after election. What is your reason now for asking a commission to investigate after seven years of wasted time? Is it because you don't know what to do? Was your plan of 1896 wrong? The only explanation I have heard was by the gentleman from Massachusetts [Mr. GARDNER], who said that a return to the "early American policies," to which you promised in 1896 you would return in order to reestablish our merchant marine, would conflict with some treaties entered into by this Government with foreign countries; but inasmuch as these treaties, thirty or more, were all made long before the platform of 1896, some of them nearly if not quite a hundred years ago, there is no more danger in that direction now than when the platform was written.

Why during the seven years of your complete power have you not enacted some law in line with your promises on this subject? You solemnly said you would in these words, taken from your platform:

Such are the principles and policies of the Republican party. By these principles we will abide, and these policies we will put into execution.

And instead of earnestly trying to execute these policies you now deliberately refuse to legislate and throw the whole thing over until after election.

You even claim that the principal object of the tariff is to raise wages and that protection to industry is merely incidental. Everything you have done or promised to do you now claim has for its object the betterment of the condition of the laboring man. Day after day we are regaled on this floor by Republican speeches glibly telling us that Republican tariff schedules have raised

wages 12 per cent. Any laboring man will deny that and insist that wages have fallen more than 12 per cent during the past two years. But when the question is asked, "What good does even a 12 per cent increase of wages do the workingman when the cost of his food stuffs and other necessaries has been increased 43 per cent?" every man on your side dodges it as though it were a 12-inch shell.

But the man who labors and his wife who struggles to keep his larder stocked and his home furnished both know whether his wages of to-day will buy as much as would his wages of seven or ten or twelve years ago. You can't fool either with your figures or your calculations. They deal not in figures, but in the actual money and the actual things that money will buy. And they don't guess about it. They know that the amount of money paid to-day in wages will not buy the same quantity or quality of the necessaries and comforts of life as could be bought by the amount of money paid in wages in the years before you came into power.

This man and his wife know only too well that even if the husband has been fortunate enough to have had his wages increased 12 per cent it means only this: That if his wages before were $10 per week this increase raised them to $11.20, while the 43 per cent increase in the cost of living means that what he could before buy with his $10 now costs $14.30, so that he is $3.10 a week worse off than before. And so, every man who works—laborer, mechanic, clerk, or whatever he may be—figures out for himself his wage or salary as it was a few years ago and what that amount would then buy, and then compares it with his present wage or salary and what that amount will purchase now. And in most instances, particularly in the case of the great army of clerks, the salaries have not increased at all, while the cost of living has gone up tremendously.

And if you insist that your policies raised wages and also the prices of goods, the comfort you may get out of it will be cold indeed by the time of next November.

When your party, Mr. Chairman, goes begging for labor's vote this fall, when your orators are shouting from every platform your undying love for the men of toil, when you are recounting the things you have done, and are promising again to pass all sorts of legislation in behalf of labor if labor will only once more vote you into power, the workingmen of the land will remember only too well for your peace of mind your glaring failures. Not only will your utter disregard of the solemn promises of your platform in regard to the merchant marine be fresh in mind, but every man that works, and the friends of every workingman, and the people of the country in general will not forget your treatment of labor measures in this session.

No more faithful class of employees exists anywhere in the world than the 23,000 letter carriers in the cities of the United States. His calling requires that the letter carrier be mentally and physically strong and active; he must be and is absolutely honest and sober; he is required to be a model of politeness; he must dress well and keep his family well, because, forsooth he represents, in a conspicuous place where multitudes see him all the time, the Government of the United States. And that Government permits no shabbiness in the letter carrier or in anything pertaining so him, excepting only his salary.

The letter carrier has had to bear, in common with all our people, the burden of an increase of 43 per cent in the cost of living; he has had no 12 per cent raise in wages that it is claimed on the other side has been given to labor generally because of Republican policies. His salary has remained stationary, while the things his salary must buy for his family have gone up and up, adding to his difficulties of making both ends meet. For each day he is away from his work, through sickness or otherwise, a day's pay is taken from his wages. If he is injured by being bitten by a dog, or falls on the ice and breaks a leg, or is otherwise injured in the discharge of his duty, or, through exposure to wind and weather, contracts pneumonia or other disease, this great Government refuses to pay him anything for the time he is unable to perform his duties. In other words, he is paid for the days he works, and not paid for the days he does not work, without regard to the reasons for his not working. He labors from one and three-quarter years to seven years as a substitute, at an average of $26 per month, before being appointed as a regular carrier.

The pay of a man who is appointed a regular carrier after two years' service as substitute is as follows:

First year, substitute	$300
Second year, substitute	300
First year, regular	600
Second year, regular	800
Third year, regular	1,000
Total for five years	3,000
Average	600
Average for ten years	800

That is in cities of the first class.

In second-class cities the average for the first five years as above is slightly less, viz, $580, and $740 for ten years.

From these sums is deducted, however, the amount lost for each day the carrier fails to work.

Ever since your party came into power these men have been patiently waiting for you to carry out your campaign promises to them, and give them the increase of $200 a year for which they have so often petitioned. In your love for this particular kind of labor what has your answer been? Nothing but "wait until next session" or "wait until after election." This session you had the matter squarely before the House, and when the proposition was made by the Democratic Members to add the increase to the carriers' salaries, the gentleman from Indiana [Mr. OVERSTREET], chairman of the Committee on the Post-Office and Post-Roads, objected on the ground that the increase was new legislation.

Will you ever forget the appeal of the Democratic leader, the gentleman from Mississippi [Mr. WILLIAMS], to the gentleman from Indiana [Mr. OVERSTREET]? How, with outstretched arms, he appealed in the name of the letter carriers that the objection might be withdrawn, and how, with almost brutal frankness, the gentleman from Indiana repeated, "I object!" Do you remember how, then, the Speaker sustained the point of order, and how an appeal from the decision was taken to the House itself? You know now and you knew then that if the House had voted to not sustain the decision of the Chair the letter carriers would have received the increase. And yet when that question was put to a vote every one of you Republicans who shout yourselves hoarse in announcing your love for labor voted to sustain the decision, and thereby voted against the carriers' increase, while every Democrat voted to not sustain the decision, and therefore in favor of that increase. You may talk yourselves blue in the face, but you can never wipe out the record of that vote in the CONGRESSIONAL RECORD, which will rise up to confound you in every part of this country every time you dare again proclaim your friendship for him who has to work to live.

But you have added insult to injury in the case of the letter carriers. You not only have refused them the increase they so well deserve, but you have stood silently by while the present occupant of the Presidential office has directed, by his official order, that no more shall these men have even the right guaranteed them and all other citizens of the United States by the Constitution to petition Congress for a redress of their grievances. Never again, says the President, shall the letter carriers, under pain of dismissal, send their petition to the Congress of the United States.

Why? Because the President says so. But the carriers can and will appeal to the people of the country, and they need not say a word, either. All the people know them and know what they want and what they deserve. And their wrongs will be righted. If I mistake not the people of the Seventh Indiana district, the man who will represent that district in the Fifty-ninth Congress will not interpose an objection that so grossly injures a great body of worthy workingmen: and if I do not mistake the signs of the times, the people of the country will work such a change in the political complexion of this House at the next election that the number of Republican "friends of labor" will be too small to prevent these men from getting their due. I want to call attention to the fact that you did vote in favor of an increase in the salaries of the rural free-delivery carriers because of the fact that many Republicans expected to be benefited thereby in the coming campaign. Every Democrat in this body was glad to see even that slight justice done to a few men who labor, and voted with you. I call attention to it for the reason that I believe it to be the only thing you did in any way to assist labor.

The two measures of most importance to the laboring men were the eight-hour bill and the anti-injunction bill. Both of these you first amended in committee so as to make them practically useless, and then killed them altogether. Again your love for labor was shown to be a farce.

When the Philippine shipping bill was up for discussion a few days ago and it was shown that every seaman on the ships carrying our foreign commerce across the Pacific is a Chinaman, and an amendment was proposed by a Democrat requiring that American seamen should be employed in that commerce, your "love for labor" again came to the front. Your party voted for the Chinaman because he costs little and against the American because he costs more, with the result that the amendment supported by the Democrats of the House was defeated, and your friend the Chinaman will continue to man the ships.

In every matter affecting the laboring man, since I have been in this House, the Republican has been for labor with his voice and against labor with his vote, but when you meet labor face to face next fall you will not find labor's voice one way and his vote the other.

It is a remarkable and a sad fact that while the laborer has been

his own best friend he has, at the same time, been his own worst enemy. By his persistent and long-continued efforts he has raised himself from a serf to the full measure of God's imperial man. Philanthropy has had very little to do with labor's rise. His motto of "one for all and all for one;" his determination to be rated as a man equal in every respect to every other man, no matter what his calling; his deep-rooted conviction that he would rise in spite of all obstacles, because he was right; his religious belief that God never made one man so good that he could own another man, or one man so poor that he should be owned by another; his knowledge that all property is produced by labor and capital combined, and that he, the laborer, was not getting his proper share of that production; his determination to make for his child a better place in this life than he himself had been able to reach, and his insistment that his weaker brother should not be left behind to perish, but should, by his effort, be assisted upward with him, have been the causes of his rapid advancement in recent years; but, while doing these things during practically the whole of the year, he has, unfortunately, on the one day in the year when he is the equal in power of every other man in the land, including the President of this Republic—the one day when his united action at the ballot box would do more for himself than most of his work during the balance of the year—been absolutely wasting his energies. His house has been divided against itself. With the same object in view, he has been voting one way and his brother has nullified his ballot by voting the other way.

But I believe that things will soon be different. This session of Congress has helped to open labor's eyes. Perhaps next election will show that the laboring man is hereafter going to use his most powerful weapon for good, not against his brother (and therefore against himself), but against his enemy. He will do as those who have opposed him have always done, stand shoulder to shoulder with his brother at the ballot box; find out who is labor's friend and who is labor's enemy; try to do as the enemy has done—remember the friend long enough to vote for him, and not forget the enemy until he has voted against him—and when he has done that a number of times he will receive fewer promises and more performances, with great benefit to himself and enormous advantage to the peace and prosperity of labor, capital, and the people at large.

Mr. LLOYD. I yield to the gentleman from New Jersey [Mr. HUGHES].

Mr. HUGHES of New Jersey. Mr. Chairman, the hour of adjournment is rapidly drawing near, and the time approaches when under our system of government the Members of the popular branch of the legislative division of our Government must submit their legislative conduct to the judgment of the people whom they represent. Therefore, Mr. Chairman, I rise in my place for the purpose of asking the Republican party what they have done to commend themselves to the laboring people of this country. What legislative act of theirs can they point to as a reason why the toilers of this nation should again be led to believe the oft stated and reiterated assertion that the Republican party is the friend and supporter of the American workingman? Whenever the present tariff law is attacked on the floor of this House or whenever the Republican party is charged with placing burdens on the majority for the benefit of the minority, it has been and is now the unfailing cry of the gentlemen at present in the majority in this body that measures of this kind interfering with the commercial relations between nations can be justified, if on no other ground, at least upon the theory that they enable the manufacturer of this country to pay American wages to his employee.

This is the argument that is constantly made. It is an argument which never fails to bring forth applause. It may be true that under a protective system the combinations fostered by such a system may be able to extort such high prices for necessaries of life, such as meat, coal, clothing, shoes, as to enable them, if willing, to pay high wages, but we have not yet reached the millenium, and bitter experience has taught the workingman of America that the raising of a tariff schedule doesn't automatically increase his wages; that there is no provision in the statutes compelling the employer to share with his employee the plunder taken from the people under cover of law, and so we find that when the American workingman desires to enforce his rights, increase his wages, and improve his condition, he has recourse, not to a political party, but exercises that prerogative of American citizenship of which he hasn't yet been totally deprived and refuses to work—in other words, he goes on strike. And here, Mr. Chairman, we have the fundamental cause for the labor troubles that have come upon this land during this period of much-vaunted prosperity.

Legislation has been enacted under Republican rule which admittedly had for its object the enabling of the American manufacturer to sell his goods without competition, and, consequently, at a higher price. We have seen that advantage has been taken of this legislation and that prices have been raised all over this land. We have seen that we are asked to pay for our goods not only sufficient to pay the cost of manufacture, sale, and a fair profit to pay dividends on watered stock and imaginery capital, but we have been asked and compelled to pay prices sufficiently high to enable our goods to be freighted to and sold in foreign markets in competition with the foreign manufacturers whom we are taught to fear so much.

The Republican theory of protection is that we can afford to pay high prices in order to employ the labor of our own land, and while this theory has been demonstrated to be a vicious one, and so denounced by no less a person than the present President of the United States, still its advocates have not followed it out to its logical conclusion.

If the manufacturer is to be protected by having a ta if wall interposed between him and the competition of the world, and if that be a beneficent arrangement, what earthly excuse is there for asking the workingmen of America to remain unprotected from the tide of foreign labor which is constantly setting toward these shores and enters into competition with him in numbers sufficient to prevent him from getting the wages which he would be enabled to demand were his labor protected to the same extent as capital? This, Mr. Chairman, I believe to be the crux of the whole question. It doesn't matter so much, for the purposes of this discussion, whether or not protection is a wise, economic policy or not; but the point I make is that if you justify protection on the ground that it advantages American labor to protect his employer from having his goods put into competition with goods manufactured abroad, what have you to say to the American workingman for your failure to protect him from the foreign laborer, who comes here to sell the same wares that are sold by the American mechanic, to wit, the product of his brain and hand?

Can anyone doubt that if the Pennsylvania miner, for instance, were asked to compete only with American citizens his wages would be higher and his conditions of labor better than they are at present? Can anyone doubt but that if the American mechanic were protected against the million or more immigrants which come to these shores each year, who are thrown into the bitterest kind of competition with him, he would not be able to get a larger share of his product than he now receives? I contend, Mr. Chairman, that it is illogical for the Republican party to pretend that the protective system is based upon a desire for the well-being and welfare of the American workingman, while at the same time permitting him to be subjected to the competition of the labor of the entire world. The Republican party is the party of protection so far as the manufacturing interests of the country are concerned, but it is the party of free trade so far as the laboring men themselves are concerned.

I can't make this point too emphatic, that the real free traders, the only men who desire to submit the American workingman unprotected to the competition of the labor of the world, are the members of the Republican party, and yet I have never heard a protection speech delivered on the floor of this House by the gentlemen on the other side in which they had not declared that the sole and controlling reason for the protective-tariff system was the desire on the part of the Republican party to benefit the laboring men of America. But, while the Republican party hasn't shown any disposition to aid him, the American workingman has been busy in his characteristic fashion, and has been reaching out for what he wants and demanding it in no uncertain tones. He has, through his representatives, asked the present Administration and this Congress for certain measures which he believed to be beneficial to him, and I think it is fair to try the claims of the Republican party to the friendship of the American workingman by the practical test of what they do for him, rather than by the vague and deceptive one of what they say about him.

Organized labor, representing millions of men actually within its ranks and untold millions of others who, while not enrolled in any organization, are benefited or injured by any injury or benefit to their organized brethren, respectfully asked from this Congress the enaction of certain laws which they seemed to think would aid them in meeting conditions which they are called upon to face. As I have attempted to show, the Republican party admits its responsibility for the increased living expenses of these men; and it being necessary for them to make a stand and demand that their wages increase at least in proportion to their expenses, they used the ordinary weapon of the American workingman under such circumstances and went on strike. They found, however, that their opponents no longer were satisfied to rely on the ancient and mediæval weapons of hunger and starvation, which, while effective in the end, were not speedy enough.

Organized labor has learned to deal with these weapons by providing and laying up a day of prosperity against a day of adversity, so that their opponents had recourse to the law, and not to that law with which we have long been familiar—the law which is placed upon the statute books by the calm and deliberate judgment of a legislative assembly, sanctioned by the Executive, and

published broadcast, and which every citizen is called upon to take notice of and obey—but a finer kind of law, a law that has its origin with and is only limited by the caprice of some particular member of the judiciary; so that we have seen men and women in this country who were striking to enforce their reasonable demands enjoined from doing that which the law of the land permitted them to do, but which became unlawful the moment it was prohibited by the judicial decree.

We have seen every interpretation made which would enable judical officers to get to the desired result in labor injunction cases, namely, to bring the strikers or some conspicuous one among them before the power of the court without delay, without preliminary investigation by a grand jury, and there try them for that which according to the law of the land is not criminal. They try him how? By a jury of his peers? No; he is tried by the judge who made the decree, so that the very fundamental idea upon which our Government is based is defeated. Two of the three distinct and separate departments of our governmental system are merged into one, and the decree is construed and punishment inflicted by the same mind and the same hand that originally drafted it. The net result of this innovation has been that any man who dares to go on strike in this country can be imprisoned for it. Not only can be, but is.

The court of errors and appeals of the State of New Jersey has held that the punitive order or the order punishing a prisoner for contempt of court can not be reviewed, and it will not take notice of an allegation that the acts forbidden were lawful, that the acts charged were not committed, that the acts charged were not proven, or that the punishment is cruel and unusual. So that we have this strange anomaly of one judicial officer mightier and more powerful than we have been led to believe were the combined legislative, executive, and judicial departments of the Government. The laboring men in this country realize that if these scattering decisions of the courts were permitted to crystallize in the settled law of the land their condition would be reduced far below the much-feared pauper laborer of Europe and have asked this Congress to protect them against this vision. The following bill was introduced:

[H. R. 89, Fifty-eighth Congress, first session.]

A bill to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases.

Be it enacted, etc., That no agreement, combination, or contract by or between two or more persons to do or procure to be done, or not to do or procure not to be done, any act in contemplation or furtherance of any trade dispute between employers and employees in the District of Columbia or in any Territory of the United States, or between employers and employees who may be engaged in trade or commerce between the several States, or between any Territory and another, or between any Territory or Territories and any State or States or the District of Columbia, or with foreign nations, or between the District of Columbia and any State or States or foreign nations, shall be deemed criminal, nor shall those engaged therein be indictable or otherwise punishable for the crime of conspiracy, if such act committed by one person would not be punishable as a crime, nor shall such agreement, combination, or contract be considered as in restraint of trade or commerce, nor shall any restraining order or injunction be issued with relation thereto. Nothing in this act shall exempt from punishment, otherwise than as herein excepted, any persons guilty of conspiracy for which punishment is now provided by any act of Congress, but such act of Congress shall, as to the agreements, combinations, and contracts hereinbefore referred to, be construed as if this act were therein contained.

The act, as you see, provides for nothing except that what one may do lawfully two or more may combine to do lawfully, and that no such agreement shall be considered to be in restraint of trade or commerce, and that no injunction shall be issued restraining them. Here was the opportunity for the present Congress and the Republican Administration to show once and for all whether or not they were really the friends of the laboring man of this country. They have shown time after time, with almost sickening humility and sycophancy that they are the friends of the manufacturers and have told the American workingman that his interests and those of the manufacturer are identical. So, on what theory could they refuse this legislation? Who was going to be hurt by it? No man is empowered to do anything in this bill except that which we have always believed he was able to do, namely, to organize his fellow-men and go on strike.

The Republican party admits that it is responsible for high prices; that it has made these prices high in order to enable the manufacturer to pay living wages to his men. Now, I should think they would have embraced this opportunity to show their good faith and their burning desire to aid and assist the workingman in obtaining his share of the prosperity for which they claim to be responsible by simply making it lawful for him to act in concert with his fellow-man for their common good. I take it, Mr. Chairman, that if such had been their desire this bill, known as the "anti-injunction bill," would have had smooth sailing through the Judiciary Committee and the floor of this House.

We might, of course, have seen it meet the fate of many other bills which have passed through this House in recent years; we might have seen it go to its long last resting place in what has been called "the graveyard of the people's hopes"—the United States Senate; but we might have borne that, for we are more or less used to it. But how can we explain the fact that the popular branch, the branch of Congress which must come before the people of the United States and ask them to pass judgment upon their conduct, should have failed to pass a measure of this kind? There is only one reason that I know of. There were many hearings held upon this bill before the Committee on the Judiciary. The parties interested appeared before the committee through their representatives; that vast body of citizens with whose welfare is connected the welfare of every man, woman, and child in this great country, and upon whom the vast structure of our Government in the last analysis rests—the American laboring man—appeared before that committee. His able representatives showed the injustice and the oppression which the lack of this legislation made possible.

The members of the committee were assured that the laboring men of this country were a unit in favor of the passage of this bill; that they believed it to be absolutely essential not only to their welfare, but to their very existence, and that the fight they were conducting was a fight for the right of American citizens to make a stand for living wages and decent conditions of life. On the other hand, representing the manufacturers, was an imposing array of talented counsel arguing that this legislation was demanded in the interests of criminals and lawbreakers. So we have here before this great Congress the issue clearly cut and sharply defined between the vast masses of toilers on the one hand and their oppressors on the other.

I say oppressors, Mr. Chairman, not that I desire to take the position that every American manufacturer is a tyrant. Of my own personal knowledge I know better than that; but the organized opposition to this measure had its inception in manufacturers who are utterly regardless of the welfare of this Republic or its citizens, and who are interested only in the amount of money that can be reaped from the toil of their employees. The committee, after having sat for many days, decided not to report this bill, every Republican voting against it and every Democrat voting that it be reported.

There is another measure which the laboring men of this country through their representatives asked this Congress to pass. It is a measure, the whole history of which is one reproach to the Republican party. I refer to the eight-hour law. We find that in 1868 an act was passed declaring that eight hours shall constitute a day's work, but the Department of Justice of the then Republican Administration decided that act was not applicable to mechanics, workmen, and laborers who are in the employ of a contractor with the United States; that the act was not intended to extend to any others than the immediate employees of the Government.

The Supreme Court also held in relation to this act that it was in the nature of a direction by the Government to its agents, that it created no contract between the Government and its employees, and did not prevent the Government from making agreements with them by which the labor might be more or less than eight hours a day. Dissatisfaction with the law as construed by the heads of Departments and the Supreme Court was shown, and the act of 1892 was passed, as follows:

Be it enacted, etc., That the service and employment of all laborers and mechanics who are now or may hereafter be employed by the Government of the United States, by the District of Columbia, or by any contractor or subcontractor upon any of the public works of the United States or of said District of Columbia is hereby limited and restricted to eight hours in any one calendar day; and it shall be unlawful for any officer of the United States Government, or of the District of Columbia, or any such contractor or subcontractor, whose duty it shall be to employ, direct, or control the services of such laborers and mechanics, to require or permit any such laborer or mechanic to work more than eight hours in any calendar day except in cases of extraordinary emergency.

SEC. 2. That any officer or agent of the Government of the United States or of the District of Columbia, or any contractor or subcontractor, whose duty it shall be to employ, direct, or control any laborer or mechanic employed upon any of the public works of the United States or of the District of Columbia who shall intentionally violate any provision of this act shall be deemed guilty of a misdemeanor, and for each and every offense, upon conviction, be punished by a fine not to exceed $1,000 or by imprisonment for not more than six months, or by both such fine and imprisonment, in the discretion of the court having jurisdiction thereof.

SEC. 3. That the provisions of this act shall not be so construed as to in any manner apply to or affect contractors or subcontractors or to limit the hours of daily service of laborers or mechanics engaged upon the public works of the United States or of the District of Columbia for which contracts have been entered into prior to the passage of this act.

The committee which reported this act, which afterwards became a law, used the following language:

And again, second, it makes it unlawful to allow or permit a laborer or mechanic to work more than eight hours in any one calendar day, thus prohibiting evasion in the manner the act of 1868 was evaded.

The measure herewith submitted, it is thought, will secure a practical enforcement of the purpose intended to be secured by the act of 1868. It limits the service and employment of all laborers and mechanics employed by the Government of the United States, by the District of Columbia, or by any contractor or subcontractor of the United States or of the District of Columbia upon any of the public works of the United States or the District of Columbia to eight hours in any one calendar day; makes it unlawful for any officer of the United States or of the District of Columbia, or any contractor or sub-

contractor, whose duty it shall be to employ, direct, or control the services of such laborers or mechanics to require or permit such laborer or mechanic to work more than eight hours in any one calendar day, except in cases of extraordinary emergency; makes the willful violation of its provisions a misdemeanor, and imposes suitable penalties for such violation.

When this was done the representatives of organized labor were overjoyed in the belief that their long and hard-fought battle had been won through recognition by the Government of the idea that eight hours constituted a good and sufficient day's work for laborers and mechanics. We find, however, that while Congress has power to pass or amend a statute, it has no power to amend the head of a Department or implant in him or the executive officers of the Government the slightest grain of sympathy with the toilers of this country, so it came to pass that all over this broad land the act of 1892, which made it a misdemeanor punishable by a fine of a thousand dollars or imprisonment for six months or both, is grossly violated every day of the year under the very noses of the officials of this Government sworn to enforce the provisions of that very law.

We find the law being violated in the District of Columbia almost within the range of the vision of that unyielding champion of law and order, Theodore Roosevelt, the President of the United States. In consideration of this fact, it is interesting to look back upon the views held on this subject by the present President of the United States, as expressed in an article which appeared in the Forum for September, 1895, containing the following language:

The worst possible lesson to teach any citizen is contempt for the law. Laws should not be left on the statute books, still less put on the statute books, unless they are meant to be enforced. No man should take a public office unless he is willing to obey his oath and to enforce the law. * * * I am far too good an American to believe that in the long run a majority of our people will declare in favor of the dishonest enforcement of law, though I readily admit the possibility that at some given election they may be hopelessly misled by demagogues, and may for the moment make a selfish and cowardly surrender of principle.

One might say, Mr. Chairman, that it would be a rash and foolhardy man who would violate a law which an Executive holding the sentiments here expressed was called upon to enforce, and especially a law which calls for fine and imprisonment of the violator; but the fact remains that in the District of Columbia there is under construction a filtration plant, work on which has been going on for some years, and the law is admittedly constantly and daily being violated, in that the laborers and mechanics employed thereon are worked in two ten-hour shifts per day. What magnificent words were uttered in 1895 and what a magnificent opportunity for deeds presents itself in 1904; but, Mr. Chairman, has anybody been called upon to go to prison for the violation of this law? Has the Executive, who has been bearded and flouted by these violators of the law, taken any steps to enforce it?

Let us see. I had the honor, Mr. Chairman, to call it to the attention of the Chief Executive of this nation that the eight-hour law was being violated in this District, and that while laboring men all over this country were taunted with and punished for the slightest violation of the law, those high in place and power and station could disregard it with impunity. Mr. Chairman, if there is anything that will produce class feeling, class bitterness, and class hatred, it is the knowledge that the laws are made to be regarded only by the poor and weak and made to be disregarded by the rich and powerful when it suits their convenience. What is the plea, if you will, made to this charge? It is that the construction of this filtration plant is an emergency and is therefore exempt from the provisions of the law.

It is an emergency, they say, because it is necessary to hasten its completion; and the very reason which they urge for the violation of the law is the reason for its enforcement, for if there is a necessity for haste in the construction of this plant what is to prevent the contractors or subcontractors engaged in its construction from carrying out the spirit as well as the letter of the eight-hour law by employing three shifts of men to work eight hours per day, thus occupying twenty-four hours each day in the construction of the plant instead of twenty hours under the present system. This is a fair illustration, Mr. Chairman, of how laboring men have been treated by the Republican party and by this Administration.

To make it impossible for a situation like this to present itself and to extend the beneficent results of the eight-hour law to every kind of labor purchased by the Government of the United States to which it was practicable, a bill was introduced in the present Congress and referred to the Committee on Labor. Many days the committee spent listening to the friends and opponents of the bill, and, if I may be permitted to say it, there was not an argument used by the opponents of that measure which was not used against reduction of hours of labor from sixteen to fourteen, from fourteen to twelve, and from twelve to ten. Precisely the same exploded theories were advanced in almost identical language.

The Fifty-seventh Congress had passed an eight-hour bill without an opposing voice on the floor of the House; it had gone to the Senate and there it met the usual fate; and the Republican stump orators pointed with pride to the record of that Congress on that particular bill, so that it would seem that this Congress, being also Republican in complexion and composed largely of the same Members as the Fifty-seventh Congress, would likewise have passed a bill to which they claim the Republican party had been committed and which they claim the credit of having originated and passed, and yet we find that precisely the same organized opposition that appeared against the anti-injunction bill appeared against the passage of the eight-hour bill. We find the same issue raised; the same people on the one side and the same people on the other; the same appeal from the toiling masses of the country; the same demand by their oppressors, and, Mr. Chairman, the same results, for the Committee on Labor of the House of the Fifty-eighth Congress considered the eight-hour bill and every Republican Member present voted against its consideration by the House and every Democratic Member but one voted that it be reported.

But this was not the end of the eight-hour proposition. It might well have been said that the Republican Members of the House could not justify the action of their committee, but, Mr. Chairman, the Republican Members of this House were given an opportunity, in the shape of amendments offered by the gentleman from California [Mr. LIVERNASH] and myself to the naval appropriation bill, when we asked you to put in the contracts under which these ships were being built a provision that eight hours should constitute a day's labor. You will remember, Mr. Chairman, that the gentleman in charge of the bill [Mr. FOSS] made the point of order against the amendment of the gentleman from California, which the Chair ruled out; that on a fair vote in the Committee of the Whole the entire Republican party with the exception of two Members voted against the motion made, while the entire Democratic side voted to include it in the bill, and, right there, Mr. Chairman, so far as I know, was the first time that the Republican party let drop the mask and once and for all declared itself for the armor-plate trust and against the workingman of America.

The convict-labor bill, a bill which seemed to have no opposition, a bill which seemed to be wholly without objectionable features and designed only to prevent the American workingman from being compelled to compete with prison-made goods, was before the Committee on Labor.

There were no highly paid attorneys opposing this bill, and manufacturer and laboring man alike, so far as I, a member of the committee could see, were in favor of its passage. The bill was unanimously reported some three weeks ago and placed on the Calendar of this House, and there it has slept dreamless and undisturbed, so that this Congress bids fair to end without a line of legislation being written on the statute books at the request of organized labor, while the railroad-subsidy bill, the ship-subsidy commission bill, and every other bill asked for in the interest of the privileged classes of this country has been safely guarded and guided through the labrynthian ways of the House to final passage. Now, what great fact does this demonstrate?

In my opinion, Mr. Chairman, it demonstrates to the working people of this country that the Republican party, so far as they are concerned, have thrown off the mask and have made a treaty with their foes. It means, sir, that in their desire to be retained in power they have weighed in one hand the votes and the influence of the laborers of America, in the other hand the campaign contribution of the protected and privileged classes of this country, and have decided against the masses and in favor of the classes. It may be that the Republican party has done wisely in this regard from their standpoint; it may be true, as it has been stated before the Labor Committee, that there is no such thing as a labor vote; it may be true, as confidently stated by the emissaries of Mr. Parry, that, judged by past performances, the labor vote is but the unsubstantial fabric of the vision, but, however that may be, this action marks a new departure in Republican policies. For the first time the mask has fallen from their faces and discloses their true countenance.

The laboring men of America are bound from this time on to march beneath the banner of Democracy. We have told them this time and time again, but now you have voluntarily come forward and reenforced our words. You have driven them from you and told them to do their worst. Laboring men of this country are on trial, and the coming election will demonstrate whether or not they can be insulted, ignored, and trampled upon by the Republican party and still be bamboozled into voting that ticket. Mr. Chairman, I believe that the American workingman is a fair representative of the American people, and I believe he was the kind of a man referred to by that great workingman, Lincoln, when he said: "You can fool some of the people all the time, all the people some of the time, but you can't fool all the people all the time." And next November I confidently believe that the workers of this country, after having carefully considered the facts, after having gone over the records of the two great parties, will return to the fold of that party which has always

been their friend, which could not exist without them, which can not be defeated if they are within its ranks.

Mr. HAMILTON. I yield to the gentleman from Minnesota [Mr. McCLEARY].

[Mr. McCLEARY of Minnesota addressed the committee. See Appendix.]

Mr. HAMILTON. I move that the committee now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. PERKINS reported that the Committee of the Whole House on the state of the Union had had under consideration House bill 13356, the Alaska Delegate bill, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 2009. An act for the relief of the estate of Sven J. Johnson;

H. R. 13300. An act granting certain rights and privileges to the commissioners of waterworks in the city of Erie, Pa.;

H. R. 13298. An act to amend section 2327 of the Revised Statutes of the United States, relating to lands; and

H. R. 10101. An act for the cession of 120 acres of land to the Beecher Island Battle Memorial Association.

The Speaker announced his signature to enrolled bills of the following titles:

S. 3611. An act to amend an act entitled "An act to amend an act entitled 'An act granting the right to the Omaha Northern Railway Company to construct a railway across and establish stations on the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes,' by extending the time for the construction of said railway," by a further extension of time for the construction of said railway;

S. 3. An act to regulate electrical wiring in the District of Columbia;

S. 4769. An act validating certain conveyances of the Northern Pacific Railroad Company and the Northern Pacific Railway Company;

S. 5259. An act to amend an act entitled "An act authorizing the construction of a bridge across the Cumberland River at or near Carthage, Tenn.," approved March 2, 1901;

S. 2034. An act directing the issue of a duplicate of a lost check, drawn by Arthur J. Pritchard, pay director of the United States Navy, in favor of the Davis Coal and Coke Company;

S. 2816. An act to amend section 3095 of the Revised Statutes of the United States, relating to the manner of importation;

S. 2385. An act providing for holding regular terms of the circuit and district courts of the United States at Great Falls, Mont.;

S. 5454. An act permitting the Ozark and Cherokee Central Railroad Company and the Arkansas Valley and Western Railway Company, and each or either of them, to sell and convey their railroads and other property in the Indian Territory to the St. Louis and San Francisco Railroad Company or to the Chicago, Rock Island and Pacific Railway Company, and for other purposes;

S. 4375. An act to amend section 24 of the act approved December 21, 1898, entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce;"

S. 3292. An act amendatory of an act entitled "An act to provide for a permanent Census Office," approved March 6, 1902; and

S. 2842. An act to amend an act entitled "An act to authorize the Montgomery Bridge Company to construct and maintain a bridge across the Alabama River near the city of Montgomery, Ala.," approved March 1, 1893.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER also, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 11518. An act to authorize the holding of a regular term of the district and circuit courts of the United States for the western district of Virginia in the city of Bigstone Gap, Va.;

H. R. 10018. An act granting to the State of North Dakota 640 acres of land, embracing the White Hills battlefield and burial ground of soldiers killed in that engagement;

H. R. 10670. An act making appropriation for the support of the Army for the fiscal year ending June 30, 1905, and for other purposes;

H. R. 11903. An act regulating the practice of medicine and surgery in the Indian Territory; and

H. R. 11825. An act making appropriation for the Department of Agriculture for the fiscal year ending June 30, 1905.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3182. An act to pay certain Choctaw (Indian) warrants held by James M. Shackleford—to the Committee on Indian Affairs.

S. 5583. An act to amend an act entitled "An act granting a charter to the General Federation of Women's Clubs," approved March 3, 1901—to the Committee on the District of Columbia.

S. 4690. An act granting an increase of pension to Andrew W. Switzer—to the Committee on Invalid Pensions.

S. 4417. An act granting an increase of pension to Chadbourne H. Warren—to the Committee on Invalid Pensions.

S. 3935. An act granting an increase of pension to Mary Cornelia Hays Ross—to the Committee on Pensions.

S. 803. An act for the relief of John Stewart—to the Committee on Claims.

S. 4651. An act for the relief of James T. Barry and Richard Cushion, executors of the last will and testament of Martin Dowling, deceased—to the Committee on Ways and Means.

And then, on motion of Mr. PAYNE (at 6 o'clock and 23 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a statement of certain documents received and distributed during the calendar year 1903 by his Department—to the Committee on Printing, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. CUSHMAN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 2698) to establish a life-saving station at or near the entrance to Tillamook Bay, Oregon, reported the same without amendment, accompanied by a report (No. 2747); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GILLETT of Massachusetts, from the Committee on Reform in the Civil Service, to which was referred the bill of the House (H. R. 15254) to prevent superannuation in the public service, reported the same without amendment, accompanied by a report (No. 2750); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 15255) to reclassify employees in the civil service, reported the same without amendment, accompanied by a report (No. 2751); which said bill and report were referred to the House Calendar.

Mr. POWERS of Massachusetts, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 15285) establishing a regular term of the United States circuit and district courts at Muncie, Ind., reported the same without amendment, accompanied by a report (No. 2752); which said bill and report were referred to the House Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5815) fixing the rate of pension for persons eligible under section 2, act of June 27, 1890, reported the same with amendment, accompanied by a report (No. 2761); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 13542) for the relief of L. B. Wyatt, reported the same without amendment, accompanied by a report (No. 2748); which said bill and report were referred to the Private Calendar.

Mr. PRINCE, from the Committee on Military Affairs, to which

was referred the bill of the Senate (S. 2433) to amend the military record of John H. Skinner, reported the same without amendment, accompanied by a report (No. 2749); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. GILLETT of Massachusetts, from the Committee on Reform in the Civil Service, to which was referred the bill of the House (H. R. 7876) for the improvement of the civil service of the United States, reported the same adversely, accompanied by a report (No. 2753); which said bill and report were ordered laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 6801) for the retirement of Government employees in the classified civil service without cost to the Government, reported the same adversely, accompanied by a report (No. 2754); which said bill and report were ordered laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 6800) for the retirement of Government employees in the classified civil service without cost to the Government, reported the same adversely, accompanied by a report (No. 2755); which said bill and report were ordered laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 6797) for the retirement of Government employees in the classified civil service and the establishment of a retirement bureau, reported the same adversely, accompanied by a report (No. 2756); which said bill and report were ordered laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 11282) providing for conditional retirement of employees in the classified civil service, reported the same adversely, accompanied by a report (No. 2757); which said bill and report were ordered laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 6796) to increase the efficiency of the public service by retirement of disabled and superannuated employees, reported the same adversely, accompanied by a report (No. 2758); which said bill and report were ordered laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 6802) to prevent superannuation in the classified civil service, and to create a retirement fund for employees, reported the same adversely, accompanied by a report (No. 2759); which said bill and report were ordered laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 6798) for the appointment of a superannuation commission, reported the same adversely, accompanied by a report (No. 2760); which said bill and report were ordered laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. WALLACE: A bill (H. R. 15317) to build a bridge across the Ouachita River, Arkansas—to the Committee on Interstate and Foreign Commerce.

By Mr. FLACK: A bill (H. R. 15318) for the establishment of subports of entry at Rouses Point and Malone, N. Y.—to the Committee on Ways and Means.

By Mr. THOMAS of North Carolina: A bill (H. R. 15319) to amend the postal laws of the United States and permit all newspapers or publications of the second class, one copy to each actual subscriber, to go free through the mails—to the Committee on the Post-Office and Post-Roads.

By Mr. SAMUEL W. SMITH: A bill (H. R. 15320) to amend "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof in the District of Columbia," approved June 3, 1896—to the Committee on the District of Columbia.

By Mr. BINGHAM: A joint resolution (H. J. Res. 151) granting permission to officers and enlisted men of the Army to wear the badges adopted by certain military societies—to the Committee on Military Affairs.

By Mr. GARDNER of New Jersey: A concurrent resolution (H. C. Res. 60) providing for the printing of additional copies of the Tenth Special Report of the Commissioner of Labor—to the Committee on Printing.

Also, a concurrent resolution (H. C. Res. 61) providing for the printing of additional copies of the Eleventh Special Report of the Commissioner of Labor—to the Committee on Printing.

By Mr. TAWNEY: A resolution (H. Res. 346) for the relief of Harrison Edelin—to the Committee on Accounts.

By Mr. GAINES of Tennessee: A resolution (H. Res. 347) requesting of the Attorney-General information regarding the case of The United States *v.* Swift & Co. and others, known as the "beef-trust case"—to the Committee on the Judiciary.

By Mr. BROOKS: A resolution (H. Res. 348) for the relief of Charles Simon—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BADGER: A bill (H. R. 15321) granting an increase of pension to Cyrus Reasoner—to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 15322) correcting the record of Nelson S. Bowdish—to the Committee on Military Affairs.

By Mr. BRUNDIDGE: A bill (H. R. 15323) granting a pension to Thomas G. Massey—to the Committee on Invalid Pensions.

By Mr. BURKETT: A bill H. R. 15324) granting an increase of pension to Joseph W. Winger—to the Committee on Invalid Pensions.

By Mr. CANDLER: A bill (H. R. 15325) for the relief of the heirs of Gladney, Gardner & Co., of Guntown, Lee County, Miss.—to the Committee on War Claims.

By Mr. COCHRAN of Missouri: A bill (H. R. 15326) granting an increase of pension to Michael Callery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15327) granting an increase of pension to Selman Wallace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15328) granting an increase of pension to William H. H. Simpkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15329) granting a pension to Otis B. Vanfleet—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15330) granting an increase of pension to Martha Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15331) granting an increase of pension to James Byrd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15332) granting an increase of pension to James S. Snow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15333) granting a pension to Sophia Most—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15334) granting a pension to Daniel W. David—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15335) to remove charge of desertion and to correct military record of F. White—to the Committee on Military Affairs.

By Mr. CROMER: A bill (H. R. 15336) granting an increase of pension to Thomas Dragoo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15337) granting an increase of pension to Levi L. Martz—to the Committee on Invalid Pensions.

By Mr. DINSMORE: A bill (H. R. 15338) for the relief of Samuel Choate—to the Committee on War Claims.

By Mr. DOVENER: A bill (H. R. 15339) for the relief of James C. Means—to the Committee on Military Affairs.

By Mr. DRESSER: A bill (H. R. 15340) granting an increase of pension to Andrew Pentz, jr.—to the Committee on Invalid Pensions.

By Mr. GREENE: A bill (H. R. 15341) granting an increase of pension to John Johnston—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 15342) granting a pension to Angeline Buckley—to the Committee on Invalid Pensions.

By Mr McNARY: A bill (H. R. 15343) to remove the charge of desertion standing against the military record of Michael Clifford, alias Michael Kelleher—to the Committee on Military Affairs.

By Mr. NEEDHAM: A bill (H. R. 15344) granting an increase of pension to William B. Atwater, sr.—to the Committee on Invalid Pensions.

By Mr. NEVIN: A bill (H. R. 15345) to remove the charge of desertion from the military record of Jacob Ehla, alias John Ihle, alias Jacob Eby, alias Jacob Ely—to the Committee on Military Affairs.

Also, a bill (H. R. 15346) for the relief of George L. Routzahn—to the Committee on War Claims.

Also, a bill (H. R. 15347) for the relief of William Ranke—to the Committee on Claims.

Also, a bill (H. R. 15348) for the relief of Susannah Payne and others—to the Committee on War Claims.

By Mr. OVERSTREET: A bill (H. R. 15349) granting an increase of pension to George C. Smith—to the Committee on Invalid Pensions.

By Mr. RYAN: A bill (H. R. 15350) granting an increase of pension to George Taylor, alias George Parks—to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 15351) granting a pension to John Riggs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15352) granting a pension to Thomas Cary—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois: A bill (H. R. 15353) granting an increase of pension to Thomas H. Boyd—to the Committee on Invalid Pensions.

By Mr. SNOOK: A bill (H. R. 15354) granting an increase of pension to George G. Lane—to the Committee on Invalid Pensions.

By Mr. WEISSE: A bill (H. R. 15355) granting an increase of pension to John Riemer—to the Committee on Invalid Pensions.

By Mr. VAN DUZER: A bill (H. R. 15356) for the relief of Levi A. Gheen—to the Committee on Claims.

By Mr. ZENOR: A bill (H. R. 15357) granting an increase of pension to William Churchill—to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 15358) for the relief of William Liles—to the Committee on War Claims.

By Mr. SHEPPARD: A bill (H. R. 15359) for the relief of C. W. Reid and Sam Daube—to the Committee on Claims.

By Mr. BRICK: A bill (H. R. 15360) granting a pension to Theodore F. Garvin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15361) granting a pension to Albert G. Myers—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS of Pennsylvania: Resolution of De Soto Council, No. 315, Knights of Columbus, of Philadelphia, Pa., in favor of bill for erection of monument to the memory of Commodore John Barry—to the Committee on the Library.

Also, petition of the Quaker City Chocolate and Confectionery Company, in favor of the passage of bill H. R. 9303—to the Committee on Ways and Means.

Also, resolution of the National Board of Trade, relative to amending the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

By Mr. BADGER: Petition of the Citizens' Wholesale Supply Company, of Columbus, Ohio, in favor of bill H. R. 9303—to the Committee on Ways and Means.

By Mr. BINGHAM: Petition of the Art Club of Philadelphia, Pa., relative to erecting public buildings on the Mall—to the Committee on Public Buildings and Grounds.

By Mr. BRUNDIDGE: Papers to accompany House bill granting a pension to Thomas G. Massey—to the Committee on Invalid Pensions.

By Mr. BURKETT: Paper to accompany bill granting an increase of pension to Joseph W. Winger—to the Committee on Invalid Pensions.

By Mr. BURTON: Resolution of the American Association of Masters and Pilots of Steam Vessels, protesting against the building and operating of dredges on the Great Lakes by the United States Government—to the Committee on Rivers and Harbors.

By Mr. CRUMPACKER: Resolution of William Henry Harrison Chapter, Daughters of American Revolution, of Valparaiso, Ind., protesting against condemnation of squares 167 and 221, District of Columbia—to the Committee on the District of Columbia.

By Mr. DALZELL: Resolution of William G. Lowry Circle, No. 27, Ladies of the Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DWIGHT: Petition of Mrs. Byron Phelps and others, of New York State, relative to the landless Indians of northern California—to the Committee on Indian Affairs.

By Mr. GUDGER: Papers to accompany bill for the relief of W. N. Hedden—to the Committee on War Claims.

By Mr. JACKSON of Ohio: Papers to accompany bill H. R. 8774, granting an increase of pension to John Miller—to the Committee on Invalid Pensions.

By Mr. KEHOE: Petition of George W. Oldham and others, in favor of bill creating the Colorado Cliff Dwellings National Park—to the Committee on the Public Lands.

By Mr. NEEDHAM: Resolution of the Chamber of Commerce of San Francisco, against the enactment of a domestic parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Southern California Hardware and Implement Dealers' Association, against enactment of a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. OVERSTREET: Paper to accompany bill granting an increase of pension to George C. Smith—to the Committee on Invalid Pensions.

By Mr. POWERS of Massachusetts: Petition of members of Hannah Goddard Chapter, Daughters of the American Revolution, of Brookline, Mass., in favor of bill to prevent desecration of the American flag—to the Committee on the Judiciary.

By Mr. PRINCE: Petition of residents of Lewistown, Ill., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. RICHARDSON of Tennessee: Papers to accompany bill H. R. 4024, for relief of Joseph B. Johnson—to the Committee on War Claims.

By Mr. SNOOK: Papers to accompany bill granting an increase of pension to George G. Lane—to the Committee on Invalid Pensions.

SENATE.

SATURDAY, *April 23, 1904.*

Prayer by Rev. ULYSSES G. B. PIERCE, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on the request of Mr. NELSON, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection. The Chair hears none.

ESTATE OF LOUISA SUMMERS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of the Washington Loan and Trust Company, administrator of the estate of Louisa Summers, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

INDIAN DEPREDATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney-General transmitting, in further response to a resolution of the 16th instant, a list of judgments rendered by the Court of Claims in Indian depredation cases not heretofore reported to Congress; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

EUCLID PLACE AND ERIE STREET.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2134) to connect Euclid place with Erie street, having met, after full and free conference have been unable to agree.

J. H. GALLINGER,
S. R. MALLORY,
Managers on the part of the Senate.

J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.

The report was agreed to.

UNRESERVED LANDS IN NEBRASKA.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 14826) to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. DIETRICH. I move that the Senate insist on its amendments and accede to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to.

The PRESIDENT pro tempore appointed Mr. NELSON, Mr. DIETRICH, and Mr. NEWLANDS the conferees on the part of the Senate.

The PRESIDENT pro tempore subsequently said: In the appointment of conferees on House bill 14826, touching unreserved lands in Nebraska, the Senator from Minnesota [Mr. NELSON] declines to serve. The Chair appoints the Senator from North Dakota [Mr. HANSBROUGH].

Mr. HANSBROUGH. I trust the Senator from Minnesota will not decline to serve on the conference committee. I am sure I do not desire to serve on it. I hope the Senator will withdraw his request to be relieved.

Mr. NELSON. Under the circumstances I hope that my request will be granted. I do not care to make any explanation to the Senate, but I ask to be relieved.

The PRESIDENT pro tempore. Does the Senator from North Dakota decline to serve?

Mr. HANSBROUGH. I certainly do not wish to serve. I hope the Senator will withdraw his request.

EUCLID PLACE AND ERIE STREET.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives further insisting on its amendment to the bill (S. 2134) to connect Euclid place with Erie street.

Mr. GALLINGER. I move that the Senate insist upon its disagreement to the amendment of the House, request a further conference on the disagreeing votes of the two Houses, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to.

The PRESIDENT pro tempore appointed Mr. GALLINGER, Mr. DILLINGHAM, and Mr. MALLORY conferees on the part of the Senate at the further conference.

ROADS IN ALASKA.

The bill (H. R. 13014) to authorize the appointment of road overseers and to create road districts in the district of Alaska, and for other purposes, was read twice by its title.

Mr. NELSON. The Committee on Territories have reported a bill, which is on the Calendar, identical with the House bill. I ask that the House bill be substituted for the Senate bill, and that it receive present consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. The bill (S. 4549) to authorize the appointment of road overseers and to create road districts in the district of Alaska, and for other purposes, will be indefinitely postponed.

VISITOR TO WEST POINT.

The PRESIDENT pro tempore. The Chair appoints the Senator from Mississippi [Mr. MONEY] visitor to West Point in place of the Senator from Maryland [Mr. GORMAN], who was appointed visitor to Annapolis.

THE ST. LOUIS EXPOSITION.

The PRESIDENT pro tempore. Under the resolution of Congress, the Chair appoints as the committee on the part of the Senate to attend the opening exercises of the exposition at St. Louis the Senator from New Hampshire [Mr. BURNHAM], the Senator from Wisconsin [Mr. QUARLES], the Senator from Wyoming [Mr. CLARK], the Senator from California [Mr. BARD], the Senator from Nebraska [Mr. MILLARD], the Senator from Oregon [Mr. FULTON], the Senator from Virginia [Mr. DANIEL], the Senator from Georgia [Mr. BACON], the Senator from Kentucky [Mr. MCCREARY], and the Senator from Nevada [Mr. NEWLANDS].

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 3035) supplemental to and amendatory of an act entitled "An act making further provisions for a civil government for Alaska, and for other purposes," approved June 6, 1900.

The message also announced that the House had passed with amendments the following bills in which it requested the concurrence of the Senate:

A bill (S. 76) granting a pension to Mary Cornell;

A bill (S. 128) granting an increase of pension to Clara M. Gibson;

A bill (S. 3129) to promote the circulation of reading matter among the blind;

A bill (S. 3489) granting a pension to Annie Colt McCook;

A bill (S. 3734) granting an increase of pension to Martha W. Cushing;

A bill (S. 3777) granting a pension to Sarah S. Smith; and

A bill (S. 5475) granting a pension to Mary M. Rice.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 487) granting an increase of pension to Mary J. Waugh;

A bill (H. R. 698) granting an increase of pension to William M. Crow;

A bill (H. R. 740) granting an increase of pension to Ira Meserve;

A bill (H. R. 749) granting an increase of pension to Humphrey M. Gl nes;

A bill (H. R. 934) granting an increase of pension to Frank Brock;

A bill (H. R. 940) granting a pension to Oscar M. Parsons;

A bill (H. R. 1093) granting a pension to Rose B. Noa;

A bill (H. R. 1305) granting an increase of pension to Gilbert A. Kennedy;

A bill (H. R. 2113) granting a pension to Sarah A. Sullivan;

A bill (H. R. 2124) granting an increase of pension to Henry J. Grannis;

A bill (H. R. 2499) granting an increase of pension to Smith Bilderback;

A bill (H. R. 2577) granting an increase of pension to Harmon P. Cole;

A bill (H. R. 2675) granting an increase of pension to Robert J. Tate;

A bill (H. R. 2794) granting a pension to Lizzie J. Hoadley;

A bill (H. R. 3036) granting an increase of pension to William H. Romaine;

A bill (H. R. 3107) granting an increase of pension to James E. Chappell;

A bill (H. R. 3131) granting a pension to Andrew Cooksey;

A bill (H. R. 3431) granting an increase of pension to William Basnett;

A bill (H. R. 3921) granting an increase of pension to Madison C. Staves;

A bill (H. R. 3924) granting an increase of pension to Ira Waldo;

A bill (H. R. 4152) granting an increase of pension to George B. Hartley;

A bill (H. R. 4379) granting an increase of pension to Alexander Adams;

A bill (H. R. 4398) granting a pension to Ellen A. Wilson;

A bill (H. R. 4572) granting an increase of pension to Peter Lander;

A bill (H. R. 4582) granting an increase of pension to John S. Miller;

A bill (H. R. 4584) granting an increase of pension to Daniel A. Butler;

A bill (H. R. 4602) granting an increase of pension to Helim Thompson;

A bill (H. R. 4771) granting a pension to Aaron Taylor;

A bill (H. R. 4903) granting an increase of pension to Solomon F. Hallett;

A bill (H R. 5012) granting an increase of pension to Jacob Reitzel;

A bill (H. R. 5309) granting an increase of pension to John McConnell;

A bill (H. R. 5565) granting a pension to Eliza Workman;

A bill (H. R. 5711) granting an increase of pension to Jacob Chronister;

A bill (H. R. 5725) granting a pension to Grace Dressel;

A bill (H. R. 5829) granting an increase of pension to Thomas Ellmaker;

A bill (H. R. 6049) granting an increase of pension to Peter B. Phillips;

A bill (H. R. 6111) granting an increase of pension to Edwin A. Morris;

A bill (H. R. 6182) granting a pension to Erastus J. Horton;

A bill (H. R. 6338) granting an increase of pension to Antoinette I. Sawyer;

A bill (H. R. 6537) granting an increase of pension to Benjamin F. Hawthorne;

A bill (H. R. 6718) granting an increase of pension to James E. Phillips;

A bill (H. R. 7085) granting an increase of pension to William Spiegelberg;

A bill (H. R. 7145) granting an increase of pension to Ambrose L. Hendee;

A bill (H. R. 7237) granting a pension to Anna E. Hetherington;

A bill (H. R. 7373) granting a pension to Harriet J. Woodbury;

A bill (H. R. 7497) granting a pension to Emma A. Webster;

A bill (H. R. 8280) granting an increase of pension to James A. Morrison;

A bill (H. R. 8716) granting an increase of pension to Peter Creager;

A bill (H. R. 9107) granting a pension to Margaret J. Randolph;

A bill (H. R. 9338) granting an increase of pension to Solon D. Moore;

A bill (H. R. 9354) granting an increase of pension to John Richmond;

A bill (H. R. 9394) granting an increase of pension to Mary Leffler;

A bill (H. R. 9477) granting an increase of pension to George Smith;

A bill (H. R. 9623) granting an increase of pension to Robert H. Betts;

A bill (H. R. 9773) granting an increase of pension to Absalom Shilts;

A bill (H. R. 9901) granting a pension to John M. Stoner;

A bill (H. R. 10029) granting a pension to Charles E. Arnett;

A bill (H. R. 10077) granting a pension to Julia A. Henderson;

A bill (H. R. 10183) granting a pension to Charles M. Lee;

A bill (H. R. 10284) granting a pension to Elizabeth Broomall;

A bill (H. R. 10285) granting an increase of pension to Henry McCreary;
A bill (H. R. 10334) granting an increase of pension to John S. Allison;
A bill (H. R. 10846) granting an increase of pension to Heinrich Erbstoeser;
A bill (H. R. 10851) granting an increase of pension to Nancy Smallwood;
A bill (H. R. 11013) granting an increase of pension to William Flaig;
A bill (H. R. 11086) granting an increase of pension to Charles W. Crary;
A bill (H. R. 11262) granting a pension to John Hegarty;
A bill (H. R. 11335) granting an increase of pension to John Trader;
A bill (H. R. 11336) granting an increase of pension to Samuel R. Hazen;
A bill (H. R. 11374) granting an increase of pension to William Wells;
A bill (H. R. 11397) granting an increase of pension to William Leonard;
A bill (H. R. 11486) granting an increase of pension to Samuel B. Loewenstine;
A bill (H. R. 11827) granting an increase of pension to Daniel Smith;
A bill (H. R. 12006) granting an increase of pension to Amelia Coster;
A bill (H. R. 12177) granting an increase of pension to Isaac W. Waters;
A bill (H. R. 12197) granting an increase of pension to Daniel M. Candor;
A bill (H. R. 12268) granting an increase of pension to Jane K. Carpenter;
A bill (H. R. 12346) to correct the military record of William J. Barcroft;
A bill (H. R. 12348) granting an increase of pension to John Pickering;
A bill (H. R. 12604) granting a pension to Edward M. Fowler;
A bill (H. R. 12629) granting a pension to Ida Diamond;
A bill (H. R. 12702) granting an increase of pension to Margaret G. Howarth;
A bill (H. R. 12861) granting an increase of pension to Bartlett J. Mingus;
A bill (H. R. 13000) granting an increase of pension to Robert Elliott;
A bill (H. R. 13173) granting an increase of pension to Mary E. Houghton;
A bill (H. R. 13272) granting a pension to Delana A. Lynch;
A bill (H. R. 13347) granting an increase of pension to William C. Crumbaugh;
A bill (H. R. 13373) granting an increase of pension to William W. Dennis;
A bill (H. R. 13391) granting an increase of pension to Garret I. Post;
A bill (H. R. 13404) granting a pension to Emanuel Peck;
A bill (H. R. 13437) granting a pension to William P. Crawford;
A bill (H. R. 13490) granting an increase of pension to Henry Good;
A bill (H. R. 13586) granting an increase of pension to Abraham Harris;
A bill (H. R. 13592) granting an increase of pension to Stephen M. Ferguson;
A bill (H. R. 13605) granting an increase of pension to Elizabeth E. Conatt;
A bill (H. R. 13636) granting a pension to George S. Noland;
A bill (H. R. 13690) granting an increase of pension to Cephas H. John;
A bill (H. R. 13805) granting a pension to Emma W. Hays;
A bill (H. R. 13816) granting a pension to Annie Hynes;
A bill (H. R. 13886) granting an increase of pension to Thomas Mahers;
A bill (H. R. 13911) granting an increase of pension to Calvin Hitt;
A bill (H. R. 14001) granting an increase of pension to Leslie C. Armour;
A bill (H. R. 14141) granting an increase of pension to King Kerley;
A bill (H. R. 14153) granting an increase of pension to Peter C. Wood;
A bill (H. R. 14201) granting an increase of pension to James W. Smith;
A bill (H. R. 14308) granting an increase of pension to Archie C. Fisk;
A bill (H. R. 14336) granting an increase of pension to Everton J. Conger;
A bill (H. R. 14204) granting a pension to John B. Hobday;
A bill (H. R. 14343) granting an increase of pension to William Neuberg;
A bill (H. R. 14437) granting an increase of pension to Daniel White;
A bill (H. R. 14464) granting an increase of pension to Elizabeth B. Yount;
A bill (H. R. 14484) granting an increase of pension to Charles W. Lee;
A bill (H. R. 14490) granting a pension to Degraphenreed P. McKinley;
A bill (H. R. 14508) granting an increase of pension to John Brady;
A bill (H. R. 14511) granting an increase of pension to Robert R. Keys;
A bill (H. R. 14512) granting an increase of pension to Thomas L. Sweeney;
A bill (H. R. 14521) granting an increase of pension to Samuel H. Phillips;
A bill (H. R. 14524) granting a pension to Jennie A. Brown;
A bill (H. R. 14531) granting an increase of pension to Prince A. Gatchell;
A bill (H. R. 14541) granting an increase of pension to Azariah S. Elwood;
A bill (H. R. 14572) granting an increase of pension to Alexander P. Nelson;
A bill (H. R. 14578) granting a pension to Edward Taylor;
A bill (H. R. 14592) granting an increase of pension to Alfred B. Scovill;
A bill (H. R. 14611) granting a pension to William L. Beverly;
A bill (H. R. 14612) granting an increase of pension to Myron Imas;
A bill (H. R. 14630) granting a pension to Augustus Finley, now known as Davis;
A bill (H. R. 14631) granting a pension to William T. Spencer;
A bill (H. R. 14636) granting an increase of pension to James R. Fletcher;
A bill (H. R. 14637) granting an increase of pension to William Kimbrough;
A bill (H. R. 14638) granting an increase of pension to Park Avery;
A bill (H. R. 14639) granting an increase of pension to Joseph J. Mead;
A bill (H. R. 14640) granting an increase of pension to Caroline McGimsey;
A bill (H. R. 14641) granting a pension to Allan Dunning;
A bill (H. R. 14702) granting a pension to Mary E. Dunford;
A bill (H. R. 14747) granting an increase of pension to Symphorosa Bartley;
A bill (H. R. 14801) granting a pension to John W. Shrader;
A bill (H. R. 14802) granting an increase of pension to Thomas C. Wiley;
A bill (H. R. 14859) granting an increase of pension to Matthias Ridenour;
A bill (H. R. 14865) granting an increase of pension to Mercy J. Wilder;
A bill (H. R. 14870) granting an increase of pension to William Hougendobler;
A bill (H. R. 14876) granting an increase of pension to Francis Stadler, jr.;
A bill (H. R. 14882) granting a pension to Mary Dingler;
A bill (H. R. 14884) granting an increase of pension to William Huffman;
A bill (H. R. 14890) granting an increase of pension to Allen R. Harris;
A bill (H. R. 14894) granting an increase of pension to John Gideon;
A bill (H. R. 14938) granting a pension to Francis Rogers;
A bill (H. R. 14992) granting a pension to Phebe A. Daw;
A bill (H. R. 15076) granting an increase of pension to Lawrence Le Bron;
A bill (H. R. 15126) granting an increase of pension to Joseph A. Cox;
A bill (H. R. 15148) granting an increase of pension to Armour W. Patterson;
A bill (H. R. 15183) granting a pension to Ella F. Kennealy; and
A bill (H. R. 15204) granting an increase of pension to Mary Taggart.

The foregoing pension bills were subsequently read twice by their titles, and referred to the Committee on Pensions.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 2034) directing the issue of a duplicate of a lost check,

drawn by Arthur J. Pritchard, pay director of the United States Navy, in favor of the Davis Coal and Coke Company;

A bill (S. 2385) providing for holding regular terms of the circuit and district courts of the United States at Great Falls, Mont.;

A bill (S. 2816) to amend section 3095 of the Revised Statutes of the United States, relating to the manner of importation;

A bill (S. 2842) to amend an act entitled "An act to authorize the Montgomery Bridge Company to construct and maintain a bridge across the Alabama River near the city of Montgomery, Ala.," approved March 1, 1893;

A bill (S. 3292) amendatory of an act entitled "An act to provide for a permanent Census Office," approved March 6, 1902;

A bill (S. 4375) to amend section 24 of the act approved December 21, 1898, entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce;"

A bill (S. 4769) validating certain conveyances of the Northern Pacific Railroad Company and the Northern Pacific Railway Company;

A bill (S. 5259) to amend an act entitled "An act authorizing the construction of a bridge across the Cumberland River at or near Carthage, Tenn.," approved March 2, 1901; and

A bill (S. 5454) permitting the Ozark and Cherokee Central Railroad Company and the Arkansas Valley and Western Railway Company, and each or either of them, to sell and convey their railroads and other property in the Indian Territory to the St. Louis and San Francisco Railroad Company or to the Chicago, Rock Island and Pacific Railway Company, and for other purposes.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a petition of the Board of Trade of Lowell, Mass., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. GALLINGER presented a petition of Clinton & Russell, of New York City, praying for the enactment of legislation regulating the erection of buildings on the Mall in the District of Columbia; which was referred to the Committee on Appropriations.

He also presented memorials of sundry citizens of South Merrimack, N. H., of Washington, D. C., and of Cedar Lake, Battle Creek, and Grand Rapids, in the State of Michigan, remonstrating against the enactment of legislation to require certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

Mr. PLATT of New York. I present a telegraphic memorial from the Chamber of Commerce of New York, remonstrating against the proposed Chinese-exclusion legislation. I ask unanimous consent that it be read.

There being no objection, the memorial was read, as follows:

[Telegram.]

NEW YORK, *April 22, 1904.*

Hon. THOMAS C. PLATT,
United States Senator, Arlington Hotel, Washington, D. C.:

The Chamber of Commerce of New York sends its protest against the amendment to the Chinese-exclusion act being added to the general deficiency appropriation bill. In view of the efforts that are being made to cultivate and increase trade relations with the Chinese Empire, further restrictive measures would, in our opinion, be suicidal, and we believe would entirely subvert these efforts.

MORRIS K. JESUP, *President.*

Mr. CULLOM. Let the memorial lie on the table.

The PRESIDENT pro tempore. The memorial will lie on the table.

Mr. HOPKINS presented a petition of Francis Beidler & Co., of Chicago, Ill., and a petition of the Cross Press and Sign Company, of Chicago, Ill., praying for the enactment of legislation to reduce the United States mail rates on first-class matter from 2 cents to 1 cent; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Heath & Milligan Manufacturing Company, of Chicago, Ill., praying for the passage of the so-called Lodge bill, to reorganize the consular service of the United States; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Federation of Labor, of Springfield, Ill., praying for the enactment of legislation to restore and protect the rights of the people of Colorado, and that use of the military authorities of the United States be invoked in order to enforce the decrees of the courts; which was referred to the Committee on the Judiciary.

Mr. BURROWS presented a petition of the Detroit Review Club, of Detroit, Mich., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. PERKINS presented a memorial of the Chamber of Commerce of San Francisco, Cal., remonstrating against the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

Mr. CLAPP presented a petition of the congregation of the First Baptist Church of Duluth, Minn., praying for the enactment of legislation to prevent nullification of State temperance laws and no-license ordinances by so-called "original packages" and other "interstate-commerce" tricks; which was referred to the Committee on the Judiciary.

Mr. STEWART presented a memorial of sundry citizens of Topeka, Kans., of Philbrook, Minn., and of sundry citizens of Kansas, praying for the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

Mr. GORMAN presented a memorial of sundry citizens of Westminster, Md., remonstrating against the enactment of legislation to close certain places of business in the District of Columbia on Sunday; which was referred to the Committee on the District of Columbia.

Mr. DRYDEN presented a petition of the Woman's Missionary Society of Upper Montclair, N. J., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of the General Assembly of the Permanent Committee on Temperance of the Presbyterian Church of the United States, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Improved Order of Red Men of Camden, N. J., praying for the enactment of legislation to incorporate the Great Council of the United States of the Improved Order of Red Men; which was referred to the Committee on the Judiciary.

Mr. FRYE presented a petition of the Chamber of Commerce of New York, praying that the Treasury Department facilitate the landing and inspection of Chinese destined for the St. Louis exposition; which was referred to the Committee on Immigration.

REPORTS OF COMMITTEES.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (H. R. 15165) to authorize the construction of a bridge across the navigable waters of St. Andrews Bay, reported it without amendment.

Mr. BLACKBURN, from the Committee on Military Affairs, to whom was referred the bill (S. 3070) granting an honorable discharge to Henry B. Wise, alias Henry W. Bach, reported it with an amendment, and submitted a report thereon.

Mr. STONE, from the Committee on Commerce, to whom was referred the bill (H. R. 11972) to authorize the Ox Bow Power Company, of South Dakota, to construct a dam across the Missouri River, reported it without amendment, and submitted a report thereon.

Mr. ALGER, from the Committee on Military Affairs, to whom was referred the joint resolution (H. J. Res. 29) providing for the transfer of certain military records and records from the Interior and other Departments to the War Department, reported it without amendment, and submitted a report thereon.

MISSISSIPPI RIVER BRIDGE AT MEMPHIS.

Mr. BERRY. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 2866) to amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.," approved April 24, 1888, to report it favorably without amendment. It is a very short bill and I ask for its present consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHOCTAWHATCHEE RIVER BRIDGE.

Mr. BERRY. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 14590) to authorize the courts of county commissioners of Houston and Dale counties, Ala., to construct a bridge across the Choctawhatchee River between Houston and Dale counties, Ala., to report it with an amendment.

Mr. PETTUS. I ask that the bill just reported by the Senator from Arkansas may be now considered.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment of the Committee on Commerce was to add as a new section the following:

SEC. 4. That any bridge built under this act and subject to its limitations shall be a lawful structure, and shall be recognized and known as a post route, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United

States than the rate per mile paid for the transportation over the street railways or public highways leading to the said bridge, and it shall enjoy the rights and privileges of other post-roads in the United States; and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies, and the United States shall have the right of way across said bridge and its approaches for postal-telegraph purposes.

Mr. PETTUS. That amendment relates to a creek. It is never navigable. It is a county affair. It seems to me that the bill ought not to be killed by an amendment. I ask the Senate to disagree to the amendment.

Mr. BERRY. I will state that it is a section, which is put in all bridge bills. It is always recommended by the Secretary of War, and it has been the custom of the Committee on Commerce to comply with it. For that reason it was put in the bill by the committee.

I know nothing about the facts in this particular case, whether the section ought to be on the bill or whether it ought not, but it has always been put in all the bridge bills. The War Department always recommends that it be put in when it is left out of any bill pending.

Mr. PETTUS. This is merely a country road built for country purposes by the county authorities over a creek. As the act is repealable at the will of Congress it seems to me the bill ought not to be killed now at this stage by that sort of amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CAPT. EDWARD O. C. ORD.

Mr. BLACKBURN. By direction of the Committee on Military Affairs I report back favorably without amendment the bill (S. 3737) to authorize the President to appoint Capt. Edward O. C. Ord to the grade of major in the United States Army and place him on the retired list, and I submit a report thereon. By direction of that committee I ask for the present consideration of the bill.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHICAGO RIVER TUNNELS.

Mr. QUARLES. I am instructed by the Committee on Commerce, to whom was referred the bill (H. R. 4483) declaring each of the tunnels under the Chicago River an obstruction to navigation, and for other purposes, to report it favorably without amendment.

Mr. CULLOM. I ask that the bill be now considered. It is an important bill locally.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MONTHLY SUMMARY OF COMMERCE AND LABOR DEPARTMENT.

Mr. PLATT of New York. I report, from the Committee on Printing, a joint resolution relating to the printing of the Monthly Summary of Imports and Exports, published by the Department of Commerce and Labor, and I ask for its present consideration.

The joint resolution (S. R. 72) relating to the printing of the Monthly Summary of Imports and Exports, published by the Department of Commerce and Labor, was read the first time by its title, and the second time at length, as follows:

Resolved by the Senate (the House of Representatives concurring), That hereafter there shall be printed monthly by the Public Printer 9,000 copies of the Monthly Summary of Imports and Exports and other statistical information prepared in the Bureau of Statistics for publication by the Department of Commerce and Labor, 1,000 copies of which shall be for the use of the Senate, 3,000 copies for the use of the House of Representatives, and 5,000 copies for the use of the Department of Commerce and Labor.

That the joint resolution approved December 18, 1895, restricting the number of copies of the Monthly Summary to 3,500, shall be, and hereby is, rescinded.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. HALE. I object to its consideration now. I want to examine it, because I do not think the distribution proposed is what it should be. I think more copies should be given to Congress and less to the Department; but I am not prepared just now to offer the amendment, and therefore I object, so that it will go over.

The PRESIDENT pro tempore. The joint resolution will go to the Calendar.

REPORT OF DIRECTOR OF EXPERIMENT STATIONS.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the joint resolution (H. J. Res. 103) providing for printing annually the report of the Director of the Office of Experiment Stations, Department of Agriculture, to report it favorably without amendment, and I ask for its immediate consideration.

The Secretary read the joint resolution; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MEMORIAL ADDRESSES ON THE LATE SENATOR HANNA.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted yesterday by Mr. FORAKER, reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That of the eulogies on the late Senator Marcus A. Hanna there be printed and bound in cloth 6,200 additional copies, of which 2,000 shall be for the use of the Senate and 4,000 copies for the use of the House of Representatives, and 200 of which shall be bound in full morocco, with gilt edges, for the family of the deceased.

LAND IN WASHINGTON CITY.

Mr. GALLINGER. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 13262) to confirm title to lots 2, 3, 4, and 5 in square No. 979 in Washington, in the District of Columbia, to report it favorably with an amendment to the title. I submit a report thereon. It is a very brief bill, and I ask for its present consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to confirm title to lots 3, 4, and 5 in square No. 979 in Washington, in the District of Columbia."

LIFE-SAVING STATION IN MICHIGAN.

Mr. ALGER. I report back from the Committee on Commerce, without amendment, the bill (H. R. 12044) to authorize the establishment of a life-saving station at or near Eagle Harbor, Keweenaw Point, Michigan, and I ask for its present consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TENNESSEE RIVER IMPROVEMENT.

Mr. NELSON. From the Committee on Commerce I report back with amendments the bill (H. R. 15014) to enable the Secretary of War to permit the erection of a lock and dam in aid of navigation in the Tennessee River near Chattanooga, Tenn., and for other purposes. I ask for its present consideration.

Mr. BATE. The Senator from Minnesota asks for the present consideration of the bill.

The Secretary read the bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. HALE. This is a long bill. As it has been read, I will not object, but I must object hereafter, on account of the condition of the appropriation bills, to anything being taken up.

There being no objection, the bill was considered as in Committee of the Whole.

The first amendment of the Committee on Commerce was, on page 5, line 14, after the word "act," to insert:

, and in case of failure to comply with the requirements of said bond the said contracting party shall forfeit to the United States the full amount thereof.

The amendment was agreed to.

The next amendment was, in section 7, on page 6, line 24, to strike out the word "damage" and insert "compensation;" in the same line, after the word "value," to insert "exclusive of the franchise hereby conferred;" on page 7, line 1, after the word "act," to insert: "such value to be determined by mutual agreement between the Secretary of War and the owners of said property, and in case they can not agree, then by proceedings instituted in the United States circuit court for the condemnation of said property, such proceedings to conform as nearly as may be to the laws of the State of Tennessee, in respect of condemning lands for the right of way for railroad purposes;" and on page 7, line 3, after the word "contract," to strike out "and" and insert "or;" so as to make the section read:

SEC. 7. That the right is expressly reserved in the United States to revoke by act of Congress the rights, privileges, and benefits conferred by this act; but in the event of such revocation the United States shall pay to the municipality, corporation, company, firm, or persons who may erect said lock and dam under the provisions of this act, as full compensation, the reasonable value, exclusive of the franchise hereby conferred, of all properties erected and lands purchased by them necessary for the enjoyment of the benefits conferred upon them by the provisions of this act, such value to be determined by mutual agreement between the Secretary of War and the owners of said properties, and in case they can not agree, then by proceedings instituted in the United States circuit court for the condemnation of

said property, such proceedings to conform as nearly as may be to the laws of the State of Tennessee in respect of condemning land for the right of way for railroad purposes: *Provided*, That to insure compliance with the terms of the contract or of this act, or to protect the interests of navigation, the Secretary of War shall have power at any time, before or after the completion of the work, to order a suspension of all privileges granted by this act: *And provided further*, That compliance with such order of suspension may be enforced by the injunction of the circuit court of the United States exercising jurisdiction in the district in which the work is situated, and proper proceedings to this end shall be instituted by the Attorney-General upon request of the Secretary of War.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

COMPILATION OF LABOR LAWS.

Mr. McCOMAS, from the Committee on Education and Labor, reported the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House concurring), That there be printed 10,000 additional copies, in cloth binding, of the Tenth Special Report of the Commissioner of Labor, being a compilation of the labor laws of the different States and Territories and of the Federal Government, with the decisions of courts relating thereto; 2,000 copies for the use of the Senate, 3,000 copies for the use of the House of Representatives, and 5,000 copies for distribution by the Department of Commerce and Labor.

LABOR OUTPUT.

Mr. McCOMAS, from the Committee on Education and Labor, reported the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That there be printed 8,000 additional copies, in cloth binding, of the Eleventh Special Report of the Commissioner of Labor, relating to the regulation and restriction of output; 1,500 copies for the use of the Senate, 2,500 copies for the use of the House, and 4,000 copies for distribution by the Department of Commerce and Labor.

REVISION OF PENSION LAWS.

Mr. McCUMBER. I am directed by the Committee on Pensions to report the following resolution, and I ask for its present consideration. I submit with it a written report.

The resolution was read, as follows:

Whereas the pension laws of the United States have not since the origin of the pension system been revised; and

Whereas, owing to the fact of different wars and different acts of Congress which have been passed relative thereto, some of which clearly apply to one condition and others to other conditions, a confusion has arisen with respect to their interpretation; and

Whereas some of these acts are overlapping, some of them practically repealed, and some in part obsolete by implication; and

Whereas the interpretation of different Assistant Attorneys-General and Pension Commissioners has brought about a further conflict as to the legal effect of certain acts, and has made doubtful the full legal right of pension claimants; and

Whereas by reason of these conditions the pension laws of the United States are in a condition of uncertainty and should be revised and codified; and

Whereas the said laws are not in all respects adequate to meet the present conditions of the survivors of our wars:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to have prepared by officials of the Pension Bureau and to report to the Senate at its next meeting in December, 1904, a proposed revision of the pension laws of the United States, applicable to all of the military service of the United States, the same to contain full notes of statutes and decisions; and that there be arranged in separate titles so much of the law as is still applicable and has reference specially to each particular war for which a pension law has been passed.

That there be drafted in such code, separate and distinct from the substantive law relative to pensions, rule of procedure for pension claims, providing therein such blank forms as will enable a pension claimant to conduct his own case.

Mr. GORMAN. It is utterly impossible from the hurried reading to get the whole purport of the resolution. Let it go over until Monday and be printed.

The PRESIDENT pro tempore. The resolution will go over under the rule and be printed.

BILLS INTRODUCED.

Mr. COCKRELL introduced a bill (S. 5631) for the relief of the Presbyterian Church and Masonic Hall, of Platte City, Mo.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5632) for the relief of the county court of Platte County, Mo.; which was read twice by its title, and referred to the Committee on Claims.

Mr. McENERY introduced a bill (S. 5633) for the relief of the legal representatives of Armand Heine, deceased, and Michel Heine; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5634) for the relief of the legal representatives of James Rainey, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. DRYDEN introduced a bill (S. 5635) granting an increase of pension to Oliver S. Belden; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. GORMAN introduced a bill (S. 5636) granting an increase of pension to James Nowell; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. CLAY introduced a bill (S. 5637) for the relief of the legal representatives of Mary O'Connor; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCREARY introduced a bill (S. 5638) granting a pension to Susan E. McCartey; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5639) granting an increase of pension to Joseph M. Donohue; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PETTUS introduced the following bills; which were severally read twice by their titles, and, with accompanying papers, referred to the Committee on Claims:

A bill (S. 5640) for the relief of Mrs. Sallie Wilkinson and Mrs. Rebeckah St. Clair, only heirs and legatees of Mrs. Martha Evans, deceased;

A bill (S. 5641) for the relief of Mrs. Martha E. Crutchfield and Mrs. Bessie Turner, heirs at law of Daniel Gilbert, deceased; and

A bill (S. 5642) for the relief of H. G. Conn, only heir of Mrs. Fannie Green, deceased.

Mr. HEYBURN introduced a bill (S. 5643) for the relief of the estate of Mrs. E. R. Morris, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also (by request) introduced a bill (S. 5644) for the relief of Mrs. C. A. Hale; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 5645) for the relief of William H. Morris; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

AMENDMENT TO INDIAN DEPREDATIONS CLAIMS BILL.

Mr. WARREN submitted an amendment intended to be proposed by him to the bill (S. 275) to amend an act entitled "An act for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891; which was ordered to lie on the table and be printed.

EMPLOYMENT OF MESSENGER.

Mr. LONG submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the University of the United States be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate, at the rate of $1,440 per annum, until otherwise provided by law.

SOLDIERS' MESSENGER ROLL.

Mr. ELKINS submitted the following resolution; which was referred to the Committee on Rules:

Resolved, That the Committee on Rules of the Senate is hereby directed to place on a special roll the names of all messengers and elevator conductors now on the list of employees who are employed about the doors, committee rooms, and elevators of the Senate whose army record, wounds, and disabilities, and service in the Senate justly entitle them to favorable consideration, to be known and designated as "The soldiers' messenger roll of the Senate," and to continue such persons in such positions and employment until cause for their removal shall have been reported to and approved by the Senate and their removal directed.

HOUSE BILL REFERRED.

The bill (H. R. 12364) to correct the military record of William J. Barcroft was read twice by its title, and referred to the Committee on Military Affairs.

DEFICIENCY APPROPRIATION BILL.

Mr. HALE. I move that the Senate proceed to the consideration of the bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

The motion was agreed to.

Mr. HALE. Yesterday morning one or two Senators were prevented from getting up small bills. I yield to the Senator from Louisiana [Mr. McENERY].

BRIDGE ACROSS RED RIVER, LOUISIANA.

Mr. McENERY. I ask leave to call up the bill (H. R. 14588) to revive and amend an act entitled "An act to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River, in the State of Louisiana, at or near Shreveport.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee or the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. HALE. I yield to the Senator from Florida [Mr. MALLORY].

ST. ANDREWS BAY BRIDGE, FLORIDA.

Mr. MALLORY. I ask unanimous consent for the present consideration of the bill (H. R. 15165) to authorize the construction of a bridge across the navigable waters of St. Andrews Bay, re-

ported from the Committee on Commerce favorably this morning by the Senator from Arkansas [Mr. BERRY].

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CAPT. WILLIAM E. HORTON.

Mr. MILLARD. I ask unanimous consent for the present consideration of the bill (S. 1659) granting permission to Capt. William E. Horton, United States Army, to accept a decoration tendered him by the President of the French Republic.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUYALLUP ALLOTTED LANDS.

Mr. FOSTER of Washington. I ask unanimous consent for the consideration at this time of the bill (H. R. 9891) giving the consent of Congress to the removal of the restrictions on the sale of Puyallup allotted lands, and confirming and legalizing sales thereof since March 3, 1903.

Mr. HALE. Mr. President, I must insist on the regular order.

The PRESIDENT pro tempore. The Senator from Maine demands the regular order, which is the general deficiency appropriation bill. Will the Senator from Maine permit the Chair to lay before the Senate some bills from the House of Representatives?

Mr. HALE. Certainly.

MARY H. CORNELL.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 76) granting a pension to Mary H. Cornell.

Mr. McCUMBER. I move the Senate disagree to the amendment of the House of Representatives and ask for a conference with the House on the bill and amendemnt.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate: and Mr. McCUMBER, Mr. SCOTT, and Mr. PATTERSON were appointed.

CLARA M. GIHON.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 128) granting an increase of pension to Clara M. Gihon.

Mr. McCUMBER. I move that the Senate disagree to the amendment of the House of Representatives and ask for a conference with the House on the bill and amendment.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. McCUMBER, Mr. SCOTT, and Mr. PATTERSON were appointed.

ANNIE COLT M'COOK.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3489) granting a pension to Annie Colt McCook.

Mr. McCUMBER. I move that the Senate disagree to the amendment of the House of Representatives and ask for a conference with the House on the bill and amendment.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. McCUMBER, Mr. SCOTT, and Mr. PATTERSON were appointed.

MARTHA W. CUSHING.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3734) granting an increase of pension to Martha W. Cushing.

Mr. McCUMBER. I move that the Senate disagree to the amendment of the House of Representatives and ask for a conference with the House on the bill and amendment.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. McCUMBER, Mr. SCOTT, and Mr. PATTERSON were appointed.

SARAH S. SMITH.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3777) granting a pension to Sarah S. Smith; which was to amend the title so as to read "A bill granting an increase of pension to Sarah S. Smith."

Mr. McCUMBER. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

MARY M. RICE.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 5475) granting a pension to Mary M. Rice; which was, in line 9, before the word "dollars," to strike out "forty" and insert "fifty."

Mr. McCUMBER. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

READING MATTER FOR THE BLIND.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 3129) to promote the circulation of reading matter among the blind; which were, on page 1, line 5, after the word "volumes," to insert "not exceeding ten pounds in weight;" on page 1, line 5, after the word "packages," to insert "not exceeding four pounds in weight;" on page 1, lines 6 and 7, to strike out "not exceeding four pounds in weight;" on page 1, line 11, after the word "postage," to insert "and under such regulations as the Postmaster-General may prescribe;" and to strike out all of section 2.

Mr. SIMMONS. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

DEFICIENCY APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

Mr. HALE. I ask the Secretary to resume the reading of the bill at section 5 and read the bill to its conclusion.

Mr. QUARLES. Mr. President, I desire to offer an amendment to one of the amendments on page 90.

The PRESIDENT pro tempore. The amendments in italics on page 90 have been agreed to, and the amendment of the Senator will not be in order until the bill is reported to the Senate.

Mr. QUARLES. Very well.

The reading of the bill was resumed at section 5, on page 22, and continued to its conclusion.

Mr. HALE. Mr. President, the provisions covering the sections of the bill which have just been read by the Secretary are most important, and deal with the whole subject of extending the statutes relating to the immigration of Chinese persons into this country. Several amendments have already been offered, and notice has been given of other amendments that will bring the whole subject-matter before the Senate.

I wish to say for the Committee on Appropriations that these provisions were incorporated in the bill in the House of Representatives at the very end of the discussion, and only came to the Committee on Appropriations immediately afterwards. In the present condition of public business the Committee on Appropriations had no opportunity to consider the subject-matter fully or even partially.

Besides that, as the bill came from the House of Representatives, whatever may be the view of members of the committee, and whatever might have been the view of the committee after thorough examination, it was thought that it was better to report, without any change, the provisions of the House bill on this subject-matter to the Senate for its consideration.

There has been—and it was so understood in the committee—nothing done that binds any member of the committee in reporting to the Senate the whole project as inserted by the House of Representatives, which commits any member of the committee to the adoption of the whole or any part of it. For one I should certainly be in favor of some of the amendments which have been suggested and will be offered here.

I make this statement in order that the Senate may understand the position of the Committee on Appropriations upon the matter; that it was obliged to do what it did in reporting the whole subject to the Senate for its consideration.

Mr. CULLOM. I desire to offer an amendment on page 91, line 14, to strike out the words "except as hereinafter specifically provided," and then I desire to move to strike out sections——

Mr. SPOONER. What section?

Mr. CULLOM. Section 6 and the following sections of the bill under consideration. The amendment I have just stated was to section 5.

Mr. HALE. Senators in referring to these different sections should refer to the number given after the one stricken out. The first of the sections now under consideration is section 5, which was formerly numbered 3.

Mr. CULLOM. In section 5, on page 91, line 14, after the word "condition," I move to strike out "except as hereinafter specifically provided." Then I desire to move that all of sections 6, 7, 8, 9, 10, 11, 12, and 13 be stricken out of the bill.

Mr. MITCHELL. Do I understand that the amendment the Senator from Illinois proposes is in section 6?

Mr. PLATT of Connecticut. No; in section 5.

Mr. CULLOM. In section 5 of this bill, which is the first section relating to the subject of Chinese exclusion.

Mr. MITCHELL. But the Senator's amendment as printed appears to be an amendment to section 6.

Mr. PLATT of Connecticut. That is to strike out.

Mr. CULLOM. That is to strike out several sections. My amendment to strike out sections begins with section 6.

Mr. MITCHELL. Leaving in section 5.

Mr. CULLOM. Yes; with the amendment I have suggested, striking out, on page 91, line 14, the words "except as hereinafter specifically provided."

Mr. SPOONER. I should like to ask the Senator from Illinois why he proposes to strike out section 6?

Mr. CULLOM. Because there is no necessity for it if we want to retain the law specifically as it is now, in view of the doubt as to how the courts might decide the matter.

Mr. PLATT of Connecticut. I will suggest another reason.

Mr. CULLOM. I could also give others, if I thought it necessary.

Mr. PLATT of Connecticut. We do not want to legislate that Chinese shall not go into the canal zone.

Mr. TELLER. Shall not go where?

Mr. PLATT of Connecticut. Into the canal zone; which that provision prevents.

Mr. SPOONER. Mr. President, I am in entire accord with the suggestion of the Senator from Connecticut [Mr. PLATT] that it would be the poorest possible policy, and utterly indefensible, for the United States to fetter its hands at all as to the labor which shall be employed in the construction of the Panama Canal; and if this section can possibly be construed as affecting that subject, it ought to be stricken out, or it ought to be amended so as to render it impossible that it should be so construed.

I should like, if the Senator from Connecticut pleases, that he would indicate the language in section 6 which would be subject to that construction. I confess I have not examined it carefully.

Mr. PLATT of Connecticut. Section 6 provides:

That the said laws so reenacted, extended, and continued shall be so construed as to permit the entrance into or residence within the United States, and any territory subject to its jurisdiction, of those persons of Chinese descent who are citizens of the United States by reason of birth and those who are specifically granted by law such privilege, and no others.

The 10-mile limit on the Isthmus of Panama is within the jurisdiction of the United States. There can not be any question about that. The language of section 6 would, therefore, exclude from that zone all persons except those who are specifically granted by law the privilege of coming into the United States.

Mr. SPOONER. Does the Senator think that would be remedied by striking out the words "and no others?"

Mr. PLATT of Connecticut. That is the only thing that there is in the section—"and no others."

Mr. SPOONER. I do not know whether it is true or not, but these amendments, as I have understood, were drawn by the Attorney-General in the Department of Justice to cover——

Mr. PLATT of Connecticut. I should be very sorry to believe that this was the handiwork of the Attorney-General.

Mr. SPOONER. I do not know. I have been told that it had his approval. The Senator from Illinois [Mr. CULLOM] probably knows. I do not undertake to say. The provisions were drawn to meet some difficulties that have arisen because of the denunciation of the treaty by China. Section 6, as I read it, is permissive. If the words "and no others" were excluded, as one phase of it, if there is any occasion for the provision at all—and I assume there was or it would not have been drafted—it ought to commend itself, I think, to the favorable consideration of the Senator from Connecticut or anyone else.

SEC. 6. That the said laws so reenacted, extended, and continued shall be so construed as to permit the entrance into or residence within the United States, and any territory subject to its jurisdiction, of those persons of Chinese descent who are citizens of the United States by reason of birth.

Mr. PLATT of Connecticut. The Senator will observe, however, that section 9 gives to an immigrant inspector the "right to decide questions of fact upon which rests a claim of citizenship set up by any person of Chinese descent."

Mr. SPOONER. That is another proposition.

Mr. FORAKER. If the Senator will allow me to interrupt him a moment——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. SPOONER. I yield.

Mr. FORAKER. I think there is great force in the point made by the Senator from Connecticut [Mr. PLATT] a moment ago, to the effect that the only thing in section 6 of any importance is the language at the end, "and no others." Anyone who is a citizen of the United States by birth, although he may be of Chinese descent, has a right to enter without any enactment here or in any other place to that effect. So, too, has anybody a right to enter who is specifically authorized by law to enter. So what is the necessity for section 6 at all?

Mr. MITCHELL. Not a particle.

Mr. FORAKER. Unless it is to put in the words "and noothers."

Mr. SPOONER. It is a very strange proposition that anyone would industriously draw such a provision for the purpose of including the words "and no others."

Mr. FORAKER. What else is there in the section but that?

Mr. SPOONER. Nothing, unless the law as it exists has been found to operate to exclude persons of Chinese descent born in the United States.

Mr. PLATT of Connecticut. I can not believe, Mr. President, that the Attorney-General himself ever drew that section or some of the other sections that there are in this bill. Somebody in his office or in the office of the Immigration Commissioner may have drawn it, and the Attorney-General may have given it his approval without very much examination, but I can not believe that the Attorney-General drew it.

Mr. SPOONER. It is very certain that we ought not to prohibit Chinamen from going to work on the canal.

Mr. CULLOM. This little discussion, Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Illinois?

Mr. FORAKER. Certainly; but I want to say a few words more.

Mr. CULLOM. I did not know the Senator had the floor. I will wait until he has concluded.

Mr. SPOONER. I yielded to the Senator from Ohio [Mr. FORAKER], and now I yield to both Senators.

Mr. FORAKER. I am very thankful to get the floor under any circumstances. There is not very much I wanted to say, but it seems to me it goes to the pith of this whole matter.

Section 6 is a provision that citizens of the United States may be admitted to the United States or to any Territory under the jurisdiction of the United States. That is one proposition. The other proposition is that those who are by law specifically authorized to enter the United States or any place under the jurisdiction of the United States may be allowed to enter. What is the use of putting that in any statute? Therefore I can see no propriety, let alone necessity, for the section, unless it is to be connected with the clause "and no others." That is all there is to it.

Mr. TELLER. Mr. President——

Mr. CULLOM. Mr. President, what I desired to say, if the Senator from Colorado will excuse me a moment, is evidenced as I think by this little discussion.

Mr. TELLER. I have not yet got the floor.

Mr. CULLOM. This portion of the bill, according to the statement of the chairman of the committee, who brought the general bill into the Senate, has not been considered by anybody. The Senate Committee on Appropriations concluded to bring it in here, let the Senate take charge of it, and do what it pleased with this portion.

I submit whether it is not wiser and in the interest of good legislation that all the portion of the bill that was brought in on the subject of Chinese immigration be stricken out, except that part which makes it surer that the law will stand in harmony with the treaty of 1894, if it has not been annulled; so that when the time comes and another session convenes, we shall have an opportunity, through committees, to take up the whole subject and report such legislation as ought to be enacted.

Mr. CLAY. If the Senator's amendment prevails, as I understand, it will merely reenact the present law. Is that correct?

Mr. CULLOM. No; it simply makes it certain that the present law means that Chinese laborers shall be kept out. That is all.

Mr. TELLER. Mr. President, I do not quite agree with the Senator from Illinois who has just taken his seat, that the committee did not do anything about this matter. I think the committee did. They considered it.

Mr. CULLOM. I was only taking the statement of the chairman of the committee.

Mr. TELLER. I am free to say that I have not found anybody who knew exactly what the provisions of the bill meant. We did go over it; but, so far as I know, at least we were uncertain as to exactly what it did mean.

Mr. President, this whole trouble can be settled by simply reenacting the act of two years ago—the act of April 29, 1902. To do that is very simple, and I have offered an amendment that does that, or at least I gave notice that I would offer an amendment to that effect. While it is very uncertain in my mind as a question of law whether it is necessary to have such an enactment, I think it is very wise and very prudent that we should have.

Mr. SPOONER. Reenacting the act of 1902 would simply continue whatever doubt exists now under that act, would it not?

Mr. TELLER. It would if we enacted it exactly as it was, but I propose to change it by striking out a few words with reference to treaties. That was the purport of amendment which I gave notice I would offer.

Mr. President, this is a pretty important question. In order that Senators should have a little time for examining it, I think I shall avail myself of the privilege of making some remarks on this bill, but in an entirely different direction. I stated some days ago that I desired to discuss the land question, and I wish to discuss it for an hour or so, if I can have an opportunity to do so without appearing to interfere with the passage of the appropriation bill.

Mr. President, we have had two political speeches on appropriation bills within a few days, one yesterday and one a few days ago. I do not intend to make a political speech. I am going to speak about the interest of the community in which I live particularly.——

Mr. HALE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Maine?

Mr. TELLER. I yield to the Senator from Maine.

Mr. HALE. I want to appeal to the Senator—of course it is for him to decide—that in the present condition of public business it is very important that the pending bill should be finished to-day. I hope the Senator will see his way clear, as he wishes to speak upon a subject-matter entirely foreign to the bill, to wait until the bill is disposed of. Of course the Senator must settle that for himself.

Mr. TELLER. It is pretty difficult for me to decline to accede to the request of the Senator who has the bill in charge, but I am met with another difficulty. There is another appropriation bill to follow this one. I do not think, under the circumstances, if it is not agreeable to the Senator who has the bill in charge, that I ought to go on; but I wish to say now that when this bill is through and the next appropriation bill that follows it is up, if there is not another appropriation bill to follow that immediately, I am going to take the floor and discuss the land question, which has been discussed here for some time. I am not going to ask the Senate for the privilege of doing so or anything of that kind, because I assert that I have a right to do that on any bill which comes before the Senate.

Mr. HALE. Undoubtedly.

Mr. TELLER. But I wish to give notice that I will take that liberty and exercise that Senatorial right of speaking, but not on either of the appropriation bills. But when they are through, no matter what the bill is that comes up, even if it should happen to be a pension bill, I will do so.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Illinois.

Mr. TELLER. I desire to say a few words on the amendment. I do not know in detail what the Senator's amendment is. It was offered this morning and not printed. I do not know whether it is an exact reproduction of the act of 1902. We can reenact the act of 1902 by striking out the words——

Mr. LODGE. I wish to ask the Senator if he is referring to the amendment of the Senator from Illinois?

Mr. TELLER. Yes.

Mr. LODGE. Is not that in print?

Mr. TELLER. Is it in print?

Mr. LODGE It is in print, I think.

Mr. TELLER. Very well. Then I will avail myself of an examination of the printed copy.

Mr. LODGE. It is in print.

Mr. TELLER. I wish the Senator would send it to me. I have not one on my table.

Mr. CULLOM. What is it the Senator wants?

Mr. LODGE. Your amendment.

Mr. TELLER. I want to reenact an act of 1902. I think that is the safest thing to do.

I find in the provision that comes from the House several things I do not understand, and I do not know what the effect of them would be. While, of course, it comes here with the authority of the House Committee on Appropriations, it does not come from the committee which really ought to have charge of this question, even in the House. This is a question for the Committee on Foreign Relations.

Mr. ALLISON. I was about to suggest to the Senator from Colorado that, as I understand, the Committee on Appropriations in the House did very much as the Committee on Appropriations in the Senate did. This amendment, I understand, divided into a number of sections, was introduced from the Committee on Foreign Affairs to the House and was accepted by the Committee on Appropriations there.

Mr. TELLER. I was not aware of that.

Mr. ALLISON. Will the Senator excuse me one moment more?

Mr. CULLOM. Certainly.

Mr. ALLISON. I wish to say one word as respects the attitude of this bill here.

The Senator from Colorado is a member of the Committee on Appropriations, and he understands, as we all do, that the Committee on Appropriations did not attempt to deal with the details of the House provision.

Mr. TELLER. Certainly. That is what I said.

Mr. ALLISON. For one, I was not sufficiently familiar with the legislation to know without a very careful examination what the several sections meant, and I think it would require a great deal of study to understand them. I merely wish to say to the Senate now that the Committee on Appropriations, which usually endeavors to examine that which it presents to the Senate, under the circumstances has left that question to the Senators who are more familiar with the legislation on the subject in the past.

Mr. MITCHELL. Before the Senator from Colorado proceeds, will he allow me to ask a question of the Senator from Illinois [Mr. CULLOM]?

Mr. TELLER. Certainly.

Mr. MITCHELL. I wish to ask the chairman of the Committee on Foreign Relations, the Senator from Illinois [Mr. CULLOM], whether he intends, provided his amendment shall be adopted, to follow it with any other amendment to any other part of the House provision?

Mr. CULLOM. I have not expected to do so. My motion, and I propose to stand by it, is to adopt section 5 with a slight amendment, striking out four or five words which refer to the sections after that.

Mr. MITCHELL. Section 5 of the act of 1888?

Mr. CULLOM. No; of this bill.

Mr. MITCHELL. Section 5 of this bill?

Mr. CULLOM. Yes. The motion is not to strike out section 5, but to strike out four or five words in it which refer to the sections that follow, and which sections I propose to strike out.

Mr. MITCHELL. That is to say—I want to understand this—it is proposed to strike out sections 6, 7, 8, 9, 10, 11, 13, and 14.

Mr. CULLOM. Bodily.

Mr. MITCHELL. Bodily. You want to strike out those sections of the act of 1888?

Mr. CULLOM. No; I want to strike out the sections which follow section 5 of the bill you have in your hand.

Mr. MITCHELL. I understand it now.

Mr. TELLER. Mr. President, this bill as it came to us from the House reads as follows:

That section 1 of the act of Congress approved April 29, 1902, entitled "An act to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent," is hereby amended so as to read as follows:

"All laws in force on the 29th day of April, 1902, regulating, suspending, or prohibiting the coming of Chinese persons or persons of Chinese descent into the United States, and the residence of such persons therein, including sections 5, 6, 7, 8, 9, 10, 11, 13, and 14 of the act entitled 'An act to prohibit the coming of Chinese laborers into the United States,' approved September 13, 1888, be, and the same are hereby, reenacted, extended, and continued, without modification, limitation, or condition"—

Now, here come the words that are important—

"except as hereinafter specifically provided."

I presume that is what the Senator——

Mr. ALDRICH. The Senator from Illinois proposes to strike that out.

Mr. TELLER. I suppose so. I do not see him in his seat.

Mr. PLATT of Connecticut. The reason for it is that those words refer to the subsequent sections.

Mr. TELLER. In this bill.

Mr. PLATT of Connecticut. In this bill.

Mr. TELLER. Certainly.

Mr. ALDRICH. The Senator from Illinois proposes to strike that out.

Mr. TELLER. The bill as it came from the House continues:

"And said laws shall also apply to the island territory under the jurisdiction of the United States, and prohibit the immigration of Chinese laborers, not citizens of the United States, from such island territory to the mainland territory of the United States, whether in such island territory at the time of cession or not, and from one portion of the island territory of the United States to another portion of said island territory: *Provided, however*, That said laws shall not apply to the transit of Chinese laborers from one island to another island of the same group; and any islands within the jurisdiction of any State or the District of Alaska shall be considered a part of the mainland under this section."

It strikes me that the sixth section here, which is proposed to be stricken out, does not mean anything at all. I am told that it must mean something, because the Attorney-General is supposed to have drafted it. If it came from the Attorney-General's Office, it probably came from some $1,200 clerk, who had been directed to prepare it.

Mr. SPOONER. I think it is perfectly obvious that it is not from the Attorney-General.

Mr. TELLER. Yes, I will agree to that. I do not believe any Attorney-General would have drafted that provision.

Mr. GALLINGER. Mr. President, if it will not disturb the Senator, I would like to read from the RECORD.

Mr. TELLER. What record?

Mr. GALLINGER. From the CONGRESSIONAL RECORD.

Mr. TELLER. From the House proceedings?

Mr. GALLINGER. From the House proceedings, if you please.

Mr. TELLER. Very well.

Mr. GALLINGER. It is as follows:

I gladly bear testimony to the earnest and intelligent work of the gentleman whom he has placed at the head of the Bureau of Immigration—Mr. Sargent—and the ability and fidelity of that gentleman's principal legal adviser, Mr. Campbell. In such hands the exclusion policy is secure, and I am informed that the amendment comes directly from these friends of that policy.

So it would seem that it did not come from the office of the Attorney-General.

Mr. TELLER. It does not make any difference where it comes from; it is absurd, and I do not think it would be very creditable to us to put it into a statute. We do not know what it means. I will not make any comment on that, because it seems to me it must be stricken out under any condition. I do not believe that any of these provisions add particularly to the value of the existing law—the law existing to-day, and which will exist until the treaty expires on the 7th day of December.

I do not care to go into a debate on this question. My colleague [Mr. PATTERSON], who went into it extensively, was very much impressed with the certainty that if before the 7th day of December some legislation is not enacted the country would be open to Chinese immigration. I can not give my full assent to that view. I am inclined to think that if I had to determine the question I would hold otherwise; but I agree that there is enough in it, and that it would be such a great disaster to the American people if it should be held by the proper tribunal to determine the question that it did open the door to the Chinese, that in order to make sure we ought to enact some kind of legislation, either that proposed by the House or something that we ourselves may propose.

I do not suppose there are many sections of the country which have very much interest in this question. We went through it way back in 1888 and in subsequent years. The whole people, at least the whole Pacific country—and by that I include my own section, for while part of it is on the Atlantic part is on the Pacific in the sense that the waters run into the Pacific—is very much interested in this question. I think it is one of those things which you can not afford to delay or neglect. It is said that we ought not go far enough to prevent Chinamen from going to Panama. I am perfectly indifferent about that. Whether you exclude them from Panama or whether you admit them will not interfere with American labor of any kind. I have said, and I repeat it, that experience has demonstrated that a Chinaman can not do that work in Panama, and you will not get a considerable number of Chinamen to attempt it. But if it is desirable to try them, I have no objection. However, I do want to be very sure that no condition arises by which Chinamen will flood our western coast and come into competition with our western labor.

There are some sections of this bill which, if they could be properly administered, I do not know but that it would be well to enact, or something in line with them. But I think it is exceedingly dangerous in the last hours of an expiring session to attempt to meddle with the existing law, which we have discussed here for twenty years and which has finally been crystallized into shape where it is acceptable, practically, to everybody; that is, as acceptable as it ever will be.

Of course there is considerable sentiment in some sections of the country in favor of the employment of Chinese labor. I am speaking now of our western country. I believe there is considerable such sentiment in some regions where orchards prevail and where intense farming is conducted, to which these people are especially adapted; but the great mass of the American people and all of the Western States are exceedingly hostile to the admission of Chinese labor. Senators from those States will, I believe, bear me out when I say that nothing could be more disastrous to the American people than to have a great inrush of Chinamen.

In saying this I do not mean to say anything discreditable to the Chinaman. The truth is that the Chinaman is the greatest labor competitor for the reason that he can live upon wages on which an American laborer would starve, and because most of the Chinese who come here do so without the responsibility of a family, and they live in a way in which no American laborer would live, whether he had a family to support or not. The Chinese may add something to the wealth of the country, because they perform labor, but if they personally accumulate anything it goes abroad. It is not invested in this country and does not add to the permanent wealth of the country.

Mr. BACON. I suggest to the Senator that not only will they work for less, but they will work fifteen hours a day.

Mr. TELLER. As the Senator from Georgia says, they will work fifteen hours a day. They are good laborers, and while they do not do as much in an hour as an American laborer will, when you take into consideration the fact that they work for so much less and that they will work just as long as the foreman says they must work, without any additional compensation, it is obvious that they become very severe competitors. For that reason I do not wish to leave in this bill sections about which I have doubt, although one of the representatives of the labor interests of the country called on me this morning and assured me that this is what the labor people want. However, I do not feel under any obligations, moral or otherwise, to yield my judgment to that of any organization of that kind.

I am opposed to the admission of Chinamen into the United States, except in the limited way we have admitted them, and I believe the best interests of the country were promoted when we passed the rigid exclusion acts heretofore. I want to maintain them. I do not know that there is any proper demand for any severer laws than those which have been enacted.

Mr. PLATT of Connecticut rose.

Mr. TELLER. Does the Senator from Connecticut desire to interrupt me?

Mr. PLATT of Connecticut. I am simply waiting. I thought the Senator was about through.

Mr. TELLER. I will sit down and give the Senator a chance.

Mr. PLATT of Connecticut. Mr. President, I should like, as concisely as I can, to speak of this proposed legislation. It deals with a very delicate, complicated, and difficult matter.

I will commence by saying that China wants to be a friend to the United States and to have the United States a friend of China; that that condition, existing now for years, has been strengthened by our course during the last Chinese troubles. China regarded the United States, during all those troubles and the negotiation which followed them, as being especially the friend of China. The United States wants the trade of China. It is a very important matter. Other countries want the trade of China, and would be glad to make China feel that the United States is not its friend.

Now, this condition has arisen: China has given notice that she desires that the treaty of 1894 shall terminate at the end of the first ten-year period, which will be December 7 of this year. It is not because she wants to have her laborers come into the United States. She expressed in the treaty of 1894 her desire to keep her laborers out of the United States. But China feels aggrieved with the United States because under that treaty the United States has by law and by construction held that everybody is a laborer except the persons specifically mentioned in the treaty of 1894. They were Chinese officials, teachers, students, merchants, or travelers for pleasure or curiosity.

The United States claims that everybody is a laborer except the persons named in the treaty of 1880, I think, and in the law of 1888; and China says that the United States is therefore trying, under the claim that it will not admit laborers, to exclude what she calls her higher classes—scholars.

For instance, Wu Ting Fang, if he ceased to be an official under the Chinese Government, could not come to this country, because under the rulings he would be classed as a laborer. He could not come and settle here in Washington. He could not accept the invitation of the universities to deliver lectures throughout the country. A man worth $10,000,000 in China, retired, and who desires to take up his residence in the United States rather than remain there, would be classed as a laborer. That is what China objects to. She does not want her laborers to come into the United States. She has so declared.

China has given notice that she desires to terminate this treaty next December, not because she wishes to get her laborers into the United States, but because she desires to make a new treaty which will define more specifically the word "laborers," and thus accord to those whom she calls her "higher classes" the privilege of coming into the United States. That negotiation is in progress, and therefore it becomes a very serious question whether we ought now by legislation to close the door of that negotiation. We can not, perhaps, fully understand China or her feeling in this respect; and yet I think we may to some extent. It is, therefore, as I say, a delicate matter.

Now, like the Senator from Colorado, I have no desire to open the doors for the admission of Chinese labor into the United States—real laborers. I am willing to go a good way to be sure we keep out real laborers, but I do not think we ought to go so far as to keep out persons who by no construction of language or law or custom could be classed as laborers.

Mr. HALE. Let me ask the Senator, if it does not interfere with his statement, in which I am very much interested, has it practically operated in cases to keep out such persons?

Mr. PLATT of Connecticut. Certainly. I do not wish to speak of the drastic and uncivil way, and I will not apply a harsher word to it, in which this law is administered by the immigrant inspectors. I do not wish to go into that.

In 1902 the House passed a long bill on this subject proposing to put into law all the Treasury regulations and very drastic provisions with regard to the way the law should be administered. It came to the Senate and was discussed for days and weeks and months, and the Senate substituted for it practically what became the law of 1902. It went into conference. We had a conference, I think, lasting at least a week, as the Senator from Georgia will remember. The result of it was that we agreed upon the law of 1902, which continued all laws then in force, reenacted them, continued them, and, in order that there might be no mistake, specified certain sections in the law of 1888, although it extended all laws. There was a provision that the laws were "reenacted, extended, and continued, so far as the same are not inconsistent with treaty obligations."

The claim was made by the Senator from Colorado [Mr. PATTERSON], who addressed the Senate, that if the treaty of 1894 should terminate next December the treaty of 1880 would be revived, and, therefore, the words "not inconsistent with treaty obligations" would apply to the treaty of 1880, which only regulated, limited, and suspended the coming of Chinese laborers and did not absolutely prohibit it.

I do not think, Mr. President, that that contention is well founded. I think the law of 1902 would be in full force and effect after the treaty expired. I have examined the subject very carefully. I can not in my mind have any doubt about it, and I understand that is the opinion of the Attorney-General. But I do not wish any doubt to exist on the subject. If there is a doubt on it, I am perfectly willing that there should be legislation such as is contained in the fifth section, which will remove that doubt.

Therefore I support the fifth section, the only object of which is to remove any doubt that can exist as to whether the law of 1902 which we enacted will remain in force after the expiration of the treaty.

But as to the other legislation in this bill, Mr. President, I think we ought not to deal with it at the present session. First, it has never received the sanction by report of any committee of this body or of the House of Representatives. It was proposed as new legislation against the rules of the House upon an appropriation bill and carried through. It had not received by report at least the sanction of the Committee on Foreign Affairs of the House. It had never been introduced as a bill in the Senate. It was not thought of by the Senator from Colorado. It was not thought of by the peculiar representative of the antiexclusion sentiment in the House. It came at a time when the session was about to close and when no sufficient consideration could be given to it.

I think these considerations of themselves, without even a reference to what is proposed to do, ought to be sufficient to exclude it from the bill.

Mr. LODGE. Is was never before the Committee on Immigration.

Mr. PLATT of Connecticut. It was never before the Immigration Committee. No bill has been introduced in the Senate; it has been before no committee in the Senate, and there has been no opportunity for a committee to consider it. I venture to say that when it came to the Senate there were not three Senators who had any idea of what it meant. I am somewhat familiar with this matter, and I confess that I did not know what it meant. I do not know entirely now, but I will point out very briefly some things that I think it means.

With reference to the sixth section, which is proposed to be stricken out, I can see no reason for its enactment except that it will unquestionably exclude Chinese laborers from the canal zone. I take it, therefore, that that was the object of it.

The seventh section defines who a Chinese person or person of Chinese descent shall be. Without reading it, it is in effect that if a person comes here from China asking to be admitted, with the certificate of the consul that he is not a laborer, he is to be excluded if he is a Chinese person or a person of Chinese descent, and that is to be determined by the rule as to whether he had a Mongolian ancestor one hundred and four years ago who was a subject of a Chinese Emperor, and if an inspector says that he believes such is the case, then the person is excluded unless he can then and there prove to the contrary. That is what section 7 is.

Whom does it exclude? A good many Japanese, all Koreans, a very large proportion of Filipinos, for they had Mongolian ancestors who were subjects of the Emperor of China one hundred years ago. So if they have one particle of Chinese blood in their veins, coming down from an ancestor of a hundred years ago, they are to be excluded on the statement of the inspector that he believes they had such an ancestor, unless right then and there they can prove the contrary.

I submit, Mr. President, we ought not hastily to pass legislation of that sort.

Mr. McCOMAS. Will the Senator allow me to ask him if, from his familiarity with such legislation, he knows of any other instance in which an act of Congress so directly tempts an inspector of the Government to commit perjury?

Mr. PLATT of Connecticut. I will say that some of our immigration laws give very great powers to inspectors to determine such questions——

Mr. FAIRBANKS. That is necessarily so.

Mr. PLATT of Connecticut. I think that is necessarily so; but I do not think they have ever gone as far as this particular instance.

Mr. TELLER. I do not know that I quite understand the Senator from Connecticut on this peculiar provision about the Mongolian ancestor. I do not know what it means. I do not know what necessity there is for going back one hundred years.

Mr. PLATT of Connecticut. It is to draw tighter around the person who attempts to come from China into the United States, though he may not be a laborer, the cords which bind him. If he had a Mongolian ancestor one hundred years ago and an inspector says he believes that is the fact, it is conclusive evidence that he is a person of Chinese descent. That would take in a great many Japanese——

Mr. TELLER. Of course the burden of proof is on him to show that he is not of Chinese descent.

Mr. PLATT of Connecticut. Yes; and he can not do it, as a matter of course.

Now we come to the next section.

SEC. 8. That wherever the word "laborers" is used in the laws relating to the exclusion or expulsion of Chinese it shall be construed to include all persons of Chinese descent not permitted by law to enter or remain within the United States.

And they are Chinese officials, teachers, students, merchants, or travelers for pleasure or curiosity. It excludes everybody else, and I may say that such rules and regulations have been made with regard to officials, teachers, students, merchants, and travelers for pleasure or curiosity that they can scarcely come.

Then it provides, in order that there shall be no doubt about it, that a part of the act of 1893 shall be repealed. You remember that that act was passed after the act of 1892, about which we had a long debate, and was intended to make the law more specific. That provision was as follows:

The words "laborer" or "laborers," wherever used in this act or in the act to which this is an amendment, shall be construed to mean both skilled and unskilled manual laborers, including Chinese employed in mining, fishing, huckstering, peddling, laundrymen, or those engaged in taking, drying, or otherwise preserving shell or other fish for home consumption or exportation.

That law construed it to mean both skilled and unskilled manual laborers. Now they wish to repeal that so far as it defines laborers and to say that every person is a laborer unless he comes under the description of officials, teachers, students, merchants, or travelers for pleasure or curiosity.

It seems to me, Mr. President, that there is no necessity for that. The law as it exists says that laborers, skilled and unskilled, persons engaged in mining, fishing, huckstering, peddling, laundrymen, or those engaged in taking, drying, or otherwise preserving shell or other fish, for home consumption or exportation, shall be considered laborers. It seems to me that we have gone as far as there is any necessity for going in that respect.

Now, take section 9. It appears to me that that is almost unconstitutional. It says that if a person trying to come into this country from China sets up a claim of citizenship—that is, of having been born in the United States—that may be determined by an inspector. I supposed that a person claiming to be a citizen of the United States had a right to go to the courts of the United States to determine the question whether he was a citizen or not. I think he has that right under the Constitution. I think this deprives him of a constitutional right in that it makes the decision of that question, so far as the matter of fact is concerned, to rest with an inspector appointed to administer this law.

Section 10 there is no necessity for. It provides that the act to regulate the immigration of aliens into the United States shall apply to alien Chinese persons permitted by the Chinese-exclusion laws to enter or remain in the United States as it does to other aliens. That is practiced all the while. If they admit persons of Chinese descent, they can be excluded to-day under the immigration laws. If they are diseased, or paupers, or criminals, or come within the class which are to be excluded, they are excluded. They are excluded for the disease of the eyes, trachoma, I think it is called, and for any contagious disease. So there is no necessity for that legislation.

Now, section 11, it seems to me, is entirely an unfair section. It gives a right of appeal to the United States from the decision of any commissioner or court where the decision is adverse to the United States—that is, where it admits the person coming—and gives a further appeal to the circuit court of appeals and to the Supreme Court of the United States in behalf of the Government; but it only gives the applicant or the person claiming the right to enter a right of appeal to the district court, except that if the district court decides against the applicant he may apply to the Supreme Court of the United States for a certiorari—that is, to have the case certified to the Supreme Court of the United States.

It makes a distinction in the right of appeal between the Government and the person seeking to enter the United States. That is not fair under our laws or any other laws. If an appeal is to be granted, it ought to be an appeal where each party shall have the same right of appeal. It is well known that the Supreme Court very seldom grants a writ of certiorari. It is practically denying to the person seeking to enter the right to get his case before the Supreme Court of the United States when the United States has that right without limitation.

The twelfth section is unnecessary because as a matter of practice the Secretary of Commerce and Labor is doing the precise things now which it is said he shall have the right to do by this section. He is passing upon these questions; he is making the

rules and regulations; he is hearing appeals and deciding cases the same as the Secretary of the Treasury formerly did, because the whole matter was transferred from the Secretary of the Treasury to the Secretary of Commerce and Labor, and it is understood, and has been agreed to and is acted upon, that the Secretary of Commerce and Labor has after that transfer, by the act creating the Department, all the rights and authority which the Secretary of the Treasury had before the passage of that act.

Section 13, which is the last section, seems to me to be very objectionable in this—that it shows that the desire to keep out Chinese laborers is not so real a desire after all; because if one Chinese laborer turns informer and testifies against one who is trying to get in, the informer may be permitted to remain in the United States. It is said they have given evidence in smuggling cases; but the real point of it is to offer an inducement to a Chinaman who might be expelled from this country to get a right to remain here by testifying against another Chinaman who wants to get in. I do not think we ought to do that.

I have run hastily over this matter, Mr. President, not for the purpose of arguing it so much as to show that it is a matter we ought not to attempt to deal with at this time. There is no necessity for it. The pretense that there is a necessity for making it certain that the act of 1892 will continue in force after the expiration of the treaty is made a pretext for entering into this legislation, which is so difficult, so delicate, and so doubtful in its propriety.

Mr. HEYBURN. Mr. President, this is a question that directly affects all of the Western States, and particularly the State that I in part represent here. I can see an element of danger to our country from the importation of Chinese into the canal zone in the nature of an overflow. If they come within the jurisdiction of the United States with its consent, may they not then move to any other part of the jurisdiction? It seems to me that in order to guard against that an amendment something like one I have drawn should be adopted to section 6. I will read what I propose to offer ultimately:

Provided, That where Chinese who are within the class excluded by this act shall be admitted to the Panama Canal zone as laborers or otherwise during the construction of said canal, such admission shall not entitle such Chinese to remain within said canal zone or to claim any right to reside within any country under the jurisdiction of the United States after the completion of the said canal or his employment thereon, but all Chinese who shall be so admitted to said canal zone shall be admitted only under the express understanding and agreement that such admission shall not be a waiver on the part of the United States to exclude or deport at any time all Chinese within the meaning of this bill irrespective of the conditions or circumstances under which said Chinese entered said canal zone; and the fact that said Chinese have been permitted to enter the canal zone and are residing therein shall not be recognized as a residence within the United States; and after the completion of the said canal the provisions of the general law as to the exclusion of Chinese from the United States shall apply to the canal zone.

I apprehend, Mr. President, that it will be necessary to draw laborers from all parts of world in the performance of that work. Some 40,000 or 50,000 men will be employed, and in selecting them the conditions do not exist in regard to that work that exist as to work in a colder climate. It is doubtless true that the contractors, or those having charge of the work, will have to draw from every portion of the world in order to secure laborers who can endure that climate. It is equally probable that they will draw largely from southern China, from those portions where the climate is somewhat similar to that of Panama. If they should bring into that zone 10,000 or 20,000 or 30,000 Chinamen to work upon the canal, they would have been brought into the United States with its consent, and they would reside within the canal zone by the consent of the United States.

Now, the question as to what would be done with those Chinamen after the work of the canal is completed is a serious question, and one that should be left open.

Within a few months the contract will be let, and those who are called upon to make estimates for the performance of this work should have some declaration of policy on the part of Congress as to whether their right to bring Chinamen into the zone is to be recognized. Under the law, in the absence of this amendment, I do not believe that they could bring Chinamen within that zone because the term is general. It says in effect, every country under the jurisdiction of the United States. Now, we have jurisdiction over the canal zone, and they are excluded from every country except as by the provisions of the bill.

If the contractors are not going to be able to draw upon China for labor they ought to know it, because it will make a very material difference; it will circumscribe the field from which they may draw their labor. My amendment recognizes the right to employ Chinamen for that purpose, and it provides that they shall not obtain an excuse for remaining in the country by reason of having been brought in to work upon the canal.

If they may remain there that might be a little China after the canal was completed. It might be that 10,000 or 20,000 or more of the Chinamen would find that climate to their liking and would practically take possession of that country. That is not the intention, neither would it be for the best interests of the country that it should occur. Or it may be that it would raise the question that having been permitted to come within the jurisdiction of the United States they might transfer their residence from the canal zone to some other part of it, and, as has occurred heretofore, they would come to the Pacific coast. That is where the Chinamen do most congregate. We desire that we shall be protected against the possibility of this invasion of the Chinese. We desire that we shall be protected against the possibility of building up a little China within the canal zone. We desire to retain in the Government the right to send these people out of the country or control them just the same as though they had not come in by the consent of the Government.

I have rather lost track of the status of the amendments now pending. I ask whether an amendment to section 6 is now in order?

The PRESIDENT pro tempore. It is. The amendment offered by the Senator from Illinois [Mr. CULLOM] is to strike out section 6, so that the Senator's amendment to section 6 would be in order before the question is taken on striking out.

Mr. HEYBURN. I desire to offer the amendment which I send to the desk.

Mr. PLATT of Connecticut. Is it an amendment to section 6?

The PRESIDENT pro tempore. It is an amendment to section 6, the Chair understands. The amendment will be read.

The SECRETARY. At the end of section 6 add the following:

Provided, That where Chinese who are within the class excluded by this act shall be admitted to the Panama canal zone as laborers or otherwise during the construction of said canal such admission shall not entitle such Chinese to remain within said canal zone or to claim any right to reside within any country under the jurisdiction of the United States after the completion of the said canal or his employment thereon, but all Chinese who shall be so admitted to said canal zone shall be admitted only under the express understanding and agreement that such admission shall not be a waiver on the part of the United States to exclude or deport at any time all Chinese within the meaning of this bill, irrespective of the conditions or circumstances under which said Chinese entered said canal zone; and the fact that said Chinese have been permitted to enter the canal zone and are residing therein shall not be recognized as a residence within the United States; and after the completion of the said canal the provisions of the general law as to the expulsion of Chinese from the United States shall apply to the canal zone.

Mr. MITCHELL. Mr. President, I suggest to the Senator from Idaho, as he has offered his amendment to section 6, that if his amendment should be adopted and then the amendment of the Senator from Illinois should prevail, it would kill the amendment of the Senator. Had he not better offer his amendment to some other section?

Mr. HEYBURN. It can be offered again should it meet with that fate, but it is not yet certain as to what disposition the Senate will make of the amendment of the Senator from Illinois.

Mr. PLATT of Connecticut. Mr. President, I can not think that this amendment is necessary. The law now excludes Chinese laborers from the island territory of the United States and prohibits their immigration from such island territory to the mainland territory of the United States. They will get no right under the law to enter the United States, having gone into the country of Panama and worked in the canal zone, although that country, for the purposes of constructing and maintaining the canal, is within the jurisdiction of the United States. I can not think that there is any necessity for the amendment.

Mr. STEWART. Mr. President, we have gradually become acquainted with the Chinese and their character after many years of experience. I remember very well on the 2d day of July, 1870, an amendment was offered by the Senator from Massachusetts, Mr. Sumner, to a bill regulating naturalization, striking out the word "white," so that all persons of whatever color might become citizens of the United States. So little was known of the effect of such an amendment that I think as much as three-fourths of the Senate, and it may be four-fifths, were in favor of that amendment.

The then Senator from Oregon, Mr. Williams, and myself started in to protest. We kept up the debate on Saturday. Monday was the 4th, and the bill went over to Monday, when, by explaining the effect of naturalizing the Chinese, we gained converts—not a majority, but a very respectable minority. Finally, a compromise was effected extending the naturalization laws to the whites and persons of African descent, thus leaving out the Asiatics.

At that time there were probably 125,000 Chinese in the United States. If they had been allowed to be naturalized and to become voters, there probably never would have been any exclusion, but there would have been great trouble.

As time progressed it was ascertained that the Chinaman was a laborer with whom no white man could compete. He could work longer hours on less food, with less accommodation, and at less expense than a white man, and he was driving the whites from the Pacific coast. In San Francisco they monopolized almost every avocation of labor, and it was very demoralizing. They would have taken possession of the country everywhere,

but public opinion crystallized against their coming to this country, and Chinese-exclusion laws have been passed since then, all or nearly all of which I helped to perfect, so as to exclude them.

For the last few years I have heard very little complaint about the execution of existing laws. They are reasonably effective in keeping the Chinese out. We do not want to be harsh; we do not want to legislate on the basis of race hatred. There is too much of that now. We simply want to protect our white citizens from competition with the Chinese and Chinese civilization. That is all we want to accomplish. We have trade relations with China, which we hope will continue. We want friendly relations with all the world, so far as is possible. We do not want to set up ourselves as barbarians by doing unnecessary things which are harsh.

Many propositions have been presented in both Houses of Congress and elsewhere which would be very cruel to the Chinese, but the public sentiment of the country is not in favor of such propositions.

The only evil to be corrected now, as I understand, arises out of the fact that China has given notice that she will abrogate our existing treaty with her. She has a right to do that. The suggestion has been made that if that is done, it will leave our existing laws on the subject of Chinese immigration in an uncertain state. I, myself, believe that existing laws would still be in force; but there ought not to be a doubt as to that, and we should correct the danger of any such evil. I understand that the amendment proposed by the Senator from Colorado [Mr. TELLER] presented here some days ago and the amendment suggested by the Senator from Illinois [Mr. CULLOM] will accomplish that object.

If further legislation is necessary it ought to be enacted deliberately; it should not be rushed through on an appropriation bill in the expiring hours of the session. That is no way to deal with this great subject. If Chinamen are coming into the country, or are likely to come in, a bill should be introduced early in the session, be referred to a committee, be thoroughly examined by that committee, and reported to the Senate. We do not want to pass a bill that will exasperate China and seem to the world as though we were inconsistent. We do not want any such legislation as that. I think it is unfortunate that this proposition should have been made.

As to the doubt which has been raised by the suggestion that the treaty will be abrogated, all that is necessary now is to leave the matter stand as it will when the amendments to which I have referred are adopted, and then, as there has been no considerable complaint, the matter certainly can go over until the next session of Congress. If it is then found that there is need of legislation I think every member of the Senate will be in favor of it. We want to accomplish the purpose of excluding the Chinese in a decent, orderly way, so as to protect our people from their kind of civilization and their labor competition.

I hope that this matter will be disposed of by the adoption of only so much legislation as is necessary to remove any doubt. Let us go on and enact a law in a deliberate way. I do not like legislation of this kind. Do not let us come in like boys at the end of the session and do more than is necessary to remove the doubt that has arisen by the suggestion that the treaty will be abrogated.

I think everyone would like to look into the matter so as to understand perfectly what legislation is necessary to exclude the Chinese. I think on so important a subject every Senator would like to understand it and have an opportunity to deliberate upon the various questions with all the information which is necessary, in order to enable us intelligently to amend the law. It is impossible to do so at this time. We should now only do what is necessary to be done at the present time, and let any further legislation be taken up with deliberation at the next session.

The Chinese question is an important question. The Chinese must not be admitted to come here to compete with our white labor; and they are not going to be permitted to do so. That is agreeable to China. She does not want her laborers to come here. It will do no harm to have a friendly understanding with China. All we desire is that our laws shall be ample to accomplish the purpose of the exclusion of Chinese labor. It takes time to frame such laws. I repeat that I think we should only do what is necessary to be done in order to remove the doubt, and then consider the subject at the next session, when we shall have ample time to do so.

Mr. GALLINGER. Mr. President, in reference to the bill under consideration, I want to put in the RECORD, first, a dispatch from Amory A. Lawrence, of Boston, president of the Boston Merchants' Association, protesting against this legislation; one from E. G. Preston, secretary of the Boston Chamber of Commerce; one from Hon. Charles S. Hamlin, late Assistant Secretary of the Treasury—those organizations and Mr. Hamlin protesting on the ground that this proposed legislation will be very detrimental to our future trade relations with China; and one from Judson Smith, secretary of the American Board of Missions, protesting in behalf of the missionary interests of the country.

The PRESIDENT pro tempore. The telegrams referred to by the Senator from New Hampshire will be printed in the RECORD, in the absence of objection.

The telegrams referred to are as follows:

BOSTON, MASS., *April 22, 1904.*

Hon. JACOB H. GALLINGER,
United States Senator, Washington, D. C.:

Hope you can prevent any further legislation as to Chinese immigration except what is absolutely necessary to secure continuance of existing laws. All the sections of the amendment to general deficiency bill passed by House except first section constitute new legislation, completely changing present laws. This may seriously injure important New England interests engaged in trade and desirous of increasing trade with China.

BOSTON MERCHANTS' ASSOCIATION,
AMORY A. LAWRENCE, *President.*

BOSTON, MASS., *April 20, 1904.*

Hon. JACOB H. GALLINGER, *Washington, D. C.:*

Board directors Boston Chamber of Commerce regard amendment to general deficiency bill passed by House as legislation that may seriously injure important New England interests engaged in trade and desirous of increasing trade with China. First section of bill all right, but hope you can prevent any new legislation as to Chinese immigration except what is necessary to secure continuance of existing laws.

E. G. PRESTON, *Secretary.*

BOSTON, MASS., *April 20, 1904.*

Hon. JACOB GALLINGER,
United States Senator, Washington, D. C.:

Trust you will be able to prevent passage Chinese amendment added to deficiency appropriation bill, or at least all except first section. It will seriously injure trade of New England and the South with China.

CHAS. S. HAMLIN.

BOSTON, MASS., *April 22, 1904.*

Hon. JACOB H. GALLINGER,
United States Senate, Washington:

It seems to us that all the sections of the amendment to general deficiency bill passed by House except first section constitute new legislation completely changing present laws. We hope you can prevent any further legislation as to Chinese immigration except what is absolutely necessary to secure continuance of existing laws.

JUDSON SMITH,
Secretary American Board of Missions.

Mr. GALLINGER. Mr. President, I had intended to submit some observations in regard to this matter, but the Senator from Connecticut [Mr. PLATT] has covered the ground so completely and there seems to be such unanimity of opinion in reference to this question that I do not feel warranted in detaining the Senate.

As a member of the Committee on Appropriations I did not give my assent to this part of the bill. I frankly admitted that I did not understand it, as did other members of the committee, but it was agreed that it should be reported to the Senate with the understanding that the members of the committee should reserve their judgment in regard to it. I believe the legislation to be utterly unnecessary. I believe that, if it is enacted, it will be very harmful to our interests as a people, and I sincerely trust that, with the exception of section 5 as proposed to be amended by the Senator from Illinois [Mr. CULLOM], the legislation may be stricken from the bill.

I was interested a few days ago, Mr. President, in noticing that Great Britain was entertaining some very distinguished citizens of the Empire of China, showing them every possible consideration and courtesy, apparently and manifestly with a view of getting their good opinion for the purpose of extending British trade into that great Empire. The United States needs that trade today and will need it in the future. I see no reason why we should put on our statute books a single line or a single word of unnecessary legislation that will lead to irritation between this country and China.

China to-day is weak and helpless, but China some day will be strong and aggressive; and I hope that the relations of this country with that Empire may be such that when that day comes we shall have the good will and the sympathy and not the hatred of that great people.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Idaho [Mr. HEYBURN].

The amendment was rejected.

The PRESIDENT pro tempore. The Senator from Illinois [Mr. CULLOM] has offered an amendment, which will be stated.

The SECRETARY. In section 5, on page 91, line 14, after the word "condition," it is proposed to strike out "except as hereinafter specifically provided;" and all of sections 6, 7, 8, 9, 10, 11, 12, and 13 of the bill, in the following words:

SEC. 6. That the said laws so reenacted, extended, and continued shall be so construed as to permit the entrance into or residence within the United States, and any territory subject to its jurisdiction, of those persons of Chinese descent who are citizens of the United States by reason of birth and those who are specifically granted by law such privilege, and no others.

SEC. 7. That the words "Chinese person" or "person of Chinese descent" as used in said laws shall be construed to mean any person descended from an ancestor of the Mongolian race, which ancestor is now, or was at any time subsequent to the year 1800, a subject of the Emperor of China; and in any proceeding or examination relating to the exclusion or expulsion of one alleged

to be such a person, instituted or conducted by the Government, the statement, under oath, of a duly appointed immigration or inspection officer that he believes such person to be a Chinese person or a person of Chinese descent shall constitute sufficient proof thereof, unless such person shall establish by affirmative evidence to the satisfaction of the officer or tribunal charged with the determination of the question that such is not the fact.

SEC. 8. That wherever the word "laborers" is used in the laws relating to the exclusion or expulsion of Chinese it shall be construed to include all persons of Chinese descent not specifically permitted by law to enter or remain within the United States; and so much of section 2 of the act approved November 3, 1893, as provides that "The words 'laborer' or 'laborers' wherever used in this act or in the act to which this is an amendment shall be construed to mean both skilled and unskilled manual laborers" is hereby repealed.

SEC. 9. That the officers of the Government shall have the same right to decide questions of fact upon which rests a claim of citizenship set up by any person of Chinese descent as they have to pass upon matters of fact relating to the admission or exclusion of persons conceded to be aliens.

SEC. 10. That the provisions of "An act to regulate the immigration of aliens into the United States," approved March 3, 1903, shall apply to alien Chinese persons permitted by the Chinese-exclusion laws to enter or remain in the United States as they do to other aliens.

SEC. 11. That the provisions contained in section 13 of an act entitled "An act to prohibit the coming of Chinese laborers to the United States," approved September 13, 1888, shall be so construed and modified as to give an appeal in behalf of either the United States or the Chinese person within ten days from a judgment of the commissioner of the United States court to the district court of the United States for the district wherein the proceeding took place, and to permit a further appeal on behalf of the Government alone to the circuit court of appeals or the Supreme Court of the United States, according to the nature of the questions involved; but the action of the district court, if adverse to the person of Chinese descent, may be reviewed by the Supreme Court by certiorari if application therefor be made within sixty days after the first day upon which said court would have received the same; but the time between the annual terms of the court shall constitute no part of such sixty days.

SEC. 12. That sections 2 and 3 of said act, approved April 29, 1902, are hereby amended by striking out the words "Secretary of the Treasury" whenever they occur therein and inserting in lieu thereof the words "Secretary of Commerce and Labor;" and all power and authority heretofore conferred by the laws relating to the admission and exclusion of persons of Chinese descent upon the Secretary of the Treasury shall hereafter be possessed and exercised by the Secretary of Commerce and Labor.

SEC. 13. That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may, in special cases where he is of opinion that such action is just and right and not contrary to the public welfare, relieve, under conditions to be determined by him, from the operation of the laws relating to the exclusion or expulsion of persons of Chinese descent, any person who came into the United States prior to December 8, 1894, or who has rendered the Government meritorious services.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Illinois [Mr. CULLOM] which has been read.

The amendment was agreed to.

Mr. LODGE. Mr. President, I offer at this point the amendment which I send to the desk, to come in at the end of the bill as it now stands.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. At the end of the bill it is proposed to insert the following:

All Chinese and other aliens whose emigration is encouraged or induced by the agreement of any foreign government or by any integral part thereof or by any foreign colony or dependency, directly or indirectly, with any transportation company, or who are brought to the United States as passengers by any transportation company having any agreement with any foreign government or any integral part thereof or any foreign colony or dependency, which agreement binds said foreign government to furnish a certain number of emigrants to such transportation company or to make payments to such company or companies in case the agreed number of emigrants are not furnished or do not apply for passage, shall be excluded from admission to the United States.

Mr. TELLER. I wish the Senator from Massachusetts who has offered that amendment would explain the necessity for it. I thought what it provides was practically the law now.

Mr. LODGE. No. I can explain it in a very few words, and I am sure the Senator and I will agree about it.

There has recently been made between the Cunard Steamship Company and the Government of Hungary a contract or agreement to the effect that if the Cunard Company will run a line of steamships from Fiume, a port of Hungary, that the Hungarian Government will see that they have 30,000 immigrants a year. If that number does not apply for passage or is not furnished, then the Government agrees to make payment to the company, as I understand.

It seems to me, Mr. President, that it is absolutely against public policy to allow any government to make contracts of that character with transportation companies for sending immigrants here. The Hungarian Government say that they do not desire their people to emigrate, but if they are going to emigrate they wish them to emigrate from their own ports and under their own control, which will result, of course, as anyone can see, in that Government sending us only the most undesirable portion of their population.

This clause is embodied in the immigration bill which has been reported by the Committee on Immigration. The subject has been carefully considered by that committee, but the bill contains a number of other provisions, and it is not at all probable that it can be passed at this session. This provision has had the careful consideration of the Committee on Immigration, and the agreement as to the necessity for it was unanimous.

Mr. TELLER. Mr. President, I did not understand when the amendment was read exactly what was the import of it, but, on the statement made by the Senator from Massachusetts [Mr. LODGE], I think it is a very proper amendment and one that we ought to enact into law.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Massachusetts [Mr. LODGE].

The amendment was agreed to.

The PRESIDENT pro tempore. One or two amendments were passed over.

Mr. HALE. Yes; I am going to call those up.

Mr. PETTUS. If the Senator from Maine will allow me, I wish to say that I made a motion on yesterday to strike out the provision in reference to the Western Union Telegraph Company. The Senator from Maine in charge of this bill communicated with the Secretary of the Treasury, and it has been ascertained from that communication that the law of the United States provides expressly for paying interest on a claim situated as that is. Therefore I withdraw the amendment.

I ask that the communication from the Acting Secretary of the Treasury to the Senator from Maine may be printed in the RECORD.

The PRESIDENT pro tempore. In the absence of objection, it will be so ordered.

The communication referred to is as follows:

TREASURY DEPARTMENT,
Washington, April 22, 1904.

Senator EUGENE HALE,
Committee on Appropriations, United States Senate.

SIR: In answer to your telegram of this date addressed to the Auditor for the Treasury, I have the honor to state that the interest in the case in question was incurred under the act of March 3, 1875. (Stat. 18, p. 481.) Judgment was rendered in the Supreme Court on November 18, 1895, on a claim of the Government against the Western Union Telegraph Company for business claimed to have been transacted over a bond-aided telegraph and railroad line. Under the above law the amount of $12,790.60 found due the company on other settlements was withheld by the Secretary after the amount had gone to warrant.

The claim for principal and interest was filed in this Department on February 27, 1904, referred to the Auditor on March 7, 1904, and the principal paid out of outstanding liabilities on March 8, 1904, and the claim for interest certified on March 21, and revised and approved by the Comptroller of the Treasury on appeal April 4, 1904.

A copy of the Comptroller's decision is inclosed herewith.

Respectfully,

H. A. TAYLOR, *Acting Secretary.*

TREASURY DEPARTMENT,
OFFICE OF THE COMPTROLLER OF THE TREASURY,
April 4, 1904.

The Western Union Telegraph Company appealed March 24, 1904, from the action of the Auditor for the Treasury Department in settlement No. 46864, dated March 21, 1904, in disallowing $3,669.24, claimed to be due as interest under the terms of the act of March 3, 1875. (18 Stat., 481.)

This case was recently before this office on the question of what auditor should settle this interest account. (28 MS. Dec., p. 977.) As only such facts as were necessary for the decision were there given, the entire case will be stated here.

In February, 1888, the Second Comptroller of the Treasury requested suit to be instituted against the Western Union Telegraph Company for the recovery of over $12,000, which he claimed to have been improperly paid to that company. While the matters were pending which led up to this action by the Comptroller, accounts for current business had been presented by that company to the then Third Auditor, representing services rendered from August, 1885, to June, 1887. These accounts remained unaudited until they amounted to $12,790.66, which sum was subsequently withheld, under said act of March 3, 1875, to offset any recovery in the above suit.

These accounts were transmitted to the Auditor at different dates between October 4, 1886, and April 4, 1888. They were finally audited and settlements made at various dates between November 14, 1889, and April 30, 1890. At the time the various settlements were made the original appropriations had lapsed, but Congress made provision for the payment of these claims in the deficiency acts of September 30, 1890 (26 Stat., 550), and March 3, 1891 (26 Stat., 894). Part of the drafts were drawn for the payment of these claims on January 19, 1891, and the remainder on May 18, 1891; but these drafts were retained in the Treasury Department under the act of March 3, 1875, and not delivered to the claimant.

As requested by the Second Comptroller, suit was instituted against the company in March, 1888. This was decided in the circuit court against the United States, was appealed to the Supreme Court of the United States, which, on November 18, 1895 (160 U. S., 53), affirmed the judgment of the circuit court, but the mandate was not filed in the latter court and the suit dismissed until March 1, 1904.

The act of March 3, 1875, *supra*, provides:

"That when any final judgment recovered against the United States or other claim duly allowed by legal authority shall be presented to the Secretary of the Treasury for payment, and the plaintiff or claimant therein shall be indebted to the United States in any manner, whether as principal or surety, it shall be the duty of the Secretary to withhold payment of an amount of such judgment or claim equal to the debt thus due to the United States, and if such plaintiff or claimant assents to such set-off, and discharges his judgment or an amount thereof equal to said debt or claim, the Secretary shall execute a discharge of the debt due from the plaintiff to the United States. But if such plaintiff or claimant denies his indebtedness to the United States or refuses to consent to the set-off, then the Secretary shall withhold payment of such further amount of such judgment or claim as in his opinion will be sufficient to cover all legal charges and costs in prosecuting the debt of the United States to final judgment. And if such debt is not already in suit it shall be the duty of the Secretary to cause legal proceedings to be immediately commenced to enforce the same, and to cause the same to be prosecuted to final judgment with all reasonable dispatch. And if in such action judgment shall be rendered against the United States or the amount recovered for debt and costs shall be less than the amount so withheld as before provided, the balance shall then be paid over to such plaintiff by such Secre-

tary with 6 per cent interest thereon for the time it has been withheld from the plaintiff."

The only question involved is as to the date upon which payment was "withheld from the plaintiff."

The Auditor for the Treasury Department allowed interest from the dates the several drafts were drawn, viz, January 19, 1891, and May 18, 1891. The claimant contends that interest should be allowed: (1) From the dates the services were rendered; or (2) from such time thereafter as would allow a reasonable time for auditing the accounts; or (3) if neither of the foregoing be authorized, then from the dates of the several settlements.

The claimant's first and second contentions can not be sustained. The established rule of the Government is not to pay interest on claims except in cases especially authorized by Congress, and the delay of the accounting officers in settling the accounts can not operate to change this rule. (8 Comp. Dec., 498; 7 Op. Att. Gen., 523.)

The only authority for the payment of this interest is in the act of March 3, 1875. Under that act it was the duty of the Secretary of the Treasury to withhold payment of these claims when they were presented for payment. When were they "presented for payment?" Clearly not until they had been duly allowed by the proper accounting officers of the Government and so certified to the Secretary of the Treasury that it was his duty to pay the claims unless they were to be withheld under the act of March 3, 1875. It is equally clear that as payment could be made only from appropriations available for that purpose, payment of any of these claims could not be withheld until after such appropriations were made.

There is no record of any order by the Secretary of the Treasury to withhold payment of these claims, nor of any specific act to that end, until after the drafts were issued. It was the custom of the Treasury Department to mail such drafts to claimants. This was not done, and their retention must be treated as a withholding under the act of March 3, 1875, from the dates of the drafts.

The action of the Auditor is affirmed.

R. J. TRACEWELL, *Comptroller.*

The PRESIDENT pro tempore. A committee amendment was passed over on page 2.

Mr. GORMAN. Before that amendment is taken up I should like to ask the Senator from Maine why the appropriation to meet the annual share of the United States in the expenses of the International Sanitary Bureau, created under a resolution of the Pan-American Conference at Mexico, was stricken out?

Mr. HALE. Provision for that was made in the sundry civil appropriation bill.

Mr. GORMAN. It is in the sundry civil appropriation bill?

Mr. HALE. Yes. The first amendment that was passed over is the one on page 2, beginning in line 10, which was reported from the Committee on Foreign Relations by the Senator from Massachusetts [Mr. LODGE].

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 2, after line 9, it is proposed to insert:

To enable the Secretary of State, as an act of grace and comity, to reimburse the Compagnie Française des Cables Télégraphiques for expenses incurred in repairing its cables and property, which were cut and damaged by United States forces in Cuba during the Spanish-American war, $77,712.

Mr. GORMAN. Mr. President, in regard to that amendment I understand three or four other claims of the same character have been presented. I have not the list. I had it yesterday for a moment; but the Senator from Maine probably has the document in which they are mentioned. From that document it appears the English Government as well as the French Government have a similar claim, and put it upon the same ground, as a matter of comity. If it is a proper thing to do, why should the French claim alone be selected? As I understand, it is a matter concerning which there exists no right to make a demand. The cables were cut as an act of war, an act that was necessary at the time; but, as a matter of comity, it is proposed to pay the French company's claims to the exclusion of the others. I should like to have from the Senator some statement why that discrimination is made.

Mr. LODGE. Mr. President, this amendment was reported from the Committee on Foreign Relations favorably after they had investigated it and it had been recommended by the State Department. This payment is proposed to be made as an act of grace and comity. No legal right is admitted. The purpose of the amendment is simply to reimburse the French company for damage done their cables in the West Indian Islands during the war by our cutting them. As a matter of international comity, I think the claim ought to be paid; and I do not understand that the Senator from Maryland disputes the proposition that as a matter of comity it is reasonable to pay it.

The Senator asks what has become of the other claims. There is one other claim of a similar nature for the cable cut at Manila, which belonged to a British company. That claim was referred to the committee of which I have the honor to be chairman, the Committee on the Philippines. I have withheld a report on it. My reason for doing so, and for opposing the payment to the British company, is because there are a number of similar claims of our citizens against the British Government, not so large as this—I had them sent in from the State Department on request—which have been pending many years. Some of them, one at least with which I am familiar, is a very hard case, involving great injustice, although the amount claimed is only $10,000.

Mr. SPOONER. Will the Senator allow me to ask him if they are claims of similar nature growing out of similar circumstances?

Mr. LODGE. No; they are not identical with this, excepting in the fact that they are mere acts of grace and comity.

Mr. FORAKER. Right there, if the Senator will allow me, I should like to ask a question. Why do we call this "an act of grace and comity?"

Mr. LODGE. Because it is nothing else.

Mr. FORAKER. Why is it not something else? If, as a matter not of war necessity, we see fit to cut a cable of a French company, something we certainly did not have a right to do, are we not under obligations to pay the damages? Of course they could not bring an action, but to say it is a mere "act of grace and comity" does not seem to me to state the case fairly. There is an obligation arising, according to international law, to reimburse where we take property. I have not had occasion to examine the authorities on the subject, for the question has just been brought up, but it seems to me that that is a recognized proposition.

Mr. SPOONER. The Senator thinks there is such an obligation, but there is not.

Mr. FORAKER. There certainly ought to be. If in the prosecution of war we see fit to take the property of a noncombatant, of a neutral, cut it and destroy it, and appropriate it, we certainly ought to stand ready to pay for it; and it would be "an act of grace and comity" only in the sense that they could not sue us to recover; but certainly it is an obligation that we ought to recognize and treat as an obligation if the amount of damage done in that way is established.

Mr. LODGE. Mr. President, I do not desire to argue the question of the nature of this claim, because if we are going to establish it as a matter of legal right there is a great deal to be said. At the time they were cut these cables were in the possession and they were being used for military purposes by the power with which we were at war.

Mr. FORAKER. Of course that altogether changes the case. I understood the Senator to say that these were cables belonging to the French company referred to, and in their use.

Mr. LODGE. No.

Mr. FORAKER. And that we, to prohibit any use of them, had cut them, as we had a right to do, according to international law. I am not proposing to make any opposition on the ground that this is spoken of as a mere "act of grace and comity" rather than as an obligation, but it does seem to me that it is an obligation rather than a mere act of courtesy and grace.

Mr. LODGE. The French cables running among the West India Islands that were not in the control of Spain and were open to us to use we, of course, used freely during the war, and paid for their use; but the cables that were cut were cables running into Cuba, which were being used by the Spanish Government and by the Spanish authorities in Cuba for military purposes, and that was the reason we cut them. It was a military act.

Mr. SPOONER. Why should not the French company be reimbursed as "an act of grace and comity" by Spain rather than by the grace and comity of the United States?

Mr. LODGE. I suppose because Spain did not cut the cable.

Mr. SPOONER. No; but Spain seized the cable and was utilizing it for purposes hostile to us. It was in belligerent use.

Mr. LODGE. Unquestionably.

Mr. SPOONER. We had the same right to cut that cable as if it had been a Spanish cable owned by the Spanish Government.

Mr. LODGE. Beyond a doubt.

Mr. SPOONER. Then, when Spain seized this cable, which was the property of the French company, was not that a question for France to settle with Spain under the principles of comity, instead of for the United States to settle with this French company on principles of comity? We did no wrong. The United States proceeded in entire right, under the rules of war. I can not see quite how the Senator works this out.

Mr. HALE. Does it follow because they might have a legal claim against the Spanish Government they may not also, in just the language used here as "an act of grace and comity," have a claim against us because we were the nation who destroyed the cable, who cut the cable? If we had not done that, the cable would have been restored by the Spanish Government to these people. We intervened and we destroyed it.

Mr. SPOONER. Perhaps it was part of the contract between Spain and the French company, under which this cable was permitted to be landed on Spanish territory, that in the event of war the Spanish Government should have the right to use it.

Mr. HALE. Even that would not affect the question of—I will not say obligation, for that is not consistent in connection with "grace and comity," but a moral obligation, a matter of good feeling and good-fellowship.

Mr. SPOONER. That is what I am talking about.

Mr. HALE. But we might still be responsible, as we were the intervening parties who cut the cable and destroyed it, even if they did have a claim against the Spanish Government.

Mr. SPOONER. Of course I recognize a moral obligation just as much as the Senator or anyone else does, but I can not exactly see why the United States, if the cable was seized by the Spanish Government and was being used by that Government—a belligerent—had not the right to cut it.

Mr. LODGE. Undoubtedly we had that right.

Mr. FAIRBANKS. If the Senator will allow me, I quite agree with him in the view he evidently takes of this question.

Mr. SPOONER. I do not know enough about it to take much view.

Mr. FAIRBANKS. No; but as you are thinking it out.

Mr. SPOONER. It looks to me questionable.

Mr. FAIRBANKS. If the cable belonging to the French company was in the use of the Spanish Government, should we not treat it as though it was the property of and belonging to the Spanish Government?

Mr. SPOONER. That was my suggestion.

Mr. FAIRBANKS. Yes; I so understood the Senator. If the cable was the property of the Spanish Government and the title to it was in the Spanish Government, obviously there would be no claim against us, even though we did cut it. If the use of it was in the Spanish Government, although the title was in the French Government, and we destroyed it, it seem to me the French Government must look to Spain and not to the United States.

Mr. SPOONER. That was my suggestion.

Mr. GALLINGER. Supposing it had been a ship instead of a cable?

Mr. LODGE. This cable was the property of a private company—that is, it was not a Government cable.

Mr. SPOONER. Certainly not.

Mr. LODGE. And it was used by the Spanish Government and used by the Spanish military forces. This amendment was reported by the Committee on Foreign Relations. I thought we all went over it there.

Mr. SPOONER. I was not present at the meeting of the Committee on Foreign Relations, and if I had been, when the consideration came to my mind that led me to doubt whether the action of the committee was to constitute a precedent I would conceive it to be my duty to indicate it.

Mr. GORMAN. Will the Senator speak a little louder? We should like to hear him on this side.

Mr. SPOONER. I was about to ask the Senator whether he knows anything about the terms under which the Spanish Government permitted the French company to lay this cable? It may easily be, and I think usually is, made a condition of such a concession that in time of war the government granting the concession may use it. If that be a fact, would it not make this provision entirely without any foundation, legal or moral?

I will ask the Senator another question. Does he know of Congress ever having passed such a provision?

Mr. LODGE. I do not think there has ever been a reimbursement for cutting a cable in time of war. That was why I objected to the suggestion of the Senator from Ohio that this was anything but "an act of grace and comity." It certainly can not be described as anything else than that, in my opinion, and to admit that there was any right I think would be a very unfortunate thing.

Mr. SPOONER. There probably will be other wars.

Mr. LODGE. Of course, this cutting of cables——

Mr. SPOONER. And other cutting of cables——

Mr. LODGE. This cutting of cables in time of war is comparatively new. I do not at this moment recall a war in which that has been done, except our own, because the great wars that succeeded the laying of the Atlantic cable and the general use of cables were not wars in which cables were involved—that is, the Franco-Prussian war and the Russo-Turkish war were not wars which involved sea fighting.

Mr. SPOONER. I suppose if a ship belonging to a Frenchman or a French company had been lying at anchor in the harbor of Habana and the Spanish Government had taken possession of it and utilized it against us in belligerent operations and we had seized it, captured it, or destroyed it, there would be no possible theory either in law or as a matter of grace upon which the United States could be called upon to appropriate money to the owner of that ship to reimburse him. The ship would be no more private property than the cable, except that the cable could only be laid, because it involved the granting of concessions by the Spanish Government, under some contract with the Government of Spain. It is a doubtful proposition to me, and everything we do of this sort is a precedent.

Mr. LODGE. On that point, if the Senator will allow me, I have not the contract. I have not seen the contract or the concession of the Spanish Government. I do not think it was before the committee at all. The matter came in with the letter of the Secretary of State, stating the undoubted fact that we had cut this cable as a war measure.

Mr. SPOONER. Without doubt.

Mr. LODGE. Of course the cable was in use by the Spanish Government—whether forcibly or not, I do not know—and as we were the party to the war which had caused the injury and the temporary destruction of the cable, it was an act of grace and comity to refund to this company what it had lost. There is no question of the title of the company to the property.

Mr. SPOONER. I am inclined to think that as a matter of grace and favor to the United States we ought to defer action upon this matter until we know more about the facts.

Mr. LODGE. I can get the full report if the Senator wants it. Of course I did not expect there would be any——

Mr. SPOONER. I have not heard of it before. It has just come to my attention.

Mr. McCOMAS. Will the Senator yield to me for a moment?

Mr. LODGE. Certainly.

Mr. McCOMAS. Mr. President, this is placed upon the ground of comity, and of course it could not be put upon any other ground. In our own country, recognizing the rule of international law, President Grant vetoed the bill for the relief of Dr. Milton J. Best, of Kentucky. This was a case of destruction of property, of a home of a loyal citizen at the seat of war and as a result of military operations. The President, under the advice of the Attorney-General, vetoed the bill for Best's relief because of the well-known principle of international law that when within the scope of war there is a destruction of the property of a citizen or a subject by act of war, there is no relief. That has been a principle of international law for centuries.

The Supreme Court in several cases of the same sort has applied the same principle to the destruction of the property of our own citizens, and has held that under international law the citizen within the theater of war bears that as the result of war, and under the international view there is no remedy or relief. The question went to the Supreme Court and was decided in respect of the right of an alien, a subject of a neutral power, and it was held that aliens stand as do our own citizens. I remember a case very much resembling the instance supposed by the Senator from Wisconsin, where the ships of another power, a neutral power, were seized. It was in the Franco-Prussian war and occurred on the Seine. The Germans took six or seven British vessels and sunk them in the Seine to prevent the French fleet from getting up the Seine and stopping the German army from crossing that river on its advance on Paris. And Bismarck afterwards made an apology and paid the English not as a matter of right, but as a matter of comity, disclaiming any obligation to do so much.

Now, as we do not in these cases pay our own citizens or aliens who are on our soil, where in the theater of war their property is destroyed, it does seem to me that with respect to the destruction of a cable used by the Spaniards in the Philippines, which was cut as an act of war, it is pressing the doctrine of international comity too far to expect us to pay neutral foreigners for the damages resulting.

When we will not pay our own citizens at home, in the theater of war, for losses as the result of an act of war, and will not pay aliens on our own soil and having an asylum with us, it ought to be an extremely strong case where, for an act of war, as it was in this case, we should reimburse the citizens or a corporation of another country, and especially where our obligation is not direct, but at most is secondary. We were acting against the Spanish belligerents, and incidentally destroyed property whereby French citizens were damnified. We do not pay our own citizens and we do not pay aliens on our soil for the direct destruction of property by our own acts of belligerency. I think we ought not to extend the doctrine of comity so far as, in the second degree, to pay for destruction which, in the first instance, if paid for at all, should be paid for by Spain and not by us. As the French were thus damnified indirectly only by us, we, who do not pay our own citizens or aliens on our soil for destruction by war, are not bound in comity to make this payment to the French injured by a belligerent act against the Spaniards.

Mr. HALE. Let the matter go over for the present. The Senator from Massachusetts has sent for some additional papers.

Mr. GORMAN. Mr. President——

Mr. HALE. I have asked that this matter may go over for the present.

Mr. LODGE. I have sent for the papers in the Foreign Relations Committee room.

Mr. HALE. I will call it up again.

I call the attention of the Senator from Maryland to an amendment beginning in line 25 on page 75. It is the amendment upon which he had some question, and as to which I sent him the papers showing why it should be the Auditor for the Interior rather than the Treasury Department.

Mr. GORMAN. I have read the document the Senator has sent me—Document No. 285, Fifty-eighth Congress, first session. The Auditor makes a perfectly plain statement in regard to this trans-

fer. I was not aware at the time that under a provision in some appropriation act or by a law passed by Congress the Auditors of the Departments are to take charge of these claims instead of the Auditor of the Treasury Department. That being the law, there is no reason, of course, why I should object to this particular amendment, although under the original act making the appropriation of more than a million dollars it was provided that the accounts should be audited in the Treasury Department. I will not object to the amendment, but at the same time I desire to make a statement.

Mr. President, I think it is a very great mistake to have the Auditor of the Interior Department audit all the claims that are passed upon or allowed by that Department. I think that system will, not improperly, but necessarily, result in a great deal of extravagance. If the officers of the Department are to determine the amount to be allowed, and are authorized to pay it at once, without any supervision, as has been done heretofore, from the foundation of the Government as I understand, it will naturally lead to extravagance.

Take the matter of appropriations as handled by this body. I think every Senator who has looked into the subject must recognize the fact that since we have transferred many of the appropriation bills to committees which were organized for the purpose of framing legislation in regard to the Departments, the Post-Office Committee, for instance, the Military Affairs Committee, and so on, you find nothing except the influence of the particular Department operating on the committee. I repeat what was said by a very distinguished Member of the House, of long experience as chairman of the Committee on Appropriations—the late Samuel J. Randall, of Pennsylvania—when they inaugurated that system in the other branch, that it would result in increased appropriations of from 40 to 50 per cent. I think it has been demonstrated that that is way below the increase which has occurred, and by that I mean the unnatural increase, for, as a matter of course, we yearly increase expenditures in everything.

So I think this system which you have inaugurated in the Departments is an unwise one. I believe the old rule was best. If the volume of work is so great that the Auditors of the Treasury Department are not able to adjust it and determine the questions presented, we had better increase the number of Auditors under the Secretary of the Treasury. I do not believe that economy can be had, or proper expenditure of public money, without the supervision of some one central power.

This claim, amounting to a million dollars, was appropriated for under an old act. The amount of the claim was to be audited and determined by the Secretary of the Interior, and then afterwards was to be referred to the Auditor of the Treasury Department. The only reason for the transfer given by this Auditor now is that there ought to be a full and complete record of this transaction in the Interior Department. That can be easily had and has heretofore always been had. Copies of the papers should be made, and a copy of the award should be filed in the Department.

I do not believe the reason for the transfer is a sound one. But it is useless, as I take it, to attempt to remedy this matter now, when the general rule is the other way. I only call attention to it in the hope that hereafter we may change the existing law and go back to the old system of auditing all of these claims in the Treasury Department.

Mr. TELLER. I wish to ask the Senator from Maryland a question. I did not quite understand the Senator. Did he say the Interior Department now has an Auditor?

Mr. GORMAN. So it seems by this statement made by the Auditor of the Treasury, in which he says that this particular claim, which amounted to $1,967,000, was appropriated for in the deficiency act of 1900; and under the provision of the law as it then stood the Interior Department simply passed upon the claim, and after the amount was ascertained the payment was made through the Treasury Department after passing through the Comptroller of the Treasury. But now, under a more recent act, all claims that are allowed in the deficiency act go through the Auditor of the particular Department—the Interior, or the Post-Office, or whatever it may be. The Post-Office Auditor, however, is an officer of the Treasury Department.

Mr. TELLER. He always has been.

Mr. GORMAN. He is now. So the Auditor of the Treasury, Mr. Timme, recommends the provision which is contained in the bill, transferring the final audit from his office to that of the Auditor for the Interior Department.

Mr. HALE. I appreciate the force of what the Senator says, but we are confronted with a condition, as the Auditor says. The matter does now come under the Auditor——

Mr. GORMAN. It is impossible on this side to hear one word that the Senator says. It is not his fault.

Mr. HALE. I was going to say that I do not think this payment, and I think the Senator will agree with me, ought to be longer delayed, and the Auditor of the Treasury himself has furnished the reason why the provision should be as it is in the bill. Therefore I hope the Senator will not insist upon any amendment to it. The money ought to be paid, because we appropriated it long ago.

Mr. GORMAN. I take it for granted it was impossible to hear on the other side what I said. As I said a moment ago, after this statement of the Auditor of the Treasury Department, I suppose I ought not to object.

Mr. HALE. I so understood.

Mr. GORMAN. I merely wanted to make the statement and to call attention to the fact that I think the recent provision in the law changing the whole system of auditing these accounts is an unfortunate one.

Mr. TELLER. It ought to be changed.

Mr. GORMAN. It ought to be changed. I recognize, however, that it can not be done upon this bill.

Mr. HALE. No. I am afraid it is an unfortunate change.

Mr. GORMAN. I think so.

Mr. HALE. But we can not repeal that act here.

Mr. GORMAN. I understand this is not the place to do it, although it appears that we are putting all sorts of provisions on appropriation bills, some of them most extraordinary.

I do not refer to the bill that is now being considered—the deficiency bill. I think it is within the rule and limit. But we have been having on appropriation bills—and it is likely from what I find on my desk that a little later on we are going to have others—general provisions of legislation changing the whole system of law. I merely call attention to this case. It appears that this matter has been remaining unadjusted, with the money appropriated since 1900, and I take it for granted it ought to have been adjusted. So I shall not make further objection to it.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the Committee on Appropriations, which will be stated.

The SECRETARY. On page 75, line 25, after the word "expired," it is proposed to insert:

Provided further, That in the settlement by the accounting officers of the Treasury of the judgment of the Court of Claims in favor of the New York Indians, rendered by said court on November 22, 1898, contained in House Document No. 223, Fifty-sixth Congress, first session, and appropriated for by Congress in the deficiency act of February 9, 1900, the distribution of the award to said Indians shall be made on settlements of Auditor for the Interior Department.

The amendment was agreed to.

Mr. HALE. On page 88, line 3, the blank should be filled in by inserting the figures "289."

The amendment was agreed to.

Mr. HALE. I offer an amendment to be inserted at the end of line 2, on page 4.

The amendment was read, and agreed to, as follows:

BENJAMIN FRANKLIN MEDAL.

To enable the Secretary of State to have struck a medal to commemorate the two hundredth anniversary of the birth of Benjamin Franklin, for distribution in connection with the occurrence of the bicentennial anniversary of his birth, on the 17th day of January, 1906, one single impression of gold to be presented, under the direction of the President of the United States, to the Republic of France and 150 impressions on bronze, of which 100 shall be distributed as may be directed by the President of the United States, and 50 shall be for the use of the American Philosophical Society, held at Philadelphia, for promoting useful knowledge, founded by Franklin, $5,000.

Mr. HALE. On page 4, after line 18, I move to insert what I send to the desk.

The amendment was read, and agreed to, as follows:

OFFICE OF THE ASSISTANT TREASURER AT ST. LOUIS.

For the following for the balance of the fiscal year 1904, namely: For one assistant assorting teller, at the rate of $1,500 per annum; one assistant bookkeeper, at the rate of $1,200 per annum; one clerk, at the rate of $1,200 per annum, and one laborer, at the rate of $600 per annum, in all, $754.10; for two additional coin counters from May 1 to November 30, 1904, at the rate of $900 per annum each, $1,101.60.

Mr. HALE. I offer the amendment which I send to the desk, to be inserted after line 16, on page 10.

The amendment was read, and agreed to, as follows:

Under Smithsonian Institution:

American Ethnology, Smithsonian Institution: That the Secretary of the Smithsonian Institution is hereby authorized to apply any unexpended balance of the appropriation American Ethnology, Smithsonian Institution, for the fiscal year ending June 30, 1903, to the payment of liabilities existing against the appropriation American Ethnology, Smithsonian Institution, for the fiscal years ending June 30, 1901 and 1902, respectively, and the same is hereby reappropriated and made available for expenditure for the purpose herein mentioned.

Mr. HALE. On page 12, after line 21, to meet a law which has just been passed, I offer the amendment which I send to the desk.

The amendment was read, and agreed to, as follows:

For additional services required during the fiscal year ending June 30, 1905, by authority of an act of Congress entitled "An act to regulate electrical wiring in the District of Columbia," approved April —, 1904, namely, for electrical engineer, $2,500; for two electrical inspectors, at $1,200 each; in all, $4,900.

Mr. HALE. On page 16, line 16, after the word "fifty-two,"

I think a committee amendment was adopted. The correct number of the document is 298. I move that it be inserted.

The amendment was agreed to.

Mr. HALE. On page 24, after line 12, I move to insert what I send to the desk.

The amendment was read, and agreed to, as follows:

ARMORIES AND ARSENALS.

Rock Island Arsenal: The Secretary of War is authorized in his discretion to rent such portion of the electrical power generated by the power plant of the Rock Island Arsenal as may not be needed for purposes of the United States, and to apply the proceeds to the maintenance and operation of said plant, the surplus to be covered into the Treasury of the United States.

Mr. HALE. On page 23, after line 5, I move to insert what I send to the desk.

The amendment was read, and agreed to, as follows:

For packing and transporting a model of the Capitol building, which represents the said Capitol building as it now is, to and from the Louisiana Purchase Exposition at St. Louis and there exhibiting the same in the Government building and as a part of the Government exhibit at said exposition, $3,500, or so much thereof as may be necessary, which sum shall be immediately available and shall be expended under the direction of the superintendent of the Capitol, who is hereby authorized and directed to superintend the packing, transportation, and exhibition of said model and the return thereof, and for that purpose is authorized to employ such person or persons as may necessary.

Mr. HALE. On page 57, after line 13, I move to insert what I send to the desk.

The SECRETARY. On page 57, after line 13, it is proposed to insert:

Office of the Secretary: The unexpended balance of the appropriation of $49,840 made in the deficiency appropriation act approved February 18, 1904, "For such number of clerks of class 4, clerks of class 3, clerks of class 2, clerks of class 1, clerks at the rate of $1,000 each per annum, clerks at the rate of $900 each per annum, clerks at the rate of $720 each per annum, messengers, assistant messengers, and for the services of such other persons, at a rate of compensation not exceeding $1,000 each per annum, as the Secretary of Commerce and Labor may deem to be requisite and necessary in his office and in the Bureaus of Manufactures and Corporations, in addition to the employees transferred from the office of the Secretary of the Treasury," remaining unexpended June 30, 1904, is hereby reappropriated and made available for the fiscal year ending June 30, 1905.

Mr. GORMAN. I should like to know of the Senator how much is reappropriated here. I notice any number of items where we reappropriate or make available unexpended balances. Of course on the face of the bill such items would not enable any of us to ascertain what the appropriations are. As near as I can gather it from what I have heard, it is an indefinite amount. The authority is given to employ so many persons at a thousand dollars and then some other indefinite number of persons. Is not that unusual? In all the Departments do we not, as a rule, fix the number and not leave it to the discretion of the Secretary, except upon his estimate and then the scrutiny of the committee?

Mr. HALE. The general policy of the committee ought to be to make direct appropriations and not reappropriate unexpended balances. But as the Senator, with his large experience in years past upon the committee, knows, we do occasionally make just such a provision as this. It comes in late. The Secretary of the Department yesterday sent in a letter saying it was the only way that the Department, which is a new one, just adapting itself to conditions, can get the benefit of the $10,000 in its clerical force, and the Secretary in a brief way states that that is the reason. If the Senator is very determined about the matter and believes it to be bad legislation I shall not push the amendment.

Mr. GORMAN. I think we ought to deal with this matter a little more deliberately. I do not say this for the purpose of criticising the Secretary. I have no doubt he is like all Secretaries—he wants all he can get for his Department and all he thinks is necessary. But I do believe there ought to be a check put somewhere on this system of legislation. I think Congress ought to determine these matters, and I trust, coming in as it does, without any estimate, the Senator will withdraw the amendment and let it go over and consider it hereafter.

Mr. HALE. I withdraw the amendment.

The PRESIDENT pro tempore. The amendment is withdrawn.

Mr. HALE. The special committee which made a personal investigation has sent in a small item for clerical work, which I offer as an amendment.

The PRESIDENT pro tempore. The Senator from Maine offers an amendment, which will be read.

The SECRETARY. On page 67, after line 6, insert:

To pay Edward C. Goodwin for extra services as clerk to the special committee appointed to investigate into certain charges respecting Hon. CHARLES H. DIETRICH, a Senator from the State of Nebraska, under a resolution of the Senate of February 1, 1904, from February 1, 1904, to April 14, 1904, $420.

The amendment was agreed to.

Mr. HALE. On page 77, lines 10 and 11, I move to correct the amount by changing the total so as to read "$129,889."

The amendment was agreed to.

Mr. HALE. On page 49, line 14, the word "thirty" should be "forty," to cover a provision already in the bill. It should be included in this total.

The SECRETARY. On page 49, line 14, after the words "Geological Survey," strike out "thirty" and insert "forty" before "thousand;" so as to read:

For additional amount for analyzing and testing at the Louisiana Purchase Exposition the coals and lignites of the United States in order to determine their fuel values and the most economic method for their utilization for different purposes, under the supervision of the Director of the United States Geological Survey, $40,000, to be available until expended.

The amendment was agreed to.

Mr. HALE. That is all I have to offer, Mr. President.

Mr. LODGE. The cable amendment has not been disposed of. That is a committee amendment.

Mr. GORMAN. That amendment has not been disposed of.

The PRESIDENT pro tempore. The committee amendments have been disposed of, except one.

Mr. HALE. That is the cable amendment.

The PRESIDENT pro tempore. It is the cable amendment. The question is on agreeing to that amendment, on page 2 of the bill, inserting lines 10 to 15.

Mr. LODGE. Mr. President, I have the papers from the Committee on Foreign Relations, Senate Document No. 16 and House of Representatives Report No. 292. The papers are given very fully in Senate Document No. 16, beginning on page 15.

The case can be summed, I think, in the letter from the Secretary of State to the French ambassador in 1900, in which he says:

In this case, as in the instance of similar claims preferred by British companies, it is held as a general proposition and as a matter of right neutral telegraphic cables are exposed to the same vicissitudes in time of war as other neutral property, a proposition which finds conventional confirmation in the fifteenth article of the convention, signed at Paris, March 14, 1884, for the protection of submarine cables, which article provides that the stipulations of that convention shall be understood to affect in no wise the liberty of action of belligerents. It is, however, unnecessary to discuss this point as a proposition of right according to the consensus of international authorities, inasmuch as the Government of the United States is disposed, as far as its constitutional limitations permit, to regard claims of this nature from the point of view of equity. In two instances arising from injuries to foreign-owned cables during the war with Spain the President has been pleased, as a matter of gracious equity, to recommend to Congress the favorable consideration of their claims for actual damage suffered.

It is thought that the claim of the French Trans-Atlantic Cables Company rests on no less reasonable grounds of equity than those mentioned of the other companies, in view of the valuable services rendered by it after its Cuban stations were occupied by the forces of the United States.

Then the Secretary says:

It is earnestly hoped that, "as an act of grace and comity," Congress at its next session will authorize the Secretary of State to reimburse the above-named cable companies the amount they expended in repairing their cables which were cut and damaged by United States forces during the Spanish-American war of 1898.

I have been looking over the total of damages to the French Cable Company. I had not looked at it for some time. I find that they had a good deal of property destroyed besides the cutting of cables:

Property lost by bombardment of Aguadores cable house: Testing instrument, batteries, line connections, and furniture destroyed, rebuilding Aguadores cable house.

Property lost by bombardment of Playa del Este houses—

That amounts to some $25,000 of the $77,000. The company rendered considerable service to the Government during the war. As was stated, the principal proportion of this loss resulted from the cutting of the cables. I do not myself think the money can be given in any way except as an act of grace and comity. I do think it can be given properly in that way. It is undoubtedly true that the cables were used by the Spanish. That is why it was a military necessity to cut them.

As to the distinction between this and the other cable companies I have never seen any amendment for the British company, the Cuba Submarine, and as to the Manila company I wish to restate what I began to state when the Senator from Maryland first asked the question—that this and others are acts of grace and comity. They rest on equity and nothing else, and a nation that wants equity must do equity. If it is to have comity it can not be all on one side.

We have several cases here, just as good as these, for acts of grace on the part of the British Government, to which no attention has been paid for years. Whatever grant is made as an act of grace and comity, I for one certainly should never assent to any such payment to the Government of Great Britain unless we receive similar comity for similar claims by American citizens. That explains why the Philippine-cable claim is not here.

As to this particular claim, I know of no such case in regard to France. I think it is a case in which grace and comity might be reasonably exercised. The company rendered us valuable services. Many of these cables were cut in neutral waters beyond 3 marine leagues. Some of the claims are for damages merely incidental to the bombardment, not because they were in the enemy's hands. I thought at the time it passed the committee that as an act of comity it was a desirable appropriation to make.

Mr. SPOONER. Mr. President——

Mr. FORAKER. Mr. President, a few moments ago I made

an inquiry as to why this claim should be put upon the ground of grace and comity instead of the ground of obligation——

Mr. GORMAN. I should like to hear the Senator from Ohio. I hope he will suspend until we can have order in the Chamber.

Mr. SPOONER. I was recognized by the Chair, but I yield to the Senator from Ohio.

The PRESIDING OFFICER (Mr. KEAN in the chair). There is too much confusion in the Chamber. The Chair recognized the Senator from Wisconsin [Mr. SPOONER]. He did not hear the Senator from Ohio address the Chair.

Mr. FORAKER. I beg the Senator's pardon; I thought the Chair recognized me.

Mr. SPOONER. I shall not take much time.

When one looks a little more carefully at this claim it becomes a more serious question than I thought it was. It is easy enough to call a matter a claim—one that ought to be put upon principles of comity and grace. It is always a nice thing to be in harmony with comity and do things that are gracious between ourselves.

But I see from these papers that there are three claims the granting of which upon the principles of grace and comity is recommended by the President, all growing out of the Spanish-American war. They are the claims of the Eastern Extension, Australasia and China Telegraph Company, a British corporation, amounting to £912 5s. 6d.; of the Cuba Submarine Telegraph Company, a British corporation, amounting to £8,174 17s. 9d.; and of La Compagnie Française des Cables Télégraphiques, a French corporation, amounting to $77,712. That is the amount proposed to be appropriated in this bill.

From these papers it appears that the claim was put forth as far as the British Government was concerned as to the first two claims with the opinion of counsel and referred to the Attorney-General. He gave a very careful and able opinion upon it in which he held that on principles of international law there was not the slightest foundation for the British claims; and these British claims are clearer claims than the claim of the French company is. It all depends upon one principle. These cables were not cut on the high seas. They were cut within territorial waters.

Mr. LODGE. Some of the French cables were cut beyond 3 marine leagues.

Mr. SPOONER. That does not appear here, but I think it makes no difference.

Mr. LODGE. I think it does not have any effect at all.

Mr. SPOONER. I did not observe that any of them were.

Mr. MONEY. May I ask the Senator at what port they were cut?

Mr. SPOONER. I am reading from Senate Document No. 16, Fifty-eighth Congress, second session.

Mr. MONEY. I mean to ask what was the name of the port where the cables were cut? You said they were cut in interior waters.

Mr. SPOONER. The cables were cut between Guantanamo and Caimanera, Caimanera and Playa del Este (island of Cuba), and between Playa del Este (island of Cuba) and Mole St. Nicholas (Republic of Hayti). All of these except the Mole St. Nicholas (Republic of Hayti) were cut in the territorial waters of Spain, at that time engaged in war with the United States.

Now, it amounts simply to the case of neutral property, this cable within territory of a belligerent in war and under the lawful operations of war was injured and destroyed.

There is nothing peculiarly sacred about the property because it happens to be a cable. Of course a cable is constructed as a money-making enterprise. It is valuable as property because of its earning capacity, but it is property, no more so than the stations on land, no more so than the houses of neutrals within the theater of war, or other property in the harbor or on the land. All such property is acquired in the first instance, and that is peculiarly true of a cable, with full knowledge that war may come, and that if it shall come neutral property in the theater of war must be subject to the vicissitudes of war.

There is no possible theory that I can see upon which the principle underlying this amendment can be applied to one sort of property belonging to a neutral situated in the theater of war and damaged or destroyed and not be applied generally to the property of neutrals which can be utilized by a belligerent as a cable. If ships and ammunition belonging to other and neutral governments had been seized by the Spanish Government to be used against us and we had destroyed it or captured it, no one would pretend that there was any theory of comity or law upon which we could be asked to reimburse a foreign government, much less a neutral subject or citizen of a foreign government.

If we begin this, where are we to end it? If this cable had been seized by the Spanish Government, as it had, that was a wrong done by the Spanish Government or a right exercised by the Spanish Government. It is conceded by the Queen's counsel of Great Britain or the British bar which gave the opinion found in these papers that as to the Philippine cables which were cut—and it is equally true as to the cutting of this cable—the United States was entirely within its right as a belligerent. Now, where will we draw the line if we once begin it? That is not all.

Property lost by bombardment——

Mr. LODGE. I called attention to that.

Mr. SPOONER. I will call attention to it. It is included in this proposed appropriation.

Property lost by bombardment of Aguadores cable house:	
Testing instrument, batteries, line connections, and furniture destroyed	$7,280
Rebuilding Aguadores cable house	4,860
Property lost by bombardment of Playa del Este houses:	
Testing instruments, batteries, line connections, and furniture destroyed	5,350
Property destroyed at Playa del Este by sailors from the United States war vessels, who broke open the Playa del Este cable houses and damaged testing instruments and other property therein contained	2,972
Rebuilding of Playa del Este cable houses	3,545

Twenty-four thousand dollars of these $77,000 was either destruction caused by a bombardment or by the acts of our sailors, and that is a very small part. I should like to have the Senator from Massachusetts tell me upon what theory or principle of comity the United States can pay to a neutral for property destroyed by bombardment when war——

Mr. LODGE. I never suggested that there was the slightest shadow of legal right. I opposed that entirely.

Mr. SPOONER. There was property of citizens of different countries destroyed by bombardment, by the military operations in Cuba.

Mr. LODGE. We are paying constantly claims of that sort during our own war. We are paying all the time for private property destroyed in the theater of war.

Mr. SPOONER. We have not paid, to my knowledge, any such claim. I sat as chairman of the Committee on Claims for some years, and thousands of such claims came to Congress, but in every instance within my knowledge the line was drawn when we reached the claim for damages for property injured in battle or by military operations strictly such.

Mr. LODGE. On what basis did we make payment to William and Mary College of Virginia?

Mr. PLATT of Connecticut. On the basis that the Senator's colleague pressed it so hard.

Mr. LODGE. I think that was one reason.

Mr. WARREN. Will the Senator permit me?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Wyoming?

Mr. SPOONER. Certainly.

Mr. WARREN. The Senator from Wisconsin is correct in his general proposition of consideration given to property destroyed in war. Of course we have paid some claims for the occupation of buildings for the sick and wounded. Most of those, however, were where they were used after the war was properly over, along in 1865 and 1866.

Mr. SPOONER. Yes.

Mr. HALE. If the Senator will allow me, I do not think, while the Senator has very grave doubts upon this matter, any more time on it should be taken, because it is very important that the bill shall be passed to-night. If we can have a vote taken upon it now, let that be done; if not, I will not press the amendment.

The PRESIDING OFFICER. The question is on the amendment.

Mr. TELLER. On this amendment?

Mr. HALE. I do not press it further. I have not the right to withdraw it, because it is a committee amendment; but so far as I have that right, I will withdraw it, so it will not be before the Senate. But the same effect can be had if it is voted down.

Mr. FORAKER. Mr. President, this seems to be an important matter. Why should not we fully discuss and intelligently dispose of it? I think there is a great deal to be said in behalf of the amendment. I do not think there is any legal obligation to pay it. When there was something said on that point a few moments ago it was because the impression then prevailed that the cables had been cut, independently of the fact that they were in the hands of the enemy and being utilized by the enemy.

Now, it turns out to be a case where of course there can not be any obligation, but I think there is a principle of equity involved, and so far at least as the cable is concerned there ought to be compensation perhaps. It is an important matter, and I do not see why it might not go over until we have taken time to fully discuss it.

Mr. HALE. That is what I propose.

Mr. FORAKER. I thought the Senator wanted us to vote on it now.

Mr. HALE. I will withdraw the amendment.

Mr. FORAKER. I do not know how I will feel about it when I come to vote as at present advised.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. PETTUS. I offer an amendment to the bill, on page 53, after line 25.

The PRESIDING OFFICER. The Senator from Alabama offers an amendment, which will be read.

The SECRETARY. On page 53, after line 25, insert:

To the Grand Rapids and Indiana Railway Company, for transportation of the mails under its present corporate name and under its former corporate name, the Grand Rapids and Indiana Railroad Company, over postal routes Nos. 24018 and 137018, during the period between July 1, 1876, and June 27, 1896, both inclusive, the sum of $21,039.75, as ascertained by the Auditor for the Post-Office Department and shown in Senate Report No. 2143 of the Fifty-eighth Congress, second session, accompanying bill S. 5436, to be immediately available.

Mr. HALE. I do not know about this amendment. It is a private claim, undoubtedly, and I make the point of order that it is a private claim.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. PETTUS. What is the point of order, Mr. President?

The PRESIDING OFFICER. That it is a private claim.

Mr. HALE. That it is a private claim, which the rules do not permit to be placed on an appropriation bill.

Mr. PETTUS. Mr. President, I hope the Senator from Maine will not urge his point of order. There are divers private claims in this bill, a great many of them, and they have been reported by the Committee on Appropriations, too. This claim has been regularly audited. It has been reported by the Cominittee on Claims. I will say that such claims have generally gone on, and I have known a half dozen of them that have gone on this same bill in exactly this same way. This bill contains an appropriation to which I objected; but I found I had made a mistake about it and withdrew my objection. I refer to the claim of the Western Union Telegraph Company. Is not that a private claim? What is it doing in this bill?

Mr. HALE. That was regularly audited, reported, and estimated for by the Department.

Mr. PETTUS. And this amendment has been audited by the Department; it has been reported favorably by the Committee on Claims; it has been referred to the Committee on Appropriations, and not noticed.

Mr. HALE. The fact that it is reported does not make it in order; but it has been sprung upon me, and I have not had an opportunity to examine it. If it is a regularly audited claim then it is in order to go on the bill.

Mr. PETTUS. It is a regularly audited claim.

Mr. HALE. Then I withdraw the point of order against it.

Mr. PETTUS. It has been found to be due by the Court of Claims also.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Alabama [Mr. PETTUS].

The amendment was agreed to.

Mr. BATE. I offer the amendment which I send to the desk, to come in at the end of line 15, on page 20. It provides for an extension of the time in which claims may be filed under the act referred to for two years from the date of the passage of the pending bill. I spoke to the Senator from Maine about the amendment and he understands it. The appropriation has already been made. It is recommended by the Secretary of War and by the Quartermaster's Department.

Mr. HALE. It only provides for an extension of time.

Mr. BATE. That is all—an extension of time.

Mr. HALE. Then I do not object to the amendment.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Tennessee [Mr. BATE] will be stated.

The SECRETARY. On page 20, at the end of line 15, it is proposed to insert:

The time for filing the claims under the provisions of the above-entitled act and amendment thereto and for the payment thereof is extended for two years from the date of the passage of this act.

Mr. PLATT of Connecticut. What is the effect of that amendment?

Mr. HALE. It is to give two years' more time for these claims to be brought in.

Mr. PLATT of Connecticut. What kind of claims?

Mr. HALE. For property destroyed. It is under a special act. We have been appropriating from time to time and extending as we do in all such cases. We extended the Private Lands Claims Court from year to year; and claims come in here, I do not know how many, but perhaps some hundred, which are good claims, and they are barred only by time. That is all that is asked here.

Mr. BATE. As I have stated, the money has already been appropriated.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Tennessee [Mr. BATE].

The amendment was agreed to.

Mr. QUARLES. I send to the desk an amendment which I hope the Senator in charge of the bill will not object to.

Mr. HALE. I will see what it is.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Wisconsin [Mr. QUARLES] will be stated.

The SECRETARY. On page 90, after line 21, it is proposed to insert:

That the accounting officers of the Treasury be, and they are hereby, authorized and directed to reopen and adjust the claims of New Jersey and Wisconsin, for which appropriation was made by act of Congress approved March 3, 1903, on the basis of like claims of Indiana, Michigan, Kentucky, Maine, and Pennsylvania, with the same force and effect as though appropriation therefor had not been made or accepted by the said States.

Mr. HALE. Mr. President, I want to say in regard to these State claims that they have passed through what I may call an eventful history, so far as they involve appropriations from the Treasury. They have all become much larger than anybody ever expected to pay, or than any State originally ever expected to collect; but by reason of decisions from time to time of the accounting officers, the Court of Claims, and the Comptroller, certain bases have been fixed for certain States. We have already embarked upon the proposition and appropriated money that where a particular basis applies to a State, and the Comptroller has practically passed the accounts and paid the money, other States in like condition shall have the benefit of the decision and of the precedents set by payment. There are several cases now before the committee. If this proposition is adopted by the Senate, I shall move that as to the other claims, which are on the same basis, like conditions shall result in like appropriations. Then the matter will have to be considered by the accounting officers, the auditors, and the comptrollers, who will report to Congress. I simply wish to say in regard to this case that if this amendment is adopted it seems to be only fair that all the States shall be treated alike, and I shall move that the other States may be put upon the same basis.

Mr. PLATT of Connecticut. If I remember correctly we in Connecticut thought that we had a right to have our claim adjusted on the same basis as were the claims of Indiana, New York, and perhaps those of some other States.

Mr. QUARLES. The States of Maine, New Hampshire, and Rhode Island.

Mr. PLATT of Connecticut. But a different rule prevailed. I was consulted as to whether Connecticut should accept the settlement as it was made, or take an appeal from it, or try to get more from Congress, and I advised the State of Connecticut to take the settlement as it was made there. If, however, any other State is coming in to have its claims opened and readjusted, I want Connecticut to be along with the rest.

Mr. HALE. I shall move an amendment that will cover all the States, for it would not be fair to make fish of one and flesh of another.

Mr. FORAKER. Mr. President, I only want to say, following the example of the Senator from Connecticut [Mr. PLATT], that the State of Ohio is in like manner interested, and if this amendment is adopted I hope what the Senator from Maine [Mr. HALE] proposes will be also done, because otherwise it would be unjust. If we are going to settle on this basis we ought all to be provided for at the same time. I had an amendment which I intended to offer, but in view of what the Senator from Maine says it is not necessary to offer it.

Mr. SPOONER. Just a moment, Mr. President. The case of New Jersey and Wisconsin, to which this amendment relates, is not invoking an enactment by Congress of any rule which did not apply in the settlement of the accounts of Connecticut, Indiana, and other States. It rests upon merely a technicality. The accounts were examined, the allowance made by the Auditor under the existing law, and Congress appropriated money sufficient to pay the claim of Wisconsin, when allowed, and also the claim of New Jersey, and perhaps the claims of one or two other States. The agent of the State of Wisconsin—a draft for $458,000 having been drawn, payable to the governor or the State—inquired as to his right to appeal to the Comptroller to review the accounting by the Auditor. He was informed that that could be done at any time before the draft was cashed. The State agent went home to consult the governor. Upon consultation it was decided that there were some manifest errors made by the Auditor, and that it was to the interest of the State, in order to keep the State on the same basis as these other States, and that it was its right, to secure a review of that audit by the Comptroller. During the absence of the agent the Comptroller made a decision that the appropriation by Congress took away the right of appeal for review to the Comptroller, and therefore the State was shut out from having a review, which all the other States had been allowed. The agent had been misled, not by any misrepresentation of the Comptroller, but because he changed his decision, and thereby precluded the State from having the review.

Mr. LODGE. Mr. President, there are some other States, cer-

tainly the State of Massachusetts, who want to have a review of the decision in regard to their claims, which are partly provided for in this bill. I did not suppose they would be shut out.

Mr. SPOONER. This does not shut them out.

Mr. LODGE. No; but the Senator said that Wisconsin and New Jersey were shut out.

Mr. SPOONER. Yes; and in my judgment Massachusetts is shut out——

Mr. LODGE. I, too, think Massachusetts is shut out.

Mr. SPOONER. If Massachusetts has accepted the settlement——

Mr. LODGE. She has not yet.

Mr. SPOONER. Very well; then she is not shut out.

Mr. LODGE. But I do not want her to be shut out from her proper claim.

Mr. SPOONER. As I understand, she would not be shut out, but upon that change of decision Wisconsin is surely entitled to the relief which this amendment proposes to give.

Mr. LODGE. I should like to ask the Senator from Wisconsin if, when this bill passes, Massachusetts will be shut out from the right of appeal?

Mr. SPOONER. You can take an appeal on Monday if you want to. You have a perfect right to do that.

Mr. ALLISON. I should like to ask the Senator from Massachusetts if he has asked a review by the Comptroller of the case of Massachusetts?

Mr. LODGE. No; none has been asked as yet.

Mr. SPOONER. You have a right to ask for it now.

Mr. ALLISON. I understand the Senator from Massachusetts to say that the claim of Massachusetts was on the same basis practically as that of the State of Wisconsin.

Mr. LODGE. There is an appropriation in this bill, as the Senator knows, to pay the claim of Massachusetts.

Mr. ALLISON. I know.

Mr. LODGE. There were certain items disallowed.

Mr. SPOONER. That was under the decision.

Mr. LODGE. Yes; and on those items an appeal ought to be allowed.

Mr. SPOONER. We have lost our right because of this decision, which only gives us a right——

Mr. PERKINS. Mr. President, since Wisconsin and New Jersey are to be included in the bill, I wish also to include California. Although California is some distance from the center of population, certainly justice should also be done to that State. We have upon the Calendar a bill that my friend from Connecticut [Mr. PLATT] objected to a few weeks since, giving to the State 5 per cent on the net cash sales of public lands in California. Every other State has received that percentage except California, which has contributed, I think, to the Treasury of the United States, in the way of internal revenue, customs duties, and other taxes, its full quota.

I want my friend from Maine [Mr. HALE] to remember California not only in accepting an amendment in her favor here in the Senate, but—I have been a member of several conference committees with that Senator in times past—I should rather have his friendship in a conference committee than to have it on the floor of the Senate, although I desire it in both places. Therefore if New Jersey and Wisconsin are to be included I want my friend from Maine to stand loyally by the Golden State, the land of sunshine, fruits, and flowers.

Mr. PLATT of Connecticut. Has the United States the proceeds of any land sold in California?

Mr. PERKINS. There were a great many hundreds of thousands of acres of land in California that were sold, the proceeds of which went into the Treasury of the United States. We are entitled, by reason of exempting our lands from taxation, to 5 per cent upon the net proceeds of the sales of such lands.

Mr. SPOONER. Will not the Senator from California, who has just made such a beautiful peroration, withhold any further observations until Wisconsin has first succeeded?

Mr. PERKINS. We want to travel right up alongside of Wisconsin. While my colleague and I do not talk as much as our friends from Wisconsin, yet we are thinking very loudly to-day on this question. [Laughter.]

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Wisconsin [Mr. QUARLES].

The amendment was agreed to.

Mr. HALE. Mr. President, I offer the amendment which I send to the desk, to come in at the end of line 21, on page 90. That seems to be rather an elastic place in the bill, which will stand the insertion of almost anything.

The PRESIDENT pro tempore. The amendment submitted by the Senator from Maine [Mr. HALE] will be stated.

The SECRETARY. After line 21, on page 90, it is proposed to insert:

The accounting officers of the Treasury are hereby authorized and directed to ascertain the principal sum or sums heretofore allowed to the States of Massachusetts, Maine, New York, and Pennsylvania, for money expended in behalf of the United States during the war of 1812 to 1815 with Great Britain, and upon such principal sum or sums so reimbursed to said States to allow interest according to the method adopted under the provisions of the act of Congress approved March 3, 1875, authorizing the payment of interest upon like expenditures to the State of Maryland.

Mr. GALLINGER. I observe that New Hampshire has been omitted. I move to insert "New Hampshire" after the word "Maine." The New Hampshire claim was adjusted on precisely the same basis as that of Maine.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The SECRETARY. After the word "Maine" it is proposed to insert "New Hampshire."

The amendment to the amendment was agreed to.

Mr. PERKINS. After "New Hampshire" I move to insert "California."

Mr. KEAN. California did not engage in the war of 1812.

Mr. PERKINS. She would have been willing to engage in it. [Laughter.]

Mr. ALLISON. Iowa has been omitted. I move that it be inserted.

Mr. KEAN. Iowa did not engage in the war of 1812.

The PRESIDENT pro tempore. The amendment of the Senator from Iowa [Mr. ALLISON] will be stated.

The SECRETARY. After "New Hampshire" it is proposed to insert "Iowa."

Mr. ALLISON. I withdraw the amendment.

Mr. ALDRICH. I move to insert "Rhode Island" after "Maine."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. After "Maine" it is proposed to insert "Rhode Island."

Mr. SPOONER. Mr. President, I want to say just a word. It is very easy to see the object of this performance; but I want to say that the adoption of the amendment of my colleague [Mr. QUARLES] simply removes a technical obstruction——

Mr. ALDRICH. That is a different thing.

Mr. SPOONER. I am talking about a different thing. The adoption of the amendment offered by my colleague simply removes an obstruction to the consideration of the claims of Wisconsin and New Jersey. The same privilege has already been accorded and executed as to all these other States.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Rhode Island [Mr. ALDRICH] to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. HALE. I offer the amendment which I send to the desk, to come in after the amendment just adopted.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. After the amendment just adopted it is proposed to insert:

To pay amounts found due the several States for expenses incurred and paid by them under act of July 27, 1861, as recommended by the Second Comptroller of the Treasury November 21, 1892, and December 2, 1892, and reported under resolution of the Senate (Fifty-fourth Congress, first session, Senate Document No. 75) by the Auditor for the War Department, $195,230.43.

That the amount found due the respective States in the foregoing appropriation shall be considered as a payment in full of all claims or demands of the several States for reimbursement of expenses incurred by them in the raising of volunteers to aid the United States in the war of the rebellion under act of Congress approved July 27, 1861, and acts amendatory thereto. And before payment to the respective States is made under the foregoing appropriation the Secretary of the Treasury is directed to take from the governors of the said States, respectively, a receipt in full for all claims and demands of said States against the United States growing out of the war of 1861, so far as the same relates to expenses in the raising of volunteers for which reimbursement is claimed under act of July 27, 1861, etc.

Mr. MITCHELL. I want to hear the first part of that amendment again read before it is agreed to.

The PRESIDENT pro tempore. The amendment will again be read.

The Secretary again read the amendment.

Mr. MITCHELL. I have no objection to the amendment.

The amendment was agreed to.

Mr. LODGE. I offer the amendment which I send to the desk, to come in on page 81, after line 16.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 81, after line 16, it is proposed to insert the following:

Provided, That nothing in this act contained shall debar the State of Massachusetts from appealing to the Comptroller for review or from prosecuting in the Court of Claims of the United States those portions of its claim under the act of July 27, 1861, which were disallowed by the Comptroller of the Treasury and the Auditor for the War Department.

Mr. LODGE. I do not think the Senator from Maine [Mr. HALE] has any objection to that amendment. There is a proviso attached to the payment which was made to the State of Massachusetts under the act of 1861. I desire to say a word as to why I wish the opportunity kept open for further proceedings.

The amount named in the bill is that allowed by the Auditor for the War Department and the Comptroller of the Treasury. I am

aware that I can not properly expect the committee or the Senate to overrule their accounting of this claim, but I do not think the rulings were just, and I merely desire to keep open the opportunity for review, so that the State need not be shut out from appeal by anything contained in this act.

I ask leave to print, as part of my remarks, a paper prepared by Mr. Dodge, the assistant attorney-general of Massachusetts, who appeared before the Committee on Appropriations and made a very excellent statement in regard to this matter.

The PRESIDENT pro tempore. In the absence of objection, the statement referred to will be printed in the RECORD.

The statement referred to is as follows:

In re claim of Commonwealth of Massachusetts against United States.

The claim arises under the act of Congress of July 27, 1861, which provides that:

"The Secretary of the Treasury be, and he is hereby, directed, out of any money in the Treasury not otherwise appropriated, to pay to the governor of any State or his duly authorized agent the costs and expenses properly incurred by such State in enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the present insurrection against the United States, to be settled upon proper vouchers to be filed and passed upon by the proper accounting officers of the Treasury."

The Comptroller has allowed $1,611,740.85, as appears from the following tabulation:

Interest paid on short-time notes		$25,988.28
Interest paid on first bond issue	$1,722,080.44	
Less premium received on sale of bonds	18,261.58	
		1,703,818.86
Interest paid on second bond issue	269,517.86	
Less premium received on sale of bonds	5,250.00	
		264,267.86
Amount paid for engraving plates, printing, and advertising		3,175.52
Cost of premium on gold for payment of principal and interest on second bond issue		93,006.06
		2,090,256.58
Deduct income received by State as offset against interest account		478,515.73
Amount due the State		1,611,740.85

Massachusetts claims to be entitled to an additional sum amounting to $886,389.88, which was admittedly paid as premium on gold bought and used for payment on principal and interest on the first bond issue, corresponding to the item allowed by the Comptroller on the second bond issue.

The first bonds to the amount of $2,217,500 were issued on the authority of Massachusetts acts of 1861, chapter 216, and were all sold before October 31, 1861. The bonds were payable at various dates from July 1, 1871, to July 1, 1876.

Neither the act nor the bonds contained any stipulation as to the kind of money in which the principal and interest should be paid, and there was no general State law on the subject.

The legal-tender act became law on February 25, 1862. It provided that Treasury notes should be lawful money and a legal tender in payment of all debts, public and private, within the United States, except duties on imports and interest on public debt.

Immediately after the passage of this act the Massachusetts legislature passed a statute which took effect on March 22, 1862 (chapter 82), and was as follows:

"SECTION 1. The interest and principal of all scrip or bonds of the Commonwealth of Massachusetts which have been, or may be, hereafter issued shall, when due, be paid in gold or silver coin.

"SEC. 2. Whenever the interest or principal of any of the scrip or bonds of the Commonwealth shall become due, the treasurer and receiver-general shall procure coin for the payment of the same, and the governor shall draw his warrant for such sum as may be found necessary to procure such coin, to be paid out of any moneys then in the treasury of the Commonwealth.

"SEC. 3. This act shall take effect upon its passage."

It was under the provisions of this statute that the sum in dispute was paid for gold necessary to meet the interest and principal of the first bond issue. The sum was allowed by the Auditor for the War Department, before whom the claim first came, but was disallowed by the Comptroller on the ground that the Supreme Court of the United States, in the Legal-Tender Cases, held that the legal-tender act applied to contracts made before as well as after its passage, and consequently Massachusetts was under no obligation to pay the interest or principal on the first bond issue in gold.

The Comptroller, however, allowed the claim in the case of the bonds, to the amount of $350,000, issued by Massachusetts under the act of April 25, 1862 (chapter 147), on the ground that in the case of these bonds the State had obligated itself to pay in gold.

He had reached a similar conclusion in the case of Pennsylvania, where the bonds were issued under a statute requiring specie payment of interest due from the State.

With regard to the sum now in dispute, the Comptroller asserts that the payment in gold was entirely voluntary, and for this reason can not be made the basis of a claim against the United States. He adds, however: "It is asserted by the State that it was in pursuance of a general understanding that such a law would be passed, and that the principal and interest on these bonds would be paid in coin, that the State was enabled to sell them at a premium when the bonds of the Government were selling at a considerable discount. I have no doubt but that this contention is true, and it is a strong appeal to the equitable powers of Congress, but should and can have no weight with the accounting officers, who are not authorized to allow equitable claims."

The Commonwealth denies the propriety of the deduction of $478,515.73 made by the Comptroller, as shown by the tabulation.

This item is made up of interest received by the Commonwealth on the sums paid on account by the United States at various times and invested by the Commonwealth. These payments were made and the sums invested while the Massachusetts war bonds were outstanding, but as the bonds were not callable before maturity the money could not have been for retiring them.

In other cases where States have been able to use payments received from the United States in redeeming bonds the Comptroller has held that no further charge could be made the United States on account of interest on these bonds.

But where a State has received money from the United States and had no outstanding bonds which she could purchase or redeem the Comptroller has refused to charge the State interest on said money, holding that no duty rested upon the State to invest the money, and though she may have used the money for her own State purposes she could not be charged with interest thereon.

In the Maine case, where moneys received from the United States on account of war debt were applied to the payment of some bonds which had been issued for other than war purposes, the Comptroller held that the United States could not follow the money and claim the benefit of the saving effected by its use.

The Massachusetts case presents a different problem from any heretofore presented to the Comptroller. According to his decisions, if Massachusetts had used the moneys received from the United States in paying current expenses or meeting some other debt the benefit or saving to the State would not have inured to the benefit of the United States; but because Massachusetts happened to choose to invest the money the increment earned by it is to be taken advantage of by the United States.

The Comptroller said: "I think it proper, therefore, as the State is allowed credit for the full amount of interest paid, that where the State received from the United States a payment on the principal of her debt, which payment might have been applicable to the reduction of bonds, had the bonds by their terms been redeemable at that time, the income received from the investment of such moneys should be considered as an offset to the interest charged, the cost to the State being reduced by such amount."

In point of law this seems to be a novel proposition. The money was paid by the United States to Massachusetts unconditionally, and became the absolute property of the State, which could use it as it saw fit and was not obliged to apply it in any way for the benefit of the United States. The fact that the State chose to use it in one way rather than another, and, instead of procuring with it a benefit of some other kind, invested it and derived a pecuniary return upon it, should not affect in any way the amount of Federal indebtedness to Massachusetts.

Mr. ALLISON. I want to say a word about the amendment of the Senator from Massachusetts [Mr. LODGE].

Mr. GORMAN. So do I.

Mr. ALLISON. I do not quite understand what the Senator's amendment proposes as respects the Court of Claims. I do not understand that there lies an appeal from the Comptroller of the Treasury to the Court of Claims. I should be perfectly willing that the Senator should have an opportunity of having the claim of the State of Massachusetts reviewed by the Comptroller of the Treasury; but I do not think we ought even indirectly to authorize that question to go to the Court of Claims.

Mr. LODGE. Very well; I will modify the amendment by striking out the words "from prosecuting in the Court of Claims of the United States." That will leave simply the right to appeal for a review by the Comptroller.

Mr. HALE. I thought the Senator had before stricken out those words. I suggested that to him.

Mr. GORMAN. Mr. President, I do not know any reason why this right of review should be applied to Massachusetts only.

Mr. LODGE. It has been applied to half a dozen other States.

Mr. GORMAN. Yes; and it ought to apply to all the States. The State of Maryland is in the same condition precisely in regard to any number of these claims, and if we are to have them reviewed and reopened——

Mr. LODGE. We are merely putting them on the basis that Maryland is on. You have had your bill.

Mr. GORMAN. Are they claims for the war of 1812?

Mr. LODGE. No; for the war of 1861.

Mr. GORMAN. Maryland has quite a number of those claims that have been rejected entirely.

Mr. LODGE. I do not desire, Mr. President, to exclude any State. I think all the States ought to have the same opportunity, but there happens to be an appropriation for the payment of this claim to Massachusetts in this bill, and I do not want to have the State cut off by this appropriation from having a review of certain portions of the claim, which I think were unjustly disallowed.

Mr. ALDRICH. I would suggest to the Senator from Maryland that he move to insert the words "or any other State" after the word "Massachusetts."

Mr. LODGE. Very well. I am willing to insert "or any other State." All I want to do is to obtain an appeal.

Mr. GORMAN. Referring to that I want to say that, notwithstanding the Senator accepts the amendment inserting the words "or any other State," it does seem to me that we are moving along here very rapidly. This bill contains an immense number of claims that can not be considered, the amounts involved nobody knows, and we are piling all these matters up without any consideration whatever.

If it is permitted by the distinguished Senator who is in charge of this bill, and he is simply accepting the amendments so that they may be disposed of when they come before the committee of conference, that may save the Treasury, but it seems to me that it is the most reckless legislation that I have ever witnessed in the expiring hours even of a Republican Congress. While Senators on the other side in charge of the bill are responsible for the condition of legislation, at the same time it is my duty to say that it does seem to me that it is hardly proper in this pellmell way, without being able to know on what we are voting, to put in the bill claims that are so rapidly presented. I trust that the Senator in charge of the bill will, at all events, give us another day, so that we may consider these amendments as they are presented here.

Mr. LODGE. I desire to say, in regard to the amendment of mine, that it does not add a dollar to the appropriation.

Mr. GORMAN. No.

Mr. LODGE. It simply reserves to the State a right which

has been given to the States of Wisconsin and New Jersey, and which has heretofore been given to other States. Such a right should not be given to some States and not to all.

Mr. GORMAN. I admit that is so, and that was the point of my suggestion.

Mr. SPOONER. Mr. President, Massachusetts, to be fair, has had a review of her claims by the Comptroller of the Treasury——

Mr. LODGE. This is the first payment made.

Mr. SPOONER. Here is a case where we have lost our chance to ask for a review by the Auditor for the Treasury.

Mr. HALE. In regard to the suggestion of the Senator from Maryland [Mr. GORMAN] to give another day to the consideration of this bill, I want to say that is the very thing I am afraid of having. In that case we do not know what might happen. I think we can manage it if we adjourn to-day and get this bill into conference. I think we can manage it then, and perhaps not bankrupt the Government.

Mr. ALDRICH. And save a remnant to the Treasury.

Mr. HALE. And save something for the national debt, the increasing military expenses, and for those things for which we have appropriated. It is too late for the Senator or for me to deliver homilies now upon extravagance. We are in an era of extravagance in almost everything. We pass large appropriations. We shall have another appropriation bill that will come before the Senate, which has very large items upon it that were never put upon a bill of the same kind before. I am afraid of another day, and therefore I ask the Senator from Maryland to join with me in doing the best we can, under these circumstances, to let this bill go on and be completed to-day, and not give it another session.

Mr. GORMAN. Of course, I have not the slightest desire, as the Senator well knows, to delay the consideration of any of these measures. I merely wanted to call his attention to the speed at which we are traveling in these matters. It has been the old rule of this body that we should take sufficient time to ascertain what we are doing, and the amount involved, and the principle at stake in these various suggestions. But if, as the Senator observed, it has reached the point where more time would only result in a greater number of claims, there may be force in his suggestion; and recognizing the care with which the Senator, who will be on the conference committee, always deals with public questions, I have some hope that some one of the propositions which have been put in the bill in this way, without the slightest consideration, will fall about the center of the Rotunda and never will be heard of again.

I hope that the Senator, when he gets into conference, where he can look at these matters in comfort, although it is an unsafe way to legislate, will adopt that course. The Senate ought to deal with and to put on appropriation bills only such propositions as we deem wise and proper and within proper limits with respect to the amount.

As the Senator has suggested, a bill is coming along right after this one. It contains, for an appropriation bill, the most extraordinary proposition. But the great hurry, the desire to get away from the city, will probably prevent us, when we reach it, from giving the bill due consideration. We can only enter our protest against it, and call it to the attention of the Senators who are in charge of these measures; and with that I leave the matter.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Massachusetts.

Mr. ALDRICH. As modified.

Mr. LODGE. As modified.

The PRESIDENT pro tempore. As modified.

Mr. ALDRICH. By putting in "or any other State."

The PRESIDENT pro tempore. The amendment will be read again as modified.

The Secretary read as follows:

Provided, That nothing in this act contained shall debar the State of Massachusetts or any other State——

Mr. ALDRICH. That is enough.

Mr. ALLISON. No; it is not enough.

The Secretary read as follows:

Provided, That nothing in this act contained shall debar the State of Massachusetts or any other State from appealing to the Comptroller for review of those portions of their claims under the act of July 27, 1861, which were disallowed by the Comptroller of the Treasury and the Auditor for the War Department.

The amendment as amended was agreed to.

Mr. FORAKER. I offer the amendment which I send to the desk, to be inserted as a separate section.

The SECRETARY. It is proposed to insert as a separate section the following:

That persons in the employ of the Departments at Washington as unclassified laborers may, in the discretion of the proper appointing officer, be treated, as classified, provided they have served two years or more in a clerical or semiclerical capacity, and are specially commended for classification by the chiefs of their respective Bureaus with the approval of the appointing officer, because of their faithfulness and efficiency in the positions occupied by them and because of their qualifications for the positions in which the appointing officers desire their retention.

Mr. LODGE. I make the point of order on the amendment that it is general legislation.

Mr. FORAKER. Mr. President, I hope the Senator from Massachusetts will not make the point of order on the amendment. I have before me a statement prepared by the acting president of the Civil Service Commission, from which it appears that there are, all told, only 253 clerks or laborers, whichever you see fit to call them, doing clerical work to whom this would apply, and it would not of course apply to any of that limited number except only they have the certificate of the appointing officer as to the fidelity and efficiency with which for more than two years they have performed their duty. It applies to a class of people who are at a very great disadvantage. A person is given a position as laborer and is assigned to clerical duty. Perhaps he gets a salary of four or five or at the outside six hundred dollars and he may be occupying a desk where he ought to be allowed twelve or fourteen hundred dollars salary.

I have before me a great many communications from people who would be the beneficiaries of this legislation if enacted, showing the disadvantage to which they have been subjected, taking the civil-service examination repeatedly, and always without any beneficial result, simply because they are not reached in the order in which they are certified. It seems to me there could not be any harm done to anybody, but only good, if this provision were enacted into law.

Mr. DANIEL. Will the Senator from Ohio allow me to ask him a question?

Mr. FORAKER. Certainly.

Mr. DANIEL. Were the persons appointed without regard to their political affiliations?

Mr. FORAKER. I do not know how they were appointed. They are people who applied for positions and were appointed as laborers on the roll and who have been assigned to clerical duties. No person can get any benefit from this amendment, except only some one who, having been appointed a laborer, has been assigned to clerical work and is doing clerical work, for which if he had been appointed as a clerk he would get suitable compensation. The effect of it is to substitute two years of satisfactory work at a desk, so certified by the appointing officer, for a civil-service examination; and I think a party who has been two years at a desk rendering satisfactory service ought to be allowed, if the appointing officer gives the necessary certificate, to be put in the classified service where his position is secured to him.

Mr. DANIEL. I should like to ask the Senator one other question before he takes his seat. Is there any provision of law for the assignment of laborers to clerical work?

Mr. FORAKER. I do not know anything about that.

Mr. COCKRELL. No, there is not. It is absolutely prohibited by law.

Mr. FORAKER. The mysteries of the civil service have always been too much for me.

Mr. COCKRELL. It is prohibited by law.

Mr. FORAKER. But I do know and every other Senator here knows——

Mr. DANIEL. Is it not a fact that the law prohibits the assignment of laborers to clerical work?

Mr. FORAKER. That is possible. I do not know, as I have not taken the trouble to examine it; but I do know that as a fact there are persons, both men and women, appointed as laborers who are carried on the rolls as laborers and who have been assigned to clerical duties. I think the servant is worthy of his hire. I think if persons are required to do clerical work, they ought to be paid accordingly. I think two years of faithful service—and most of them have rendered much longer terms of service than that—when certified to by the appointing officer, is a good equivalent for a civil-service examination, which involves knowledge of the sources of rivers, the heights of mountains, topography, and all that sort of thing.

I think it is an act of justice long deferred, and that the Senate could not do a more worthy thing than to put these people, who have earned it and who will have the certificate from the appointing officer, under the security of the classified service. That is all. It does not increase their salary, except only that they are put into the classified service and are given the benefit of the promotion, which they have earned.

Mr. LODGE. I ask for the ruling of the Chair.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. BURROWS. I offer the amendment which I send to the desk.

The SECRETARY. On page 52, after line 12, it is proposed to insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to return by warrant on the books of the Indian Office the sum of

$4,573.33 out of the amount of $6,852.82 turned into the Treasury to the credit of the surplus fund, June 30, 1903, under the title of "Indian school, Mount Pleasant, Mich., buildings," being the amount necessary to pay for a building contracted for April 16, 1902, payment for which was properly chargeable against said surplus.

Mr. HALE. That is only a change of appropriation.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. BURROWS].

The amendment was agreed to.

Mr. BURROWS. I wish to have printed in the RECORD in connection with the amendment a letter from the Secretary of the Interior and a letter from the Commissioner of Indian Affairs.

The PRESIDENT pro tempore. The Chair hears no objection to the request of the Senator from Michigan.

The letters referred to are as follows:

DEPARTMENT OF THE INTERIOR,
Washington, April 22, 1904.

CHAIRMAN OF THE COMMITTEE ON INDIAN AFFAIRS,
United States Senate.

SIR: I have the honor to inclose herewith copy of a letter from the Acting Commissioner of Indian Affairs, dated the 20th instant, in relation to a deficiency in the appropriation for the erection of certain buildings at the Mount Pleasant Indian School, Michigan, amounting to $4,573.33.

The Acting Commissioner explains that for the fiscal year 1901 Congress appropriated $20,000 for the erection of a girls' dormitory at the above-mentioned school, and that through inadvertence a balance of $6,852.82 went to the surplus fund and was covered into the Treasury June 30, 1903, while it was required to pay indebtedness incurred prior to that date, and he submits an item reappropriating the sum of $4,573.33 of the $6,852.82 erroneously covered into the Treasury to enable him to pay for indebtedness incurred.

The proposed legislation has my approval, and I recommend that the item be inserted into the general deficiency bill now before Congress.

Very respectfully,

E. A. HITCHCOCK, *Secretary.*

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, April 20, 1904.

THE SECRETARY OF THE INTERIOR.

SIR: In the Indian appropriation act for the fiscal year 1901 (31 Stats., p. 244) there was appropriated $20,000 for the erection of a girls' dormitory at Mount Pleasant School, Michigan. This dormitory was completed at a total cost of $13,147.18, leaving a balance of the said appropriation of $6,852.82.

Under date of December 21, 1901, this Office requested of the Department authority to advertise for the erection of a brick hospital, brick addition to mess hall, and brick addition to dormitory at the above school, estimated cost for the latter being $5,000, payable from the balance of the $20,000 referred to, the hospital and mess hall to be paid for from amounts appropriated for the fiscal year 1902. Under date of April 10, 1902, this Office advised the Department that all bids for the above buildings were in excess of the appropriation excepting that for the addition to the dormitory, which was within the amount available, the bid being $4,110.88, and a contract was made for that amount.

By the appropriation act for 1903 there was appropriated for this same school $8,000 "for enlarging school buildings." When the claims for the addition to the dormitory were presented by an inadvertence they were charged against the $8,000 instead of the unexpended balance of the $20,000, the amount of which charge for the dormitory was $4,573.33, and the said unexpended balance, $6,852.82, went to the surplus fund June 30, 1903.

Under date of August 28, 1903, a contract was made with J. T. Hidey for an addition to mess hall, $4,895, and an addition to school building, $7,870. It will thus be seen that after having paid for the addition to dormitory out of the school-building fund of $8,000 that fund will be short the amount paid for the addition to the dormitory, or $4,573.33.

As it was clearly the intention of this Office to have used the unexpended balance of the $20,000 to build the addition to the dormitory, I have the honor to request that the Department recommend to Congress that the following be introduced for the purpose of securing the necesary amount to pay for said dormitory:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to return by warrant on the books of the Indian Office the sum of $4,573.33 out of the amount of $6,852.82 turned into the Treasury to the credit of the surplus fund June 30, 1903, under the title of 'Indian school, Mount Pleasant, Mich., buildings,' being the amount necessary to pay for building contracted for April 16, 1902, payment for which was properly chargeable against said surplus."

In view of the fact that this session of Congress is nearing its close, I would respectfully urge that this matter be presented to that body as soon as possible, otherwise the contractor will have to wait until Congress again convenes before the money can be appropriated and paid him.

Very respectfully,

A. C. TONNER, *Acting Commissioner.*

Mr. BURNHAM. I move to insert on page 50, after line 7, the amendment which I send to the desk.

The SECRETARY. On page 50, after line 7, it is proposed to insert:

To defray the expenses of the members of the joint committee of the Senate and the House authorized to attend and represent the Congress of the United States on the occasion of the formal opening ceremonies of the Louisiana Purchase Exposition, to be held in St. Louis, Mo., April 30, 1904, $6,000, or so much thereof as may be necessary, of which sum $2,500 shall be accredited to the Senate to be expended under the direction and by the order of the Sergeant-at-Arms of the Senate, and $3,500 accredited to the account of and expended under the direction and by the order of the Sergeant-at-Arms of the House of Representatives.

Mr. HALE. That is a proper amendment.

The amendment was agreed to.

Mr. QUARLES. I offer the amendment I send to the desk, to be inserted at the end of the bill.

The Secretary proceeded to read the amendment, which is as follows:

That the members of the Stockbridge and Munsee tribe of Indians, as the same appear upon the official roll of said tribe, made in conformity with the provisions of the act of Congress approved March 3, 1893, entitled "An act for the relief of the Stockbridge and Munsee tribe of Indians in the State of Wisconsin," and their descendants, who are living and in being on the 1st day of July, 1904, and who have not heretofore received patents for land in their own right, shall, under the direction of the Secretary of the Interior, be given allotments of land and patents therefor in fee simple, in quantities as follows:

To each head of a family, one-eighth of a section: *Provided*, That such allotment to the "head of a family" shall be deemed to be a provision for both husband and wife, or the survivor in the event of the death of either.

To each single person not provided for as above, one-sixteenth of a section.

That where a patent has heretofore been issued to the head of a family (a married man) the same shall be deemed to have been in satisfaction of the claims of both husband and wife, and no further allotment shall be made to either of such persons under this act: *Provided*, That the children of such parents shall be entitled to allotments hereunder in their own right, if enrolled as members of the tribe.

That as there is not sufficient land within the limits of the Stockbridge and Munsee Reservation to make the allotments in the quantities above specified, all available land in said reservation shall be first allotted to the heads of families and single persons residing thereon, until said reservation land shall be exhausted, the additional land that may be required to complete the allotments to be obtained in the manner hereinafter specified: *Provided*, That the Secretary of the Interior may make such rules and regulations as he may deem necessary to carry out the requirements of this act as to making and designating allotments.

That it shall be obligatory upon any member of said tribe who has made a selection of land within the reservation, whether filed with the tribal authorities or otherwise, to accept such selection as an allotment, except that the same shall be allotted in quantity not to exceed that hereinbefore authorized: *Provided*, That where such selection does not equal in quantity the allotment hereinbefore authorized the allottee may elect to take out of the lands obtained under the provisions of section 6 of this act the additional land needed to complete his or her quota of land, or in lieu thereof shall be entitled to receive the commuted value of said additional land in cash, at the rate of $2 per acre, out of the moneys hereinafter appropriated.

That those members of said tribe who have not made selections within the reservation shall be entitled to the option of either taking an allotment under the provisions of this act or of having the same commuted in cash, at the rate of $2 per acre, out of the moneys hereinafter appropriated: *Provided*, That the election of any member to take cash in lieu of land shall be made within sixty days after the date of the approval of this act.

That for the purpose of obtaining the additional land necessary to complete the allotments herein provided for, the Secretary of the Interior is hereby authorized and directed to negotiate through an Indian inspector with the Menominee tribe of Indians of Wisconsin for the cession and relinquishment to the United States of a portion of the surplus land of the Menominee Reservation in said State, or to negotiate with the authorities of said State, or with any corporation, firm, or individual, for the purchase of said additional land: *Provided, however*, That in no event shall any agreement of cession or contract of purchase so negotiated stipulate that a sum greater than $2 per acre shall be paid for the land so obtained: *And further provided*, That no such agreement or contract shall have any force or validity unless the same shall be approved by the Secretary of the Interior. Or said Secretary may, in his discretion, utilize such unappropriated public lands of the United States as may be required to complete the allotments.

That the Secretary of the Interior is hereby authorized and directed to pay to such members of the Stockbridge and Munsee tribe as he shall find entitled thereto under the said act of March 3, 1893, and the enrollment made thereunder, and the descendants who are living and in being on the 1st day of July, 1904, in cash per capita, the whole of the trust fund now to their credit in the Treasury of the United States, when the allotment of lands to them shall have been completed as herein contemplated.

That certain members of the Stockbridge and Munsee tribe having made selections of land on tracts patented to the State of Wisconsin under the swamp-land acts, and having made valuable improvements thereon, the Secretary of the Interior is hereby authorized to cause said improvements to be appraised by an inspector or special agent or Indian agent of his Department, and to pay to the owners, as their interests may appear, the appraised value of said improvements, in all not to exceed the sum of $1,000, out of the moneys hereinafter appropriated.

That the sum of $35,000, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, to be expended under the direction of the Secretary of the Interior in commuting the value of allotments in cash, in payment for the cession or purchase of additional lands, and in compensating Indians for the appraised value of their improvements located on swamp lands, as provided in sections 4, 5, 6, and 8 of this act.

That all acts and portions of acts inconsistent herewith are hereby repealed.

Mr. HALE. Enough has been read to show that the amendment is subject to a point of order. It is legislation in regard to Indian allotments.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. QUARLES. Mr. President——

Mr. PETTUS. Mr. President, I offer the amendment I send to the desk.

The SECRETARY. It is proposed to insert at the end of the bill the following:

The Secretary of War is authorized and directed to pay to Rittenhouse Moore, out of the unexpended balance of the appropriation made in the act of March 3, 1899, for improving the Potomac River, the sum of $3,653.05, being the amount stated and claimed by him, as set forth in House Document No. 100, Fifty-eighth Congress, second session, for overwidth dredging in the Potomac River below Washington, D. C., and recommended by the Secretary of War, as therein shown.

Mr. PETTUS. I desire to say that this work was contracted for by the Secretary of War, and the account audited there and referred to the Committee on Claims at the present session, and reported favorably by that committee, and referred to the Committee on Appropriations, but overlooked in some way.

Mr. HALE. Of course the Chair understands that no estimate, no report of a committee, and no auditing can justify general legislation or make a claim in order.

Mr. PETTUS. This has been audited, and reported favorably by the Committee on Claims, and was sent to the Committee on

Appropriations, and the work was contracted for by the Secretary of War, and the amendment is recommended by him.

Mr. HALE. Is this a regularly audited claim sent in as such by the Secretary of the Treasury or the auditing officers? If it is not, I make the point of order upon it.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. PETTUS. What is the point of order?

The PRESIDENT pro tempore. That it is a private claim.

Mr. PETTUS. Mr. President, the Senate ought to refuse to make fish of one and fowl of another. That is what it has done.

Mr. McCOMAS. I submit the amendment I send to the desk.

The SECRETARY. It is proposed to insert at the end of the bill the following:

That the Secretary of the Treasury be, and he is hereby, authorized to repay $14,060.39 paid as duty upon anthracite coal at the port of Baltimore, Md., to the persons who paid the same after the 6th day of October, 1902.

The PRESIDENT pro tempore. The attention of the Senator from Maine is called to the proposed amendment. It will be read again.

The Secretary again read the amendment.

Mr. HALE. I make the point of order upon it.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. McCOMAS. Mr. President, I desire, before the point of order is disposed of, to say a word.

The PRESIDENT pro tempore. The point of order was sustained.

Mr. McCOMAS. But if the Chair will hear me and then strike, I should like to be heard for a moment. I do not expect to change the ruling of the Chair, but I desire to say that on page 7, after line 14, the committee has reported a precisely similar case, to refund to Edward King duties erroneously collected.

Mr. HALE. We will strike that out.

Mr. McCOMAS. I do not care to strike it out.

Mr. LODGE. That is a House provision.

Mr. McCOMAS. I wish to say that in the case of the amendment I have offered, the coal duties were paid at the port of Baltimore and the individuals are entitled to receive back their money. It was simply an improper, improvident, and wrong collection by the Treasury. The Secretary so says, and in all the ports of the United States, except three or four, the duties were not exacted after the 6th of October upon such coal.

It is money which the Congress and the Committee on Appropriations should be eager to pay, in order that there may be no inequality in customs in the United States. The first amendment reported by the committee to this bill was to pay for damages to property of Spaniards and French in Spanish waters and on Spanish land as a matter of comity, while here we encounter a point of order on an amendment simply to pay back to people in Baltimore—the individuals—money which was wrongfully taken from them for duties which were not exacted at other ports in the United States, except three. I say before we have comity we should have honesty, and the point of order ought not to have been made against my amendment when similar items are in the bill in my hand, and when a bill for this very purpose has been reported from the Committee on Finance and passed by the Senate and has gone to the House.

Mr. LODGE. Boston is in precisely the same condition.

Mr. McCOMAS. And the Boston people ought to be paid without delay.

Mr. LODGE. I did not expect to get it in at this stage. I offer the amendment I send to the desk.

The SECRETARY. It is proposed to insert the following:

To enable the recorder of deeds of the District of Columbia to provide for use in his office twenty Elliott-Fisher book typewriters the said recorder of deeds is hereby authorized to purchase the said twenty Elliott-Fisher book typewriters at an expenditure from the revenues of his office of a sum not exceeding $1,900 and by the exchange of twenty old book typewriters.

Mr. HALE. I make the point of order on the amendment.

The PRESIDENT pro tempore. The point of order is sustained.

Mr. LODGE. I offer the amendment I send to the desk. It has been ascertained and sent in.

The SECRETARY. It is proposed to insert the following:

To reimburse the Washington Market Company for furnishing and putting in place 1,072 lockers in the new armory quarters over Center Market for the service of the fiscal year 1898, $2,547.25, and to reimburse the Washington Market Company for extraordinary repairs to quarters vacated by the National Guard of the District of Columbia after being used for armory purposes, for the purpose of the fiscal year 1895, $800.

Mr. HALE. I make the point of order on the amendment.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. BARD. I submit the amendment I send to the desk.

The SECRETARY. On page 90, after line 21, it is proposed to insert:

For the relief of Helen D. Longstreet, widow of Gen. James Longstreet, the sum of $1,250.

Mr. HALE. I might make the point of order on the amendment, but I will not under the circumstances. It is a matter of pure grace.

The amendment was agreed to.

Mr. MITCHELL. I offer the amendment I send to the desk.

The SECRETARY. On page 52, after line 6, it is proposed to insert:

Three thousand five hundred dollars by the superintendent of the Indian industrial school at Chemawa (Salem, Oreg.) for transportation and expense of securing Indian youths from Alaska to said school at Chemawa, Oreg., for the current fiscal year is hereby authorized to be paid from the appropriation for transportation of Indian pupils for said year.

Mr. HALE. I make the point of order that there is no law for that.

Mr. MITCHELL. What is the point of order?

Mr. HALE. That there is no law for it.

Mr. MITCHELL. No law for it?

Mr. HALE. Yes; and no estimate.

Mr. MITCHELL. Will the Senator withdraw the point of order for a moment?

Mr. HALE. Yes; I will for a moment.

Mr. MITCHELL. Mr. President, in the Indian appropriaton bill as it came from the Committee on Indian Affairs, there was a provision for the bringing of Indian pupils from Alaska to two schools, the one at Carlisle, Pa., and the other at Chemawa, Oreg., the transportation to be paid out of the general fund for transportation. When the bill went into conference those provisions were both dropped out, and the bill became a law without any provision whatever for bringing Indian youths from Alaska, either to the Carlisle school or to the Chemawa school.

Mr. HALE. I see that an item like this with respect to the Carlisle school is in the bill.

Mr. MITCHELL. I want to finish my statement.

Mr. HALE. And I will not make the point of order.

Mr. MITCHELL. I want to finish my statement, as I desire the House to understand it.

It was stated on the floor of the Senate that it was the policy of the Government not to bring any more Indian youths from Alaska, the provision for bringing them to Carlisle and the provision for Oregon having been taken away. Now I find that in the deficiency bill Carlisle comes in and through some instrumentality gets the provision that was stricken from the proper bill, the Indian appropriation bill, inserted here.

Mr. HALE. This is just as good as that.

Mr. MITCHELL. The Senator in charge of the bill agrees with me that my proposition is just as good as the other and ought to be inserted.

Mr. HALE. I withdraw the point of order.

Mr. MITCHELL. I desire to express the hope that the Senator will stand by the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Oregon.

The amendment was agreed to.

Mr. QUARLES. Mr. President, I was snuffed out so quickly by my distinguished friend the Senator from Maine [Mr. HALE] that I have hardly yet regained my breath.

Mr. HALE. I think the Senator has.

Mr. QUARLES. I intended to appeal to the conscience and sympathy of the Senator from Maine, and I wanted to call his attention and the attention of the Senate for a minute to the proposition that a point of honor is more important than a point of order; that justice and right and equity are above mere matters of procedure. I wanted briefly to state the facts connected with the poor obscure folks in whose interest I introduced this amendment; and if the distinguished Senator had permitted me and the Senate had been kind enough to listen and I had the ability to make the Senate understand the peculiar equities of the case of these poor people, I do not believe that even he, with all the frigid sensibilities which he cultivates when he stands here in his position in charge of a bill, so different from the ordinary genial habit of the man, would have interposed the point of order.

Mr. President, I had intended to appeal to him on the proposition that this great Government can not afford to do wrong to the poor and humble and simple people with whom it deals, and much less to a people who are the wards of the Government. I intended to remind him that in 1856 this Government entered into a solemn treaty with these Indians, whereby it agreed that they should have patents to certain land in fee simple, and since 1856 and up to 1893 these poor people found nothing in their pathway but points of order, which have been like thorns in the way. In 1893, the condition of affairs having changed, this Congress again said that these Indians should have that land which we agreed in the treaty of 1856 they should have, but it provided for an enrollment of the tribe, and in the making of that roll they encountered other points of order all along the line, until from that time till now the solemn promise and faith of this Government pledged to them by treaty and by act of Congress have been trampled under foot.

The Senate has twice passed a bill for these people and has said that they shall have the land for which they have been waiting for half a century. In another place the report of the appropriate committee has said "Yes." Both Houses of Congress have been willing to give them that land, but under a system obtaining in another place, which I have no right to criticise here, the imperious will of one man is interposed and this bill can not be passed.

Mr. President, those poor wretches, after having met points of order at all points, are now turned out of the Senate on another point of order, and they are afraid to die and approach the pearly gate to meet the ineffable light which streams through lest they may encounter there the shade of the Senator from Maine to impale them again on a point of order. [Laughter.] And when they are turned over to purgatory the poor creatures will find no torment so terrible as to think that they were despoiled and deprived of their earthly inheritance by points of order, and then denied admission to paradise in the same way.

Of course I have no right and I shall not attempt to argue this question. I merely want to say to the Senate that it is a shame and an outrage that those poor, defenseless, unprotected, simple people should have been deprived of their rights by this great powerful nation that has assumed to be to them a guardian. I wish to record a protest against it here. I think a point of order on the amendment under all these circumstances is something over which the Senate of the United States has no occasion to feel proud. But, of course, I shall have to bow to the rules of this body. These Indians will have to wait an indefinite period for the redemption of the promises of this Government, which amounts to a lie embalmed first in a treaty and then preserved in an act of Congress which we have proceeded systematically to disregard and disobey.

The bill was reported to the Senate as amended.

The PRESIDENT pro tempore. If there be no request on the part of any Senator, the vote will be taken on concurring in the amendments in gross. The Chair hears none. Will the Senate concur in the amendments?

The amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 6758) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1905, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11676) to ratify and amend an agreement with the Indians of the Crow Reservation, in Montana, and making appropriations to carry the same into effect.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12220) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 11128) to modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 22d instant approved and signed the following acts and joint resolution:

An act (S. 2133) to change the name of Madison, Sampson, and Samson streets to Church street;

An act (S. 2878) authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes;

An act (S. 3454) for the extension of Eighth street NW., or Wrights road, District of Columbia;

An act (S. 4165) to provide that a term of the circuit and district court of the United States for the district of Vermont may be held at Newport; and

A joint resolution (S. R. 64) authorizing the Librarian of the Library of Congress to deliver to the governor of the State of Vermont a record or records of certain conventions held in Vermont in the years 1776 and 1777 for the purpose of organizing a State.

MICHAEL O'BRIEN.

Mr. McCUMBER. I ask that the Pension Calendar be proceeded with.

The PRESIDENT pro tempore. The first pension bill on the Calendar will be read.

Mr. COCKRELL. There was a bill passed over the other day at my request, the bill (H. R. 614) granting a pension to Michael O'Brien, alias Michael Clifford. I asked that it might be laid over until I could make inquiries. I have made inquiries through the War Department and also through the Pension Office. I offer no further objection to its consideration.

The Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Michael O'Brien, alias Michael Clifford, late unassigned recruit, New Jersey Volunteer Infantry, and to pay him a pension at the rate of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RUSSEL A. M'KINLEY.

The bill (H. R. 8421) for the relief of Russel A. McKinley was considered as in Committee of the Whole. It provides that Russel A. McKinley, who enlisted on the 23d of April, 1900, under the name of Waldo Delacy, and was assigned to Troop C, Second Regiment United States Cavalry, shall be held and considered to have remained continuously in the military service of the United States and in the line of duty as a soldier until the 20th day of January, 1901, when he was released from military control, and his discharge from said service shall be held and considered to have taken effect on the 20th day of January, 1901.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS HOWARD.

The bill (S. 2745) granting an increase of pension to Thomas Howard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Howard, late of Company G, Fifth Regiment Maryland Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS S. STROHECKER.

The bill (H. R. 683) granting an increase of pension to Thomas S. Strohecker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas S. Strohecker, late captain Company I, Fifty-seventh Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY C. BOBST.

The bill (H. R. 785) granting an increase of pension to Henry C. Bobst was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry C. Bobst, late of Company G, First Battalion Nineteenth Regiment United States Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH VACTOR.

The bill (H. R. 784) granting an increase of pension to Joseph Vactor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph Vactor, late of Company K, Forty-fifth Regiment United States Colored Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY FORD.

The bill (H. R. 12526) granting an increase of pension to Henry Ford was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Ford, late of Company E, Eighty-eighth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISABELLA M'DOWELL.

The bill (H. R. 13728) granting a pension to Isabella McDowell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isabella McDowell, widow of James McDowell, late unassigned, Second Regiment Pennsylvania Volunteer Heavy Artillery, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRIET S. GILBERT.

The bill (H. R. 13405) granting an increase of pension to Harriet S. Gilbert was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harriet S. Gilbert, widow of Porteus C. Gilbert, late captain Company F, Fiftieth Regiment New York Volunteer Engineers, and to pay her a pension of $20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MERTON C. SANBORN.

The bill (H. R. 2367) granting a pension to Merton C. Sanborn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Merton C. Sanborn, late of Company I, Third Regiment Virginia Volunteer Infantry, war with Spain, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM WHEALTON.

The bill (H. R. 14016) granting an increase of pension to William Whealton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Whealton, late of Company A, First Regiment Loyal Eastern Virginia Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH OTIS.

The bill (H. R. 14598) granting a pension to Joseph Otis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph Otis, late of Company F, Fifth Regiment United States Artillery, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELISE HABERCOM.

The bill (S. 2414) granting an increase of pension to Elise Habercom was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "late," to strike out "deceased;" in line 7, after the word "ninety-eighth," insert "Regiment;" in line 8, before the word "Infantry," insert "Volunteer;" and in line 9, before the word "dollars," to strike out "thirty" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elise Habercom, widow of Ludwig W. Habercom, late of Company A, One hundred and ninety-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

URBANUS HUBBS.

The bill (H. R. 13712) granting an increase of pension to Urbanus Hubbs was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Urbanus Hubbs, late of Company B, One hundred and forty-second Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PRESCILLA C. DODD.

The bill (H. R. 7245) granting an increase of pension to Prescilla C. Dodd was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Prescilla C. Dodd, widow of Levi A. Dodd, late colonel Two hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and to pay her a pension of $30 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY E. WYSE.

The bill (H. R. 13669) granting an increase of pension to Mary E. Wyse was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Wyse, widow of Francis O. Wyse, late captain, Third Regiment United States Artillery, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET W. GOODWIN.

The bill (H. R. 13729) granting a pension to Margaret W. Goodwin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret W. Goodwin, widow of William P. Goodwin, late captain, Fourteenth Regiment United States Infantry, and to pay her a pension of $20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES FREDERIC.

The bill (H. R. 9969) granting an increase of pension to James Frederic was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Frederic, late of Company I, Forth-sixth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES BRAMBLE.

The bill (H. R. 12199) granting an increase of pension to James Bramble was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Bramble, late of U. S. S. *Mount Vernon*, United States Navy, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMMA C. DOUGAL.

The bill (H. R. 11989) granting a pension to Emma C. Dougal was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma C. Dougal, widow of Charles H. Dougal, late medical cadet, United States Army, and captain Company E, Twenty-eighth Regiment Pennsylvania Emergency Militia Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE C. BIRCH.

The bill (H. R. 13110) granting an increase of pension to George C. Birch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George C. Birch, late of Company A, First Regiment Loyal Eastern Virginia Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RACHEL H. COLEMAN.

The bill (S. 3175) granting an increase of pension to Rachel H. Coleman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rachel H. Coleman, widow of Isaac Coleman, late of Capt. J. Campbell's company, Ohio Militia, war of 1812, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELLEN J. MORTON.

The bill (S. 5423) granting an increase of pension to Ellen J. Morton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ellen J. Morton, widow of William H. Morton, late surgeon First Regiment Minnesota Volunteer Infantry, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SYLVESTER BEEZLEY.

The bill (S. 2578) granting an increase of pension to Sylvester Beezley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "seventy-two" and insert "forty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Sylvester Beezley, late of Company G, Fourth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES L. HOUGHTON.

The bill (S. 1421) granting an increase of pension to Charles L. Houghton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles L. Houghton, late of Company D, Third Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN W. THOMAS.

The bill (H. R. 13936) granting an increase of pension to John W. Thomas was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "seventeen" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Thomas, late of Company E, Thirty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

ELI PREBBLE.

The bill (H. R. 14491) granting an increase of pension to Eli Prebble was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eli Prebble, late of Company F, Thirtieth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

HENRY WHEELER.

The bill (S. 3414) granting an increase of pension to Henry Wheeler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Wheeler, late of Company A, Seventh Regiment Indiana Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH W. WILLIS.

The bill (S. 3502) granting an increase of pension to Joseph W. Willis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph W. Willis, late of Company H, Twenty-second Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NELSON WELLS.

The bill (S. 216) granting an increase of pension to Nelson Wells was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nelson Wells, late of Company M, Second Regiment Iowa Volunteer Cavalry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SARAH A. HOBACK.

The bill (S. 5556) granting an increase of pension to Sarah A. Hoback was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah A. Hoback, widow of William K. Hoback, late captain Company H, Fifty-seventh Regiment Indiana Volunteer Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SAMUEL HENDRICKSON.

The bill (H. R. 6610) granting an increase of pension to Samuel Hendrickson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel Hendrickson, late of Company D, Seventy-ninth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM CURTIS.

The bill (H. R. 13461) granting an increase of pension to William Curtis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Curtis, late of Company F, One hundred and fifty-second Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZA A. MOSS.

The bill (H. R. 13958) granting an increase of pension to Eliza A. Moss was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eliza A. Moss, widow of Charles W. Moss, late of Company C, Second Regiment Indiana Volunteer Infantry, war with Mexico, and to pay her a pension of $20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. KINSEY.

The bill (H. R. 14155) granting an increase of pension to George W. Kinsey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Kinsey, late of Company B, Twenty-sixth Regiment New Jersey Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALICE JENIFER.

The bill (H. R. 7985) granting a pension to Alice Jenifer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alice Jenifer, widow of Samuel Jenifer, late of Company I, Tenth Regiment United States Cavalry, and to pay her a pension of $12 per month and $2 per month additional on account of each of the minor children of said Samuel Jenifer until they reach the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LUCILIUS C. MOSS.

The bill (H. R. 5361) granting an increase of pension to Lucilius C. Moss was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lucilius C. Moss, late of Company H, Third Regiment Illinois Volunteer Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. SIMMONS. I ask the gentleman from North Dakota to yield to me to call up a short bill I am very anxious to have acted upon this evening.

Mr. McCUMBER. I appreciate the Senator's desire, but if I yield in one case——

Mr. KEAN. I do not think that can be done under the agreement to consider pension bills.

The PRESIDENT pro tempore. The Senator from New Jersey objects.

MINNIE H. EATON.

The bill (H. R. 2994) granting an increase of pension to Minnie H. Eaton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Minnie H. Eaton, widow of Charles A. Eaton, late quartermaster-sergeant, One hundred and twenty-second Regiment New York Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTHA BRISCOE.

The bill (H. R. 2462) granting a pension to Martha Briscoe was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martha Briscoe, widow of Andrew J. Briscoe, late pilot United States Government transports, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDGAR W. THORNTON.

The bill (H. R. 1480) granting an increase of pension to Edgar W. Thornton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edgar W. Thornton, late of Company G, Eighty-eighth Regiment Indiana Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT W. FOSTER.

The bill (H. R. 14102) granting an increase of pension to Robert W. Foster was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert W. Foster, late of Company E, Seventy-sixth Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM S. PECK.

The bill (H. R. 8285) granting an increase of pension to William S. Peck was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "and," to strike out "Infantry" and insert "Cavalry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William S. Peck, late of Company G, Fifth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

SUSAN A. SCHELL.

The bill (H. R. 14693) granting an increase of pension to Susan A. Schell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Susan A. Schell, widow of Frank M. Schell, late of Company A, First Regiment Kentucky Volunteer Infantry, war with Mexico, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH WELSH.

The bill (H. R. 13643) granting an increase of pension to Joseph Welsh was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph Welsh, late of Company B, Fourth Regiment Michigan Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLAUDIUS TIFFT.

The bill (H. R. 1903) granting an increase of pension to Claudius Tifft was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Claudius Tifft, late captain Company H, Twenty-third Regiment Kentucky Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HESTER A. HANBACK.

The bill (H. R. 2940) granting an increase of pension to Hester A. Hanback was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hester A. Hanback, widow of Lewis Hanback, late captain Company K, Twenty-seventh Regiment Illinois Volunteer Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WALKER WILSON.

The bill (H. R. 4201) granting an increase of pension to Walker Wilson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Walker Wilson, late of Company A, First Regiment Iowa Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISAAC C. B. SUMAN.

The bill (H. R. 902) granting an increase of pension to Isaac C. B. Suman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac C. B. Suman, late colonel Ninth Regiment Indiana Volunteer Infantry, and to pay him a pension of $36 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN SMITH.

The bill (H. R. 12174) granting an increase of pension to John Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Smith, late of Company E, Ninety-eighth Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISAAC W. ACKER.

The bill (H. R. 12276) granting an increase of pension to Isaac W. Acker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac W. Acker, late of Company E, Twenty-first Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DANIEL M. GRAVES.

The bill (H. R. 14510) granting an increase of pension to Daniel M. Graves was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel M. Graves, late captain Company K, Twelfth Regiment Indiana Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM F. M'MILLAN.

The bill (H. R. 14409) granting an increase of pension to William F. McMillan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William F. McMillan, late of Company A, Third Regiment Wisconsin Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read tne third time, and passed.

JOHN CALLOWAY.

The bill (H. R. 13381) granting an increase of pension to John Calloway was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Calloway, late of Company K, Ninth Regiment Indiana Volunteer Infantry, and to grant him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN WHITEHEAD.

The bill (H. R. 5737) granting a pension to John Whitehead was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Whitehead, late of Company K, Sixtieth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALFRED SMALL.

The bill (H. R. 13409) granting an increase of pension to Alfred Small was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alfred Small, late of Company K, Fifteenth Regiment Illinois Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DANIEL PEW.

The bill (H. R. 13767) granting an increase of pension to Daniel Pew was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel Pew, late of Company F, Tenth Regiment Iowa Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM GLASGOW.

The bill (H. R. 13485) granting an increase of pension to William Glasgow was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Glasgow, late of Company F, Fourth Regiment Iowa Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES A. PORTER.

The bill (H. R. 8709) granting an increase of pension to James A. Porter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James A. Porter, late of Company D, Thirty-first Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HEZEKIAH BRUCE.

The bill (H. R. 12248) granting an increase of pension to Hezekiah Bruce was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hezekiah Bruce, late of Company F, First Regiment Minnesota Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY A. HARTLEY.

The bill (H. R. 4907) granting a pension to Henry A. Hartley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry A. Hartley, late of Company H, One hundred and seventy-ninth Regiment Ohio Volunteer Infantry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD L. HANEY.

The bill (H. R. 12613) granting an increase of pension to Edward L. Haney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward L. Haney, late of Company B, Forty-sixth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHESTER H. BUCK.

The bill (H. R. 9427) granting an increase of pension to Chester H. Buck was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Chester H. Buck, late of Company G, Second Regiment Ohio Volunteer Heavy Artillery, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN DONAHOE.

The bill (H. R. 9575) granting an increase of pension to John Donahoe was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Donahoe, late of Troop K, Second Regiment United States Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM W. NEWTON.

The bill (H. R. 9740) granting an increase of pension to William W. Newton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William W. Newton, late of Company K, Thirty-fourth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL IVERSON.

The bill (H. R. 9978) granting an increase of pension to Samuel Iverson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel Iverson, late of Company H, Sixteenth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOB THROCKMORTON.

The bill (H. R. 10126) granting an increase of pension to Job Throckmorton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Job Throckmorton, late first sergeant, second lieutenant, and captain Company F, Fifteenth Regiment Iowa Volunteer Infantry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISAAC N. FLANAGAN.

The bill (H. R. 10169) granting an increase of pension to Isaac N. Flanagan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac N. Flanagan, late of Company A, Third Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY J. BROCKWAY.

The bill (H. R. 10699) granting an increase of pension to Henry J. Brockway was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry J. Brockway, late of Company D, One hundred and twenty-fourth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. STENNETT.

The bill (H. R. 11259) granting an increase of pension to George W. Stennett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Stennett, late of Company B, Thirteenth Regiment United States Infantry, and Company M, Ninth Regiment Iowa Volunteer Cavalry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL N. JOHNSON.

The bill (H. R. 12398) granting an increase of pension to Samuel N. Johnson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel N. Johnson, late of Company L, First Missouri State Militia Cavalry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSIAH WOOD.

The bill (H. R. 12323) granting an increase of pension to Josiah Wood was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Josiah Wood, late of Company E, Second Regiment Minnesota Volunteer Cavalry, and to pay him a pension of $17 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARVIN A. WIXSON.

The bill (H. R. 11150) granting an increase of pension to Marvin A. Wixson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Marvin A. Wixson, late of Company B, Twenty-third Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM L. GERARD.

The bill (H. R. 10555) granting an increase of pension to William L. Gerard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William L. Gerard, late of Company C, One hundred and forty-second Regiment Indiana Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BRADFORD A. GEHR.

The bill (H. R. 14000) granting an increase of pension to Bradford A. Gehr was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Bradford A. Gehr, late of Company E, One hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $36 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANDREW ESDELL.

The bill (H. R. 8886) granting an increase of pension to Andrew Esdell was considered as in Committee of the Whole. It proposes

to place on the pension roll the name of Andrew Esdell, late of Company E, Twenty-seventh Regiment Michigan Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES E. STALKER.

The bill (H. R. 11576) granting an increase of pension to James E. Stalker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James E. Stalker, late of Company D, One hundred and fourteenth Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD H. BENNETT.

The bill (H. R. 12062) granting a pension to Edward H. Bennett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward H. Bennett, helpless and dependent son of Lewis Bennett, late of Company B, One hundred and fifty-fifth Regiment Illinois Volunteer Infantry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JONATHAN KLINGENFUS.

The bill (H. R. 8498) granting an increase of pension to Jonathan Klingenfus was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jonathan Klingenfus, late of Company G, Third Regiment Missouri Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARLEN SCARLETT.

The bill (H. R. 12783) granting a pension to Harlen Scarlett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harlen Scarlett, late of Captain Ford's detachment of recruits, Third United States Dragoons, war with Mexico, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY HIETE.

The bill (H. R. 12992) granting an increase of pension to Henry Hiete was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Hiete, late of Company H, Fourteenth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JULIUS H. ROGGE.

The bill (H. R. 13178) granting a pension to Julius H. Rogge was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Julius H. Rogge, late of Captain Voerster's independent company sappers and miners, Missouri Home Guards, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES A. RAPP.

The bill (H. R. 12277) granting an increase of pension to James A. Rapp was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James A. Rapp, late of Company H, Thirty-second, and Company D, Sixteenth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EZRA V. FELTON.

The bill (H. R. 12617) granting an increase of pension to Ezra V. Felton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ezra V. Felton, late of Company I, Second Regiment Minnesota Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN HOTCHKISS.

The bill (H. R. 12093) granting an increase of pension to John Hotchkiss was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Hotchkiss, late of Company F, Fourth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN B. MITCHELL.

The bill (H. R. 13321) granting an increase of pension to John B. Mitchell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John B. Mitchell, late first lieutenant Company B, One hundred and twenty-sixth Regiment Illinois Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET DILLEY.

The bill (H. R. 12253) granting an increase of pension to Margaret Dilley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret Dilley, widow of James D. Dilley, late of Company H, Thirty-second Regiment Wisconsin Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HAMDEN C. WASHBURN.

The bill (H. R. 14700) granting an increase of pension to H. C. Washburn was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "of," to strike out the letter "H." and insert the name "Hamden;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hamden C. Washburn, late of Captain Elmore's company, Alabama Volunteer Infantry, war with Mexico, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Hamden C. Washburn."

ELLENORA CLAVIER.

The bill (H. R. 13792) granting an increase of pension to Ellenora Clavier was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellenora Clavier, widow of Joseph Clavier, late ordinary seaman, U. S. S. *Warren* and *Savannah*, United States Navy, war with Mexico, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM M. LANG.

The bill (H. R. 13142) granting an increase of pension to William M. Lang was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William M. Lang, late of Captain Snell's independent company, Florida Mounted Volunteers, Seminole Indian war, and to pay him a pension of $12 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JEREMIAH GILL.

The bill (H. R. 13345) granting an increase of pension to Jeremiah Gill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jeremiah Gill, late of Captain Johnson's company, Colonel Bailey's regiment, Florida Mounted Volunteers, Seminole Indian war, and to pay him a pension of $16 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MICAJAH HILL.

The bill (H. R. 13421) granting an increase of pension to Micajah Hill, alias Michael C. Hill, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Micajah Hill, alias Michael C. Hill, late of Captain Conoley's company, Alabama Volunteer Infantry, Creek Indian war, and to pay him a pension of $12 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DEVERNIA WHITE.

The bill (H. R. 14307) granting an increase of pension to Devernia White was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Devernia White.

late of Company B, First Regiment Alabama Volunteer Infantry, war with Mexico, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GARRETT STANLEY.

The bill (H. R. 10642) granting an increase of pension to Garrett Stanley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Garrett Stanley, late of Company C, First Regiment Florida Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SILAS T. OVERSTREET.

The bill (H. R. 11308) granting an increase of pension to Silas T. Overstreet was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Silas T. Overstreet, late first lieutenant Capt. Isaac J. Carter's independent company of Florida Mounted Volunteers, Seminole Indian war, and to pay him a pension of $16 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES B. WILLIAMS.

The bill (S. 3033) granting an increase of pension to Charles B. Williams was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles B. Williams, late of Company B, Forty-fifth Regiment Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMALIA C. YOUNG.

The bill (H. R. 186) granting an increase of pension to Amalia C. Young was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Amalia C. Young, widow of Peter F. Young, late captain Company G, One hundred and seventh Regiment Ohio Volunteer Infantry, and to pay her a pension of $16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. SLOUGH.

The bill (H. R. 4044) granting a pension to William H. Slough was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Slough, late of Company G, Fourteenth Regiment Ohio Volunteer Infantry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLARISSA WOLCOTT.

The bill (H. R. 187) granting a pension to Clarissa Wolcott was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Clarissa Wolcott, dependent mother of Addison Wolcott, late of Company G, Eighty-sixth Regiment Ohio Volunteer Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES A. KEMP.

The bill (H. R. 9839) granting an increase of pension to James A. Kemp was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James A. Kemp, late second lieutenant Company D, Fourth Regiment Kentucky Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCES E. GRISSON.

The bill (H. R. 8961) granting a pension to Frances E. Grisson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frances E. Grisson, widow of Charles E. Grisson, late captain Company E, Twenty-sixth Regiment Michigan Volunteer Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HESTER E. BLOOR.

The bill (H. R. 9496) granting an increase of pension to Hester E. Bloor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hester E. Bloor, widow of William F. Bloor, late captain Company F, One hundred and eighty-sixth Regiment Ohio Volunteer Infantry, and to pay her a pension of $16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MATTIE GRAZIANI.

The bill (H. R. 11536) granting an increase of pension to Mattie Graziani was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mattie Graziani, widow of Lawrence L. Graziani, late of Company A, Third Regiment United States Cavalry, and to pay her a pension of $24 per month: *Provided*, That in the event of the death of Effa B. Graziani, helpless and dependent child of said Lawrence L. Graziani, the additional pension herein granted shall cease and determine.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PETER BUNN.

The bill (H. R. 14354) granting a pension to Peter Bunn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Peter Bunn, late of Second Independent Battery, Ohio National Guard Light Artillery, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LYMAN L. JONES.

The bill (H. R. 13531) granting an increase of pension to Lyman L. Jones was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lyman L. Jones, late of troop B, Sixth Regiment United States Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN WILSON.

The bill (H. R. 2948) granting an increase of pension to John Wilson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Wilson, late of Company H, Seventy-ninth Regiment New York Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JENNIE L. CARDWELL.

The bill (H. R. 14286) granting an increase of pension to Jennie L. Cardwell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jennie L. Cardwell, widow of Isaac N. Cardwell, late major Seventh Regiment Kentucky Volunteer Infantry, and to pay her a pension of $35 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY E. VANZANT.

The bill (H. R. 14397) granting a pension to Mary E. Vanzant was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Vanzant, widow of John Vanzant, late of Company A, One hundred and ninety-eighth Regiment Pennsylvania Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. JAQUES.

The bill (H. R. 14005) granting an increase of pension to George W. Jaques was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Jaques, late of Company K, One hundred and seventy-first Regiment Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID WILLS.

The bill (H. R. 14149) granting an increase of pension to David Wills was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David Wills, late of Captain Baylor's company, Texas Cavalry Volunteers, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID KIMBALL.

The bill (H. R. 5600) granting a pension to David Kimball was considered as in Committee of the Whole. It proposes to place

on the pension roll the name of David Kimball, late of Company E, First Regiment Missouri Volunteer Engineers of the West, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EZEKIEL STEEL.

The bill (H. R. 13453) granting an increase of pension to Ezekiel Steel was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ezekiel Steel, late of Company D, Thirty-second Regiment Ohio Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ABRAHAM S. VAN FLEET.

The bill (H. R. 13879) granting an increase of pension to Abraham S. Van Fleet was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abraham S. Van Fleet, late of Company A, First Regiment Vermont Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. MOORE.

The bill (H. R. 7502) granting an increase of pension to John W. Moore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Moore, late of Company C, Fourth Regiment Kentucky Volunteer Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NELSON M'INTOSH.

The bill (H. R. 9585) granting an increase of pension to Nelson McIntosh was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nelson McIntosh, late of Company D, First Regiment United States Dragoons, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. HILTON.

The bill (H. R. 13907) granting an increase of pension to John W. Hilton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Hilton, late of Company C, Seventy-fourth Regiment Indiana Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS HAYDOCK.

The bill (H. R. 12591) granting an increase of pension to Thomas Haydock was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Haydock, late of Company I, One hundred and twenty-eighth Regiment Ohio Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BYRON BOWERS.

The bill (H. R. 14278) granting an increase of pension to Byron Bowers was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Byron Bowers, late second lieutenant Company A, One hundred and eighteenth Regiment Ohio Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FANNY A. HUTCHASON.

The bill (H. R. 13196) granting an increase of pension to Fanny A. Hutchason was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Fanny A. Hutchason, widow of Hutty M. Hutchason, late of Troop C, Third Regiment United States Dragoons, war with Mexico, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. BROADWELL.

The bill (H. R. 8219) granting an increase of pension to William H. Broadwell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Broadwell, late of Company A, Sixteenth Regiment New York Volunteer Heavy Artillery, and Company C, First Regiment New York Mounted Rifles, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS LAUGRIDGE.

The bill (H. R. 9797) granting an increase of pension to Thomas Laugridge was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Laugridge, late of Company D, Twelfth Regiment Michigan Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD M. SHEPARD.

The bill (H. R. 12440) granting an increase of pension to Edward M. Shepard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward M. Shepard, late of Company I, Seventeenth Regiment Vermont Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY APPLE.

The bill (H. R. 11058) granting a pension to Mary Apple was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Apple, widow of Louis Apple, late of Company K, First Regiment United States Cavalry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDSON G. HOLCOMB.

The bill (H. R. 11468) granting an increase of pension to Edson G. Holcomb was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edson G. Holcomb, late of Company K, Tenty-ninth Regiment Ohio Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN WYBRANT.

The bill (H. R. 11487) granting an increase of pension to John Wybrant was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Wybrant, late chief engineer U. S. S. *Lancaster*, United States Navy, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD E. CURRAN.

The bill (H. R. 11748) granting an increase of pension to Edward E. Curran was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward E. Curran, late of Company A, One hundred and eighty-second Regiment Ohio Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HUGH MOONEY.

The bill (H. R. 11776) granting a pension to Hugh Mooney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hugh Mooney, late first lieutenant Company I, One hundred and fifty-fifth Regiment New York Volunteer Infantry, and to pay him a pension of $8.50 per month, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALEXANDER S. HEMPSTEAD.

The bill (H. R. 9687) granting an increase of pension to Alexander S. Hempstead was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alexander S. Hempstead, late captain Company F, Twenty-seventh Regiment United States Colored Volunteer Infantry, and to pay him a pension of $25 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIJAH REARICK.

The bill (H. R. 8480) granting an increase of pension to Elijah Rearick was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elijah Rearick, late of Company B, Fifty-first Regiment Ohio Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TIMOTHY HALEY.

The bill (H. R. 12413) granting an increase of pension to Timothy Haley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Timothy Haley, late first lieutenant Company F, One hundred and thirteenth Regiment Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY J. ARNOLD.

The bill (H. R. 12480) granting an increase of pension to Henry J. Arnold was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry J. Arnold, late of Company K, Sixty-third Regiment Ohio Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MATILDA WITT.

The bill (H. R. 1045) granting a pension to Matilda Witt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Matilda Witt, widow of Burgess Witt, late of Captain Campbell's company, Tennessee Volunteers, Cherokee Indian disturbances, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES A. LOWE.

The bill (H. R. 12105) granting an increase of pension to James A. Lowe was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James A. Lowe, late of Company D, Fifth Regiment Kansas Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EBEN FULLER.

The bill (H. R. 3829) granting an increase of pension to Eben Fuller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eben Fuller, late of the Fifth Independent Battery Ohio Volunteer Light Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EVELINE CROUCH DUNBAR.

The bill (H. R. 13190) granting a pension to Eveline Crouch Dunbar was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eveline Crouch Dunbar, widow of John C. Dunbar, late of Company A, Second Regiment Louisiana Volunteers, war with Mexico, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES A. BARBER.

The bill (H. R. 12676) granting an increase of pension to James A. Barber was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James A. Barber, late of Company F, Second Regiment Tennessee Mounted Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUSAN T. BUNCH.

The bill (H. R. 8464) granting a pension to Susan T. Bunch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Susan T. Bunch, widow of Lambert B. Bunch, late of Company H, First Regiment California Volunteer Cavalry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARION A. CARLILE.

The bill (H. R. 13623) granting an increase of pension to Marion A. Carlile was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Marion A. Carlile, widow of Thomas J. Carlile, late captain and assistant quartermaster, United States Volunteers, and to pay her a pension of $25 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN SCHADE, SR.

The bill (H. R. 7471) granting an increase of pension to John Schade, sr., was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Schade, sr., late of Company E, Fifty-eighth Regiment Ohio Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SILAS R. HARRIS.

The bill (H. R. 8469) granting a pension to Silas R. Harris was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Silas R. Harris, late of Company K, Sixty-third Regiment Missouri Volunteer Infantry (Enrolled Militia), and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY ANN PHIPPS.

The bill (H. R. 8783) granting an increase of pension to Mary Ann Phipps was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Ann Phipps, widow of David Phipps, late of Captain Seller's company, Third Regiment Illinois Volunteer Infantry, war with Mexico, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN OGDEN.

The bill (H. R. 9257) granting an increase of pension to John Ogden was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Ogden, late first lieutenant Company M, First Regiment Wisconsin Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTHA TAYLOR.

The bill (H. R. 14306) granting an increase of pension to Martha Taylor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martha Taylor, widow of William H. Taylor, late of Company A, Third Regiment Tennessee Volunteer Infantry, war with Mexico, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN S. STEVENS.

The bill (S. 3640) granting an increase of pension to John S. Stevens was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John S. Stevens, late of Companies M and H, Second Regiment Illinois Volunteer Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM J. CALDWELL.

The bill (H. R. 13650) granting an increase of pension to William J. Caldwell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William J. Caldwell, late of Company B, One hundred and twenty-ninth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. LITHERLAND.

The bill (H. R. 13937) granting an increase of pension to George W. Litherland was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W.

Litherland, late of Company I, Fifth Regiment Illinois Volunteer Cavalry, and to pay him a pension of $12 per month, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment, without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT W. BRASHER.

The bill (H. R. 8787) granting an increase of pension to Robert W. Brasher was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert W. Brasher, late of Company I, Thirty-seventh Regiment Indiana Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SMITH B. MILLS.

The bill (H. R. 12804) granting an increase of pension to Smith B. Mills was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Smith B. Mills, late of Company K, Fourth Regiment Michigan Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

C. ANNETTE BUCKEL.

The bill (H. R. 8790) granting a pension to C. Annette Buckel was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of C. Annette Buckel, late nurse, Medical Department United States Volunteers, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

EDWIN J. TENNEY.

The bill (S. 3791) granting an increase of pension to Edwin J. Tenney was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "Infantry," to insert "and Company F, Thirteenth Regiment Veteran Reserve Corps;" and in line 9, before the word "dollars," to strike out "thirty-six" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edwin J. Tenney, late of Company D, Seventh Regiment New Hampshire Volunteer Infantry, and Company F, Thirteenth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HENRY E. W. CAMPBELL.

The bill (H. R. 12666) granting an increase of pension to Henry E. W. Campbell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "forty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry E. W. Campbell, late captain Company H, One hundred and fiftieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JOHN W. CURRIER.

The bill (S. 183) granting an increase of pension to John W. Currier was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Currier, late of Company B, Fourth Regiment Vermont Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FREDERICK C. ABEL.

The bill (H. R. 13744) granting an increase of pension to Frederick C. Abel was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frederick C. Abel, late of Company E, Tenth Regiment Iowa Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELLA C. BAKER.

The bill (H. R. 4583) granting a pension to Ella C. Baker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ella C. Baker, widow of Scotto B. N. Baker, late second lieutenant Company A, Fifty-eighth Regiment Massachusetts Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LUTHER F. PALMER.

The bill (H. R. 6697) granting an increase of pension to Luther F. Palmer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Luther F. Palmer, late of Company F, Twentieth Regiment Maine Volunteer Infantry, and to pay him a pension of $36 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EBEN H. MEADER.

The bill (H. R. 748) granting an increase of pension to Eben H. Meader was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eben H. Meader, late of Company D, Ninth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE D. TOTMAN.

The bill (H. R. 747) granting an increase of pension to George D. Totman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George D. Totman, late of Company G, Sixty-first Regiment Massachusetts Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALBERT HEMENWAY.

The bill (H. R. 737) granting an increase of pension to Albert Hemenway was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Albert Hemenway, late of Company I, Seventh Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WARREN M'CRACKEN.

The bill (H. R. 8915) granting an increase of pension to Warren McCracken was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Warren McCracken, late of the U. S. S. *Peoria*, United States Navy, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LINEUS V. VANCE.

The bill (H. R. 9388) granting an increase of pension to Lineus V. Vance was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lineus V. Vance, late of Companies D and C, First Regiment Vermont Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY JOHNSON.

The bill (H. R. 9516) granting an increase of pension to Henry Johnson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Johnson, late of Company K, Ninth Regiment Maine Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWIN M. ALDEN.

The bill (H. R. 9832) granting an increase of pension to Edwin M. Alden was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edwin M. Alden, late of Company D, Eighty-ninth Regiment New York Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHRISTIAN MOTT.

The bill (H. R. 11315) granting an increase of pension to Christian Mott was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Christian Mott, late of Company A, Second Regiment Rhode Island Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALFRED A. BURRELL.

The bill (H. R. 10708) granting an increase of pension to Alfred A. Burrell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alfred A. Burrell, late of Company G, Fortieth Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDAH A. KITTRIDGE.

The bill (H. R. 13299) granting a pension to Edah A. Kittridge was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edah A. Kittridge, widow of James Kittridge, late of Captain Hodson's company, Thirty-third Regiment United States Infantry, war of 1812, and to pay her a pension of $24 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH A. SOULE.

The bill (H. R. 2183) granting an increase of pension to Joseph A. Soule was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph A. Soule, late of Company E, Eighteenth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of $12 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ABBIE W. GRIFFIN.

The bill (H. R. 11193) granting an increase of pension to Abbie W. Griffin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abbie W. Griffin, widow of William F. Griffin, late captain Company I, Forty-ninth Regiment United States Colored Volunteer Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH HOWARD.

The bill (H. R. 8496) granting an increase of pension to Joseph Howard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph Howard, late of Company A, permanent party G. S. R., U. S. A., and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMAZIAH HAVEY.

The bill (H. R. 12553) granting an increase of pension to Amaziah Havey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Amaziah Havey, late of Nineteenth unassigned company, Maine Volunteer Infantry, and to pay him a pension of $14 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM S. DEVLIN.

The bill (S. 922) granting an increase of pension to William S. Devlan was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William S. Devlin, late of United States ships Savannah, Pensacola, and Tennessee, United States Navy, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to William S. Devlin."

ANNIE M. EOPOLUCCI.

The bill (S. 5263) granting a pension to Anna M. Espolucci was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie M. Eopolucci, widow of Samuel Eopolucci, late first-class musician, United States Marine Corps, and pay her a pension at the rate of $8 per month, with $2 per month additional on account of each of the minor children of said Samuel Eopolucci, until they reach the age of 16 years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Annie M. Eopolucci."

MARY T. HOLDEN.

The bill (S. 5492) granting an increase of pension to Mary T. Holden was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary T. Holden, widow of Samuel C. Holden, late of Company B, Seventeenth Regiment Maine Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JESSE STINNETT.

The bill (H. R. 14179) granting an increase of pension to Jesse Stinnett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jesse Stinnett, late of Company E, One hundred and twenty-second Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

POCAHONTAS C. MONTEIRO.

The bill (H. R. 14363) granting an increase of pension to Pocahontas C. Monteiro was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Pocahontas C. Monteiro, widow of Andrew A. Monteiro, late of Company A, First Regiment Virginia Volunteer Infantry, war with Mexico, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LILLIE A. SCHOPPAUL.

The bill (H. R. 14517) granting a pension to Lillie A. Schoppaul was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lillie A. Schoppaul, widow of Louis A. Schoppaul, late of Company E, First Regiment South Carolina Volunteer Infantry, war with Spain, and to pay her a pension of $12 per month and $2 per month additional on account of the minor child of said Louis A. Schoppaul until she reaches the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH GREENE.

The bill (H. R. 12529) granting a pension to Sarah Greene was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah Greene, widow of Oliver H. Poor, late of Company D, First Regiment North Carolina Volunteers, war with Mexico, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY L. JOHNSON.

The bill (H. R. 12652) granting an increase of pension to Mary L. Johnson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary L. Johnson, widow of Robert G. Johnson, late of Captains Christmas and Chastain's companies, Georgia Mounted Volunteers, Creek and Florida Indian wars, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENDERSON EVINS.

The bill (H. R. 14518) granting a pension to Henderson Evins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henderson Evins, late of Company D, Second Regiment United States Infantry, and to pay him a pension of $6 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH J. MOORE.

The bill (H. R. 14579) granting an increase of pension to Elizabeth J. Moore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth J. Moore, widow of Joshua L. Moore, late of Company A, North Carolina Volunteer Infantry, war with Mexico, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTIN R. GENTRY.

The bill (H. R. 13328) granting a pension to Martin R. Gentry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martin R. Gentry, late of Captain Loyall's independent company, Georgia Mounted Volunteers, war with Mexico, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CATHARINE COOK.

The bill (H. R. 3265) granting an increase of pension to Catharine Cook was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Catharine Cook, widow of Thomas Cook, late of Company G, Twenty-eighth Regiment Massachusetts Volunteer Infantry, and to pay her a pension of $17 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH P. SCOTT.

The bill (H. R. 1339) granting an increase of pension to Joseph P. Scott was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph P. Scott, late first lieutenant and battalion adjutant Second Regiment Wisconsin Volunteer Cavalry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES A. HOPSON.

The bill (S. 5416) granting an increase of pension to James A. Hopson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Company," to insert the letter "H;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James A. Hopson, late of Company H, Thirteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY A. DISBROW.

The bill (H. R. 3805) granting an increase of pension to Mary A. Disbrow was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary A. Disbrow, widow of Horatio S. Disbrow, late captain Company B, Twenty-eighth Regiment New Jersey Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROWLAND J. ROBERTS.

The bill (H. R. 5033) granting an increase of pension to Rowland J. Roberts was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rowland J. Roberts, late of Company M, Second Regiment New York Volunteer Heavy Artillery, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES H. LAKEY.

The bill (H. R. 12906) granting an increase of pension to Charles H. Lakey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles H. Lakey, late of Company A, Seventy-fifth Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM HALL.

The bill (H. R. 11843) granting an increase of pension to William Hall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Hall, late of Company A, Forty-seventh Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY CLAY HALL.

The bill (H. R. 13543) granting an increase of pension to Henry Clay Hall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Clay Hall, late of Company M, First Regiment New York Volunteer Mounted Rifles, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID C. WELCH.

The bill (H. R. 13743) granting an increase of pension to David C. Welch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David C. Welch, late of Company C, Second Regiment Massachusetts Volunteer Infantry, and to pay him a pension of $36 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN S. WHITMORE.

The bill (H. R. 13071) granting an increase of pension to John S. Whitmore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. Whitmore, late of Company E, One hundred and seventy-seventh Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the time, and passed.

ABEL D. BROOKS.

The bill (H. R. 14145) granting an increase of pension to Abel D. Brooks was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abel D. Brooks, late of Company C, One hundred and twelfth Regiment New York Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY A. DAVIES.

The bill (H. R. 13687) granting an increase of pension to Henry A. Davies was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry A. Davies, late landsman, United States Navy, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELLEN CAIN.

The bill (H. R. 12400) granting a pension to Ellen Cain was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellen Cain, widow of Cornelius Cain, late of Company M, Fourth Regiment United States Artillery, war with Mexico, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRY HIRSCHENSOHN.

The bill (H. R. 6343) granting a pension to Harry Hirschensohn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harry Hirschensohn, late of Company H, Sixth Regiment United States Infantry, war with Spain, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS P. RYAN.

The bill (H. R. 9393) granting an increase of pension to Thomas P. Ryan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas P. Ryan, late of Company H, Fourteenth Regiment New Jersey Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. BLANCHARD.

The bill (H. R. 9788) granting an increase of pension to George W. Blanchard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Blanchard, late of Company A, One hundred and eighty-fourth Regiment New York Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELLEN M. MALLOY.

The bill (H. R. 10286) granting a pension to Ellen M. Malloy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellen M. Malloy, widow of William Malloy, late of Company A, Seventh Regiment Delaware Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNA E. HARMAN.

The bill (H. R. 10288) granting a pension to Anna E. Harman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Anna E. Harman, widow of James H. Harman, late of Company I, Third Regiment United States Colored Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANK FUCHS.

The bill (H. R. 11298) granting an increase of pension to Frank Fuchs was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frank Fuchs, late of Company H, One hundred and sixteenth Regiment New York Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JULIANA H. BARRY.

The bill (H. R. 14658) granting an increase of pension to Juliana H. Barry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Juliana H. Barry, widow of Edmund Barry, late of Company B, Maryland and District of Columbia Regiment Volunteer Infantry, war with Mexico, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH DAVIS.

The bill (H. R. 12164) granting an increase of pension to Joseph Davis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph Davis, late of Company G, Ninety-seventh Regiment, and Company I, Thirty-seventh Regiment, Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LOUIS VOLL.

The bill (H. R. 14017) granting an increase of pension to Louis Voll was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Louis Voll, late of Company D, Twenty-ninth Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THEODORE COONLEY.

The bill (H. R. 12727) granting an increase of pension to Theodore Coonley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Theodore Coonley, late of Company F, Fifteenth Regiment New York Volunteer Engineers, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH JANE VAN ALSTINE.

The bill (H. R. 13115) granting a pension to Sarah Jane Van Alstine was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah Jane Van Alstine, widow of Gordis S. Van Alstine, late of Company I, First Regiment United States Veteran Volunteers, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NATHANIEL WARREN.

The bill (H. R. 12194) granting an increase of pension to Nathaniel Warren was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nathaniel Warren, late of Company E, Twenty-second Regiment New York Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISABELLA CHIVINGTON.

The bill (S. 1994) granting an increase of pension to Isabella Chivington was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "colonel," to strike out "of;" and in line 8, before the word "dollars," to strike out "forty" and insert "seventeen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isabella Chivington, widow of John M. Chivington, late colonel First Regiment Colorado Volunteer Cavalry, and pay her a pension at the rate of $17 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EMILY M. J. COOLEY.

The bill (S. 1576) granting an increase of pension to Emily M. J. Cooley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emily M. J. Cooley, widow of Rufus Cooley, late of Company F, Thirty-ninth Regiment, and chaplain Forty-seventh Regiment, Wisconsin Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LOUCINDA M. THOMPSON.

The bill (H. R. 14270) granting an increase of pension to Loucinda M. Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Loucinda M. Thompson, widow of James A. Thompson, late of Captain Creagh's company, Alabama Mounted Volunteers, Creek Indian war, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN L. COMMONS.

The bill (H. R. 13363) granting an increase of pension to Benjamin L. Commons was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin L. Commons, late of Company G, First Regiment Tennessee Volunteer Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES T. THOMPSON.

The bill (H. R. 13371) granting an increase of pension to James T. Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James T. Thompson, late of United States Marine Corps, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH M. GREER.

The bill (H. R. 13869) granting a pension to Sarah M. Greer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah M. Greer, widow of Orlando J. Greer, late second lieutenant, Captain William B. Dick's independent company, Pennsylvania Militia Cavalry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CADER B. BRENT.

The bill (H. R. 13494) granting a pension to Cader B. Brent was considered as in Committee of the Whole. It proposes to place

on the pension roll the name of Cader B. Brent, late of Captain Highsmith's company, Texas Mounted Volunteers, war with Mexico, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHESTER R. HEATH.

The bill (H. R. 13518) granting an increase of pension to Chester R. Heath was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Chester R. Heath, late of Company D, First Regiment Wisconsin Volunteer Infantry; Company F, Twenty-first Regiment Wisconsin Volunteer Infantry; and unassigned, Third Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM ODENHEIMER.

The bill (H. R. 13527) granting an increase of pension to William Odenheimer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Odenheimer, late second lieutenant Company H and first lieutenant Company M, Sixth Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY F. KENADAY.

The bill (H. R. 10270) granting a pension to Mary F. Kenaday was considered as in Committee of the Whole. It proposes to place on the pension roll the name Mary F. Kenaday, widow of Elias J. Kenaday, late of Captain Morgan's company, Iowa Mounted Volunteers, war with Mexico, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY H. RHOADS.

The bill (H. R. 10544) granting an increase of pension to Henry H. Rhoads was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry H. Rhoads, late of Company B, One hundred and seventy-fifth Regiment Ohio Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN COOK.

The bill (H. R. 13364) granting an increase of pension to John Cook was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Cook, late of Company I, Second Regiment Kentucky Volunteer Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BIRD L. FRANCIS.

The bill (H. R. 8822) granting a pension to Bird L. Francis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Bird L. Francis, late scout and spy, United States Volunteers, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN M'COLLISTER.

The bill (H. R. 8921) granting an increase of pension to John McCollister was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John McCollister, late of Company E, Seventy-third Regiment Ohio Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GRACE MILLER.

The bill (H. R. 9963) granting a pension to Grace Miller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Grace Miller, widow of John A. Miller, late of Company A, Second Regiment Kentucky Volunteer Infantry, war with Mexico, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OSCAR MURRAY.

The bill (H. R. 10062) granting an increase of pension to Oscar Murray was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Oscar Murray, late of Company G, Seventy-sixth Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISAAC INNIS.

The bill (H. R. 10182) granting an increase of pension to Isaac Innis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac Innis, late of Company K, First Regiment Kentucky Volunteer Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT L. M'MURTRY.

The bill (H. R. 11063) granting an increase of pension to Robert L. McMurtry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert L. McMurtry, late of Company E, Twenty-first Regiment Kentucky Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANKLIN WEBB.

The bill (H. R. 965) granting an increase of pension to Franklin Webb was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Franklin Webb, late of Company E, Twenty-third Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BURNETTA B. LEHMANN.

The bill (S. 5484) granting a pension to Burnetta B. Lehmann was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Burnetta B. Lehmann, widow of Frederick A. Lehmann, late of Company C, Third Regiment Pennsylvania Volunteer Heavy Artillery, and to pay her a pension of $8 per month and $2 per month additional on account of the minor child of said Frederick A. Lehmann until it reaches the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ETHEL TALLEY.

The bill (S. 5184) granting a pension to Ethel Talley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ethel Talley, helpless and dependent child of William C. Talley, late colonel Thirtieth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY E. STRONG.

The bill (S. 3329) granting a pension to Mary E. Strong was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty-five" and insert "twenty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Strong, widow of Frank Strong, major, late of First Regiment Arkansas Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EMANUEL MORTER.

The bill (S. 2893) granting an increase of pension to Emanuel Morter was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Ohio," to insert "Regi-

ment;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emanuel Morter, late of Company E, Seventy-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY M'LEAN WYLLYS.

Mr. McCUMBER. Mr. President, the bill (S. 1243) granting a pension to Mary McLean Wyllys was passed on the last day on which pension bills were considered by the Senate. The vote by which the bill was passed was afterwards reconsidered upon motion of the Senator from Missouri [Mr. COCKRELL]. I have learned since then that the beneficiary of that bill, who was then over 90 years of age, has died, her death occurring only the other day.

Mr. PLATT of Connecticut. What is the name of the beneficiary?

Mr. McCUMBER. Mary McLean Wyllys. She died some two or three days ago. I ask that the bill be indefinitely postponed.

Mr. PLATT of Connecticut. That is so, Mr. President. The lady who was the beneficiary named in that bill has died.

The PRESIDENT pro tempore. The bill will be indefinitely postponed.

Mr. KEAN. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 22 minutes p. m.) the Senate adjourned until Monday, April 25, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, *April 23, 1904.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

LOUISIANA PURCHASE EXPOSITION.

The SPEAKER announced the appointment of the following committee to attend the opening of the Louisiana Purchase Exposition: Messrs. TAWNEY, HEMENWAY, LITTAUER, CURTIS, VAN VOORHIS, LOVERING, HERMANN, HEDGE, BABCOCK, LOUDENSLAGER, BARTLETT, MAYNARD, HAMLIN, DINSMORE, and CLAYTON.

PENSION APPROPRIATION BILL.

The SPEAKER laid before the House the bill (H. R. 6758) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1905, and for other purposes, with Senate amendments thereto.

The Senate amendments were read.

Mr. VAN VOORHIS. Mr. Speaker, I move that the House concur in the Senate amendments.

Mr. UNDERWOOD. Mr. Speaker——

The SPEAKER. Does the gentleman from Ohio yield to the gentleman from Alabama?

Mr. VAN VOORHIS. Pending that motion I wish to say that this amendment consists of an addition of $210,600 to the amount appropriated by the House. This increase was made in order to meet legislation of this Congress increasing the pensions of those who are totally blind. The Commissioner of Pensions estimated that it would require $201,600. The Senate have made an amendment to this bill of $210,600.

I now yield to the gentleman from Alabama.

Mr. UNDERWOOD. Mr. Speaker, I have only a few words to say in reference to this bill.

It is the general pension appropriation bill. I want the RECORD to show the Senate amendment clearly.

The Senate increased the House appropriation by $210,600, and the chairman of the Senate committee, in reporting the bill to the Senate, says:

The committee at this session of Congress has favorably reported Senate bill 671, a bill to increase the pensions of those who have lost both eyes or have become totally blind from causes occurring in the military or naval service of the United States, which, according to a letter received from the Commissioner of Pensions, will require an appropriation of $201,600 to carry the same into effect.

Now, the only increase over the bill as it went from the House to the Senate is this amount. It seems that there is a clerical error of $9,000 between what the Senate committee state they want and what the Senate have appropriated; but a clerical error of $9,000 in a bill carrying $137,000,000 is so small that I do not see any reason why the bill should go back; and I agree with the gentleman from Ohio [Mr. VAN VOORHIS] that the House should concur in the Senate amendment.

But I wish to state, and to have the RECORD show, that the difference raised by the minority members of the Committee on Appropriations on the pensions item in the general deficiency bill does not occur in this pension appropriation bill. There is no increased appropriation put in the pension appropriation bill for pensions for next year to carry out Order No. 78. Either the management of the House and Senate have determined not to appropriate the money to carry out Order No. 78 for the fiscal year ending June 30, 1905, or they expect, when we come back here next winter, to ask for a deficiency on the general deficiency bill to cover the amount.

But as it is not included in this bill there is no difference between the members of the majority and the minority on the Appropriations Committee. Therefore I agree with the gentleman from Ohio that the House should concur in the Senate amendment.

The SPEAKER. The gentleman from Ohio moves that the House concur in the Senate amendment.

The motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the amendments of the House of Representatives to the bills of the following titles:

S. 5475. An act granting a pension to Mary M. Rice;

S. 3777. An act granting a pension to Sarah S. Smith; and

S. 3129. An act to promote the circulation of reading matter among the blind.

The message also announced that the Senate had passed without amendment joint resolution and bills of the following titles:

H. R. 2866. An act to amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.," approved April 24, 1888;

H. R. 4483. An act declaring each of the tunnels under the Chicago River an obstruction to navigation, and for other purposes;

H. R. 12044. An act to authorize the establishment of a life-saving station at or near Eagle Harbor, Keweenaw Point, Mich.;

H. R. 13014. An act to authorize the appointment of road overseers and to create road districts in the district of Alaska, and for other purposes;

H. R. 14588. An act to revive and amend an act entitled "An act to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River, in the State of Louisiana, at or near Shreveport;

H. R. 14590. An act to authorize the courts of county commissioners of Houston and Dale counties, Ala., to construct a bridge across the Choctawatchee River between Houston and Dale counties, Ala.;

H. R. 15165. An act to authorize the construction of a bridge across the navigable waters of St. Andrews Bay; and

H. J. Res. 103. Joint resolution providing for printing annually the report of the Director of the Office of Experiment Stations, Department of Agriculture.

The message also announced that the Senate had passed the following concurrent resolutions; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution No. 71.

Resolved by the Senate (the House of Representatives concurring), That there be printed 10,000 additional copies, in cloth binding, of the Tenth Special Report of the Commissioner of Labor, being a compilation of the labor laws of the different States and Territories and of the Federal Government, with the decisions of courts relating thereto; 2,000 copies for the use of the Senate, 3,000 copies for the use of the House of Representatives, and 5,000 copies for distribution by the Department of Commerce and Labor.

Also:

Senate concurrent resolution No. 70.

Resolved by the Senate (the House of Representatives concurring), That there be printed 8,000 additional copies, in cloth binding, of the Eleventh Special Report of the Commissioner of Labor, relating to the regulation and restriction of output; 1,500 copies for the use of the Senate, 2,500 copies for the use of the House, and 4,000 copies for distribution by the Department of Commerce and Labor.

Also:

Senate concurrent resolution No. 69.

Resolved by the Senate (the House of Representatives concurring), That of the eulogies on the late Senator Marcus A. Hanna there be printed and bound in cloth 6,200 additional copies, of which 2,000 shall be for the use of the Senate and 4,000 copies for the use of the House of Representatives, and 200 of which shall be bound in full morocco, with gilt edges, for the family of the deceased.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 3734) granting an increase of pension to Martha W. Cushing, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. MCCUMBER, Mr. SCOTT, and Mr. PATTERSON as the conferees on the part of the Senate.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 3489) granting a pension to Annie Colt McCook, had asked a conference with the House on the disagreeing votes of the two Houses

thereon, and had appointed Mr. McCUMBER, Mr. SCOTT, and Mr. PATTERSON as the conferees on the part of the Senate.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 128) granting an increase of pension to Clara M. Gihon, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McCUMBER, Mr. SCOTT, and Mr. PATTERSON as the conferees on the part of the Senate.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 76) granting a pension to Mary H. Cornell, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McCUMBER, Mr. SCOTT, and Mr. PATTERSON as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to bill (S. 2134) to connect Euclid place with Erie street.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 14826) to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. NELSON, Mr. DIETRICH, and Mr. NEWLANDS as the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 1659. An act granting permission to Capt. William E. Horton, United States Army, to accept a decoration tendered him by the President of the French Republic; and

S. 3737. An act to authorize the President to appoint Capt. Edward O. C. Ord to the grade of major in the United States Army and place him on the retired list.

The message also announced that the Senate had passed with amendments bills of the following titles in which the concurrence of the House of Representatives was requested:

H. R. 13262. An act to confirm the title to lots 2, 3, 4, and 5 in square No. 979, in Washington, in the District of Columbia; and

H. R. 15014. An act to enable the Secretary of War to permit the erection of a lock and dam in aid of navigation in the Tennessee River near Chattanooga, Tenn., and for other purposes.

NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I call up the conference report on the naval appropriation bill, and ask unanimous consent that the statement of the House conferees may be read.

The SPEAKER. The gentleman from Illinois calls up the conference report on the naval appropriation bill, and asks unanimous consent that the statement may be read in lieu of the report. Is there objection?

Mr. WILLIAMS of Mississippi. What is the request for unanimous consent?

The SPEAKER. The request is that the statement of the House conferees may be read in lieu of the report.

Mr. WILLIAMS of Mississippi. I have no objection to that.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

[For conference report and statement see proceedings of Friday, April 22.]

Mr. FOSS. Mr. Speaker, this is a final and complete agreement on the naval appropriation bill. The main items in dispute on the last conference, the House will recollect, were these: First, the matter of appropriations at the Charleston Navy-Yard. The Senate put in items to the amount of $230,000. One hundred and eighty thousand dollars of these have been stricken out in conference, and the House agrees to $50,000 to build a storehouse at that yard. The second important matter in disagreement was that in reference to the consolidation of the heat, light, and power plants in the navy-yards, and the House provision has been agreed to. The amendment relative to rebuilding the *Constitution* went out in conference. The other important matter relative to the establishment of a training station on the Great Lakes was provided for in this way: The conferees agreed to a provision that the new board, as proposed by the Senate, shall make its report to the President, and the President, upon the approval of that report, shall purchase the site and establish the training station. This proposition is agreeable to all gentlemen who are interested in the sites in their particular localities.

Mr. RIXEY. I would like to ask the gentleman one question.

Mr. FOSS. I yield to the gentleman.

Mr. RIXEY. Will the chairman of the committee explain the difference between the provision as you now agree to it and the proposition as it came from the Senate in the first place?

Mr. FOSS. The difference is this: The Senate amendment provided that the new board should report to the President, who should report to Congress for final action. But this provides that the board shall report to the President, and upon the approval of that report by the President the site shall be purchased and the training station established.

Mr. RIXEY. Does the gentleman think a provision of that kind, taking the matter absolutely out of the power of future control by Congress, is preferable to one which provided that the report should be made to Congress for its action?

I will call the gentleman's attention to this fact, that—as was stated here the other day—there are already two reports upon this question; and if this board had to be appointed, it seems to me the matter ought to have come back to Congress, so that Congress should decide which of these reports to adopt and where the station should be located. I understand the board's report is practically final, and there is no appeal from it. If it has the approval of the President, that is an end of it. Now, it seems to me that is an unwise provision to put into this bill.

Mr. FOSS. I would say to the gentleman that I do not believe that Congress could ever fix upon a site. There are so many localities that are very much interested in this particular thing that I do not believe the House and the Senate could ever locate this training station. The more reports we have will only add to the confusion of the whole subject. If the report should come back here to the next Congress, we would not only have the two reports of the last Congress, but also the new report; and, as I stated the other day, it seemed to me that it would be nothing more nor less than "confusion worse confounded."

Mr. RIXEY. If the gentleman will permit me, he stated the other day that in his opinion the report by the naval officers was well founded and the report ought to be adopted and acted upon. Now, this seems to me to negative that idea and providing for a new report, which we can not now see (we do not know who will make it, shall be final and binding upon Congress without any future action. It seems to me that this is an unwise provision.

Mr. FOSS. I think we can safely leave it to the President of the United States to allow the board to report to him, and then he can establish the station upon approval of the report.

Now, Mr. Speaker, unless some gentleman desires to say something, and I know of none, I move the previous question on the adoption of the report.

The SPEAKER. The gentleman from Illinois moves the previous question on the adoption of the conference report.

The question was taken, and the previous question was ordered; and under the operation thereof the conference report was agreed to.

On motion of Mr. FOSS, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. BARNES, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On April 22, 1904:

H. R. 7634. An act to establish a life-saving station in Sussex County, State of Delaware;

H. R. 10891. An act for the relief of Julius A. Kaiser;

H. R. 12685. An act for the reappraisement and sale of the undisposed lands within the Fort Walla Walla Military Reservation, in the State of Washington;

H. R. 14901. An act to provide for payment of damages on account of changes of grade due to construction of the Union Station, District of Columbia;

H. R. 15121. An act for the extension of Twenty-third street from S street to California avenue;

H. R. 12147. An act to amend chapter 749, second session Fifty-seventh Congress, approved February 23, 1903, being "An act to establish United States courts at Wilkesboro, N. C.;"

H. R. 11518. An act to authorize the holding of a regular term of the district and circuit courts of the United States for the western district of Virginia in the city of Bigstone Gap, Va.;

H. R. 12655. An act for the relief of John Bremond;

H. R. 9648. An act to amend the first section of an act providing that the circuit court of appeals for the fifth judicial circuit of the United States shall hold at least one term of said court annually in the city of Montgomery, in the State of Alabama, approved January 30, 1903;

H. R. 10418. An act to ratify and amend an agreement with the Sioux tribe of Indians of the Rosebud Reservation, in South Dakota, and making appropriation and provision to carry the same into effect;

H. R. 10670. An act making appropriation for the support of the Army for the fiscal year ending June 30, 1905, and for other purposes;

H. R. 11825. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1905;

H. R. 14413. An act permitting the building of a dam across the Mississippi River, between the counties of Stearns and Benton, in the State of Minnesota;

H. R. 13509. An act authorizing the Secretary of War to transfer to the Columbia Military Academy certain property in Maury County, Tenn.;

H. R. 626. An act granting a pension to Mary A. V. Cook;

H. R. 701. An act granting a pension to William C. Montgomery;

H. R. 1910. An act granting a pension to Cephas Kendal Knox;

H. R. 2194. An act granting a pension to Mary Dewire;

H. R. 2450. An act granting a pension to Lucina Heath;

H. R. 3246. An act granting a pension to Hedwig A. Maass;

H. R. 4604. An act granting a pension to Christian Kloeppel, alias Christian Knupple;

H. R. 4626. An act granting a pension to Hattie M. Matheson;

H. R. 5198. An act granting a pension to Emeline Simmons;

H. R. 5406. An act granting a pension to Rachel Tyson;

H. R. 5431. An act granting a pension to Susan Laugherty;

H. R. 5685. An act granting a pension to Alonzo Sabin;

H. R. 5867. An act granting a pension to Ina D. Burdick;

H. R. 6170. An act granting a pension to Elizabeth F. Champlin;

H. R. 6307. An act granting a pension to Elizabeth Hopper;

H. R. 6502. An act granting a pension to Onslow N. McIntire;

H. R. 7062. An act granting a pension to Kate M. A. Mortensen;

H. R. 7595. An act granting a pension to Ella Hatfield;

H. R. 7752. An act granting a pension to William L. Rutter;

H. R. 8122. An act granting a pension to Adonijah Richards;

H. R. 9633. An act granting a pension to Margaret H. Booth;

H. R. 9775. An act granting a pension to Anna S. Christopherson;

H. R. 10973. An act granting a pension to Harry F. Thompson;

H. R. 11403. An act granting a pension to John M. Bailey;

H. R. 685. An act granting an increase of pension to Philip J. Harlow;

H. R. 6048. An act granting an increase of pension to William Johnson;

H. R. 6051. An act granting an increase of pension to Ann Dawson;

H. R. 10790. An act granting an increase of pension to John F. Rockey;

H. R. 11033. An act granting an increase of pension to Noah Minnich;

H. R. 11187. An act granting an increase of pension to Fyanna E. Myers;

H. R. 11574. An act granting an increase of pension to Oscar A. Phetteplace;

H. R. 11647. An act granting an increase of pension to William C. Scott;

H. R. 11662. An act granting an increase of pension to John H. Brodrick;

H. R. 11793. An act granting an increase of pension to August Henning;

H. R. 11877. An act granting an increase of pension to Minnie C. Wilkins;

H. R. 11937. An act granting an increase of pension to Dennis Spurrier;

H. R. 11976. An act granting an increase of pension to Isom R. New;

H. R. 12133. An act granting an increase of pension to James Johnson;

H. R. 12352. An act granting an increase of pension to William H. Cooper;

H. R. 12388. An act granting an increase of pension to Adam Shiria;

H. R. 12456. An act granting an increase of pension to Marshall Cox;

H. R. 12607. An act granting an increase of pension to John M. Savoree;

H. R. 12623. An act granting an increase of pension to Liberty B. Walters, alias Liberty B. Watters;

H. R. 12664. An act granting an increase of pension to Rachel J. Smith;

H. R. 12845 An act granting an increase of pension to Charles Bowen;

H. R. 12850. An act granting an increase of pension to Simon P. Rittenhouse;

H. R. 12964. An act granting an increase of pension to Elizabeth Banks;

H. R. 13147. An act granting an increase of pension to Euphama A. Young;

H. R. 13236. An act granting an increase of pension to George H. Otis;

H. R. 13284. An act granting an increase of pension to Daniel W. Graham;

H. R. 13310. An act granting an increase of pension to Samuel A. Smith, jr.;

H. R. 13413. An act granting an increase of pension to Hezekiah Kepner;

H. R. 13438. An act granting an increase of pension to John W. Comer;

H. R. 13507. An act granting an increase of pension to John M. Sullivan;

H. R. 13657. An act granting an increase of pension to Francis F. Rogers;

H. R. 13935. An act granting an increase of pension to John F. Cummins; and

H. R. 14203. An act granting an increase of pension to Edwin J. Jagger.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 11128. An act to modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect;

H. R. 15010. An act to amend section 6 of "An act to authorize the construction of a bridge by the New York, Chicago and St. Louis Railroad Company and the Chicago and Erie Railroad Company across the Calumet River at or near the city of Hammond, Ind., at a point about 1,200 feet east of the Indiana and Illinois State line and about 100 feet east of the location of the present bridge of the New York, Chicago and St. Louis Railroad Company across said river; also to authorize the construction of a bridge by the Chicago and State Line Railroad Company across said river at the point where said company's railroad crosses said river in Hyde Park Township, Chicago, Ill., being at the location of the present bridge of said company across said river in said township," approved July 1, 1902;

H. R. 9256. An act granting an increase of pension to Enoch Stahler;

H. R. 1851. An act granting an increase of pension to David T. Towles;

H. R. 8925. An act granting an increase of pension to John Weaver;

H. R. 9331. An act to extend the time for completion of the East Washington Heights Traction Railroad Company;

H. R. 8692. An act to authorize the apprehension and detention of insane persons in the District of Columbia, and providing for their temporary commitment in the Government Hospital for the Insane, and for other purposes;

H. R. 7190. An act for the relief of the Bank of North Wilkesboro;

H. R. 2591. An act for the relief of W. S. Feland, late deputy collector second Kentucky district;

H. R. 15195. An act authorizing the construction of a wagon, toll, and electric railway bridge over the Missouri River at Lexington, Mo.;

H. R. 13850. An act granting an increase of pension to Mary Heaney; and

H. R. 11676. An act to ratify and amend an agreement with the Indians of the Crow Reservation in Montana, and making appropriations to carry the same into effect.

CONFERENCE REPORT.

Mr. CURTIS. Mr. Speaker, I ask to call up the conference report on the bill H. R. 11676, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Kansas calls up the following conference report, and asks unanimous consent for the reading of the statement in lieu of the report. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the statement.

The Clerk read the statement. [See proceedings of Friday, April 22.]

Mr. CURTIS. Mr. Speaker, this is a unanimous report, and I ask for its adoption.

The SPEAKER. The gentleman from Kansas moves that the conference report be agreed to.

The question was taken, and the motion was agreed to.

On motion of Mr. CURTIS, a motion to reconsider the vote by which the report was agreed to was laid on the table.

ORDER OF BUSINESS.

Mr. GROSVENOR. Mr. Speaker——

The SPEAKER. The gentleman from Ohio, who is in charge of the merchant marine commission bill, has notified the Chair that he will not call the regular order until the gentleman from Iowa [Mr. LACEY] has an opportunity to ask unanimous consent on four short bills reported from the Committee on Public Lands.

ENTRY OF AGRICULTURAL LAND WITHIN FOREST RESERVES.

Mr. LACEY. Mr. Speaker, I call up the bill H. R. 13631.

The SPEAKER. The gentleman from Iowa asks unanimous consent for the present consideration of the following bill, which the Clerk will report.

The Clerk read the title, as follows:

A bill (H. R. 13631) to provide for the entry of agricultural land within forest reserves.

The Clerk proceeded to read the bill.

Mr. LACEY. Mr. Speaker, I withdraw that bill at the request of one of my colleagues on the Lands Committee and substitute the one the Clerk has.

The SPEAKER. The gentleman withdraws the bill and asks unanimous consent for the present consideration of the following bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 13633) to regulate the disposal of public lands released and excluded from public forest reservations, and for other purposes.

Be it enacted, etc., That in the event of the modification or revocation of any order temporarily withdrawing lands from settlement and entry resulting in the release of such lands from such withdrawal, or, in the event of the exclusion or release of lands from any forest reserve established by the President under section 24 of the act approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes," the nonmineral public lands so released from temporary withdrawal or excluded or released from a forest reserve and not otherwise appropriated or reserved shall become subject to settlement from the date of the order or proclamation so releasing or excluding them, but shall not become subject to entry, filing, or selection under any law providing for the disposal of nonmineral public lands until after sixty days' notice by such publication as the Secretary of the Interior may prescribe, nor shall they become subject to entry, filing, or selection under any law except the homestead laws until ninety days after said notice.

Mr. LACEY. Mr. Speaker, I offer the following additional committee amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Provided, That the notice herein provided for shall be published at the time of the exclusion or release of such lands from such reservation or withdrawal.

Mr. STEPHENS of Texas. Mr. Speaker, do I understand unanimous consent is asked for the present consideration of this bill?

The SPEAKER. Yes.

Mr. LACEY. This is simply where land is thrown open after withdrawal to prevent somebody filing on it immediately. Parties may find out through the Land Office that the land is liable to be thrown open. This requires sixty days' notice, so as to prevent persons having scrip filing instead of homestead settlers. It gives the homestead settler sixty days' precedence over all other entries.

Mr. STEPHENS of Texas. Mr. Speaker, I reserve the point of order.

Mr. CURTIS. Do I understand this pertains to all forest-reserve lands?

Mr. LACEY. It pertains to all forest-reserve land that is thrown open to settlement. When land is thrown open to settlement which has been reserved, either temporarily or permanently, it must have at least sixty days' notice, so that parties can not take it with scrip, and it gives the homesteader preference for sixty days.

Mr. STEPHENS of Texas. I have no objection to that, but what I do object to is the rule of the Secretary of the Interior, and I assume with the consent of the President, that a temporary reserve should be made at all. I understand this establishes Congressional recognition of that right, and that is the reason I object to it. Heretofore the law did not give the Secretary of the Interior the right to make temporary reserves. It has caused a great deal of trouble in the western country. It looks to me that should be left open to settlement, and this would be Congressional recognition of a right assumed by the Secretary of the Interior that does not exist by law. The President has the right only to make these reservations, and the Secretary of the Interior has four years been assuming the right to make what he called "temporary reserves" when there is no such thing known in the laws of the Government as "temporary reserves." Some of these reserves designated as "temporary reserves" for timber purposes have not a stick of timber on square miles, and it is an assumption I am not willing to stand by here idly and see carried into law.

Mr. LACEY. Does the gentleman object?

Mr. STEPHENS of Texas. I object.

Mr. LACEY. This reserves it for homesteaders——

The SPEAKER. Objection is made.

PROTECTION OF PUBLIC FOREST RESERVES AND NATIONAL PARKS OF THE UNITED STATES.

Mr. LACEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 7296.

The SPEAKER. The gentleman from Iowa asks unanimous consent for the present consideration of the following bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 7296) for the protection of the public forest reserves and national parks of the United States.

Be it enacted, etc., That all persons employed in the forest reserve and national park service of the United States shall have authority to make arrests for the violation of the laws and regulations relating to the forest reserves and national parks, and any person so arrested shall be taken before the nearest United States commissioner, within whose jurisdiction the reservation or national park is located, for trial; and upon sworn information by any competent person any United States commissioner in the proper jurisdiction shall issue process for the arrest of any person charged with the violation of said laws and regulations; but nothing herein contained shall be construed as preventing the arrest by any officer of the United States, without process, of any person taken in the act of violating said laws and regulations.

The SPEAKER. Is there objection?

Mr. HERMANN. Mr. Speaker, with the gentleman's permission, I will ask him one or two questions. I think this is a most admirable provision and something that the Department has long desired to have accomplished. Inasmuch as it refers to forest-reserves legislation, I would ask the gentleman this question: Whether among the bills which he has yet to submit to the House there is any bill which provides for an amendment or the repeal or modification of what is known as the "forest lieu-land bill," which the country has been demanding so long to have either repealed or modified, because of the shameful abuses practiced under that provision of law?

Mr. LACEY. I will state to the gentleman that I have but one more bill which I expect to call up this morning.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. LACEY, a motion to reconsider the last vote was laid on the table.

EXTENSION OF COAL-LAND LAWS IN ALASKA.

Mr. LACEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2814) to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900, and in that connection I ask unanimous consent to have the House substitute read instead of the Senate bill, which I shall send to the desk.

The Clerk read as follows:

Be it enacted, etc., That any person or association of persons qualified to make entry under the coal-land laws of the United States who shall have opened and improved a coal mine, or coal mines, on the unsurveyed public lands in the district of Alaska, and who may desire to enter and purchase the same, according to the provisions of the said coal-land laws, before the extension of the public-land surveys over the lands on which such mines are located, shall file in the proper land office an application to enter the lands held and claimed by them, together with a plat and field notes of a survey of the same made under the direction of the surveyor-general of the district of Alaska, showing the boundaries of said tracts and their location as regards permanent natural landmarks, or other surveys. All tracts shall be rectangular in form, containing 40, 80, or 160 acres, and distinctly marked by monuments on the ground, and the boundaries of the same shall be true east and west and north and south lines as nearly as practicable. Upon presentation of said plat and field notes the application, if otherwise regular, shall be accepted as though the tract sought to be entered were embraced within the regular public-land surveys.

SEC. 2. That the Secretary of the Interior shall make all necessary rules and regulations for the purpose of carrying into effect the provisions of this act.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question now is on the amendment.

The question was taken; and the amendment was agreed to.

The SPEAKER. The question now is on the third reading of the Senate bill.

The bill was ordered to be read a third time, read the third time, and passed.

On motion of Mr. LACEY, a motion to reconsider the last vote was laid on the table.

Mr. HERMANN. Mr. Speaker, I desire to ask the gentleman from Iowa [Mr. LACEY] again to kindly answer the question I previously submitted to him, although it is not relevant to this particular bill which has just been passed.

Mr. LACEY. Mr. Speaker, I would say to the gentleman from Oregon [Mr. HERMANN] that objection has been made to taking up the lieu-lands bill, to which he refers, by unanimous consent, and therefore I have not asked it.

DEVELOPMENT OF AMERICAN MERCHANT MARINE.

Mr. GROSVENOR. Mr. Speaker, I call up the bill (H. R. 7056) creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes; and I think it is proper for me to say now that at the close of the time agreed upon by the two sides of the House I shall ask for a vote this afternoon, and shall yield to nothing except those things that the rules of the House compel me to do. I now yield one hour to the gentleman from Iowa [Mr. HEPBURN].

Mr. HEPBURN. Mr. Speaker, yesterday the gentleman from North Carolina [Mr. CLAUDE KITCHIN] in an elaborate speech, evidently carefully prepared, arraigned the President of the United States in terms that seemed to me were exceedingly objectionable. The gentleman from North Carolina [Mr. CLAUDE KITCHIN] is a Member of the House of Representatives, a part of one of the co-

ordinate branches of the Government of the greatest of Republics. That gentleman, it seems to me, owes a duty to the people of the United States, owes a duty to this great Republic to uphold, so far as may be, its honor, its integrity, its high standing among the nations of the earth, and yet we were compelled yesterday to listen to the terms that he applied to the Chief Executive of this nation, to the bitter, ah, criminal denunciation of the Executive of the greatest of nations.

The influence of that gentleman was exerted yesterday, so far as he could exert influence, to degrade, through the Chief Executive of the nation, the whole Republic; to destroy, so far as he could, its standing, its influence, its power among the world powers of the earth. The gentleman made use of a phrase—a quotation, perhaps—from one of the numerous volumes that have come from the pen of Theodore Roosevelt as a justification of his remarks, viz, the statement that there is a strain of barbarism running through the people of the South. This gentleman is a representative of the people of the South. I call up the speech he made yesterday as a witness justifying the statement alleged to have been made by the President. [Applause on the Republican side.]

Mr. Speaker, this country has been agitated many times by the presence of a disloyal spirit in all parts of the country, I will admit—a spirit that in instances has taken the law into its own hands, and, refusing obedience and respect for the courts, has attempted to execute its own judgment, the judgment of the mob, upon citizens entitled to the protection of the laws; a deplorable condition, rampant in one section of the country, frequent in the appearance of its outrages in one section of the country, occasionally to be found in all, illustrating, perhaps, the truth of the statement alleged to have been made by the President, that there is a strain of barbarism running through all the people, North as well as South.

But the gentleman sought to place the responsibility for this barbaric spirit upon the President of the United States, arraigning him as one who was the advocate of lynching and the justifier of the horrid outrages that have been perpetrated in the section from which the gentleman came. Think of the situation of those people and of those outrages described by the President—those of which all good men complain. The President spoke of the extreme frontier, a sparsely settled region, a region occupied almost exclusively by men, where the tempering, the civilizing influence of women is not known. But on the frontier, in the absence of the machinery of law, where there was no way by which its majesty could assert itself, people, taking the law into their own hands, upon rare occasions attempted to secure that peace and quiet of society essential to all.

And for that, because of that condition—losing sight, rather, of that condition—the gentleman assumes that in other portions of the country, where the courts are, where the officers of the courts are, where the law places its protection upon all men and visits its vengeance upon those who refuse obedience to its behests—he tells us that the one instance is the justification for this larger and more gross and terrible outrage that is perpetrated so frequently in the section from which the gentleman comes.

Mr. Speaker, I thought that this much ought to be said upon this question—that the brutal arraignment of the President of the United States ought not to go unchallenged, but that some one, in addition to my friend here [Mr. GROSVENOR], ought to say what I have said.

The gentleman seemed to make merry over the fact that the President of the United States apparently at some period of his life has not seen fit to allow the gentleman from Ohio and myself to find favor in his eyes. He discussed the subject of civil service and discussed, I am told, the gentleman from Ohio and myself. Apparently the President of the United States has views upon the subject of the civil service. I am glad to say they differ from mine; and if he has as poor an opinion of my views on that subject as I have of his I am ready to commiserate him or to be commiserated by him. [Laughter.]

But there is this to be said—that the President of the United States does not allow his opinions upon questions of this kind to interfere with his relations with the public servants. He recognizes their rights; he recognizes their proper influence, notwithstanding the fact that upon some topics of government he may differ from them.

Mr. Speaker, a few days ago, during my absence (and I am not complaining of it, for the gentleman to whom I am about to refer was most courteous to me—he wrote a note to me stating that it was his purpose to engage in discussion that I might be interested in) the gentleman from Missouri [Mr. CLARK] made some remarks that perhaps are entitled to my attention. On that occasion, as on all other occasions, the gentleman has manifested kindliness to me and has indulged in complimentary statements, for which I make my most profound acknowledgments.

During the course of his remarks he took me to task with some severity for some error that he alleged I had made with reference to the quantity of pig iron produced in the United States. The gentleman was right; I was not. I made the error of taking as authority, and not scanning it with sufficient closeness, a floating newspaper statement.

I wrote to the man most informed on all subjects relating to the production of iron and steel in the United States—Mr. Swank—telling him of the statement I had made, of the source from which I thought I had derived it, and asking if he could point me to the item. He replied no, that he had never seen it, but that he had prepared a statement of the world's production that harmonized with the one that I had made. My error was in not looking with that closeness that I should have used, and I mistook for the production of the United States the entire production of the world. The gentleman was right; I was wrong.

But I am a fallible mortal; and in that respect I am like many other people. I might perhaps be excused for making a mistake in regard to pig iron. I never produced any; I never ate any. [Laughter.] I had but little familiarity with it except that derived from books. But that fallibility on my part is not an exception; there are other instances of the same kind, allow me to suggest.

The gentleman comes from Missouri, one of the great corn States of the United States, one of the proudest of them all, and one to challenge the pride of all its citizens. He lives in the very center of that part of Missouri that has been the most blessed of God, for I assume that when God saw fit to shower his choicest blessings to mark, as He marks no other part of the earth, that part that He most approves, He puts his seal of approbation upon the great corn belt of the world, which is located so that the home of the gentleman is in the very center of that blessed region. One would suppose that the gentleman would be familiar with the subject of corn. He has raised a great deal of corn. He has consumed a great deal of corn, some of which he has eaten. [Laughter.] And if there is any topic in the world that he ought to be absolutely familiar with, it is the subject of corn. I only allude to this to show that the gentleman from Missouri is fallible, as well as the gentleman from Iowa.

He stated that in 1902, the last year in which he had access to the records, this great corn belt of the world produced 1,522,000,000 bushels. In 1902, that year, the records tell us this same corn belt produced 2,523,000,000 bushels. The gentleman's error was only one of a billion and a million of bushels. [Laughter.]

Mr. CLARK. Mr. Speaker, does the gentleman yield?

Mr. HEPBURN. Oh, certainly.

Mr. CLARK. I gave the production for both years.

Mr. HEPBURN. Yes.

Mr. CLARK. And you are attributing to me the statement of one year, when the statement was for the other.

Mr. HEPBURN. Well, now, let us see. I would not be willing to do an injustice to the gentleman. I read from the RECORD:

> How much corn is imported into the United States?
> In 1902, the last year for which I have the figures, we produced 1,522,000,000 bushels and exported 28,000,000 bushels.

[Applause on the Republican side.]

Mr. Speaker, the purpose of the gentleman in making this statement with regard to the production of corn was to emphasize what he meant to be an acknowledgment from me that there was no protection in the State of Iowa for the great cereals of that State. I stated that I lived in a county in which there was no protected industry. That was my language, attempting to differentiate, as the subsequent statement showed that I did, between the industries as applied to manufactures, and the agricultural interests of the country.

I think no gentleman in this House misunderstood me except my usually acute friend from the State of Missouri. Therefore he says that the people of my State have no protection at all for their industries, and he cites the small amount of corn that the Iowa and Missouri producer comes in competition with at the custom-houses. The gentleman is correct. We have now no need of protection for corn in the State of Iowa. That is true, and the gentleman tells us that we have thrown this, a seeming protection, as a sop to the farmer, and he arraigns the Republican party as being guilty of a crime. Does not the gentleman know that the Wilson bill contains substantially the same provision, and that whatever "sop" the Republican party has thrown for the purpose of deluding the farmers of the country our brethren of Democratic persuasion were guilty of—substantially the same, their rates being a little higher? Of course they could not deceive them as the Republican party might, for there are few in this land who have memories and intelligence who can be deceived by the statement of the Democratic party. [Applause on the Republican side.] But the gentleman neglected to speak of another branch where his State and mine feel the beneficent influences of the protective tariff.

In one of the recent years the farmers of this country produced

butter, cheese, poultry, and eggs to the amount of $7,753,000,000 in value. Think of that! And while it is true that Canada, lying above the forty-ninth parallel, can not produce corn harmful to our interests, Canada can produce and is our chief competitor, or would be, in these other items of stupendous worth and value to us.

The gentleman failed to say anything about that. The gentleman was simply upon the subject of corn, and I hold corn as responsible for his lapse of thought. [Laughter.]

Mr. Speaker, the gentleman from Missouri [Mr. CLARK] takes me to task because inferentially, perhaps directly, I spoke of the first importation of Bessemer steel as under the Walker administration. Of course that was not correct.

A moment's thought would have taught me, as it did the gentleman, that this was an error, although I have sometimes wondered how he discovered that these statements of mine were mistakes. But he would have known, if he had thought, possibly, that any man of intelligence must know something about the history of Bessemer steel. But the point that I was trying to illustrate was absolutely correct. I spoke of steel at a period when I should have said iron, because iron at that time was the only railroad bar that we had. I said when the first introduction of steel was made into the United States it was worth $165 a ton. Now, at that time iron was worth $80 a ton, and every man knows—certainly the gentleman from Missouri knows—that in use the life of a steel rail is more than three times greater than that of an iron rail.

So, for the purpose of my argument, I would have had a right to say that, as compared with the utility of a steel rail now, we were then paying $240 a ton for steel rails at the time when the first steel rail was introduced. My purpose was to show that under the influence of a protective tariff the high rate enforced upon the country by Democratic theories had been constantly reduced. That was my argument. I was sustained by the record—that is the proof as to that—and none of you dare to combat it——

Mr. CLARK. Mr. Speaker——

Mr. HEPBURN. Let me finish my sentence. On all of those articles that have been protected and that we have been engaged in the successful manufacture of, all, however under the protection given by the protective principles of the Republican party, prices have been reduced infinitely to the consumer. [Applause on the Republican side.] Now I yield to the gentleman.

Mr. CLARK. Now, Mr. Speaker, I want to ask the gentleman to give a candid, fair answer to this question: If steel rails and steel——

Mr. HEPBURN. No; I do not intend to have any interjection of that kind in my speech. If you have a simple question, I will answer it.

Mr. CLARK. Well, I have a simple question.

Mr. HEPBURN. I would say to the gentleman from Missouri that I do not intend to answer it. I do not intend to have any part of your speech injected into mine. [Laughter.]

Mr. CLARK. It would better it. It would improve your speech a good deal. [Laughter on the Democratic side.]

Mr. HEPBURN. I have no doubt it would improve it a good deal. But now, Mr. Speaker, if I could model myself upon the gentleman, I could improve all of my speeches. I would make them in at least four languages. Look at the learning found in the gentleman's speeches—quotations from the Greek, quotations from the French, quotations from the Latin. The gentleman knows glibly the quotations. I do not know how familiar he is with the tongue. [Laughter.] But I know this, that if I could take him as my model I would go into the regions where Tacitus went. "I would roam," as the fellow from Wisconsin said, "I would roam with old Romulus [laughter]; I would cant with old Cantharides; I would rip with old Euripides [laughter]; but what in the hell has that to do with the laws of Wisconsin." [Loud and prolonged laughter.]

Mr. CLARK. As you are not familiar with the languages, I want to ask you a question in plain American, which you can answer in the same way.

Mr. HEPBURN. If it is not part of your speech.

Mr. CLARK. It is entirely pertinent to your speech. If the price of steel rails and steel products has gone down all over the world, England included, at the same rate that they have gone down in the United States, then did the tariff of the United States have anything to do with the fall of the price? [Laughter and applause on the Democratic side.]

Mr. HEPBURN. I am glad to be able indisputably to answer my friend from Missouri. There has been a fall in the prices all over the world. But why? Is it not a well-known fact that permanent protection begets a certainty of construction, that it begets cheapness of method, that it begets lower prices, and under the glorious, stupendous competition brought here in the United States by the beneficent protective tariff law its influence has spread throughout our confines and to-day extends from shore to shore? Throughout the land, wherever there is a forge or a furnace or a rolling mill, there is competition. [Loud applause on the Republican side.] It is so in regard to steel, it is so with regard to all the other protected products.

The trouble is that with the Democratic tariff and their refusal to give this protection these industries would not arise. There would have been no competition. We would have been at the mercy of the foreign producer, and the reduced price to us would be dependent upon the pleasure and the interests of men that neither our legislation nor our society could control. [Loud applause on the Republican side.]

Mr. Speaker, before I leave this question of Bessemer steel, I want to correct the gentleman a little bit further. He is too modest by half. He spoke most kindly of an ancestor of mine, one of whose eventful career I am proud, save one thing. That old gentleman was a Jefferson Republican, and by his vote contributed to the election of Thomas Jefferson instead of Aaron Burr.

Mr. SHERMAN. You say "Jefferson Republican."

Mr. HEPBURN. They made that distinction before us yesterday, and the gentleman from Kentucky almost wanted to have it understood that the Republican party of 1803 was the Republican party of 1904. [Laughter.]

Mr. SMITH of Kentucky. I just want to say to the gentleman that I do not think what I said was very material.

Mr. HEPBURN. I will withdraw that and get rid of it in the easiest way.

I want to suggest that that ancestor of mine built the first furnace where the first Bessemer process, so called, was used in Eddyville, Ky., in 1847, the gentleman's native State. His successor in the ownership of that iron establishment produced the first Bessemer steel or used the first processes ever known to mankind. Henry Bessemer has given his name to this commodity that now circles the world. His name is in the mouths of more men than that of any other man living to-day, but yet he never made an ounce of Bessemer steel in all of his life until he used the processes of other men, which made his imperfect and entirely inadequate one sufficient. The patent for producing Bessemer steel was given to Mr. Kelly, of Eddyville, Ky., in 1856.

Mr. Speaker, the discussions that we have heard here upon the tariff question from the distinguished gentleman from Missouri, from the gentleman from Mississippi, from all of the other States nearly, have settled one question beyond peradventure, and that is that the money question is now settled. As the Republican party have fixed it so it is to be. Is not that true, gentlemen? Do you not all agree to that; the money question is a settled one?

Mr. MADDOX. Mr. HILL of Connecticut said not, as I notice in the papers.

Mr. HEPBURN. Well, what do you say?

Mr. MADDOX. I say not.

Mr. HEPBURN. You say not, and yet you sit here and listen to these men discuss the tariff question; you a Democrat. Where are the pledges of your party, how obligatory are they upon you? How do they bind your conscience and your acts, if you will sit here day after day and hear them discuss this tariff question before the money question is settled? [Applause on the Republican side.]

Mr. HUGHES of New Jersey. God Almighty has settled the money question.

Mr. MADDOX. I listened to you as I listened to them. Neither you nor they bind my conscience.

Mr. HEPBURN. But it is your duty to rebuke. When a man's party is assailed, when his platform is assailed, when it is disregarded, when it is trampled under foot by the leaders, it is your duty as a Democrat to rise in your place and rebuke the wanton desecration of the party. [Applause on the Republican side.]

Mr. MADDOX. I will try to do it now——

Mr. HEPBURN. Why, you are not——

Mr. MADDOX. If the gentleman will yield, I will undertake to discuss what is my duty; it is not under the gentleman's charge.

Mr. HEPBURN. Well, I am going to yield in an hour. Here is what you say:

Until the money question is settled we are opposed to any agitation for further changes in the tariff laws.

[Applause on the Republican side.]

What do you gentlemen mean by this agitation for changes in the tariff laws without you are prepared to confess that the money question is settled—the paramount issue?

Mr. BOWIE. What platform is that?

Mr. HEPBURN. That is the Democratic platform.

Mr. BOWIE. What year?

Mr. HEPBURN. 1896.

Mr. BOWIE. That was the Wilson tariff platform, the Wilson bill we did not want to change, not the McKinley bill.

Mr. HEPBURN. Yes; but you were not in favor of any changes.

Until the money question is settled we are opposed to any agitation for further changes in the tariff laws.

[Applause on the Republican side.]

Will another gentleman speak? [Applause on the Republican side.] Now we can draw some little comfort from this prolonged

discussion. Oh, how weary we have grown under the iteration and reiteration of the threadbare Democratic theories—theories shown to be impolitic; theories shown to be unwise. It has been wearisome, indeed, but here is the consolation. We now know that in one matter, at least, you acquiesce in that which we have done and concede that final settlement has been given to that question which a little while ago was rocking the foundations of the Republic. [Applause on the Republican side.]

Mr. Speaker, the gentleman from Missouri the other day took me to task for speaking of that period of seventy-two years of the history of this Government antecedent to 1860 as a Democratic period. He misunderstood me. I said that it was a period when Democratic theories upon the subject of the tariff were paramount. That is what I said; that is what I stand by. Oh, I remember that George Washington was President of the United States during that period. I remember that John Adams was.

I know it full well, but during all of that period, during all of those years, there was never a protective tariff or a tariff of any value whatever for protection, except that the second act passed under the Constitution, written by Alexander Hamilton, immortal Alexander Hamilton, Alexander Hamilton, to whom this nation owes more, under God, than any intelligence that God ever created [applause on the Republican side], had inserted in its title the fact that the act was for the purposes of protection, securing from the infant Government in the first days of its life, in those throes that then beset it, the broad declaration that it was within the power and within the duty of the young Republic to protect the labor of the Republic. [Applause on the Republican side.]

I remember that we had, too, for short periods—very short; alas, too short—a protective tariff, so called, in 1816, in 1824, in 1828, and in 1842, but they were at all times the subject and object of vituperative assault by the Democratic party. They were permitted to live but for a few months at a time, not sufficient to produce any result of any character beneficial to the labor of the country. A man before he will invest his hundreds of thousands or his millions of dollars in the great establishments necessary to carry on cheaply and efficiently the great work of protection must know that there is to be stability of conditions, must know that he is to have years rather than days in which to work out his great enterprise and to make the later years compensatory for the losses of the earlier ones.

No such time existed; and so it was that at the end of the seventy-two-year period all of the productions from manufactories amounted in value to but a billion and three-quarters of a million of dollars, and they largely the spinning wheel, the loom at home, and the humble small cards, the blacksmith shop at the crossroads. There were no colossal establishments; there were no establishments like Carnegie's, like the Bethlehem works, like the great cotton mills that even now, thank God, we have in the South—nothing of that kind. There was no fostering, because the heel of a relentless Democratic party, carrying out a theory, had refused that the laws should live and that the enterprises should grow. After all, Mr. Speaker, see how the gentleman skirmished around the great proposition that I tried to bring to his attention.

I was contrasting two periods—two periods controlled by different theories—the period of seventy-two years up to 1860, where Democratic theories held sway upon the question of protection, and the other forty two or three years where a different policy, a policy of protection, prevailed. That is what I was trying to do, and the gentleman did not attempt to disturb in any way the contrast that I presented through the comparisons that I made. I called attention to the wealth of the country at the end of the first period, sixteen billions; at the end of the second period, eighty-six billions; to the circulation at the end of the first period, four hundred and seven millions; at the end of the last period, nearly twenty-nine hundred millions; to the manufactures at the end of the first period, one and three-quarter billions; at the end of the last period, thirteen billion dollars.

I called his attention to the loss to the country during the first period, where its wealth had gone out to meet the bills of foreign manufactories for the necessaries of life that they sent to us, $1,120,000,000, which was the balance that we shipped out of the country in order to pay for that which we bought abroad and which we ought to have made. I contrasted that with the $3,400,000,000 of balances in our favor, where the wealth of the world came to us, where we had gathered of their precious metals and of their portable wealth the stupendous sum of nearly three and one-half billions of dollars in the short space that intervened since we enacted the Dingley law here in the spring of 1897. That is what I was trying to do. Ah, how gingerly my friend from Missouri [Mr. CLARK] treated that!

If there was any climax or anything akin to that which pertained to my speech, it was that which I was trying to bring to his attention and to the attention of the American people, so that they might through these object lessons, through this arrayment of facts, through these colossal blessings that have come to us in later years, make comparison between the two theories as I have made comparisons between the results of the two theories. [Applause on the Republican side.] And how did the gentleman dispose of it? If he had said nothing, I might have thought that it entirely escaped his attention; that, busy with his own changing views upon the tariff question, he had entirely neglected to think of what any other man's views were; but he blandly disposed of the subject by asking if I did not think that sunshine and gentle shower and fertility of earth had something to do with this later great production that I had called attention to.

Ah, yes, yes; all Republicans bow humbly in an obeisance to the great God that sends us the sunshine and the gentle shower and gives us the fertile soil. We are ready to do that. But did the gentleman mean to imply that during that other period that God—God omniscient, all powerful, knowing even what the Democratic party was doing—would be unwilling to send His benediction upon a country ruled by that party, and withhold the sunshine and the gentle shower and the fertility of soil during the first period that I spoke of? [Prolonged applause and laughter on the Republican side.]

Mr. Speaker, I am glad now to be able to bring some kindly intelligence to the gentleman—something that I know he will appreciate. He was agonizing in some portions of his speech because of the want of harmony in the Republican party. He thought that he saw the shadow of Republican discord. Ah, how it wrung his heart! He has been taught that all brethren should dwell together in unity and love; and to see this shadow and to hear occasionally a discordant note coming from across the Mississippi River and upon its northern border filled his heart with anguish. But I am able to tell him now that harmony reigns. I am able to tell him now that in the county conventions of the State of Iowa "the Iowa idea" is put to rest. [Applause on the Republican side.] The Republicans have asserted themselves, and have asserted themselves in harmony with the doctrines of the party and in harmony with the doctrines of the lamented McKinley.

Oh, "the lamented McKinley!" How the gentlemen on the other side phrased with tenderness that sentence—he upon whose devoted head all the vials of their wrath, vituperation, vilification, foul abuse, and fouler slander had been hurled until the very hour of his lamented death. If there is any one thing that in my mind calls for the indignant rebuke of Republicans, it is the insolent claim that McKinley and Lincoln, the men most abused, the men most vilified, the men most slandered, were in complete harmony with the Democratic party, and that they are ready to take them into the galaxy of their sainthood. Bah! It is contemptible on the part of men who have pursued this persistent course, the course of malevolence, to whine and snivel at the tomb of those who for a lifetime they have vituperated. [Applause on the Republican side.]

Mr. Speaker, the Republican party of Iowa stands by the platforms. Ah, they stand by the sentiments of the last speech that was ever uttered by the last of its martyrs. And they rebuke the efforts of Democracy, by forgery, by partial readings, by the omission of qualifying and controlling sentences, to torture that speech into a pretense of support for their theories.

Mr. McKinley never uttered a word—never a word in that speech or any other—varying from his constant insistence that all changes in the tariff or enactments in the tariff should keep in mind at all times Republican principles and should be written with complete regard to the protection of the industries and the labor of the country. [Applause.] You can here and there pick out a sentence, cut it in two, perhaps, leaving off a qualifying or controlling clause, and in that way may be able, by the forger's tricks, to secure some countenance in his declarations for your theories.

But what of harmony in the Democratic party? What are you doing? What dare you say except the simplest, simpering platitudes? Here we have an illustration: A great convention, the greatest of the Democracy in the records of this year, has been held, great because it was expected that it would launch a Presidential candidate. What is there in that declaration of so-called "principles" that might not have been written on any day that any so-called "Democratic convention" ever assembled in the United States? [Applause on the Republican side.] And then if at that time there happened to be a living, burning question, how would the people have known whether you were voting it up or voting it down?

Think of the attitude of the Democratic party to-day! Here came a young gentleman out of the West, from California. He regarded himself, and many of his people regarded him, as a fit candidate for the Presidency of the United States. He moved over the troubled Democratic waters. He gave quiet and peace here and there, and he gathered about himself a vast following. And it at once became apparent that unless something should be done, and that quickly, this young man, HEARST, who was not in favor

here with the Democratic leader of this body—he was not in favor, perhaps, with more than two-thirds of the Democrats of this House; he was not in favor with many of the Senators—that this man would be nominated if something were not done.

And so the men who said, "None but Cleveland," the men who said "None but Gorman," the men who said "None but Olney," all rushed together in conference, and scratching their ranks as with a fine-tooth comb, they finally discovered a man who, perhaps, had never uttered a political sentiment, who had perhaps, voted the Democratic ticket, who was a friend of Mr. Cleveland, who is understood to have voted for Mr. Bryan, and who had the friendship of the one and on the other side the advantage of regularity. At once they said, "This is our man." Ah! If the Sphinx had been here, if he could have changed his habitat from Cairo to New York, he would have been of all gentlemen the most acceptable. [Laughter and applause on the Republican side.]

He not only never has said any fool things, but he could give guaranties for the future [laughter]; but they could not get him, so in New York they accepted their next best but not inferior man, and they are now engaged in putting him forward. Why? Ah, when the masses of the Republican party will name by acclamation Theodore Roosevelt [prolonged applause on the Republican side], it will be because they know him. It will be because they know his sentiments, and approve them; because they know his integrity, and approve it; because they know his intelligence and wisdom, and indorse them. What will you do?

Mr. BENNY. Beat him. [Applause and laughter on the Democratic side.]

Mr. HEPBURN. Oh, probably you will! You always do until the votes are counted [laughter and applause on the Republican side], and if you had your methods of the South and had the counting of the votes, of course you would beat him; we know that.

Mr. CLAYTON. How about Philadelphia?

Mr. HEPBURN. We are going to nominate a man upon a platform that declares for things, for principles, for ideas, no mere aggregation of glittering generalities.

Mr. CLAYTON. He has already nominated himself.

Mr. HEPBURN. Ah, the other parrot said that. [Laughter.] What will you do upon the tariff question?

The SPEAKER. The time of the gentleman has expired.

Mr. SHERMAN. I ask unanimous consent that the gentleman from Iowa be granted such time as he desires to conclude his remarks.

Mr. KLUTTZ. Second the motion. [Laughter.]

The SPEAKER. Unanimous consent is asked that the time of the gentleman from Iowa be extended to complete his remarks. Is there objection?

There was no objection.

Mr. HEPBURN. I thank you, gentlemen. What will be your views upon the tariff question? Will you adopt the views of the gentleman from Missouri [Mr. CLARK]? A little while ago he said:

I would destroy every custom-house in America. If I had my way, sir, I would tear them all down, from turret to foundation stones.

Again he says:

I am a free trader, root and branch.

That is all of him. [Laughter.] That is what he would do. Will that be the view of the convention? Is that Missouri's sentiment? Missouri is one of the great States, colossal nowadays, important in Democratic councils. It has a little ruction of its own, I am told—a little one. It is being put in the doubtful column. I saw a Democratic newspaper the other day that said there were only fifteen States that you could count upon with certainty, and Missouri was excluded from the list. You will have to be careful, gentlemen, about the tariff. There are some Democrats in that State who will not want competition from Canada in their butter, their eggs, their cheese, their poultry. There are some farmers there who will not want competition from Canada or from Mexico in their beeves.

What will you say? Will you adopt the gentleman's theory and tear down all of these fine structures of ours, or will you hedge a little? I am inclined to think that you mean to hedge, for the gentleman from Missouri has started off on full trot for a complete hedging.

One of the most remarkable things in that very remarkable speech of my friend was the indorsement that he gave to a magazine article upon the tariff, written by the Hon. JOHN SHARP WILLIAMS. He seems to have surrendered himself almost bodily—mentally, at least, all of his convictions, or that which he calls his convictions—to the gentleman from Mississippi. That gentleman said:

Perhaps it might be said that an ideal Democratic "tariff for revenue only" would consist in levying import duties upon all or nearly all imports—

How indefinite that is. There is room to go to each fellow and tell him, "Why, we are not going to take away the protection from yours. Don't you see? I have fixed that adroitly. I have said 'all, or nearly all.'" It is nicely arranged. It is not a Democratic ambiguity, is it, gentlemen? Is not that certain, positive, clear? Oh, yes. That would have done in the New York platform. But the gentleman from Mississippi said more—

dividing them, however, into three classes: First, necessaries of life and necessaries of industries; second, comforts, and third, luxuries.

Necessaries of life and necessaries of industries! If these are to be exempted—the necessaries of life and the necessaries of industries, they constituting one class—that means free wool; that means free ore, does it not? That means free everything that enters into the manufacture of an article in the United States. Is that Democracy of to-day? But the gentleman goes on further. In the magazine article he continues:

The general principle that protectionism is wrong, morally wrong—a prostitution of government to private ends—should never be forgotten; the goal ought not to be lost sight of. At the same time friends of tariff reform would not strike down in a revolutionary way—"overnight," as the Germans say—all the scaffolding which the false system has erected. * * *

Ah, they are going to dally with this great wrong, this moral wrong, so abhorrent to the tender conscience of the tender Democrats. Morally wrong, inherently wrong, every day wrong, that is to be kept constantly in mind, never to be forgotten; its goal is always to be in sight; and yet they are now dallying with it. They will not effect the remedy in a revolutionary way. Oh, no. They are through with revolutions. They have had their experience. They do not want to do it in a revolutionary way. They are not going to do it overnight. Oh, no. We have been promised, gentlemen, that this thing of striking down protection is not to be committed in the night.

When they do it they are going to have the courage to do it in the open day; but they are not going to do it at once. But they are going to dally with it a little while. But they say further that they can not have free trade here, because of a decision of the Supreme Court in the income-tax case. But for that they would have free trade. But the Supreme Court has injected its decision adverse to the income tax, and they have got to have revenue, and therefore they can not have their cherished object. They can not accomplish the act—this wrong—they can not commit this gigantic wrong just yet. So they are going to have "a tariff for revenue, to carry on a government economically and effectively administered." This becomes the American tariff reformer's goal. "It must be kept in mind until it is reached, but it must be reached by the exercise of wisdom and good sense."

Gentlemen, there is a promise that the Republican party is to be called in to aid in this great work. [Laughter and applause on the Republican side.]

The tariff reformer who would do things recklessly or too suddenly would run the risk of destroying the very end which he had in contemplation by furnishing object lessons—

Listen to that, gentlemen—

object lessons which would not help him, but would hurt him, and in consequence of which he and those of his opinion might be hurled out of place and deprived of the power of doing anything.

Oh, yes; here is an acknowledgment that if the Democratic party dared to do at once what they contemplate doing, what they think they will do, what they all say now if they were to do so that the people could see at once the enormity of their action, the wrongs they were inflicting, they would be hurled from power and would not be permitted to do anything.

Ah, gentlemen, that is prophetic. The people do not, in my humble judgment, intend to hurl you from power. Oh, no, no. Satan was never banished but once, I think. [Laughter.] That excommunication can not be repeated until he gets into power. There is a wonderful wilderness of weary and wearying ways before you reach that point where you will be in power. [Applause on the Republican side.]

But the gentleman tells us that he is still theoretically, academically, a free trader. Practically, a little while ago he was the most practical of free traders. Three years ago, I think it was, maybe four, he was then simply not theoretically a free trader, but an active, practical one. He was not willing to walk in the groves of the academy and discuss free trade as a theory.

Ah, no! He was a practical man, an active man. He wanted to go to work and tear down the customs-houses, in his classic language, from turret to foundation stone. That is what he wanted then. But now he says, "Theoretically I am a free trader, but when we need revenue then I am in favor of tariff." Oh, yes, in prosperous times he is in favor of free trade, but when the storm comes, when the stress of weather arrives, when the clouds are lowering, when the banking institutions are going to pieces, when trade languishes, when the hum of industry everywhere is stilled—ah, yes, when calamity comes, then he reaches out for Republican aid and Republican methods; then he exclaims: "We must have a protective tariff, or at least we must have that tariff that will raise revenue."

I perhaps ought not to have said that the gentleman was in fa-

vor of "protective tariff." He said "that tariff that would raise revenue;" and I make that correction. But I want to impress upon the Republicans this: That there is no such thing as an incidental protective tariff for revenue. It can not be. That tariff that is wisely drawn for the purposes of revenue fixes the rate, the highest rate, that will not impede the inflow of imports. That tariff for revenue that raises the most revenue and the largest duty that will not impede importations is not protection.

That is not protection. No man is willing to put his millions into great enterprises because he only could lose a little. If there is danger of loss at all he will not go into the enterprise.

Mr. Speaker, I have too long occupied the attention of the House, and there is only one matter more I want to speak of, and that is of reciprocity, Republican reciprocity—Republican reciprocity that limits its operations to the noncompeting article. [Applause on the Republican side.] That is all, gentlemen; and that is the only kind of reciprocity that the Republican party has ever advocated or that any of its leaders have ever advocated.

I challenge any man to find a statement fairly quoted from any one of the great leaders of that party that teaches anything else. Oh! the gentleman says, that is impossible, impossible! That is ludicrous, so he says. Did it ever occur to him that there are many importations into the United States that are noncompeting? The millions that we pay for coffee, the millions that we pay for silk, the millions that we pay for fruits of a certain character, the millions that we pay for vegetable importations from the West India Islands, the millions that we pay for hemp and jute and a great variety of articles, and yet the gentleman waves the subject away blandly as ridiculous, as supreme nonsense.

We are in favor, Mr. Speaker, of that kind of a tariff that protects the labor of this country. [Applause on the Republican side.] We are not in favor of taking away the tariff from an article simply because it may become the creature of a trust. You must remember that the primary object of the Republican party in every tariff enactment has been to secure the interest of the laborer, and the interest of the manufacturer was but a mere incident. [Derisive laughter on the Democratic side.] You can not destroy, however, that interest, without its effect upon the laborer.

If there is such a shelter found by the trusts as a tariff schedule, we will take care of the trusts in some other way. We will not pull down the scaffolding of our prosperity in order to reach a trust. The arm of the law, the arm of the Constitution, the arm of the executive force, the arm of the courts, is long enough and strong enough to reach any trust and grapple successfully with it and to protect the people from its evil and harmful influences without the destruction of the great economic laws that during all the years that we have had them have been a benediction to the people. [Great and prolonged applause.]

Mr. LUCKING. Mr. Speaker, I yield ten minutes to the gentleman from North Carolina [Mr. CLAUDE KITCHIN]. [Applause on the Democratic side.]

Mr. CLAUDE KITCHIN. Mr. Speaker, I do not hesitate to express surprise at the assault made upon me by the gentleman from Ohio yesterday, and at the assault made upon me by the gentleman from Iowa in the beginning of his remarks this morning. I regret that I have incurred the ill will of the gentleman from Ohio and the gentleman from Iowa——

Mr. HEPBURN. You have not.

Mr. GROSVENOR. Nor have I.

Mr. CLAUDE KITCHIN. And the deeper is my regret when I reflect upon the fact that I was standing here yesterday trying to sustain their character by impeaching the man who had defamed it. [Applause on the Democratic side.] The gentleman from Ohio charged by indirection that I was a "peanut politician," and the only evidence he offered of that fact was that I quoted here from his letters in the New York Journal. [Applause on the Democratic side.]

While I admit, Mr. Speaker, that it does not approach the dignity of evidence, yet it casts upon me the suspicion of being a peanut politician when I stand in this House and in this country and find myself agreeing in anything with the gentleman from Ohio. [Applause and laughter on the Democratic side.]

The gentleman from Iowa this morning, referring to the quotation from Mr. Roosevelt's works yesterday that "through the Southern character there ran a streak of coarse and brutal barbarism," said that the strongest evidence of its truth was my speech yesterday, and the only evidence that he produces to show my "barbarity" is that I had so little respect for this House as to quote the barbaric language of Theodore Roosevelt. [Applause and laughter on the Democratic side.]

He says I made a criminal assault upon Theodore Roosevelt. He should change that and put it in the RECORD as it was, that I protested here in this House and before the country against Roosevelt's criminal assault upon the majesty of the law of this land. [Applause on the Democratic side.] Mr. Speaker, it has been said that the pain of ingratitude is severer than the adder's sting. [Laughter.]

Here I was yesterday agreeing with my friend the gentleman from Ohio [Mr. GROSVENOR], and here to-day the gentleman from Iowa [Mr. HEPBURN] is agreeing with me in his admission that Theodore Roosevelt did advocate lynch law out yonder on the frontier for stealing a ten-dollar flop-eared Texas pony! [Laughter on the Democratic side.]

Mr. Speaker, I know the gentleman from Ohio [Mr. GROSVENOR] felt that I was trying to humiliate him yesterday, as he so declared. This I disclaim. I told him when I began that I was going to show to this House and to the country that I was the best friend he ever had, and just at the time when I was about to begin the manifestation of my friendship my time expired, and the Republicans on that side refused to grant more time.

Now, if the gentleman will listen to me, and if the gentleman from Iowa [Mr. HEPBURN] will listen to me, I will show both of them that I am the best friend they have and the only defender they have against the defamation by Theodore Roosevelt of their characters that has ever appeared on the floor of this House.

I quoted yesterday from Mr. Roosevelt's book wherein he declared that the gentleman from Ohio [Mr. GROSVENOR], naming him, and all who agreed with him in his opposition to the present system of civil service—and the gentleman from Iowa [Mr. HEPBURN] does agree with him—were "champions of foul government and dishonest politics" in this country.

I came to their rescue. My heart melted with sympathy for the gentleman from Ohio [Mr. GROSVENOR] and for the gentleman from Iowa [Mr. HEPBURN]. [Applause and laughter on the Democratic side.] I saw them smarting under this brand which Theodore Roosevelt had burned into their foreheads; and I saw, too, the rod of Theodore Roosevelt's Administration shaking over their heads.

I saw them crouching and cringing, and heard them begging and crying out, "Glory! glory to Theodore Roosevelt!" [prolonged applause and laughter on the Democratic side], fearing to lift the voice of complaint. I realized their situation. I knew they were fettered and no longer free. I protested in my soul against this aspersion of their good names by the "bronco-buster" of the White House, and I said to myself, "I am going to the rescue of these gentlemen, and speak out for them [prolonged applause and laughter], even if Theodore Roosevelt expels me from this House by Executive order." [Renewed laughter and applause.] And here I am, the only man in this nation who would dare do it. [Laughter on the Democratic side.]

Think of the Republican party, which has for so many years been indebted to the faithful service, for nearly half a century, of these gentlemen, not producing one man who would dare stand up here or elsewhere in this nation and condemn Theodore Roosevelt for traducing their good names. [Laughter and applause.]

Now, what thanks do I get for it all? [Laughter.] Ridicule! I am by interpretation a "barbarian," a "peanut politician," because I tried to remove the brand which Roosevelt had put upon their foreheads, and tried to take away the stigma he had put upon their memories, which must remain in the hearts of posterity [applause] unless it were expunged by order of the House from the works of Theodore Roosevelt. [Laughter and applause.]

Mr. Speaker, I have, both to-day and yesterday, manifested measureless kindness toward these distinguished gentlemen; and now, after this ungrateful fling at me, I beg them, in the spirit of fraternity, to think of what that great poet and delineator of human character said:

> The wretch whom gratitude once fails to bind
> To truth, to honor and virtue let him lay no claim,
> But stand, confessed before the world, the brute disguised in man!

[Applause and laughter on the Democratic side.]

Mr. Speaker, I not only feel sorry for these distinguished members of the Republican party, but I feel sorry for the whole Republican party, and would immediately leave this band of Democracy here if I did not believe that in their hearts they sympathized with the Republican party in the awful predicament and situation in which it finds itself to-day.

It is like the man that Thomas Jefferson once described as having a wolf by the ears. It was dangerous to hold on, and it was dangerous to let go. That is exactly the predicament of the Republican party in having Theodore Roosevelt on hand as a Presidential candidate. [Laughter and applause on the Democratic side.] He will be your nominee, but you feel and know that it is as dangerous to put him up as it is to turn him down.

Mr. Speaker, this denunciation by Mr. Roosevelt of the gentleman from Ohio [Mr. GROSVENOR] and the gentleman from Iowa [Mr. HEPBURN] because they did not believe everything which he believed as to the civil service is absolutely monstrous in the face of the fact that but for the "spoil mongers," whom he denounced, the candidacy of Theodore Roosevelt for President upon

the Republican ticket would long since have become a vanishing memory. [Applause and laughter on the Democratic side.]

More monstrous still, in the face of the fact that he has violated the spirit of the civil-service rules and suspended their operations more than all of his predecessors combined. He has violated it, according to the annual report of the Civil Service Commission, sixty times. Grover Cleveland, with his eight years, not once; Benjamin Harrison, with his four years, not once, and McKinley, with his five years, only three times.

Yet Theodore Roosevelt in his short time has violated these rules and suspended their operation sixty times! Will you refuse to believe, sir, that his spectacular opinions on civil service are monstrous when you consider these facts? [Prolonged applause on the Democratic side].

[Here the hammer fell.]

Mr. LUCKING. I yield thirty-five minutes to the gentleman from New York [Mr. COCKRAN]. [Loud applause on the Democratic side.]

Mr. COCKRAN of New York. Mr. Speaker, while the gentleman from Iowa [Mr. HEPBURN] was entertaining, and I may say delighting, the House with the brilliancy of his wit, the versatility of his powers, and the wide extent of his references, a few gentlemen sitting near me suggested that he was paying no attention whatever to the question actually before us, and therefore they thought the very excellence of his performance served but to illustrate strikingly a certain vice of irrelevancy which has overtaken our discussions. That, Mr. Speaker, I am happy to say, is a criticism which I think wholly unjust. There never was a speech, there never was an appearance, there never was a performance that illustrated more clearly how directly every vicious perversion of government can be traced to the fountain of all corruption—the protective tariff, which has demoralized our whole political system. [Loud applause on the Democratic side.]

Mr. Speaker, we have before us a measure which, if it have any justification or explanation at all, is a step toward inducing the Congress of the United States to establish a system of ship subsidies; that is to say, of paying moneys from the Treasury to persons engaged in the business of shipping. It is professedly a bill to provide for an investigation of the subject. It is actually a scheme to induce certain reluctant Members of the majority to take the very short step from indirect to direct use of the public funds for the benefit of private citizens. Now, I can not understand why so many gentlemen who support protection recoil from subsidy. To me subsidy is protection in its full fruit and complete development. The gentleman from Iowa was wise when he undertook to justify subsidy by defending protection. [Applause on the Democratic side.] The only difference between subsidy and protection is that one is direct and the other indirect. One states plainly the amount of public funds to be bestowed on an individual, the other leaves the amount uncertain. And in all operations of government publicity is preferable to secrecy or mystery.

If this suggestion of subsidy can be explained at all, it proceeds, I assume, on the principle laid down by the late President McKinley in the message by which it was first commended to the attention of Congress. The burden of that message—I have not got it before me now, but I recall its argument perfectly—amounted to this: The transportation of commodities by sea is a highly profitable business, because it is very profitable Americans should be encouraged to engage in it, and from these premises he argued that because this business is very profitable the losses of those engaged in it should be paid out of the Treasury! [Laughter and applause on the Democratic side.]

Now, Mr. Speaker, I do not for a moment claim to understand the force or, indeed, the meaning of that argument. I simply state it here that we can all—Republicans and Democrats—marvel at it together. That argument is not in any way different from the position taken by the report of the committee which recommends the passage of this bill. This proposal must proceed on the fundamental proposition that without subsidies the business of shipping under the American flag would be unprofitable, and therefore would not be carried on. I do not suppose that even the gentleman from Ohio [Mr. GROSVENOR], hardened patriot that he is [laughter], would for one moment suggest the propriety of paying out of the Treasury a subsidy to a business that was in itself profitable. The only excuse for a subsidy must manifestly be the fact that without it the business could not be carried on at a profit. But this also in the last analysis must be the excuse for granting protection to certain industries under our tariff laws. So, Mr. Speaker, while this measure is the most extravagant attempt ever made to bestow funds on private individuals, its introduction has served one good purpose. It has resulted in presenting to the American people and to the American Congress in a new, striking, and singularly clear light the proposition which constitutes the fundamental, essential principle of protection, and that is the propriety and advisability of doing business at a loss. [Laughter and applause on the Democratic side.]

Mr. Speaker, that I am not exaggerating, misrepresenting, or misstating this wonderful principle must be self-evident to anyone who takes the trouble to examine it in the light of cold analysis. If business could be done at a profit in competition with all the world, it would not need protection and would not accept it. But if it be proper to pay a man for going into a losing business, would it not, Mr. Speaker, be still more advisable to pay him for going into a paying or profitable business?

An unprofitable business may in the eye of the protectionist be as good for a community as a profitable one, but surely it is not better.

The doctrine of protection, sir, I assume has hardly reached this result—that it is better for the people of a country to have their capital and their labor engaged in losing than in profitable business. [Applause on the Democratic side.] I do not believe any gentleman of the majority, even the gentleman from Iowa, would maintain that proposition.

If it be advisable to pay persons for engaging in the business of shipping, which, according to the supporters of the bill, must be carried on at a loss, why would it not be at least equally advisable to pay a tailor for engaging in his business of making clothes and a farmer for engaging in his business of agriculture, both of which can be carried on at a profit? And if it be proper to pay a man for engaging in any kind of industry, why would it not be equally proper to pay him for obeying the law—that is to say, for maintaining the peace, since peace is essential to prosperity in every industry? [Laughter.] And after we have paid one man for going into a losing business and another for going into a profitable business and still another for obeying the law—and there we should pay so highly that none but lunatics would disturb the peace—the question must arise, naturally and inevitably, where will we get the money with which to pay all these subsidies?

Now, Mr. Speaker, here we place our fingers upon the very crux of this whole question. If some industries be subsidized—that is to say, if their promoters are to be paid for carrying them on at a loss—there must be some other industries carried on at a profit from whose earnings these subsidies can be paid. Money must be made somewhere, somehow, by some one, before it can be paid out to anyone. If we were all in losing occupations we would all soon be bankrupt, and then no revenues would be paid into the Treasury and no subsidies could be paid out of it. There is one industry in this country that is self-supporting, one business that needs no favor from Government, and that is the basic industry of this land—the business of agriculture. [Applause.] Here, then, must be one of the industries from the profits of which the losses of unprofitable industries must be made good if this system of subsidies be established. Of course, my friend from Iowa [Mr. HEPBURN], whose eloquence is always picturesque as his arguments are faulty [laughter on the Democratic side] will shy at this deduction inevitable though it be from his argument. He insists—as all protectionists must—that protection or subsidy is a beneficent mantle so extensive that it covers everybody; that is to say, we may all help ourselves to each other's property, and nobody pays the bill. [Laughter on the Democratic side.]

This is a most inspiring rhetorical picture, but a very dangerous foundation for the fiscal system of a country. Subsidies do not descend from heaven like rain that refreshes the earth. They must proceed from moneys in the Treasury, and these moneys must be contributed by the industry of the country. There is no other source from which they can come. If the losses of unprofitable enterprises are to be made good, the moneys necessary for that purpose must be taken from the profits of prosperous industries. Now, Mr. Speaker, if prosperous industries must surrender part of their profits to government, that unprofitable enterprises can be subsidized, the inevitable, inexorable result of this splendid system, this very flower of Republican wisdom, this corner stone of Republican policy, is clearly and manifestly to penalize success that inefficiency be rewarded and thus encouraged. [Applause on the Democratic side.] Look, sir, at its practical operation. If protection were as genuine as is pretended—and I am willing to admit, as you gentlemen on the other side believe—if it were universal, if it operated on every man alike, nobody would be benefited, nobody would be injured, and there would be no protectionists on that side of the House or anywhere else. If every gentleman opposite were allowed to take a dollar from his neighbor's pocket, at the end of the operation nobody would be any richer and nobody would be any poorer. Every man would have gained a dollar and lost a dollar, and I do not believe that many of you gentlemen would think a labor so barren worth undertaking. [Laughter.]

I do not believe the gentleman from Iowa would devote an hour of such superb rhetoric to such a ridiculous result. [Laughter.] But if every tenth man were allowed to take a dollar out of the pockets of the nine men nearest to him, then we would find 10 per cent of our brethren opposite growing rich, and I have no doubt delivering speeches, not quite so eloquent, but every bit as logical,

as the one we have just heard [laughter], persuading—aye, convincing—the 90 per cent who had been despoiled that their spoliation was really an enormous benefit to them; that it was the fountain of their prosperity, and assured the splendor of their prospects. [Laughter and applause on the Democratic side.]

Extending the illustration from this Hall and from the gentlemen opposite to the whole country, it must be plain that if everyone were protected in the same degree nobody would be protected at all. It is quite true that everything which anybody wants taxed at the custom-house is put upon the tariff schedules. But in the nature of things, only some articles are advanced in price by the operation of the tariff taxes. Agricultural products are not actually imported to any extent in this country, and therefore they can not be affected by any import duties imposed on them by law. The farmer gets nominal protection in the statute book, but none at the custom-house. [Applause on the Democratic side.] But the subsidy or protection which he can not receive himself he is compelled to bestow abundantly on others. If the price of wheat be $1 a bushel in Liverpool, that is all he can get for it in New York, Chicago, or San Francisco; but hosiery which costs $5 a dozen in an American city can be purchased in Liverpool for two dollars and a half. If, therefore, the farmer were allowed to buy what he needs on the same conditions that must govern the sale of his products, he would be able to get as much hosiery for two bushels and a half as under your law he can now get for 5 bushels of wheat. [Applause on the Democratic side.]

What is this, sir, but compelling the farmer, every time he buys a dozen stockings, to contribute out of his prosperous, self-respecting, self-sustaining industry of agriculture two bushels and a half of wheat to the enrichment of the individual engaged in the profitless, losing industry of hosiery manufacture. [Applause on the Democratic side.] And in this way protection and subsidy must always operate to penalize profitable—that is to say, successful—industries by diverting part of their profits to the benefit of unprofitable—that is to say, unsuccessful—industries.

I congratulate the country on the introduction of this measure, for the argument by which gentlemen seek to justify it enables us to reach a clear definition of this wonderful protective doctrine, which I offer to you gentlemen on the other side of the House, and which, if you be candid, you will accept, to the enormous benefit of the country, but the temporary disbandment of your organization. [Laughter on the Democratic side.] I define protection, and defy any gentleman fairly and fully to controvert the definition, as the assertion that it is advisable for a nation to do business at a loss.

Now, Mr. Speaker, Democrats believe that it is better for a nation to do business at a profit than at a loss, and we believe business can not be done at the highest profit by a nation unless every person engaged in business makes a profit for himself by his own industry and by no other means. Republicans, it is now clear, believe that a country is most prosperous when only a part of its business is profitable of itself, and some of its citizens are encouraged to engage in unprofitable enterprises by a promise of bounties, subsidies, or protection from the profits of the prosperous industries. Surely, sir, it is no exaggeration to say that this measure has served to make clear as day the essential issue between the two parties—the issue between seeking prosperity by Government favor and by the independent labor of the citizen, between paternalism and individualism, between Republicanism and Democracy. [Applause on the Democratic side.]

Mr. Speaker, the gentleman from Iowa [Mr. HEPBURN], who has just concluded, and the gallant hero from Ohio [Mr. GROSVENOR], who is as brave in facing the reasons of his adversaries as the bullets of his enemies, have both challenged us to name the issue on which this Presidential campaign must turn. Sir, I repeat, the issue is made absolutely clear by this discussion. That issue is not the issue of prosperity, as gentlemen on the other side are fond of declaring. On that there never can be a difference between American citizens or, indeed, between human beings. All men seek prosperity, whatever their condition, whether they be Republican or Democrat, white or black—whether they be civilized or savage. The savage pursuing a wild beast through the trackless forest to secure its flesh for food or its hide for covering obeys exactly the same impulse as the civilized man who drives a plow or wields a pickax, who goes down into the bowels of the earth in pursuit of treasure, or who launches his bark upon the surging seas and turns its prow toward distant horizons. Both are seeking prosperity—that is to say, the things both believe essential to their comfort.

All men who labor, all men who live, seek prosperity; and no division can be made on that issue. [Applause on the Democratic side.] But, sir, there is a distinction between the savage and the civilized man and between men in various stages of civilization, not in the one object which all desire, but in the methods by which that object is pursued. The savage seeks prosperity as he understands it alone—that is to say, he seeks it ineffectually and secures it but scantily; the civilized man seeks prosperity in cooperation with his fellows, and secures it abundantly. And that, sir, is also the difference between men in different stages of civilization. It is the issue between gentlemen on the other side and on this side of the House, the essential difference between Republicanism and Democracy. [Applause on the Democratic side.] We seek prosperity in abundance by the civilized method of promoting and encouraging intercourse between men. You seek prosperity by trying to restrict the intercourse of men, and thus quite unconsciously you are seeking to maintain methods of barbarism which the world is rapidly outgrowing and which under the influence of a Democratic victory next fall will disappear from the face of the earth. [Loud applause on the Democratic side.]

Mr. MARSH. Will the gentleman permit me to ask just one question?

Mr. COCKRAN of New York. I will yield to this question, but I wish to state generally for the information of the House——

Mr. MARSH. Just one question.

Mr. COCKRAN of New York. One moment.

Mr. MARSH. And that is whether the gentleman claims that the Wilson tariff bill brought prosperity to the country? He helped frame it.

Mr. COCKRAN of New York. Mr. Speaker, I helped frame the Wilson bill that went out of this House in a blaze of enthusiasm, fraught with an enormous promise to this country. I voted against the emasculated edition of it that came back here from the Senate, protesting then against the surrender by this House of its absolute and exclusive right to originate every tax and every item of taxation. [Loud applause on the Democratic side.] I never believed that the Wilson bill as passed was a tariff-reform measure. I am very glad to discuss my action on it here or elsewhere. It became a protective measure of the worst sort because the protected industries were sufficiently rich, sufficiently desperate, and sufficiently corrupt to tie up the Senate and write their own schedules in the face of that bill. [Loud and long-continued cheering on the Democratic side.]

Mr. Speaker, I wish to say for the information of the gentleman who has just interrupted and of other gentlemen on that side of the House that I do not think one Member, even my distinguished interrupter, should assume to prescribe the whole range of this discussion according to his own particular notion. This discussion is intended for the whole House. If I omit any detail which any gentleman thinks should be discussed, if he will make a note of it and bring it to my attention at the close of this speech I promise to stay here until to-morrow morning, if necessary, and answer every question that ingenuity may suggest and any motive propound. [Laughter on the Democratic side.]

Mr. MARSH. I apologize for asking the gentleman a question; but he was discussing here Democratic free trade and the tariff.

Mr. COCKRAN of New York. I had not got to that, but I will in a few moments.

Mr. MARSH. The gentleman was on the floor when that bill was under discussion, and he was one of the strongest advocates of that bill that brought disaster to the industries of this country.

Mr. COCKRAN of New York. After this luminous contribution [great laughter] I will, with the permission of the Chair, resume. [Renewed laughter on the Democratic side.]

Mr. Speaker, I think I had just stated that there could be no difference among American citizens or, indeed, among civilized men in desiring prosperity. But Americans differ very widely about the methods by which prosperity should be pursued.

Now, sir, it might be well that we should agree in advance on a definition of prosperity. Nothing so tends to confusion of thought in economic discussions as the use of certain phrases, vague, sonorous, and nonsensical, but which have a curious power to befog and often bewilder the minds even of the fairly intelligent. In this House we have very frequently seen them inflame gentlemen on the other side to declaim in favor of saving the country while all the time they were simply bent on holding on to the Treasury. [Great laughter on the Democratic side.] Now, what is prosperity? Mr. Speaker, does prosperity mean, as some gentlemen seem to think, high prices for worthless securities, a few millionaires, enriched by successful speculation? Does it mean the erection of a few palaces without any improvement in the dwellings of the poor? Does it mean an increase in the number of private equipages, additional pomp in public ceremonials, or new splendor in private display? No, sir; because all these are possible, and, indeed, frequent, where the masses are sunk in abject misery.

The sound, the Democratic, conception of prosperity is framed on an entirely different idea. I have defined it in another place, and I repeat it here. Prosperity as Democrats understand it is an abundance of commodities fairly distributed among those who produce them. It means improved cottages, housing and sheltering healthier and happier people. It means better clothing and better shoes covering sturdier limbs. It means more schools, with

wider instruction imparted in them. It means more hospitals, with better attendance for the sick provided in them. It means more parks and libraries and museums, with more intelligent people using and enjoying them. It means every resource of civilization brought in greater abundance within reach of those who create the wealth of a country. [Applause on the Democratic side.] Now, sir, if this definition of prosperity be correct, it follows that any system which tends to swell the production of commodities is the system that makes for the happiness, the welfare, and the prosperity of a people.

How is this prosperity to be reached? How are commodities to be produced in greatest abundance? There are but two ways, as I have already pointed out more than once, by which property of any kind can be secured by anybody. One is by production, the other is by plunder. [Applause on the Democratic side.] Whenever a man desires anything he must secure it in one of two ways: He must make it or he must take it. There is no other way. [Applause on the Democratic side.] He must make it himself or he must take it from somebody who has made it. What he obtains through exchange—that is, by giving for it something which he has made—is virtuallyproduced by himself. Now, sir, apart altogether from the moral question involved, Democrats believe that production is the only reliable abundant fountain of prosperity [applause on the Democratic side], because the fruits of production are boundless, while the fruits of plunder are necessarily limited. You gentlemen who come in here with a proposal that moneys be taken from the Treasury and given to these shipowners, which they have never produced themselves, must see that your enterprise is a scheme of plunder, for you can not call it production. [Applause on the Democratic side.] And the source of everything valuable if it be not production must be plunder. Mr. Speaker, I don't for a moment wish to be understood as suggesting that the gentlemen who advocate this system of subsidies or the citizens who must provide by their industry the means to pay them realize that it is a scheme of plunder. This growing tendency to throw open the doors of the Treasury to every person who applies for largess is a result that flows inevitably from a system of indirect taxation. It is dangerous, distressing, and demoralizing, but it is entirely explicable. Here, sir, is a treasury full to overflowing from sources which no man quite perceives, like water in a well rising from some hidden spring in the bosom of the earth; and when treasure appears to come so easy it is rather a thankless task to deny men who really believe themselves worthy citizens a chance to place their hands on it. A man by the side of a well with a cup or a pitcher would be considered a rather contemptible character if he refused the loan of it to a traveler, weary and thirsty, that he might drink of the spring which appeared exhaustless. And so, Mr. Speaker, we, standing here beside a treasure which seems exhaustless and to proceed from no one in particular, are very naturally exposed to the animadversions, the criticisms, and even the hatred of hungry but ardent patriots if we hesitate to comply with their importunities when they ask us merely to leave the doors of the United States Treasury ajar just a little and they will do the rest for themselves. [Applause on the Democratic side.] Now, Mr. Speaker, I have said that the policy of protection is essentially a policy of plunder, and it was that statement, I believe, which brought my friend who interrupted a few moments ago to his feet.

Mr. MARSH. Will the gentleman yield?

Mr. COCKRAN of New York. No, Mr. Speaker; I will not exactly yield, but I will submit.

Mr. MARSH. The gentleman, I presume, knows that the six hundred and forty-odd amendments to the Wilson bill, against which the gentleman has made his severe charges, were placed upon that bill by the present leader of the Democratic party in the State of New York, Mr. Hill; and I suppose that the characterizations that the gentleman indulged in applied to the leader of his own party. [Applause on the Republican side.]

Mr. COCKRAN of New York. The truth knows no distinction of persons, Mr. Speaker, according to Democratic notions. [Applause on the Democratic side.] I am very much obliged to the gentleman, as I am sure the whole House is, for his repeated contributions, but whether the measure of its gratitude can rise to the value of the contributions is quite doubtful. [Applause on the Democratic side.]

Mr. Speaker, I was about to say that if the farmer, who is necessarily the victim always plundered by partial legislation of this character—if he could understand clearly the system by which he is forced to contribute from his prosperous industry to these losing trades, why, he would meet its advocates with a shotgun or a pitchfork and conduct the discussion on something like terms of equity. [Applause on the Democratic side.] Suppose now, for an instant, the exact truth were made clear to him; suppose that immediately after the harvest—it should not be done at seedtime, because that would discourage him too deeply [laughter]—a Government officer entered his establishment and commanded him to set aside a given quantity of wheat for that steel industry so dear to the heart of the gentleman from Iowa [Mr. HEPBURN], a certain quantity of turnips for the benefit of men engaged in the manufacture of cloth, and a certain quantity of hay for the benefit of some other beneficiaries of your tariffs or subsidies, don't you think the farmer would terminate the system at once—in a moment, if possible—even if to accomplish that result he had to dispense with the enormously valuable services of a great number of Representatives on the floor of this House? [Applause and laughter on the Democratic side.]

Proud as your country is of you, gentlemen on the other side, and justly proud, the indignation of the men who are robbed by the system you maintain would very probably result in a permanent vacation for most of you the moment the nature and method of the robbery were made clear. I repeat, Mr. Speaker, I do not for a moment believe any appreciable number of Republicans realize that the protective system is essentially a system of plunder. I do not believe any number of men in this country, outside of its jails [laughter on the Democratic side], would deliberately encourage or even tolerate an open proposal to plunder. But it is a remarkable though very general feature of social organization that men who will recoil from a vicious proposal made in plain terms will tolerate it and even encourage it when described in ambiguous but attractive phrases. [Laughter and applause.] The man who would be the very first to resist an open invasion of his rights will often permit it and even aid it when it is disguised as a scheme to benefit him. And thus it has come to pass that the farmers of the country not merely permit themselves to be despoiled for the benefit of the protected favorites, but actually assist in their own spoliation when it is called a policy of protection to American labor.

Mr. Speaker, on very slight reflection it must be self-evident that government can not interfere with private industry under any circumstances without perpetrating plunder. This must always be the result whatever the motive that inspires the interference. Surely I do not misrepresent your position, gentlemen on the other side; why, I am quoting the very words of the gentleman from Iowa [Mr. HEPBURN] when I say you believe that the Government should interfere in private industry for the purpose of protecting labor. That is how the gentleman puts it—for the purpose of protecting labor. The protection of labor may be your purpose—I am quite willing to believe it is your only purpose—but the best of us have our purposes often defeated, and in this case no one can deny that the employers of labor take the profits—all of them—in the first instance, while the laborers are left to get as much of them as they can through the supreme remedy of a strike or the threat of a strike. [Laughter and applause on the Democratic side.]

Mr. Speaker, I concede the purposes of the gentlemen supporting this measure are of the loftiest. I don't impugn the motives even of the men who are eagerly awaiting its passage. Nevertheless, sir, I lay it down as my fundamental proposition, capable of absolute demonstration, that government can not interfere in private industry except for plunder; that government can not be benevolent without being predatory. I am not speaking now of any particular measure nor of any particular form which these attempts at benevolence may assure. I am advancing a principle which I believe to be self-evident without exception, and absolutely decisive of this entire question when I say that government can not interfere for benevolence, for protection, for subsidy, for bounty, for any benefit whatever to anybody except by plundering the vast majority. An individual can be generous and just at the same time, but a government can not; and that is a limitation inherent in government always. I can give my neighbor anything which I have produced. It is my own. To bestow it on another is an exercise of generosity creditable to my disposition.

But what has government of its own that it can give to anybody? What can government produce through its own operations which could be worth taking? Can it create this desk before which I stand by any exercise of all its powers—legislative, executive, and judicial combined? Can it command the elements of which it is formed to leave their places in the economy of nature and constitute themselves into this article of furniture? Can it order the wool to leave the back of a sheep and convert itself into cloth, and make its order effective by legislative enactment, judicial decree, or executive command? No, sir; all the resources of government together can not create one thing of the slightest value to any human being. There is but one source from which anything of value can proceed, and that is the labor of human hands, exercised on the bosom of the earth. If government can create nothing of its own, it can have nothing of its own to bestow on anybody. If, then, it undertakes to enrich one man, the thing which it gives to him it must take from another man. It can not be generous in one direction without being oppressive in another. If it has a favorite, it must have a victim, and, as I have often said

before, no government which is just, no government which is democratic can have either favorites or victims. [Applause on the Democratic side.]

[Here the hammer fell.]

Mr. LUCKING. Mr. Speaker, I ask unanimous consent that the gentleman be allowed to conclude his remarks.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the gentleman from New York may be allowed to conclude his remarks. Is there objection?

Mr. GROSVENOR. Mr. Speaker, I would ask how much time the gentleman expects to take.

Mr. LUCKING. I will say to the gentleman from Ohio [Mr. GROSVENOR] that the same courtesy will be extended to the gentleman from Ohio.

Mr. GROSVENOR. But let us know how much time the gentleman wants.

Mr. COCKRAN of New York. Mr. Speaker, I am speaking altogether extemporaneously.

Mr. WILLIAMS of Mississippi. Mr. Speaker, nobody asked that question when the gentleman from Iowa [Mr. HEPBURN] obtained his extension of time.

Mr. GROSVENOR. I desire to be fair with the gentleman in every possible way, but I want a limit fixed, so that we can tell when the vote will be taken.

Mr. CLAYTON. I suggest one hour.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask unanimous consent that the gentleman may have time to conclude his remarks.

Mr. LUCKING. I think the House wants to hear the gentleman.

Mr. WILLIAMS of Mississippi. I ask unanimous consent that the gentleman from New York be allowed time to finish his remarks.

Mr. GROSVENOR. Can not the gentleman give us some information as to the time he is to occupy——

Mr. COCKRAN of New York. I am speaking altogether extemporaneously——

Mr. GROSVENOR. So that we may not be entirely in the dark as to how long the debate is to continue.

Mr. COCKRAN of New York. My object is to reach light, not darkness. [Laughter.]

Mr. GROSVENOR. I withdraw my objection to the extension of time, but hope it will be understood that this bill is to continue before the House until a vote is reached, notwithstanding the exhaustion of time.

Several MEMBERS. All right.

The SPEAKER. Is there unanimous consent that the gentleman from New York may continue until he completes his speech? The Chair hears no objection.

Mr. COCKRAN of New York. Mr. Speaker, the general propositions enumerated just before the fall of your gavel I have laid down in many different places. I repeat them now because I have never yet seen an answer to them, and if they be self-evident, as I believe they are, it follows that any attempt at governmental benevolence, whether it be called subsidy, protection, or anything else, must always disguise a scheme of plunder. This assertion does not depend for its establishment on abstract reasoning alone. It is shown conclusively by the fruits which the system of benevolence or protection established by this Government has borne, by the demoralization which it has worked in our whole civic life, and which shows itself here in a most significant feature of our debates.

It appears conspicuously in the utterances which have won the heartiest applause from gentlemen opposite.

The gentleman from Ohio [Mr. GROSVENOR], as will be remembered in the speech which he delivered here a few days ago, said that the Democratic party was divided, that we did not know what we wanted and did not know how to look for it, while the Republicans know what they want and know how to reach out for it. [Laughter and applause on the Democratic side.] The gentleman from Iowa [Mr. HEPBURN], in different language, repeated the same statement. It is the burden of every Republican song to which I have recently listened.

Now, Mr. Speaker, that is a perfectly just criticism. The Democratic party has a strong tendency to division. The Republican party has just as strong a tendency to union. There is never any doubt [addressing the Republican side] about what you want [laughter and applause on the Democratic side] nor of the vigor with which you pursue it. We are often divided in opinion as to what constitutes the best policy for the country, and when these divisions arise among Democrats they fight them to a settlement, regardless of the result upon the prospect for office. [Applause on the Democratic side.] You gentlemen have divisions wider than ours. You have differed upon every conceivable question since I became a voter. You differed on the tariff. The gentleman from Iowa felt bound just now to declare that the "Iowa idea" had only just been put to rest. You have differed about the treatment of the Philippines; you have differed about the Spanish war; you have differed about the currency; you have had as wide division on the question of the coinage as ever we had. But no division on a matter of principle was ever sufficient to prevent your combining like one man the moment a chance arose to get possession of the offices. [Laughter and applause on the Democratic side.]

There is a great advantage in that Republican tendency. It simplifies decisively the problems of management. You gentlemen [addressing the Republican side] are animated above all by an appetite, and you are determined above all things to gratify it. [Applause on the Democratic side.] We have beliefs; and beliefs very often engender differences in their interpretation and construction. We suffer all the weakness that comes from preferring principle to office, the good of the country to spoils for ourselves. [Applause.] These divisions among Democrats often result in their defeat. When they have been settled and Democrats united the party has always been irresistible. [Applause.]

Sir, we stand to-day united upon one question, and it is a firm belief that government can not interfere with private industry without despoiling a majority for the benefit of a minority. [Applause.] There is no danger of this working the other way. A minority will never be plundered for the benefit of a majority, because where spoils are divided among so many the share of each would not be worth the trouble of securing it. Spoliation will always be of a vast majority for the benefit of a small minority. That is the essence of your policy; it is the motive power of your activity; it is the object which animates you; it is the fountain of that corruption whose very victims aid you to despoil them, so skillfully are they corrupted. [Applause.]

Mr. Speaker, we are going into this campaign, as the gentleman from Iowa says, torn with distractions, many of us holding different views, perhaps with a disposition to carry our contentions too far for individual comfort. [Laughter.] But that is a feature of Democratic procedure; it simply means that we are going to hold a convention. You are exposed to no such peril. [Laughter and applause on the Democratic side.] I congratulate you on your security and on the satisfaction with which you celebrate it. [Laughter on the Democratic side.] We will hold a convention, with all the discussions and all the excitements inseparable from it. You will hold a ratification meeting, with all the regularity which characterizes such a performance. [Laughter on the Democratic side.] Your proceedings are already arranged for you in a public building at the other end of Pennsylvania avenue. [Laughter on the Democratic side.] The very selection of your presiding officer will not be left to yourselves. The platform is already written, and if you think the platform adopted by the Democratic State convention in New York is vague, why, I wait to hear your description of the platform that has been prepared for you in the Washington White House. [Applause on the Democratic side.]

We will go into that convention determined to do the best thing for this country, and that means the best thing for the Democratic party. And because that convention will be governed by a desire to serve the highest interests of the country, its action will be ratified by the people of this country. [Applause on the Democratic side.] It is a marvelous fact, unique, I believe, in the history of all nations, that in the whole course of our country's existence no permanent feature has been added to its political system that did not proceed from the Democratic party, formulated by Democratic conventions, enforced by Democratic Presidents. [Applause on the Democratic side and manifestations of derision on the Republican side.] I wonder if there was any hilarity in that laugh! Mr. Speaker, the chairman of the Committee on Ways and Means led that last demonstration; and if it be a specimen of his joy, I hope this House will never see him in a state of sadness. [Laughter on the Democratic side.]

Mr. PAYNE. I want to say to my friend that I am delighted with his speech, and I am delighted with the reception of it on that side of the House.

Mr. COCKRAN of New York. Mr. Speaker, I am afraid the chairman of the Ways and Means Committee is not carrying submission far enough. He did not accentuate the first syllable of the word that he has just used to describe his emotions. [Laughter on the Democratic side.] Why, Mr. Speaker, if this tendency to break away from the model whom Republican leaders must follow in all things should go much further, the Republican party may possibly hold a convention. [Laughter on the Democratic side.]

Mr. PAYNE again rose.

The SPEAKER. Does the gentleman yield?

Mr. COCKRAN of New York. Oh, with pleasure; always.

Mr. PAYNE. "The gentleman from New York" can leave that sort of exploitation and that sort of caricature to the leaders of the minority, the gentleman from Mississippi and his colleague from New York.

Mr. COCKRAN of New York. The gentleman from Mississippi [Mr. WILLIAMS] furnishes to this House a striking illustration of what may be accomplished by a minority when it is led by patriotism and genius. [Applause on the Democratic side.] If the majority feel proud of this last performance of their leader, well, I congratulate them and the country on the prospect which it opens. [Laughter on the Democratic side.]

Mr. Speaker, the effect of this predatory policy has been, as I said a moment ago, the entire demoralization of the political and business systems of this country.

No stronger evidence of the extent to which this corruption has demoralized the whole body politic can be conceived than the exhibition which we have had here in this House when you gentlemen of the majority, instead of turning the light of investigation and publicity upon places which your own Administration has shown to be foul, have made yourselves the rampart of corruption by defeating every proposal of investigation. [Applause on the Democratic side.] The gentleman from Ohio [Mr. GROSVENOR], with the intrepidity which distinguishes him in the face of reason [laughter on the Democratic side], has asked us on this side to definitely show the commission of a specific crime, and when that is done he says we will begin to investigate. Sir, I say that refusal by the majority to investigate is itself proof of crime. [Applause on the Democratic side.]

I notice the gentleman from New York [Mr. PAYNE], the leader of the majority, has endeavored to start a laugh, but, alas! more sensitive consciences around him have smothered it in its very incipiency. [Applause on the Democratic side.] The gentleman from New York [Mr. PAYNE] is a lawyer, and a good one. He knows that no principle of law is more extensively recognized, more firmly founded upon the experience of mankind, than that which interprets the failure of a party to produce evidence within his control as an admission that if it were produced it would work to his own condemnation. [Applause on the Democratic side.] If the Post-Office Department is clear of crime, why do you not show it? It would be the very best service you could render your party. Why do you not discredit all our criticism by showing, if you can, that when we have charged crime we have charged it recklessly? Why do you not vindicate before the people the reputation of this body, the grand inquest of the nation, under whose eyes crime has been proved to exist, and which yet remains indifferent to the duty imposed on it by the Constitution?

Convictions of crime in the Post-Office Department have been obtained in the court of justice. There has even been thrown from that sink of iniquity a stream of slanderous abuse over this body. Our own Committee on Post-Offices could not examine it without finding its members bespattered; and when in the name of justice and pure government we ask that the light of examination be turned on every feature of it, that all the facts be given to the American people, we are told by the real, intrepid champion of Republican performances, "When you have proved crime, why, then we will examine it." [Applause on the Democratic side.]

Mr. Speaker, this is but one evidence of the wholesale demoralization worked by this system of plunder. You can not enthrone fraud in the very heart of government itself and then expect that every element of the people will not become corrupted by its operations. When government is organized openly to enrich a few favorites enormously, is it any wonder that its officers will secretly use its powers to enrich themselves moderately? This spectacle of government exploited for private benefit not secretly in violation of law, but openly by authority of law, is the source of all the corruption which has discredited our politics, municipal as well as national. That the moral fiber of our national character remains sound and wholesome is shown by the indignation always provoked by clear proof of bribery. In the city of New York and in nearly all the great cities citizens have been moved to fury when they learned that a bribe had been accepted by some alderman for his vote on the grant of a franchise.

Under the pressure of popular excitement I have known a police officer to be convicted of felony for accepting a basket of peaches as a gift, and whole communities unite in pursuing to the penitentiary a petty inspector for taking $100 to connive at the indifferent performance of some public contract. All these manifestations of popular indignation against corruption are wholesome features of our national character. They show a horror of that vice and a desire to uproot it. But, sir, they will never suffice to purify the streams of civic life. Reforms will never be effected by pursuit of petty offenders while graver wrongs are perpetrated by government itself. Corruption will never be eradicated from our system, it never can be cured, while the Treasury is thrown open to everyone who covets its contents, while huge fortunes are built not upon skill in production, but upon the favor of government, while the majority here in this House maintain a system of laws by which all the industries of the United States are turned over to the plunder of a few favorites.

Mr. GROSVENOR. Will the gentleman yield?

Mr. COCKRAN of New York. I always yield gladly to the gentleman from Ohio.

Mr. GROSVENOR. Very well; the gentleman from Ohio will take care of himself.

Mr. COCKRAN of New York. He is also taking care of the Post-Office [great laughter and applause on the Democratic side], and he seems to be doing it very well.

Mr. GROSVENOR. I am told by gentlemen—I did not hear it—that the gentleman from New York says that I have said in a speech that when a crime was proven against some official——

Mr. COCKRAN of New York. Proven to have existed——

Mr. GROSVENOR (continuing). We would investigate.

Mr. COCKRAN of New York. Proven to have existed.

Mr. GROSVENOR. I never said any such words, and the gentleman from New York either knows or, if he doesn't know, he ought to know I did not make that statement.

Mr. COCKRAN of New York. That is not what I said.

Mr. GROSVENOR. I said that when a specific charge was made——

Mr. COCKRAN of New York. Oh!

Mr. GROSVENOR. Oh, well; that is what I said.

Mr. COCKRAN of New York. I will change my language. I ask nothing better.

Mr. GROSVENOR. The gentleman is a lawyer or claims to be a lawyer, and he knows that there is a wide difference between a charge and proving a charge.

Mr. COCKRAN of New York. The answer, Mr. Speaker, to that statement, the answer is, if we must wait for an investigation till sufficient proof has been found to formulate a charge, the grand juries would have anticipated our action. [Laughter.] That is, I hope they would. What I do say is this: By solemn judgment of the courts the commission of certain crimes in that Department has been established. There is no proof that all the crimes committed have been discovered.

To ascertain the extent of guilt and its whereabouts in every Department is the capital duty of this body as the Grand Inquest of the nation. By failure to perform that duty fully and promptly this House is seriously hurt in its dignity, and therefore I say, sir, the Members ought without the slightest hesitation to make the investigation demanded by justice and the public opinion of the country. [Loud applause on the Democratic side.]

Now, Mr. Speaker, the gentleman from Ohio, bold though he is—and some of us think he is intrepid to the point of recklessness—bold though he is, he can not deny that the course of the majority in closing the doors of the Post-Office Department against any Congressional investigation can be explained on no other ground than that to open them would be to cover the Administration responsible for its affairs with infamy in the eyes of the American people. [Loud applause on the Democratic side.] There can be no reason for suppressing investigation except the fear that to prosecute it further would reach men whom it would not be safe for the administration of that Department to assail.

The majority knows that to be true, and confesses it by refusing to turn the light of inquiry on the dark places of the Administration. [Laughter and applause on the Democratic side.]

Mr. Speaker, I have said the corrupting influence of this protective system has affected not merely the administration of public affairs in every department of government, Federal, State, and municipal, but has actually extended to our industrial system. The truth of this has been made clear by the advent of the trusts. While the protected industries were carried on by many different persons and corporations, the worst features of the tariff system were not conspicuous, because the competition of these domestic producers prevented the grossest abuses. But when it was discovered by certain enterprising financiers that domestic competition operated to prevent them from taking advantage of opportunities to plunder the people, they very soon undertook to eliminate that competition by combining all the producers in certain fields of industry into these great trusts, which are a menace not only to business prosperity, but to the moral integrity of the community. [Applause.]

These trusts are subjects of such grave concern to the people that even the supporters of high tariff feel they must be explained, though it is a little difficult to say just how the majority here regard them.

I have carefully examined the utterances of a most distinguished Member of the majority, the gentleman from Maine [Mr. LITTLEFIELD], whose views on this subject the President has repeated and emphasized in many ways. So far as I have been able to ascertain his opinion, he seems to hold that some trusts are bad and some good, and that the bad trusts should be regulated or prosecuted and the good trusts coddled.

But, Mr. Speaker, neither the gentleman from Maine himself nor the distinguished occupant of the White House, who has adopted his views, gives us any test by which we can distinguish a trust which is bad from a trust which is good; a trust which should be

pursued by the Attorney-General from one which he might encourage; the trusts among which he should, so to speak, run amuck and the trusts among which he should proceed with his hat in his hand. Now, you will observe that this test goes to the very vitals of the whole trust question in its relation to the tariff. If what the gentleman from Maine calls "bad trusts" are essential fruits of protection, if they are possible only under a system of protected favoritism, the conclusion is inevitable that they can be suppressed effectively only by destroying the system which produces them.

I think, Mr. Speaker, there is a perfectly easy method of ascertaining which trust is good and which trust is bad. Whether a trust is good or bad—I think my friend from Maine will agree with me—depends entirely upon whether it operates to raise prices or to lower them. If it raises prices it is an injury to the American people. If it lowers prices it can not do anybody any harm, but must benefit everyone. Applying this test to the actual course of the Administration and the Republican party, it would seem as if their conduct was in direct variance with their theory. The gentleman from Ohio, in that very remarkable speech, echoes of which still linger in my memory, spoke with great pride of the President's course in the case of the Northern Securities Company.

Now, of all the trusts which have been formed in this country, there was just one that did not raise prices, and that was the Northern Securities Company; yet that is the one trust which the President has destroyed [applause on the Democratic side], and he did not destroy it either, Mr. Speaker, as a matter of fact. The actual effect of his assault has been to make the corporation change its clothing to make it put on a more effective fighting garb. Before the judgment of the Supreme Court the Northern Securities Company was controlled by two elements, the Hill-Morgan element on one side and the Harriman-Kuehne-Loeb faction on the other.

In obedience to the judicial order, a plan for the distribution of its assets has been devised, which with the aid of the Attorney-General has been sustained. Under its operation the Harriman-Kuehne-Loeb element is eliminated from any share in its management and the whole control of the railroads is now entirely in the hands of the Hill-Morgan faction or party. Thus the control which it was thought dangerous to leave in the hands of two factions, combined under the name of a corporation, is placed now in the hands of a single faction. That is to say, it is reduced to a narrower compass than ever, and this, Mr. Speaker, is the net result of that great crusade against trusts which is celebrated here as a triumph of wisdom, patriotism, and courage. [Applause on the Democratic side.]

Mr. Speaker, Democrats believe that bad trusts—trusts which raise prices—are not to be regulated, but suppressed; that the remedy is not to prosecute them in the courts, but to prevent them from organizing. It may be asked with perfect propriety, How can we tell what trusts raise prices and what trusts lower them? Why, the answer is very simple. No trust can prosper unless it enjoys some special favor of the hand of government. Trusts which have no favors can overcome competition and dominate the market in one way only, and that is by the excellence or, in other words, the cheapness of their product. There are but two ways by which a trust or corporation can enjoy special favor by government—one is a tariff protection and the other special rates for the transportation of its products and materials.

Granting special rates of transportation to any company the Congress of the United States has already declared to be illegal. There is nothing more that we can do in that direction. If a trust prospers through transportation favors, it can be pursued in the criminal courts, and it will be pursued when a Democratic Executive gets control of the Department of Justice. [Applause on the Democratic side.] Where the production of any article is controlled by a trust foreign competition is the only corrective influence which can prevent exactions on domestic consumers. When fear of foreign competition is removed by the existence of a high-tariff wall, the consumer is at the mercy of the protected producers. The gentleman from Iowa declared that competition is absolutely essential to industrial prosperity, but in the next breath he lauded a system which restricts competition. What the Democratic party wants is competition, for, as I have said, Mr. Speaker, under a competitive system no industrial organization can dominate the market except by the excellence of its product or its service. The Democratic party always encourages efficiency by protecting jealously and completely all its fruits, however extensive. This is merely saying that always and in all things it believes in excellence [applause on the Democratic side]—excellence in industry, excellence in service, excellence in morals.

Mr. DALZELL. Mr. Speaker, will the gentleman permit a question?

Mr. COCKRAN of New York. With the greatest pleasure. I am always very willing to yield to the gentleman from Pennsylvania for a question on the trust question.

Mr. DALZELL. I would ask the gentleman from New York if those are the same views the gentleman entertained when making Republican campaign speeches in the Republican campaign?

Mr. COCKRAN of New York. Mr. Speaker, I never made a Republican speech. [Applause on the Democratic side.] I never spoke without declaring my abhorrence of everything for which Republicanism stood, and when Mr. McKinley himself was a candidate and I supported him, it was not because he stood on a platform of his selection, but a platform that was forced upon him by the conscience of the American people. It is quite true that I stood for and supported Mr. McKinley in 1896, and if the same conditions arose again I would do it to-morrow. I would support him when I thought it right, but the gentleman from Pennsylvania would support him when he thought it profitable. That is the difference between us. [Applause on the Democratic side.]

Mr. DALZELL. Mr. Speaker, I will state that I have been informed that it was profitable to the gentleman from New York [Mr. COCKRAN] to support him when he did. [Applause and laughter on the Republican side.]

Mr. COCKRAN of New York. Mr. Speaker, that is a statement which has been made wherever there has been found a mouth foul enough to utter words behind which there was no conscience. [Applause on the Democratic side.] Now, the gentleman has made a statement which, in view of the place where it is uttered, calls for a notice which I have always scorned to give it when uttered anonymously. It has been my fortune at various times to support different political parties. I have never yet, thank Heaven, gone through a campaign where some one did not want to throw a stone at me, as the gentleman does now. I challenge him and all the cohorts of vice and crime and corruption that are embodied in the Republican party to show that the national committee ever contributed as much as my railroad fare during all of that campaign. [Prolonged cheers and applause on the Democratic side.] I wonder if the gentleman will answer that.

Mr. DALZELL. I do not suppose the gentleman paid any railroad fare. [Laughter on the Republican side.]

Mr. COCKRAN of New York. I have paid my own expenses wherever I went; I have paid them not merely in political campaigns, but I have paid them while traveling all over this country on my way to various institutions of learning, to literary and charitable assemblages, and to meetings for the discussion of sociological questions. I challenge the gentleman now, as I challenged Mr. Hanna while he was alive, as I challenged the New York Tribune last fall in New York while Mr. Hanna was still living, and as I now challenge everyone on any side, to show where in the last twenty years I have not been a subscriber to campaign funds rather than a recipient of them. But, sir, I welcome this interruption, as it shows exactly the weapon with which this organized corruption that we call Republicanism means to conduct this campaign. I said it had worked a demoralization of our civic, our political, as well as our industrial system; and who testifies to it so strongly as the gentleman who attributes to me what he must know to be the universal custom among Republican politicians? [Prolonged cheers and applause on the Democratic side.]

Mr. DALZELL. Mr. Speaker, I did not hear exactly what the gentleman said. I understand that his remarks applied to me. What was it the gentleman said? I could not hear it for the cheers.

Mr. COCKRAN of New York. Mr. Speaker, it ought to be repeated. I think we have reached a point in this discussion which will probably prove of extraordinary value to the judgment of the country in reaching a conclusion upon it. I have said that the gentleman has attributed to me what he knows and must know to be the universal custom of Republican politicians, who thereby illustrate the utter demoralization worked by this system of organized corruption at the basis of government, which makes all industry depend not upon the excellence of the product, but upon skill in corruption.

Mr. DALZELL. Mr. Speaker, I can say as to myself precisely what the gentleman has said as to himself with respect to campaigning.

Mr. COCKRAN of New York. Mr. Speaker, it would not have been necessary to have stated that to me, for until that interruption I should not have suspected the gentleman; but it has been my experience in life that no man is quick to accuse another of an infamy unless he has become intimate with it himself. [Prolonged cheers and applause on the Democratic side.]

Mr. DALZELL. Mr. Speaker, the gentleman had better apply that logic to himself right now, and let me say to him that I said I had been informed——

Mr. COCKRAN of New York. By whom; by whom? Name him; name him.

Mr. DALZELL. By a Democrat.

Mr. COCKRAN of New York. Name him; name him. Name him now and here.

Several MEMBERS on the Democratic side. Name him.

Mr. COCKRAN of New York. Name him, or admit that you

are—what can not be said in this House. [Prolonged cheers and applause on the Democratic side.]

Mr. DALZELL. Why, Mr. Speaker, of course I will not name him.

Several MEMBERS on the Democratic side. Of course not; of course not.

Mr. COCKRAN of New York. Sir, the man who makes that confession can not interrupt me here again, nor shall I voluntarily permit him to come within the range of my vision. [Prolonged cheers and applause on the Democratic side.]

Mr. Speaker, the essential connection between trusts and the system of protection is clear from the fact that the sole object of organizing a trust is to eliminate competition, and that is possible only through the aid of a tariff wall. We have seen all the domestic producers of a protected article combined in a single concern, but it has never yet been found possible to combine in one concern the producers of the whole world in any field of industry or to control by any artificial agreement the volume of their product. The vital importance of competition to the masses of the people is shown, sir, by the value placed on the elimination of competition by the organizers of trusts. We have all seen that when a combination of several corporations is formed the stocks of each have been suddenly doubled, trebled, and quadrupled in price, and this increase is not due to any magical power possessed by the promoters, but it is the value placed in the open market upon the power to tax the people which the extinction of competition bestows on the beneficiaries of the tariff.

These trusts are capitalized not on the basis of the property they possess, but on the revenue they could derive by exacting high prices for their products, and this power to extort high prices from the consumers proved to be their most important source of revenue. One company, the United States steel trust, which had property worth $500,000,000, according to the very liberal figures of the United States census, was capitalized at the enormous sum of over one billion and a half. On what was this swollen capital based? Every circular that was sent out by its promoters describing the plan on which the corporation was organized stated that with the extinction of domestic competition it could exact prices sufficiently high to earn liberal dividends on its preferred and the common stock.

What, sir, in the last analysis does this mean? It means that these trusts exercise a power to plunder the American people and that they treat this power as an asset of their own; capitalize it as one of their possessions. To the fair value of its product the trust is of course entitled. Under an honest condition of trade that is all it could exact. The difference between the fair value to which it is entitled and the high price which it is enabled to exact under the operation of the tariff laws constitutes the plunder that it levies on the community. In the case of the United States Steel Company this power to plunder the American people was expected to yield revenues sufficient to pay dividends on a capital three times greater than the value of all its property. According to this valuation this power to levy plunder which this concern exercised was worth twice as much as all the property it possessed. Of its whole capitalization, therefore, one-third is based on property and two-thirds on plunder. [Applause.] Every share of its stock represents one-third property, two-thirds the power to plunder the American people.

Sir, in all the history of the world there has never been anything comparable to this. Not merely do these capitalists exercise the power to levy tribute on the community, not only do they treat it as their own property and capitalize it, they actually offer and sell shares in that power to plunder in the open market. Think of it, Mr. Speaker! Not merely are the American people invited to buy shares in the right to rob themselves, but shares in the power to rob them is offered for sale in the markets of the whole world. [Applause.]

Why, Mr. Speaker, history tells us that the supreme authority in the Roman Empire—that is to say, the right to tax the Roman people and provinces—was put up at auction by the Pretorian Guards and sold to the highest bidder. And we are accustomed to think of that infamy as the extreme depth of depravity in government. But, sir, the sovereign right to tax the people of this Republic is sold every day before our eyes. The Roman Pretorians sold the power to tax the Roman people in one transaction, so that the bidding was necessarily confined to two possessors of enormous wealth. Our Pretorians sell the right to tax the American people, so to speak, in lots to suit. [Laughter and applause on the Democratic side.] They sell it so as to bring a share in it within the reach of everybody. Any man with $12 can buy an interest in the right to levy tribute on the American people. And it is to this pass that the industrial system of the country has been brought.

It is true that the stocks of these trusts have gone down in value, because there was one strong, correcting influence which the trust magnates did not understand. They thought that they could raise prices without diminishing the volume of consumption. Here is where they made a mistake, the full results of which are not yet apparent. Contracts made before the amalgamation had of course to be filled, and for a year or so afterwards demands continued, profits were large, and all went merry as a marriage bell.

But when these contracts were all filled, the high prices discouraged the making of new ones, demand diminished, profits went down, and stocks began to fall; yet the managers of these trusts could not try to stimulate consumption by the natural method of reducing prices, because they feared that the first effect of reduction would be such a decrease of earnings as might force them to default in the interest on their bonds and fall at once into the hands of a receiver, and in order to maintain high rates for their product here they have sought a market abroad by offering it there at greatly reduced prices.

Now, think of the condition to which this has brought the business of this country. Trusts created by our own Government and protected by our laws are at this moment selling their products to foreign lands for 25 per cent less than they exact from the American people. What does this mean? Why, sir, it means that we can not obtain from our own trusts the "most-favored-nation clause" that we would demand peremptorily from a foreign government. [Applause on the Democratic side.] If Germany or France undertook to place a special duty upon wares exported to this country, or to enact revenue laws which would compel the people of this country to pay more for anything necessary to our trade than consumers in other countries are paying, we should break off diplomatic relations with her at once, and we should be very lucky if, while Congress was in recess or down at lunch, the President did not send a fleet of war vessels to bombard her nearest town. [Laughter.]

But the gentleman from Maine [Mr. LITTLEFIELD] will tell us that there are trusts in England, where trade is absolutely free. Quite true; and because trusts in England have no protection, if they flourish there at all they can only flourish by the cheapness of their products—that is to say, by the excellence of their service to the body of the English people. For that reason, sir, trusts are not unpopular in England, as they are here, where they flourish on tribute exacted from the community.

Mr. Speaker, we have heard a great deal that is vague and much that is incomprehensible about "prosperity." Gentlemen on the other side seem to think that the prosperity of the country depends entirely upon keeping control of the Government in the hands of Republican politicians. They tell us—and the gentlemen who interrupted me while interruptions were still decent [applause on the Democratic side] called my attention to the fact—that the Wilson bill was passed in a period of profound industrial stagnation.

Mr. MARSH. Will the gentleman pardon me?

Mr. COCKRAN of New York. Undoubtedly.

Mr. MARSH. Stagnation that came upon the country upon the election of a Democratic President.

Mr. COCKRAN of New York. Mr. Speaker, I am about to discuss the necessary effect upon our prosperity of high and low tariff under all Administrations. The gentleman from Iowa [Mr. HEPBURN] insists that the object of protection is to serve the interests of labor. I agree with him as to the object he has in view, but I believe the actual result of this policy is not to benefit but to injure the laborer. The welfare of labor is the main object of statesmanship in every country, or should be; for, sir, there is no test of prosperity absolutely infallible except the rate of wages paid to labor.

There can be no genuine prosperity except where labor is high and where commodities are cheap, for the same causes produce both results. When wages are stationary and the cost of living increasing, or when wages are rising but moderately and commodities advancing enormously, you have not got a genuine prosperity, but a bastard prosperity. [Applause on the Democratic side.] Not the permanent, ever-broadening prosperity that comes from Democratic production, but the elusive, temporary prosperity that comes from Republican plunder; a prosperity that dazzles and glitters for a while in the form of fortunes suddenly acquired, but which is always followed by gloomy depression. That is the prosperity through which we have just passed. But, sir, as we are all agreed that the prosperity of the laborer is or should be the object of all statesmen's anxiety, let us see for a moment how the tariff has affected wages, as shown by the operation of trusts.

The price of steel is 25 per cent higher in this country than it is in Canada. At this moment the same manufacturers will lay down in Canada steel rails, structural steel, all manner of steel products, for 25 per cent less than they deliver them in New York, right at their own doors. What is the economic significance of this, Mr. Speaker? It means that the cost of building is advanced enormously, and as a consequence the volume of building is rapidly declining.

If, sir, the price of steel were reduced to its actual value, if we in New York could buy steel at the same rates that our own producers demand for it in Montreal, in Toronto, in Ottawa, and Quebec, there would immediately be such a revival of building activity as would cause a new demand for labor, and that demand would cause an advance in the rate of wages. What is true of steel is true of every other industry. When every field of production became dominated by trusts the prices of commodities were increased enormously while there was a slight rise in the price of labor.

When the laborers saw huge fortunes created by a stroke of the pen, when they saw the addition of two and two in the capital of corporations made not four but twelve, the difference seized by their employers, the price of everything advancing to produce dividends on this inflated capitalization, their wages either stagnant or increased but slightly, they began to struggle not to improve but to protect their condition. They insisted that if they were not to be benefited they should at least not be injured by this prosperity which they witnessed and which Republican politicians, newspapers, and favorites celebrate so loudly. Sir, that demand has been refused. So far from a general advance in wages, it is very generally said that the rate of wages must come down, and on every side strikes and threats of strikes are multiplying.

The protected manufacturers, the beneficiaries of the Government, hold the plunder with ever-tightening grasp, and, far from dividing with the workingman, they are either reducing or threatening to reduce the rate of his wages, while at the same time oppressing him by raising the cost of everything necessary to his existence.

Mr. LACEY. Will the gentleman allow me to interrupt him?

Mr. COCKRAN of New York. Certainly.

Mr. LACEY. Does the gentleman claim that food products are advanced in price by the tariff?

Mr. COCKRAN of New York. Why, sir, beef has been doubled in price, I understand. At this moment, I am told, there is a suit pending in which the Government of the United States charges that the price of beef has been doubled, or at least largely increased, through an illegal combination, and I am sure the gentleman will accept at least the sworn statement of this Administration. [Laughter on the Democratic side.]

Mr. LACEY. Has the tariff advanced the price of the food products raised by the farmers of my State?

Mr. COCKRAN of New York. Yes——

Mr. LACEY. Then what becomes of the gentleman's theory that the prices of food products are fixed in Liverpool without regard to the tariff?

Mr. COCKRAN of New York. Pardon me; let me finish. Wherever the tariff has been operative the trust has utilized it to raise the price of products to the consumer. It has not yet been able to touch the price of wheat. But if you continue this system, a trust will arise strong enough to control the breadstuffs of the world and increase their price, although the farmer will get no benefit from the advance. He will get no benefit because there will be a diminishing demand, under which the trust will send down the price to the producer while at the same time increasing it to the consumer. The beneficiary of the tariff, the favorite of the Republican party, the contributor to its success alone will be benefited. He will have still more spoils at the expense of producer and consumer alike. [Applause on the Democratic side.]

But, Mr. Speaker, protectionists tell us that high prices of commodities always accompany high wages. Nothing could be further from the truth. High prices do not indicate high wages, but low wages. Wages are always highest where prices are lowest.

In this country, where the wages of a laborer are from one dollar and a half to $2 a day, the price of beef, bread, clothes, shoes, and every necessary of life is 50 per cent less than in Mexico, where the rate of wages for similar labor is about 25 cents a day. In Italy, where protection is high, wages are about half as high and the necessaries of life are twice higher than in free-trade England. This is not a matter of speculation, but of demonstration.

Mr. Speaker, there is but one way in which wages can be raised, and that is by increasing the production of commodities. There is no other way. For it is only by increasing the volume of commodities that you can stimulate a demand for the labor necessary to produce them. At the same time, sir, all increase in the volume of production must increase commodities, and that necessarily means a diminution in their price. Thus, sir, you see the very same condition that leads to an advance of wages leads to a fall in the cost of living.

Whenever you have a prosperity resting on industry alone you have a prosperity attested by advancing wages, falling commodities, abundant employment, and abundance of the things which employees and employers need for their subsistence. [Applause on the Democratic side.]

Sir, at this season all political debates, whatever be their subject or their theater, are addressed ultimately to the political campaign just before us, and I may be asked how will the principles for which I have been contending be affected by the Presidential election. I confess, Mr. Speaker, that, whatever the result of this election, it will not be possible to change the actual fiscal system of the country. Even if we carry the country next November, even if we elect the President and a majority of this House, the Senate will remain Republican for the next four years.

But, sir, though no actual change in the protected system is possible its further extension can be arrested. Such a measure as this will never survive one Republican defeat. [Applause.] Democratic success will have one result of surpassing importance. It will prove to the world that the conscience of the American people has awakened to the true character and inevitable results of these predatory enterprises—enterprises of plunder at home and abroad, enterprises alike dangerous to our prosperity and ruinous to our fame—all of which will wither and disappear before one emphatic expression of popular condemnation. The gentleman from Iowa has said that the Democratic party has not yet decided on a candidate or a platform. I confess that to be true. None the less, I firmly believe the Democratic candidate, whatever his name, will be elected, because the defeat of the Republican party is absolutely necessary to the preservation of republican government in this country, and republican government, I am confident, is not destined to perish from the face of earth. [Applause on the Democratic side.] But to explain this belief and justify it I must go back to a statement from which I was diverted by an interruption in the early part of this speech.

Mr. Speaker, every addition to our political system which has proved permanent is of Democratic origin. Whatever Democrats have contributed to our Government is absolutely secure, for if it were assailed all men, without distinction of party, creed, or sect, would rise unanimously to defend it. The Democratic interpretation of our Constitution by Jefferson has remained its governing principle for over a century. Who to-day would undertake to change it? Who to-day would venture to suggest that any class, however learned or rich, is a safer depository of political power than the whole body of the people? Expansion began with the acquisition of Louisiana, and you gentlemen on the other side showed the corrupting influence of your policy when you perverted that Democratic doctrine of extending the beneficent sway of the Constitution by peacefully extending our frontiers over contiguous territory to justify enterprises of conquest and destruction in distant lands when, instead of insisting that wherever the flag might wave the Constitution must govern, you unfurled that glorious standard over forces sent to plunder men who had been your allies [loud applause on the Democratic side], robbing and killing those who had assisted you in a great enterprise of liberation. [Renewed applause.] Expansion, as you have misinterpreted it, does not operate to extend the authority of our Constitution, but to extend the power of our officeholders and the profits of your favorites, as you seek to gratify the rapacity of our shipowners in your very latest legislation. [Renewed applause.] Sir, the Democratic idea of expansion is the one which will be permanent. A Democratic victory next year will reestablish it forever. [Applause.]

The doctrine that control of our national funds by a single bank was dangerous to the fiscal system of the country and to the independence of its politics was not only asserted but established by Andrew Jackson. Who to-day would restore the system that he destroyed?

Not only has every permanent change or development in our political system been of Democratic origin, but, while many proposals have been made to modify our constitutional structure, not one has ever found its way permanently into our Government that Democrats unitedly opposed. It is the most remarkable feature of our history and, I believe, absolutely without parallel in the history of the world that a political party, even when it has been defeated at the polls, when it has been excluded from office, when it has been reduced to a small minority, has yet been able to prevent the adoption of any policy to which its members were unitedly opposed. [Applause on the Democratic side.] At the very beginning of our Government the Federalist party enacted the alien sedition law. It was supported by some of the most illustrious men who had made the Revolution successful. Democrats opposed it unitedly. It is repealed, gone, disappeared forever. Who now would undertake to revive it?

But, sir, this capacity of the Democracy to govern, even in defeat, the permanent policy of the Government was shown most conspicuously and decisively after the war.

On the questions that precipitated the civil war Democrats were divided and the party was defeated. Northern Democrats believed in sustaining the Union. They bore the burden of the war, contributing to its expenses and furnishing in a large degree the soldiers who fought for the Northern side, while Republican officers obtained the glory and Republican contractors made the fortunes. [Laughter on the Democratic side.]

They recruited the regiments that opposed storms of shot and shell from Confederate batteries, that resisted charges of bayonets which no other soldiers could have withstood, that met the crash of cavalry on a hundred fields and made the Union triumphant against an enemy who could not be conquered and who surrendered only when there was not a round of ammunition left to charge a soldier's gun or a single ration to support a soldier's life. [Applause on the Democratic side.] But when the last shot had been fired, when the smoke of conflict had lifted from the last battlefield, when the South, beaten yet sublime in her defeat, knelt amid the ruins of her hopes and the ashes of her cities, the true disposition of the North was expressed, not by the Republican politicians who sought to humiliate and degrade her, to hold her in subjection to the Federal Government, while excluding her from any share in its control; but it was expressed by Democrats, who insisted that the arms of the nation should be stretched out to their wounded, impoverished, sorely stricken sister, not to oppress her further, but to lift her from the ground on which she was prostrate, to encircle her in a glad embrace of reconciliation, and welcome her back to the great bosom of a reunited country. [Great applause on the Democratic side.]

Republican leaders and politicians undertook to reconstruct the country on a policy of pacification by punishment and proscription. Carpetbag governments were established and supported by bayonets, which resulted in infamies at which Republicans have at least learned to blush. [Applause on the Democratic side.] To this policy of pacification by punishment and proscription Democrats opposed a policy of pacification by pardon, and in support of that policy they came together as one man, all their past differences buried and forgotten. On that issue Democrats went down again and again in repeated defeats, but they never wavered in support of it. The election of 1872 seemed to be a crushing and final defeat of the party, a complete popular indorsement and approval of carpetbag governments and all their infamies. Republican politicians so interpreted it. A State government was overthrown on an order made by a drunken Federal judge at midnight. In another State the legislature was dispersed by troops under the command of a Federal officer. Dragoons rode all over the South, attempting to maintain a hideous travesty of government, repugnant not only to the people whom it oppressed, plundered, and outraged, but to the civilization of the age. And yet, sir, notwithstanding defeats, discouragements, discredits, disasters, and long exclusion from office, Democrats denounced these assaults upon justice and humanity, and their opposition prevailed. Though its candidates failed at the polls, the principles of the Democratic party triumphed on the statute book, and the actual final reconstruction is not Republican, but Democratic. [Applause.]

Sir, the Democratic plan of pacification by pardon instead of by proscription has become the final policy of the nation, and its results constitute a glorious contribution to the civilization of the age. Instead of a country holding in subjection by force conquered provinces, sullen, injured, resentful, we have a country of reunited States, reunited not by arms or fear of punishment, but reunited in an affection, a loyalty, a patriotism that can never die. [Great applause.] I do not believe there is a man on the other side who would to-day advocate a restoration of carpetbag government, who would countenance the issue of a judicial commission to another Darrell, or tolerate the invasion of a State legislature by Federal troops.

Sir, Democratic patriotism has restored to the people of the Southern States control of their own governments, but the South has not yet been wholly and completely readmitted to the Union. She is still suffering from a serious disability, imposed not by statute, but by practice and by custom. The Union can never be considered fully reestablished while a great section of the country is excluded from any hope that the Presidency can be reached by any of her sons. [Applause on the Democratic side.]

Sir, Republican extravagance, Republican corruption, Republican recklessness, Republican contempt for justice, Republican hatred of constitutional limitation have borne one fruit of great value. They have awakened the conscience of the nation to the absolute necessity for change in the control of its Government if republican institutions are to survive in this country. Whenever there has been imminent danger that a policy distinctively Republican is in danger of becoming a permanent feature of our Government the Democracy has always been recalled for the express purpose of expelling it from our political system. That danger is now clearly imminent, and therefore a change in administration is certain to come. It will come now by the success of the candidate nominated in the next Democratic convention, whether he be the gentleman recently offered as a candidate by the Democracy of New York or whether, as may well be the case, the necessity for punishing boodlers and naming an effective inquisition of wrongdoing in the different Departments should make us go to Missouri for a candidate, where a Democratic officer has shown how to pursue effectively offenders even of his own political party. [Applause on the Democratic side.] Whoever may be selected, he will win, and his success will not be a mere party victory, but a great national triumph, because on the platform adopted at our convention we mean to place, or at least I hope there shall be placed, a representative of the South, a Member, sir, I venture to hope, of this body, the man who has led the minority here from division to union, from incapacity to great efficiency, from a distracted multitude to a singularly effective opposition. [Applause on the Democratic side.]

Sir, in the generous applause awakened by this suggestion even on that side of the House, I read not merely an assurance of a great victory for the Democracy, but a promise that its success will be a regeneration of this land, a full reunion of the sections, and a cleansing of corruptions bred by the long success of sectionalism. [Applause on the Democratic side.] I have arisen, sir, to tell the gentleman who has taunted us here with uncertainty of purpose what our great underlying, commanding purpose shall be. It is the expulsion from our system of everything for which this Administration stands by bringing upon it a decisive expression of popular condemnation and the final completion of reconstruction according to Democratic policy, the full readmission of the South to this Union by the election of a southern man either to the Presidency or Vice-Presidency. [Applause.] When the last cloud left by the civil war shall have been dispelled, when its last blood stain shall have been washed from our flag, when the rehabilitation and reconciliation of both sections shall have been made complete, and every part of this country shall move together in the full harmony and cordial cooperation of a perfect Union toward measureless prosperity, then, sir, the Democratic party will have taken but the first step in the great mission which awaits it. All these will be accomplished by the mere success of the Democratic candidate next November.

After its inauguration the first duty of a Democratic Administration will be an investigation of the wrongs which the majority here are seeking to conceal, an investigation of the Departments by honest men whose abhorrence of fraud is so keen they will pursue it to the darkest corner in which it can take refuge, and, this done, the Democratic President must, by the excellence of his own service, establish the standard by which all future Administrations will be judged. [Applause.] Sir, when good government shall have been enjoyed for four years its blessings will be so abundant and so conspicuous that the conscience of the people will be awakened to the pressing necessity of making the moral law the governing principle of our industrial as well as of our political system. That is a task which will need the cooperation of a Democratic President and a Democratic Congress, and both will be the fruits of the approval which Democratic control of the executive department will win during the next four years. [Applause.] So, sir, our purposes are not uncertain, as gentlemen opposite affect to think, but they are clear as they are salutary. They embrace an immediate abandonment of the dangerous policies and tendencies of the present Administration, a complete healing of the wounds still open after nearly forty years of peace, the reform of government, the exposure of corruption, the punishment of wrongdoing, and ultimately, when we secure control of Congress in both branches, the organization of our industrial system not on the plunder of any, but upon the union of all in peaceful and profitable production. [Applause.]

The gentleman from Iowa has taunted the gentleman from Missouri [Mr. CLARK] for saying he would like to see every custom-house shattered

From turret to foundation stone.

That line, sir, referred to Tantallon Castle. Tantallon Castle was a feudal structure in Scotland, around which raged constantly a tide of war and plunder as some men sought to enrich themselves by seizing the property of others. Tantallon Castle has fallen with the feudalism and barbarism of the age which it typified. I hail it, sir, as an auspicious feature of this discussion that a phrase applied to the feudal castle which has perished before the march of civilization and the spread of peace should be used to express a hope that the world may some day see the disappearance of custom-houses, which are survivals of a barbaric distrust that tends to isolate men from each other and to prevent them from uniting and cooperating in the cultivation of the soil for the benefit of each man. [Applause on the Democratic side.] What is the essential difference between civilization and barbarism? Civilization means the close intercourse of men for peaceful and productive cooperation; barbarism means the isolation of men or else their meeting in savage and destructive conflict. Factories from whose chimneys the smoke of industry rises like incense to heaven are outposts of civilization. It is the fervent hope of Democrats that they be multiplied. Fortresses and custom-houses are the twin relics of barbaric distrust which prevent profitable cooperation and encourage wasteful plunder. Surely it is patriotic and humane as well as Democratic to cherish the hope that ultimately this earth may be purged of both. [Applause.]

Mr. LOVERING. Will the gentleman yield? I want to ask the gentleman before he sits down how he will explain away our idle factories during the years 1893, 1894, and 1895, with people walking the streets——

Mr. COCKRAN of New York. I thank the gentleman for the interruption. It was something which I had overlooked. The gentleman is determined, probably, to make my speech a little long, but I think the conditions he mentions should be explained to the House.

Mr. GROSVENOR. Go on a couple of hours; we will wait for you.

Mr. COCKRAN of New York. The gentleman will never have spent two hours better. [Applause on the Democratic side.]

Mr. Speaker, the gentleman from Massachusetts [Mr. LOVERING] has called my attention to an omission, for which I apologize to the House. I have said that the Democratic party has always been the force which contributed permanent features to the development of our Constitution and defeated every dangerous proposal which Republican politicians or their predecessors had attempted to inject into our political system.

I should have added that there is one other mission which the Democratic party has been frequently called upon to perform, and that is to rescue the country from the industrial depression which has never failed to follow any extended period of Republican ascendency. [Applause on the Democratic side.] The gentleman must recall two great panics, one in 1873 and one in 1893. They both proceeded from the same causes and both were cured by exactly the same remedy. They both were the result of Republican profligacy, the same Republican profligacy which has brought over this country now the shadow of a disaster that disturbs the confidence of Republican leaders and endangers the volume of contributions by Republican financiers, the gravest danger that can threaten the prospects of that party. [Applause on the Democratic side.] The panic of 1873 was caused through the extravagance and profligacy of Republican administration here in Washington. The panic of 1893 proceeded from precisely the same cause. And just as long as Republican administrations scatter the contents of the Treasury with lavish hand—that is to say, just as often as Republican Presidents occupy the White House and Republican majorities control Congress—every period of Republican ascendency will be followed by violent panics and long periods of depression. [Applause.]

Mr. Speaker, gentlemen on the other side seem to think that there is a different law governing the property and prosperity of a nation from that which governs the property and prosperity of individuals. But no state can waste its resources and escape distress any more than an individual can dissipate his capital and escape bankruptcy. I do not care how rich a man may be, if he spends more than his income he must either retrench or collapse. If he has a million dollars a year and he spends a million and a half, one of two things must happen. He may continue his extravagance and become hopelessly bankrupt, or he may stop his extravagance and begin to retrench. If he begins to retrench in time, the restoration of his solvency is certain, but the period of retrenchment will be very unpleasant. What is true of an individual is equally true of a nation. Under Republican Administrations this Government has nearly always lived beyond its revenues. From final and irreparable disaster the country has always been delivered by Democratic reformers. Because Republicanism has been profligate it has maintained an appearance of splendor, which the unthinking often mistake for prosperity; while the Democratic party, which is essentially frugal, suffers from a certain unpopularity which stern economy always provokes.

From the close of the war to 1873 the Republican party was in absolute control of the Government in all its branches, and as a consequence the Treasury was wide open. One patriot after another helped himself to its contents. [Laughter on the Democratic side.] They finally began to quarrel over a distribution of the spoils, and through their disputes the extent of the corruption became public.

The Crédit Mobilier scandal made plain a political demoralization so widespread that it affected even the Congress of the United States, while a financial panic of great severity produced widespread distress, and the people awoke to a conception of their condition. They sent down a Democratic majority to this House which reduced the cost of government decisively, while by exposing fraud and driving the perpetrators from public life it created a wholesome public sentiment which checked for many years any revival of extravagance. After five years of very strict economy the country, which had been plunged in industrial prostration, rose once more to its feet and entered quite naturally upon a period of prosperity, and of this the Republicans stole the credit. [Applause on the Democratic side and laughter on the Republican side.]

The panic of 1893 presents the same story in the causes that produced it and the patriotic service which remedied it. In 1889 a Democratic Administration left office. It had accumulated a surplus in the Treasury of over one hundred millions. The question which perplexed the people was how they should dispose of their treasure. The prosperity was enormous and growing every hour, as genuine prosperity always must grow.

In 1888 the protected industries, whose right to levy taxes on the people had been challenged by a Democratic Executive, were able to purchase an election. The Democratic candidate was defeated, and within two years that treasury, which had been full to overflowing, was a gaping void. Through profligate expenditures and a ruinously restrictive tariff the revenues which had been yielding a surplus sank below expenditures until at the end of the Harrison Administration the Secretary of the Treasury was on the point of issuing bonds to obtain sufficient funds for the support of government. By a vicious financial system a delusive appearance of prosperity was still maintained. Financiers gambled on Wall street and appeared to be making enormous gains. Speculators were buying yachts and projecting the erection of palaces, but wages had no increase. The inevitable consequence of that fictitious prosperity followed. A growing deficit in the Treasury made the advent of a panic certain. The Democracy came into power at the very hour that Republican profligacy culminated in disaster. The dark cloud of industrial distress appeared in the financial sky, not from the Wilson bill, but before a word of it was written. It settled down over the length and breadth of this country like a pall, wrapping in its sinister folds countless thousands of homes, while the gaunt specter of starvation was seen once more stalking through American highways and knocking at the doors that sheltered American labor. There is danger, sir, to fear a reappearance of the same specter, now that the prosperity which Democrats restored after 1893 is again endangered by the iniquities of the Republican party. [Applause on the Democratic side.]

The depression which followed the crash of 1893, produced by Republican profligacy, was relieved by Democratic frugality and honesty just as prosperity was restored after the crash of 1873. To-day, sir, we see many reasons to apprehend the collapse which always follows Republican ascendency. Mr. Speaker, I will ask the gentleman from Massachusetts [Mr. LOVERING], who interrupted me, to tell the House why it is that business has decreased so seriously during the last year by the confession of everyone? Some may doubt whether we are on the verge of a panic, but nobody will deny that business has declined. Why has it declined, I ask you gentlemen who insist that Republican ascendency is all that is necessary to insure prosperity? You say that Mr. Roosevelt is as good as reelected. You say that Republicans are secure in the control of government for the next four years. Why, then, is prosperity disappearing when all the conditions of prosperity, according to the Republican evangel, are here? Has there been any failure of crops? Have floods broken loose and overflowed the banks of our rivers, submerging farms and wrecking houses? Are our mines any less rich in treasure? Are our fields less fertile? Are men less industrious or less moral? Is there any cloud of war on our horizon?

No one will pretend that any of these disasters has befallen us. And, Mr. Speaker, if Providence has not withdrawn His favor from us, there can be no other cause for the decline in our prosperity than the folly or corruption of man. [Applause.] It may be said here, sir, as it has often been said before, that industrial depression always follows industrial prosperity, according to some mysterious law which none but Republican politicians has been able to discover. Sir, there is no such law. If this had been a genuine prosperity, every day that it lasted would have insured a morrow of wider production. If prosperity means abundant production, every day of prosperity must result in swelling the amount of capital available to reenforce the hands of the workingman, to make his product larger and therefore his wages higher than ever before. But this prosperity, sir, must be a prosperity coming from production. If it be a prosperity coming from plunder, it is evasive, delusive, temporary, always followed by exhaustion of the plundered and demoralization of the plunderers, the serious restriction of industry, the prolonged stagnation of all commerce. [Applause on the Democratic side.]

Why, Mr. Speaker, I ask again, has prosperity declined in this country? I will tell you. Prosperity has declined and is declining because it is not built wholly on production, but largely on plunder; because the business of the country in large measure is either carried on at a loss or on false pretenses—at a loss if tariff protection be necessary to make it profitable for its promoters; on false pretenses if it would be self-sustaining without any assistance from the Government. At the same time the necessity for disposing of the enormous revenues produced by high protection has led to extravagant appropriations, profligate expenditures, demoralization of our entire system, political, social, and industrial. Here, sir, are abundant reasons for the decline of our prosperity and for the recurrence of that depression and stagnation which con-

front us. Sir, what is the remedy? It is simply to reform. Cease extravagance. End the system that breeds it. Encourage every man to engage in industry by preventing anyone from profiting through the spoliation of his neighbors. When all men are secure in the enjoyment of everything produced by their labor, there is no limit to the number of human beings that this soil can support, for then every man, being employed profitably, will produce more than he can consume, and then every increase of the population will be a fountain of additional wealth to the community. [Applause.]

Sir, we read in the Scriptures that when the children of Israel were famishing from thirst in the desert, Moses, by striking the rock with his rod, brought forth abundant streams of water by which they were refreshed and saved from destruction. Democrats believe that as the rod in the hands of the prophet brought forth abundant streams of water from the rock the spade in the hands of labor can bring commodities in measureless abundance from the bosom of the earth. [Applause.]

In concluding this speech, extended much longer than necessary by reason of the many interruptions with which I have been favored, I repeat, sir, that the distinction between the two parties can be reduced to an exceedingly narrow compass.

Republicans believe that prosperity can be created by legislation; we believe that if it be genuine it must be created by labor. You believe that success in manufacture should depend on the favor of government; we believe it should depend solely upon the excellence of the product. You believe that part of the people should be paid for engaging in unprofitable occupations from the profits of self-sustaining industries; we believe that every member of the population should be employed in profitable industry and left to support himself and enrich himself by his own labor and nothing else. The whole Democratic faith is embraced in one principle, which can be formulated in a single sentence. If I had my way I would make it the whole Democratic platform, for it embodies every principle of government which Democrats believe essential to the welfare and peace of a nation. It is the principle that government has no right to do anything for one man that it can not do and does not do for all men. That Democratic principle of equal rights for all is the true principle of security, of glory, and of prosperity. Build your laws upon it and the foundation of your Government will be so firm that no convulsion can ever disturb it, and your flag will acquire a brighter glory than has ever entwined it. Make it the basis of your industrial system, and your prosperity will not be delusive or temporary, interrupted by recurring panics and long periods of industrial stagnation, but it will be permanent, uninterrupted, and real, for its source will not be the ever narrowing fountain of plunder, but the ever widening fountain of production, and its tide will be abundant, measureless, deepening, growing forever and forever. [Loud and long-continued applause.]

Mr. GOULDEN. Mr. Speaker, the majority report of the committee provides for the appointment of a commission of ten, four of whom shall be members of the minority party in Congress. It will not be amiss to discuss this proposition for the information of the Members of the House, as well as for the enlightenment of the American people.

The matter of subsidies or bounties, which means pecuniary aid, is simply another form of paternalism. The action of the majority of the members of the committee that reported this bill is in keeping with the policy of the Republican party to afford aid in the shape of a protective tariff to manufacturers, a bounty to sugar planters and other so-called "infant industries."

Let it be clearly understood that the members of the minority of the committee having this legislation in charge are as anxious to promote the growth and prosperity of the merchant marine as our friends on the other side, but not at the expense of the taxpayers. The report of the minority is clear and emphatic on this subject.

The majority say:

> But this is not a subsidy measure; it is simply to ascertain the needs of the merchant-marine service and to apply the best remedy; therefore in no sense is it a partisan proposition.

When the bill was discussed in the committee, a resolution was offered to have the commission consist of twelve members, with equal representation to the two political parties, thus making it an absolutely nonpartisan measure. The majority members promptly voted it down.

In view of the past record of the Republican party and its present position on this and other matters of a similar character, it is safe to assume that the findings of the commission will be in favor of a ship subsidy. Our Republican friends in 1896 thought differently, as their national convention of that year in St. Louis declared against ship subsidies. Since then a change has come over their dreams, and they are now in favor of giving bounties to the merchant marine of the country. An active lobby has been very busily engaged here in Washington for several years past in favor of bounties.

As the amount of tonnage to foreign countries carried by ships flying the American flag is gradually decreasing, something should be done to secure the needed relief, and that, too, as speedily as possible. Why delay this matter a year or more when it should have been done during the present session of Congress?

The Committee on Merchant Marine, consisting of seventeen Members of the House, is certainly capable of taking care of the matter. At the head of the committee stands one of the leaders of Congress, who would in all probability be placed on the proposed commission. Is not the committee able to handle this vexed question, and, if feasible, bring about speedy relief?

Regarding the matter of bounties, Great Britain pays mail-ship subsidies amounting to $4,500,000 yearly. In addition, Admiralty subsidies are paid amounting to $389,000. The latter item is intended to encourage the merchant marine of that country and is the only subsidy paid by that Government.

Germany pays annually $2,087,500 bounty to her steam and mail ship lines. The German Government grants some indirect forms of encouragement, namely: Exemption from payment of customs duties and preferential railway rates.

Under the first of these manufactured articles intended for shipbuilding are admitted free of duty, and under the second special rates are made for through bills of lading in the matter of freight on the railroad and steamship lines.

France in 1901 granted postal subsidies amounting to $5,336,355; for construction or shipbuilding, $1,160,000; for navigation, $2,440,000, making the total bounties paid by the French Government in that year $9,936,355. Yet the tonnage of ocean commerce carried is but 5.43 for the year ending June 30, 1903.

Russia pays for postal bounties $233,475; only one steamship company receives postal and nonpostal bounties. Russia pays liberal bounties for the transportation of troops, ammunition, and passengers. However, it should be stated that the Russian volunteer fleet which receives bounties is owned by the Government.

Austria pays two kinds of bounties: First, parcels post, mainly for postal services and moneys advanced by the Government for shipbuilding, without interest; second, bounties granted for trading and ship subsidies, paid to the mercantile marine ships of the nation, amounting to $300,000. Austria's total bounties amount to $1,594,940.

The Italian Government policy (laws of 1901) aims at the increasing of navigation bounties and decreasing construction bounties.

In Holland subsidies are only paid for value received, as an indemnity for the transport of mail. They are not paid for construction or navigation purposes.

The bill which passed the Senate March 17, 1902, provided liberal bounties. The amount of subsidies to be paid annually under it was not to exceed $5 000,000 yearly until 1907, when the maximum was not to exceed $8,000,000.

This was evidently an entering wedge, for no one acquainted with the facts will claim that these sums would materially increase our merchant marine. If subsidies are to be granted for this purpose, they should be large enough to accomplish the desired ends. Ex-Commissioner of Navigation Bates estimates that to give the aid intended under the Hanna-Frye bill would require $40,000,000 yearly at this time.

For eight years or more we have been paying to the American Steamship Company, of New York, the sum of $750,000 yearly in the shape of a subsidy. The result has been that from two vessels then brought under the American flag we now have four—*City of Paris*, *New York*, *St. Louis*, and *St. Paul*. Rather a slow growth for the expenditure of over $6,000,000 by the Government.

It is claimed, especially by our Republican friends, that other nations pay subsidies and the United States must also do so. This is an error, as France alone really pays bounties.

There are about fifty lines of steamships between Europe and this country. Most of them never receive a penny of Government money, not even for mail carriage. Two only receive subsidies—the French line and our own American line.

The other great Atlantic lines—the Cunard, White Star, and the two German express lines, the fastest steamers in the world—receive no bounty. They are paid so much per pound for mail matter carried.

Our people own many foreign-built ships sailed under a foreign flag; the number is estimated at 100.

In our coastwise commerce all must be carried by American vessels flying the American flag. This trade, according to the Bureau of Statistics, Department of Commerce and Labor, amounts yearly to 20,000,000 tons and requires a large number of vessels to carry it, while the entire foreign trade, exports and imports, last year amounted to 28,466,763 tons.

The British House of Commons in 1901 appointed a special com-

mittee of thirteen members, of which Mr. Evelyn Cecil was chairman, to thoroughly examine into the matter of ship subsidies. This committee held thirty-two sittings, examining forty-one witnesses, experts in different lines affected by the matter, and after going into the subject of bounties exhaustively for nearly two years reported at great length to Parliament.

On page 10 of the report we find the following:

Your committee after due consideration is of the opinion that the principle of subsidies by or for the Admiralty is only justified for obtaining a limited number of vessels of the highest speed and great coal endurance among the mercantile marine, built according to Admiralty requirements for purposes of national defense, providing that the Admiralty find it more economical to subsidize swift merchant steamers than to build naval ships.

From the statements of eminent men who appeared before the committee and gave evidence in the matter, the following extracts are selected:

Mr. William Redmond, M. P., in answer to a question, said:

Yes; I think it would be very much better to spend the money on a war ship than to subsidize an ordinary merchant ship, however fast she may be.

In reply to the question, "Would you say that subsidies are unfair?" Sir Robert Giffin, an authority on this matter, said:

Undoubtedly; and if things were let alone I believe that almost all governments would find that out in time, but it might do a great deal of mischief in the meantime.

Other well-known experts gave similar testimony.

This committee of distinguished gentlemen, after a complete and thorough investigation, made the following final report to the House of Commons, which was adopted and sent to the House of Lords, where it is being considered:

1. That the granting of shipping subsidies, at considerable pecuniary cost, by foreign governments has favored the development of competition against British shipowners and trade upon the principal routes of ocean communication and assisted in the transfer from British to continental ports of some branches of foreign and colonial trade, but that notwithstanding the fostering effect of subsidies upon foreign competition, British steam shipping and trade have, in the main, held their own, and under fair conditions British shipowners are able to maintain the maritime commerce of the country.

2. That subsidies are the minor factor, and commercial skill and industry the major factors, of the recent development of the shipping and trade of certain foreign countries, and notably of Germany, where, for example, the granting of through bills of lading via the state railways has had an important effect. In some other countries subsidies have led to no satisfactory results.

3. That the subsidies given by foreign governments to selected lines or owners tend to restrict free competition, and so to facilitate the establishment of federations and shipping rings, and therefore that no subsidy should be granted without Government control over maximum rates of freight, and over this combination of subsidized with unsubsidized owners to restrict competition.

4. That the competition of British shipowners with their commercial rivals upon unfair conditions, without government interference by way of subsidies, or by way of control of freights, is more healthy and likely to be more beneficial to the nation and empire than a state-subsidized and state-controlled system under which the shipowner would have to depend less upon his individual energy and skill and more upon the favor and support of the government.

5. That a general system of subsidies other than for services rendered is costly and inexpedient.

6. That rare cases occur where, in view of special imperial considerations, subsidies are necessary for establishing fast direct British communication, and that at the present moment such a subsidy should be favorably considered for a line to East Africa, where there is no direct British steamship service, and where British trade is handicapped by foreign subsidized steamship lines.

From this report it seems clear that subsidies or bounties will not help the languishing merchant marine.

The New York Sun, a Republican paper of good repute, had the following, under date of January 24, 1904, attributing the depression to the unsettled condition of labor:

SHIPBUILDING AT A STANDSTILL—LABOR TROUBLES HAVE RUINED THE INDUSTRY LOCALLY.

Not for many years have shipbuilding yards hereabouts had so few contracts on hand as now, owing principally to labor troubles. Over $3,000,000 in repairs alone, according to conservative estimates made by the employers, has been lost to the city, most of it in wages, and even if stable conditions should be restored it would be a long time before the trade could reach the condition it had been in previous to these troubles.

The strikes in the shipyards during the last eighteen months for higher wages or fewer hours of work were ordered, the employers say, without any consideration as to whether they could afford to pay higher wages. With a reduction of the hours of labor came a reduction of the amount of work done in a day, and thus the shipbuilders were in a position of competing with other seaboard cities where wages were lower and where the labor rules were less tyrannical.

Even the overhauling of the trans-Atlantic liners, which used to be done here, is deferred now, on account of the industrial conditions, until the vessels reach the other side.

Five firms have been driven to the wall, two of which are in the hands of receivers. This takes $17,000 a week in wages out of New York. The concerns which have been forced by the labor troubles to shut down are the Townsend-Downey yards, at Shooters Island, and the Morse shipbuilding yards, both of which are still in the hands of receivers; the Morgan Iron Works, the Perth Amboy Shipbuilding Company, and the Marine Dry Dock and Construction Company.

Wallace Downey, of the Townsend-Downey Shipbuilding Company, said yesterday:

"The labor situation is largely responsible for the present dullness in trade, the trouble going further back than the last strike or series of strikes. It began three years ago with the rapid rise of wages, the cutting down of the hours of labor, and the great restriction of the amount of work performed per man. The last is to my mind the greatest factor in bringing about the present deplorable state of affairs, both for the employer and employee.

"It is safe to say that the volume of business has decreased about $3,000,000 in the past eighteen months, which must mean a much greater loss for workmen in this vicinity than it does for the employers."

Another large employer affected by the shipyard strikes said, regarding the building of ships of large tonnage here:

"Until labor conditions are on a more stable footing any enterprise in the way of building ships of large tonnage here is not to be looked for. Labor conditions could be made such as to make it possible to build battle ships here. By this I do not mean that the wages would be cut down to any great extent. I mean that if employers had any guaranty that there would be no labor upheavals for some time and that employees and employers could work in harmony, the business could be developed so that the largest ships could be built hereabouts. Enterprise in this direction, however, would be useless under the conditions which have ruled in the past."

The Merchants' Association of New York City, an organization with nearly 200,000 members in the United States, under date of January 27, 1904, adopted the following, which I desire to read and have made a part of the RECORD:

The Merchants' Association is in favor of the appointment of a commission to carefully study and propose such legislation as will afford Government aid to the development of our merchant marine, exclusively as a product of our own shipyards, but in such form as not to injure or discriminate against other interests. It does not advocate such aid as a requirement of commerce, because commerce has shown its capacity to thrive best under the freest competition among the tonnage of all nations, which induces the lowest rates of freight. That "trade follows the flag" is the merest euphonism, because the slightest acquaintance with commerce convinces us that the carrying flag does not concern the distant consumer, who considers only the quality and price of the wares offered him.

It is, then, purely as an aid to an arm of the national defense that a mercantile marine has any special claim on Government. We have already seen in the Spanish war the need of auxiliary cruisers, scouts, transports, and colliers, and the need of shipyards at numerous and convenient points along our seaboard.

It is idle to claim that legislation has discriminated against shipbuilding in this country, except in so far as the protective tariff did so prior to the liberation of shipbuilding material from its operation and in so far as the present navigation laws impose undue hardship on its operation. Capital in the United States has sought and found more profitable investment in other directions; and as until lately our industries and development were dependent to a great extent on foreign capital, something else must have suffered if shipbuilding had been progressed.

Neither can the neglect of shipbuilding be attributed to the higher wage paid here to labor, because it is admitted that the labor is proportionately better, and is aided by machinery here more than elsewhere. The shipbuilding material being cheaper in this country to-day, labor and material combined, given their character and quality, do not make against us. Plant and organization, however, count for much, and it is against these conditions we must contend until a healthy growth ensues. Whatever may be the reason, it is certain that shipbuilding, except for our coasting trade, has languished, and, under existing conditions, offers no attraction to capital.

In so far, then, as shipyards and a mercantile marine of local construction may be a national need, they are entitled to national assistance.

The Merchants' Association has opposed the subsidy bills proposed to the Fifty-sixth and Fifty-seventh Congresses, because neither one of them would accomplish the end in view, and both were so framed that the subsidy provided for would accrue in its greater part to tonnage of foreign construction and assist in the restraint of commerce.

You will doubtless remember the genesis of the bill proposed to the Fifty-sixth Congress. Senator FRYE some years before appointed a committee of twenty-five citizens to draft a subsidy bill. These citizen were, for the most part, owners of tonnage and, for a great part, owners of foreign tonnage. Patriotism being thus confronted with self-interest the nature of the measure proposed was less of a surprise in itself than that it found favor in Congress. The committee of twenty-five meeting just prior to the final short session of the Fifty-sixth Congress was not willing to have the true meaning of the bill expounded to it, as it was explained to Senator FRYE, and the committee resolved that the bill must not only become a law but take precedence of appropriation bills and other vital legislation.

The bill proposed to the Fifty-seventh Congress was more carefully drawn to conceal its true significance. An amendment was so strongly urged to limit its application to United States tonnage that a general clause to that effect was adopted before it was reported by the Committee on Commerce. A simple alteration in its provision for a mail subsidy, however, practically nullified the general amendment, because it prohibited a mail service unless through the admission of the tonnage of the famous shipping trust known as the "international mercantile marine."

Thus in the original bill the Postmaster-General was "authorized" to contract with vessels of the United States for the mail service under subsidy, but as amended he was "directed" to do so. This mandatory legislation would leave him no option to provide for the necessary mail service failing an adequacy of United States tonnage, and the demands of commerce would make it necessary forthwith to rescind the legislation or admit the fleet of the shipping trust to its operation. The activity of one influential member of the shipping trust to influence the action of a shipping organization; the urgent interest displayed in Washington by another influential member of the trust, and the public utterances of its president left no doubt of the correctness of this theory if it was otherwise open to doubt.

The Department of Commerce and Labor, in the Daily Consular Reports for April 2, 1904, on page 11, has the following on German shipbuilding:

As was said at the beginning of the preceding chapter, the moral support of the Imperial Government has done more for the merchant marine than its financial aid. The business interests of the Empire, well-armed with the best educational qualifications, have been the backbone and life thereof. From such sources the enormous amount of capital required to build the shipyards and to construct new vessels has been forthcoming.

Most of the vessels which have been and are being built are not a result of the subventions, but rather of the opportunities still existing for transoceanic carriers.

From these sources of expert evidence the only conclusions that can be drawn are that subsidies are unnecessary and, when adopted, unsatisfactory; that the principle on which they are founded is a vicious one and at variance with free government.

Then, when subsidies have been granted by this Government, notably to the American Line, which has already received a bounty of more than $6,000,000, it is claimed by the management of that line that the profit comes largely from the unsubsidized Red Star

Line, owned by the same company, but flying the Belgian flag. If this is true, it settles the question of Government aid.

Our friends on the majority side of the committee assert that the freight paid on our foreign commerce exceeds $200,000,000 annually, which it is claimed is a loss to our people. This is misleading, as more than two-thirds of this sum is on exports, and the freight is paid by the purchaser abroad, who would naturally prefer vessels flying the flag of his own country.

Freights on imports are paid by our merchants and business men, but at low competitive rates. Subsidies, therefore, will not help either class of shippers, as freights will always go where the lowest rates can be obtained.

Mr. William W. Bates, formerly United States Commissioner of Navigation, and author of The American Marine and American Navigation, standard works, fully discusses the rise and fall of our shipping. He shows that under the old system of discriminating duties and tonnage taxes, introduced by the fathers of the Democratic party, our shipping increased, and that when we entered into reciprocal treaties with Great Britain and afterwards with other nations our commerce fell off.

This authority freely and intelligently discusses the various plans proposed for the fostering of a merchant marine, including subsidies, and decides against it as a shipping expert and as an American citizen and patriot. And while he agrees with both sides of the House in the desire to abandon the present "reciprocal," "free competition," "Government hands-off" policies, yet his remedy is not subsidies, but the "trade regulation" under which our once world-famous shipping was built up.

The bill (No. 7056) submitted by the majority of the committee is uncalled for, against public policy, and should not receive the approval of Congress.

The report of the minority, if adopted, will place the whole matter where it properly belongs—with the committee of Congress having jurisdiction of the matter, thus avoiding vexatious delay, unnecessary expense, and bringing us nearer to some definite and satisfactory solution of this vexed problem that affects the nation.

I desire to close my remarks with the following from the minority report of the committee on this proposition and now before you:

OUR PLAN OF RELIEF.

The merchant marine of this nation, in its early history, was built up as if by magic by the policy of discriminating duties and tonnage taxes.

It is the only system which has proved successful.

All others now proposed are at best mere experiments—guesswork.

We see no insuperable obstacles in the way of its present successful adoption.

The navigation interests of the United States languished before the Constitution was adopted, and one of the principal, if not the most potent, factors in bringing about its adoption was the urgent demand for uniform regulations of commerce in favor of our home marine.

In 1789 we were carrying 17 per cent of our imports and 30 per cent of our exports. One of the first acts of the First Congress was to establish a tonnage tax of 6 cents on home vessels and 50 cents on foreign vessels entering our ports, and a rebate of 10 per cent of tariff duties on goods imported in American vessels.

Without going into further details of measures passed, the result of this system was that our marine advanced by leaps and bounds, so that in 1794 we carried 91 per cent of our imports and 86 per cent of our exports in American bottoms. This flattering condition continued in unabated vigor, except temporarily during the war of 1812, until high-water mark was reached in 1825, when we carried over 95 per cent of our imports and 89 per cent of our exports.

On the statute books of the United States the discriminating-duty system still stands in apparent force, but its vitality has been wiped out by a system of trade conventions with foreign nations, by which their vessels are placed on a level with ours in the ports of the United States.

Not to burden this report with details, it may be fairly said these treaties began to take full effect about 1828, and from that time until now our carrying trade has steadily declined. We lost about 1 per cent a year for thirty years until the civil war. It revived slightly after the war, but again drooped and dwindled, and under this system we now carry about 9 per cent of our traffic.

Many volumes have been written about these things, torrents of debate have poured forth, and many are the theories presented for our consideration, but the "short and simple annals" of our foreign carrying trade are contained in the foregoing. Theory may be piled on theory, but the simple fact is, experience proves that a moderate discriminating duty will accomplish what we all want—and no nation can justly take offense.

Mr. HUMPHREY of Washington. Mr. Speaker, I am in favor of this bill because I believe it will bring to the attention of the country the deplorable condition of our merchant marine. When that condition is fully realized, and when the people fully understand what such condition means to the prosperity, the independence, and the safety of the country, I have little fear that a way will be found, and found quickly, to remedy this condition—a condition that is to-day the most alarming in our national life. We once were one of the leading sea powers of the world. Our ships sailed every sea; but to-day our flag is but a legend, a memory in most of the ports of the world.

In 1826 we reached the high tide of our commercial greatness on the sea. In that year our foreign trade amounted to $162,569,799, and of this amount 92¼ per cent was done by American ships. From 1821 to 1842 was the golden era of American commerce upon the ocean. Then our ships entered every port bearing our products, and returning brought the wares of the world to our shores. During those twenty-two years the foreign trade of our country amounted to $4,413,000,000, and of this vast amount our own ships carried more than 86 per cent.

From that time until now our carrying on the sea has steadily declined.

The present condition of our merchant marine is deplorable, humiliating, and discreditable. Last year from New York there sailed for Europe 265 steamships. Of these, only 6 bore the American flag. There sailed from New York to Australia 8, and on not one did our flag appear. From New York to Africa there were 12, and not one American. From New York to China, Japan, and the Far East, 17, and not one American. From New York to South America, 50, and not an American. From New York to Cuba, West Indies, and Mexico, 71; American, 22. From Baltimore to foreign ports, 73; American, 3. From Boston and Charlestown to foreign ports, 74; American, 9. From Newport News to foreign ports, 18; American, none. From Portland, Me., to foreign ports, 6, all British. From Passamaquoddy, Me., to foreign ports, 4; American, 2. From Galveston to foreign ports, 249, and not one American. From Mobile, Ala., to foreign ports, 43; American, none. From New Orleans to foreign ports, 127; American, 5. From Pensacola to foreign ports, 44; American, none. From Alaska to foreign ports, 39; American, 31. From Tampa, Fla., 3; all American. From Hawaiian ports, 15; American, 6. From Port Townsend, Wash., 88; American, 16. From San Francisco, 61; American, 26. From Porto Rico, 37; American, 2. From Philadelphia, 64, and not one American. It seems to me that it is time for that historic old city to sign a new Declaration of Independence.

The total number of steamships engaged in our foreign trade last year was 1,368, and of all that number only 133 bore the Stars and Stripes. But to-day, while we are the greatest manufacturing nation on earth, while we are the greatest agricultural nation of earth, while we are the greatest exporting nation of the earth, while the balance of trade in our favor last year was $400,000,000, while our foreign trade carried in ships for 1903 was $2,240,797,420, yet this mighty nation of ours, bounded by two great oceans, with its great coast line, with its magnificent ports, with its inexhaustible resources, its immeasurable wealth, its tremendous energy, carried but about 5 per cent of this trade. We paid to the foreigner for carrying the remainder the enormous sum of $200,000,000.

It is a well-known fact, stated by the highest authority, that during the Spanish war, even had we possessed another naval fleet, we had not the officers and men to equip it. It is equally well known that our Government was compelled by foreign nations to pay exorbitant prices for inferior crafts during this war, and we all know that there can not exist a navy truly great without a merchant marine, yet this necessary auxiliary to our Navy is almost entirely neglected, while we contribute to build up the auxiliaries of foreign navies $200,000,000 annually. What do these figures mean?

They mean that we actually pay for the benefit of the foreigner a sum ten times greater than the interest on the national debt; a sum equal to all the customs duties we collect; a sum more than twice what we are spending to build up and maintain our Navy; a sum twice as great as we spend to maintain our Army; it is half as great as the entire cost of our war with Spain; it is a sum far greater than all the pensions we are paying to all our soldiers for all our wars; it means that more than a half million dollars each day is paid to foreign labor; that more than a half million dollars each day is taken from American labor and given to the foreigner; it means that a half million dollars in wages leaves this country each day that could remain at home. Not only are we paying this vast sum to foreign labor, but we are training foreign sailors, building foreign vessels that may be used against us at any time in event of war. It means that each year we are placing ourselves more and more at the mercy of other nations.

It means that we are constructing for possible enemies their mightiest weapon, that may at any time be used to our destruction. It means that a tribute is to-day levied upon the American farmer, the American merchant, the American mechanic, the American workingman to build up the nations and navies of Europe. These figures demonstrate that we are utterly unable to cope with any of the great powers of the world. These figures tell an alarming story of our national weakness, of our national danger, national neglect, national humiliation, and national disgrace. What a lie these figures give to our boasted assertion that we are a world power. No patriotic American can contemplate these figures without feeling his cheeks redden with the blush of shame. I hope and believe that the future policy of this nation, steadfast and unswerving, will be that American ships, built by American capital in American yards, by American labor paid American wages, manned by American seamen, flying the American flag, shall carry American commerce. [Applause.]

DECADENCE OF OUR MERCHANT MARINE.

Germany in the last two years, within her own shipyards, has built a greater tonnage than the entire tonnage of this country. And yet Germany only has 208,000 square miles of territory and 53,000,000 people. We have 3,622,000 square miles and more than 76,000,000 people. Germany has about 500 miles of coast line, and the United States has about 10,000 miles of coast line. The State of Washington alone which, it is my privilege to represent, has more than three times as much coast line as the German Empire. On Puget Sound alone there are better ports, better facilities, more and better material for shipbuilding than in all Europe combined.

The following table of tonnage for deep-sea commerce strikingly shows the humiliating conditions of our shipbuilding at the present time as compared with some of the other nations:

	Tons.
United States	873,000
Italy	1,180,000
France	1,480,000
Norway	1,660,000
Germany	2,960,000
British Empire	14,800,000

This table shows that the United States actually has to-day 108,000 less tons engaged in foreign commerce than she had ninety-four years ago.

PUGET SOUND.

Puget Sound is greatly interested in having American vessels carry our foreign trade. We are perhaps more vitally interested in building up our merchant marine than any other portion of our country.

On a beautiful and calm May morning away on the farther shores of the Pacific, just as "rosy-fingered morn" had first tinted the tropical sky, a line of battle ships moved slowly into Manila Bay. Then the roar of red-throated cannon startled the nations of earth. The map of the world was changed in an hour. The Stars and Stripes had moved forward halfway round the circle of the earth and was unfurled forever in the portals of the Far East. That day set the seal of future greatness upon the Puget Sound country. That day destined Puget Sound, that great inland sea with the most magnificent harbors of the world, as the gateway to the Orient. That day brought to our very doors 500,000,000 people of the Orient, anxious and waiting for our products.

This nation to-day controls practically one-half of the coast line on this side of the Pacific. With our new possessions, if we are not criminally negligent of our interests, we will to a far greater extent than any other nation control the future commerce of this greatest ocean. The most potent factor in the future commerce of mankind will be the trade with China. This mighty nation with her face to the past, stupid with centuries of superstition, must soon be awakened by the advance of modern civilization. Even as she is now her foreign trade amounts to a million dollars per day. Then what will it be when the mighty latent energy of her mighty people has been turned into modern channels. The future demand of China will control the markets of the world, and if we do our duty we will control the future trade with China.

The great opportunities offered by this oriental trade have not escaped the notice of the commercial world. Japan has already seized the opportunity, and her ships come regularly to our shores. The Boston Steamship Company has a great fleet of magnificent vessels engaged in this trade between Seattle and the Orient. James J. Hill, with that clear vision that has stamped him as one of the great men of his country, as one of the great men of this age, seeing its future possibilities, has just launched for this trade two monster ships, prophetic of this mighty trade, of 30,000 tons that will be the greatest that have ever floated the seas.

THE GREATEST AMERICAN PORT.

A few years ago we had practically no shipping, but for ten months ending October last we sent from Puget Sound to foreign ports 1,112,000 tons, and I take pride in stating that American ships carried more than two-thirds of this amount. Last year we sold to the Philippines $614,000 worth of products and bought from them more than $1,000,000 worth. Puget Sound to-day has the proud distinction of being the only port in the entire country where more tonnage is carried in American than in foreign ships. Blot Puget Sound shipping from the list, and little would be left of the paltry 9 per cent of our products now carried under the American flag.

In 1900 our exports were $12,000,000; in 1901 they were $20,000,000; in 1902 they were $36,000,000. Judging by the last three months, in 1904 they will be $50,000,000. This is the most rapid growth of any port in America, and this is but the beginning. Immediately tributary to this Puget Sound country are the greatest wheat fields that the world has ever known. Not only that, but the great wheat fields of the Middle West send their wheat and the States of the South send their cotton to our wharves.

The greatest and most valuable forests of the continent surround us; but you can not carry the produce of the South and of the Middle West to tide water on the Pacific and then return east with empty cars. But when the cotton of the South comes to Puget Sound and when the wheat of the great Middle West comes to our ports, the cars as they start eastward go loaded with lumber and shingles. The State of Washington has enough standing timber to-day to supply the entire civilized world for years to come. Last year the State of Washington furnished 50 per cent of all the shingles used in this country. They go entirely across the continent. To-day the Puget Sound shingle prevents the rain from falling upon the just and unjust alike from ocean to ocean. The Puget Sound country has solved the mighty problem of modern transportation—loaded cars both ways. This fact is of tremendous import to every raiser of wheat and cotton in the United States. It is of supreme importance to the shipping interests of our section. No other port of the Pacific possesses this advantage. It makes certain our supremacy in the oriental trade.

Thus we stand to-day between the greatest demand, the Orient, and the greatest producer, the United States. We are the gateway to the great oriental trade. So certain as this nation lasts, so certain as the law of supply and demand continues, so certain as the countless millions of the Orient continue to eat, so certain as wheat and cotton continue to grow, so certain will there pass through Puget Sound one of the greatest streams of commerce that the world has ever known. The limit of this trade no man can measure, and it will increase with the years.

WHO SHALL CARRY THIS TRADE?

The vital question to-day is who shall carry this trade? James J. Hill said a few days ago that when his new ships were brought into this trade he would carry a barrel of flour from Minneapolis to Hongkong for 80 cents, but he stated that under present conditions he doubted if he would long be able to continue his boats under the American flag, and added that if he could not do business under the American flag he would do it under another flag.

The American ships on Puget Sound had to compete at our own wharves until the late war with a line of Japanese ships built by cheap labor and operated by cheap labor. At Vancouver, directly on their way to the ocean, they have to compete with a British line of ships built by cheap labor and operated by cheap labor. Not only this, but this Japanese line and this British line are each subsidized by their respective Governments to the extent of more than $300,000 per year. Against these unequal conditions the American lines are making a brave and heroic struggle to hold their part of this great trade until the nation can come to their assistance. They must soon receive help, go under another flag, or be driven from the seas. Shall we, then, by national aid place them on equal terms with other nations and carry our own commerce, or shall we simply transport our products down to the water and there sit down and gaze out on the old ocean and await the pleasure of foreigners, as helpless as if the great Pacific were still an uncharted, unsailed, and unknown sea?

SHIPBUILDING ON THE SOUND.

At Seattle we are building one of the great battle ships of the Navy. We have upon the sound a navy-yard, the only one on the Pacific coast where battle ships can be docked and repaired, and this dock, by law, when not in use by the Government may be used by others. We have several shipyards; we have a great shipbuilding industry; but not in our yards nor upon the Pacific coast, not even in the entire country, has a keel for foreign trade been laid for the last two years. We have at our doors the greatest coal fields west of the Father of Waters. We have the best timber, the best climate, the best ports for shipbuilding in the entire world.

To-day one of the most beautiful of all waterfalls is riveting the mighty steel plates upon one of Uncle Sam's great battle ships. The energy of our mountain streams, if utilized, would furnish sufficient power to turn all the wheels in all the shops necessary to build all the ships that will ever travel the seas, yet, with all these great natural advantages, with all the mighty commerce that is to be carried from our ports, our shipbuilding industry is rapidly declining, and unless something is quickly done, the fires in the furnaces must die, the stroke of the hammers must cease, capital be invested elsewhere, and labor seek other employment, while we pay the foreigner to build ships and carry our products.

IN CASE OF WAR.

Our foreign trade, our foreign markets, our country's prosperity, is entirely at the mercy of foreign nations. During the little Boer war England withdrew sufficient vessels from our trade to increase freight rates on many products more than 150 per cent. It affected the entire trade of the country and was felt by every industry. On the Pacific coast it reduced the price of wheat 25 per cent. During our ninety days' war with decrepit old Spain we had to rely on British vessels, to a great extent, to carry our troops and supplies. Even to-day, in time of peace, we are com-

pelled to send our supplies to our little army in foreign ships. What American is not ashamed and humiliated by this fact? What, then, would be our condition in case of war between England and Germany, or between either of them or any other great power?

Our foreign trade would be vanished from the seas, our foreign markets would be blotted out, our products would rot in field and factory, labor would be forced into idleness, there would be beggary and want, panic and disaster beyond description and beyond comprehension. Industrially we would suffer all the devastations and horrors of war. That such awful disaster may come upon us at any time is entirely within the range of probability. What, then, would be our condition if we were to become engaged in a mighty struggle with some great nation? Were our condition fully understood, the statement of this question alone would be sufficient to arouse the self-interest, the pride, the loyalty of every patriotic American to such an extent that he would demand the immediate construction and control of our merchant marine regardless of the cost. The very statement of this question to-day is sufficient to appall every lover of his country. Let us hope that a lesson so terrible shall not be necessary to compel us to perform our duty.

SUBSIDIES PAID BY OTHER NATIONS.

One-half of the ships that travel the seas to-day are sailing under heavy subsidies. For forty years England has paid as subsidies an average of $5,000,000 annually. Last year she paid $6,000,000. This year she will pay more. In addition, she is going to build a great line of fast steamers to be run between this country and England and make it a gift to a company to operate. Germany pays to her ships as subsidies about $3,000,000 annually, France over $7,000,000, Austria-Hungary over $1,724,000, Spain $1,629,000, Japan, that little country of the Orient that only a few years ago emerged from mediæval darkness, is paying annual subsidies of more than $2,500,000, and as a result she has a magnificent fleet of steamers and is carrying a large part of our commerce on the Pacific. Shall we not profit by the example of others? Shall their experience be no light to us? Shall their success teach us no lesson?

Why are these vast subsidies paid? They call it for carrying the mail, but in reality it is paid to put their products in the markets of the world and to build up an auxilary to their navies.

Millions are to-day being expended to drive our flag from the ocean. Can it be possible that it is worth more to foreign nations to keep our flag from the seas than it is worth to us to keep it on the seas? Shall we, then, hesitate to spend millions if need be to keep it there?

CAUSE OF THE PRESENT CONDITION OF OUR SHIPPING.

Why does the United States, with all its wealth, with all its great foreign trade, with all its energy, fail to carry her part of the commerce of the seas? It is simply a question of wages and subsidy. It costs one-fourth more to build a ship in this country than it does in Europe. Why? Because of higher wages. It costs one-third more to operate an American than a foreign vessel, so far as labor is concerned. Why? Because of higher wages.

I need not stop to cite illustrations, examples, or statistics to prove this assertion, for evidence would have no weight with those who would deny the statement. Add to the price of labor the subsidies and you have the causes that have driven American ships from the ocean. We must overcome this disadvantage of wages, this disadvantage of subsidies by national aid and that quickly, or our shipyards will become desolate places and our flag will entirely disappear from the sea.

FREE SHIPS.

The world's history shows that those who have built ships have navigated them. If we do our own carrying, we must build our own ships. Why is the shipbuilding industry in this country to-day languishing? Because capital can not be profitably invested therein. As long as the world remains as it is men will not engage in an undertaking in which there is no hope of reward. The remedy for this condition advocated by the gentlemen on the other side of the House is registry for all ships bought by American citizens wherever built, or, in other words, their remedy is "free ships." No more is there reason why we should employ foreigners to build our ships than that we should employ foreigners to build our houses.

If we were to make it possible for cheap labor from Europe to come here and construct our buildings, the entire country would protest, and justly so, against the outrage. American labor would rise, as it should, and sweep into eternal oblivion any party that would for a moment advocate such a policy. But the advocate of free ships does more. If the foreigner should come into this country to do our work, we would at least get a part of his wages for supporting him while he was doing it; but when he builds our ships we do not feed him or clothe him or shelter him. We receive the finished product of his toil, wrought in other lands. Of all competition that cheapens American labor, that destroys American prosperity, this is the most dangerous, the most deadly, the most inexcusable.

The doctrine of free ships is the infamous doctrine of free trade on the land applied to the commerce on the seas. Fortunately for this country, fortunately for the wage-earners of this nation, the record of ruin wrought by the last Democratic Administration has made this doctrine "a hiss and a byword" so odious to the American that no man anywhere within the confines of this great Republic has the assurance to stand up and defend this doctrine of disaster and death. For its advocates to disguise it by another name does not make it smell more sweet. [Applause.]

OUR ONLY UNPROTECTED INDUSTRY.

Situated as we are between two great oceans, with our extensive coast line, with our vast interests, it is our duty to assert our rights on the sea as much as it is to protect our interests in our immense domain on the land. This nation has given protection to every industry on land and sea except only our foreign commerce. We have built canals. We are undertaking a great system of irrigation. We are going to unite the waters of two great oceans. We have subsidized our rivers and harbors. Each year as surely as the rivers run to the sea, so certain does there flow millions from the National Treasury into rivers and harbors. We have protected our manufacturing, and we are the greatest manufacturing nation of the earth. The manufactured product of this country is vastly more than that of any other two nations, and the labor engaged therein is the best-paid labor of its class in all the world.

We protect farming, and we are the greatest agricultural nation on earth. The products of this industry last year was more than $4,000,000,000, and the labor engaged therein is the best-paid labor of its class in all the world. We protect mining, and this industry produced last year more than $1,000,000,000, and the labor engaged therein is the best-paid labor of its class in all the world. We have subsidized railroads by money and by land grants of more than 200,000,000 acres, and we have the greatest railway system and the cheapest rates on earth, and the labor engaged in this industry is the best-paid labor of its class in all the world. We have protected our coastwise and lake shipping, and it is the cheapest transportation on earth, and the labor engaged in this industry is the best-paid labor of its class in all the world.

We have protected every industry except the foreign merchant marine, and every other industry has prospered and flourished beyond those of any other nation in all the world's history. While forty years ago we carried three times as much foreign commerce as we carry to-day, yet to-day we have four times as much commerce as we had forty years ago. This, our only unprotected industry, is the only one in which American labor and American capital has practically no part. It is the only one in which foreign labor and foreign capital has driven out American labor and American capital. It is the only unprotected industry, and it is the industry that charges the highest rates, gives the poorest returns on the investment, and pays the lowest wages of all American industries.

THE BENEFIT TO LABOR.

The workingmen of this country are more deeply interested in this question than any other class. Thousands of foreigners are to-day performing labor that should be done at home. It is the workingman who is losing most by having our commerce carried by others. It is the workingman whose work and wages are taken from him. This loss of work and this loss of wages affect the laboring class more directly than any other. If we were to pay $50,000,000 annually in subsidies and that payment would cause us to build our own ships and in them carry our own trade, this sum, vast as it is, would return to us more than threefold each year in wages alone.

To build our own ships and do our own carrying would give investment to more than $700,000,000, and would give employment to 500,000 men, who would earn more than a million dollars in wages each day. Even this is not the limit that would be given to the employment of labor. Labor must fell the trees in the forest; labor must move the timber and operate the mills to manufacture the lumber; labor must dig from mines the coal and the iron for the furnaces and forges; labor must transport these products from mine and mill to the shipyards. The farmer must furnish bread and clothing for all these countless toilers. This question touches every interest, every class, and every section.

This is a question that directly interests all who by the sweat of their face eat bread. It is a question that enters into every family; that comes to every fireside in America. It is one of the highest purposes, one of the most sacred duties of the Government, to give its work and its wages to its own. Yet each day's sun sees this nation take from American labor a million dollars in work and a million dollars in wages and give them to those of another land, owing allegiance to another flag.

ALL BENEFICIAL LAWS REPUBLICAN.

Every law that has been written upon our statute books in forty years that added to the prosperity, the greatness, or the glory of our country has been made and written by the Republican party in opposition to the Democratic party. By laws written by the Republican party in opposition to the Democratic party we have become the greatest manufacturing, the greatest mining, the greatest farming, the greatest selling, and the wealthiest nation in all the world's history. In all industries upon land we stand supreme, and the Republican party, in spite of Democratic opposition, is going to write a law upon our statute books that will restore the ancient prestige and greatness of our merchant marine, that will cause our own ships to plow every sea and our flag to fly in every port of the world. [Applause on the Republican side.]

REMEDY.

The whole country is awakened to the imperative necessity of aid for our merchant marine. Even in the Middle West, where a few years ago there was much opposition to national aid being given, they have become aroused to its need, and our committee has been receiving communications from many of the commercial bodies of that great section urging us to enact some law that will bring relief. That something should be done is no longer a question. The only question to-day is, How shall we do it? What method should be adopted? To ascertain a remedy is the principal object of this bill. I am in favor of anything that will give us American ships to carry American trade, provided it be not done at the expense of some other American interests. If discriminating duties will accomplish this result, then I am in favor of discriminating duties. If subsidies will produce this result, then I am in favor of subsidies. If the two combined will produce this result, then I am in favor of the combination. As the gentlemen on the other side of the House have expressed themselves as opposed to certain measures, so I, too, am opposed to some proposed remedies. I am opposed to buying ships built in other countries—to free ships. I am opposed to any system that gives another nation work that can be done at home; that gives investment to foreign capital that should be given to American capital. I am opposed to any plan that will send our money abroad. I am not in favor of any scheme that would remove the tariff upon articles the like of which are produced in our country.

I am not in favor of trying the delusion of free trade either on land or sea. I oppose any plan that will reduce American wages. I am eternally and everlastingly opposed to any scheme—in any shape, in any form—that will not give the investment to American capital and the employment to American labor. [Applause.]

Free trade! Free silver! Free ships! The Democratic trinity of darkness! No longer dare its worshipers bow down to the first two except in secret; and when we have an opportunity to tear off the mask of the third and expose it in all its hideous deformity, we will compel them to recant as to it as vehemently as they are to-day denying free trade and free silver. [Applause.]

THE RESULT.

To build up a merchant marine sufficient to carry our own trade is a question that interests the entire country. It would increase our exports. It would widen our foreign markets. It would reduce freight. It would increase the price of what we sell. It would decrease the price of what we buy. It would build up our shipyards. It would increase the demand for labor. It would increase the wages of those who work. It would keep at home more than a half million dollars every twenty-four hours that now goes to Europe. It would give to American labor more than a million dollars each day.

It would benefit all trades, all classes, all sections. It would return to the nation manyfold every dollar given it. It would make us independent of every other nation on earth. It would make our flag more revered at home and more respected abroad. It would give us an auxiliary that will make our Navy really great. It would protect us in war and add to our wealth in peace. It would make the great Republic truly a world power—the mightiest nation ever builded by the children of men. [Applause.]

DEMOCRATIC OPPOSITION.

The gentlemen on the other side of the House tell us that they are opposed to this bill. We being for this bill, of course they are against it. Had we been against it, they of necessity would have been for it. To wait until the Republican party has taken a position and then oppose it is the highest intellectual feat that the Democratic party has performed in a third of a century. Their opposition to this bill will create no impression in the minds of the people that it should not be passed.

If there is one thing that characterizes the Democratic party, it is its overwhelming desire to advise and its eternal failure to perform. As I have sat in this House day after day and listened to the ever-ready, never-ending, gratuitous advice coming from the other side of the House, I have wondered what has given birth to this assurance, this self-asserted wisdom. Why are the gentlemen so confident that they know all things? Why should a party that brought upon us the horrors of the last Democratic Administration, that went hysterical over free silver, a party that has learned nothing in forty years, a party that has forgotten nothing in forty years, a party that has not kept a promise in forty years, a party that has not been right in forty years—why should this party assume that with it wisdom shall perish from the earth? [Applause.]

The people of this country only once in forty years have listened to Democratic promises and followed Democratic advice and placed that party in power. Then that party revised the tariff; it enacted the Wilson law, that the gentleman from New York [Mr. COCKRAN] has so eloquently condemned, and that law withered our prosperity as do the hot winds of the desert the blossoming harvests. That party applied to the land the doctrine they now advocate for the sea. During that Democratic Administration our national debt increased a half million dollars each day. Each day we lost a half million dollars in foreign trade. During that Administration the value of farm products decreased more than $500,000,000. The business of this nation in two months after the enactment of the Wilson law decreased 6 per cent. Immediately upon the passage of that law fear, distrust, and panic paralyzed the great industrial system of our country; banks closed their doors; business houses assigned; the balance of trade was against us; bonds were issued; capital withdrew from the fields of legitimate enterprise into secret places; labor was forced into unwilling idleness; we had deserted mills, smokeless factories, silent machinery.

We had tramps and beggars and industrial armies, starving women and children. In the midst of plenty, with bountiful crops rottening unharvested in the field, at a million hearthstones sat famine pitiless and cruel. Two million men were out of employment and begging for work—begging for an opportunity to earn bread to feed the starving lips of those they loved. William McKinley was elected, the system of protection was restored, and in eight months 1,000,000 idle men had gone to work.

What has the Democratic party done to command confidence that gives it a right to assume to advise the American people? The Democratic party asks always to be judged by the future and not by the past. It always asks to be judged by its promises and not by its performances.

That party in fifty years has added nothing to progress; nothing to the sum of human happiness; nothing to the cause of liberty; nothing to freedom; nothing to the glory of its country. It always goes into partnership with calamity. It feeds on disaster and fattens on despair. The only time it has had control of this country during this generation it shut the door of industry and clothed labor in rags. It fought under the dishonored banner of free silver; it subscribed to the driveling stupidity that a nation can create value by law—that the Government could stamp a lie upon 50 cents worth of silver and make it a dollar. It opposed keeping our flag in the Orient, and advocated that it be lowered in retreat and trailed in the dust of dishonor.

The Democratic party always has its face to the past and its back to the future. It never sees an opportunity until it is past, and never gets on the right side of any issue until it is settled.

Such is the record of this self-constituted keeper of the country's conscience and the country's welfare, the oft-defeated, discouraged, disorganized, disgraced, divided, decrepit old Democratic party. It stands to-day without an issue, without a principle, without a policy, without a platform, without a leader, and without hope. The highest possible praise the Democratic party can bestow upon this bill is its opposition. [Applause.]

Mr. GROSVENOR. Mr. Speaker, I ask for the previous question upon the amendments and upon the bill to its final passage.

The SPEAKER. The gentleman from Ohio [Mr. GROSVENOR] moves the previous question upon the amendments and the bill to its final passage.

Mr. GROSVENOR. I withdraw the previous question for a moment and yield to the gentleman from California [Mr. LIVERNASH] to offer an amendment, after which I yield to the gentleman from Michigan [Mr. LUCKING] for the same purpose; and then I will renew the call for the previous question.

The following amendment, offered by Mr. LIVERNASH, was read:

Amend by striking out the final period of the amendment of section 2, inserting a comma, and adding thereafter the following:

"And also what change or changes, if any, should be made in existing laws relating to the treatment, comfort, and safety of seamen, in order to make more effective the seafaring calling in the American Merchant Marine."

Mr. GROSVENOR. Mr. Speaker, I offer an amendment myself.

The SPEAKER. If there be no objection, the amendment will be received. The Chair hears none.

Mr. GROSVENOR. In section——

Mr. BARTLETT. Mr. Speaker, we desire to know what became of that amendment. Was it voted upon?

The SPEAKER. It is pending.

Mr. GROSVENOR. In section 2 of the bill, after the word "legislation," I offer the amendment to insert the words "if any." Now, Mr. Speaker, I ask the previous question on the bill and amendments to the passage of the bill.

Mr. WILLIAMS of Mississippi. I hope the gentleman will not do that.

The SPEAKER. The Clerk will report the amendment.

Mr. WILLIAMS of Mississippi. It was the impression on this side of the Chamber that we would not vote until 5 o'clock.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 2, line 10, after the word "legislation," insert "if any."

Mr. LUCKING rose.

The SPEAKER. Does the gentleman from Ohio yield to the gentleman from Michigan for an amendment?

Mr. GROSVENOR. I yield to the gentleman from Michigan to send up his amendment.

Mr. LUCKING. The amendment is at the Clerk's desk.

The SPEAKER. Without objection, the following amendment will be offered and considered as pending. The Chair hears no objection.

The Clerk read as follows:

At the end of section 2 insert:

"*Provided*, That no plan or policy shall be reported or recommended which involves the payment of subsidies or bounties from the Treasury of the United States."

The SPEAKER. Upon the bill and amendments to the final passage the gentleman from Ohio demads the previous question.

Mr. WILLIAMS of Mississippi. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS of Mississippi. My understanding of the nature of the rule was that it merely put this bill upon the Calendar as a privileged question; but there was nothing in the rule that precluded the right of amendment.

The SPEAKER. And the gentleman from Ohio, under the rules of the House, is proceeding to move the previous question——

Mr. WILLIAMS of Mississippi. I hope the gentleman will not do that.

Mr. GROSVENOR, The time has been occupied on the Democratic side of the House.

Mr. WILLIAMS of Mississippi. Let us vote at 5 o'clock. There will be no objection to the previous question then, I assure the gentleman. My understanding was——

The SPEAKER. The gentleman will please suspend.

Mr. WILLIAMS of Mississippi. I thought the gentleman yielded to me.

The SPEAKER. Ah, but the Chair had the floor, answering the gentleman's question. [Laughter.]

Mr. WILLIAMS of Mississippi. I am always glad when the Chair has the floor.

Mr. GROSVENOR. I have not yielded to the gentleman from Mississippi.

The SPEAKER. The gentleman from Ohio yielded to the gentleman from California [Mr. LIVERNASH] to offer an amendment, which he did. Then, by unanimous consent, the gentleman from Michigan [Mr. LUCKING] and the gentleman from Ohio [Mr. GROSVENOR] each offered an amendment, which amendments are pending; and upon the amendments and the bill to the final passage the gentleman from Ohio demands the previous question.

Mr. LUCKING. Mr. Speaker——

Mr. WILLIAMS of Mississippi. Now, Mr. Seaker, a parliamentary inqury. Why was it that any unanimous consent was necessary in order that the gentlemen should offer their amendments? There is nothing in the rule cutting off amendment, and the previous question has not been ordered.

The SPEAKER. Precisely; but the previous question is demanded. It is in the power of the majority to order it otherwise. The special order does not affect it. We are proceeding under the rules of the House.

Mr. LUCKING. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. LUCKING. I wanted to state that the previous question was called rather suddenly, and there are several gentlemen who want leave to print.

Mr. GROSVENOR. I ask unanimous consent——

Mr. WILLIAMS of Mississippi. I shall not object to any leave to print if it be upon the subject-matter of the bill.

Mr. LUCKING. That is all.

Mr. GROSVENOR. If the gentleman will allow me to finish my suggestion—I ask unanimous consent that general leave to print be given for five days upon the subject-matter of the pending bill.

The SPEAKER. Is there objection?

Mr. BAKER. I object, Mr. Speaker, and I want to state the reason for doing it——

The SPEAKER. That is not in order.

[Mr. BAKER continued to address the House.]

The SPEAKER. The gentleman will be seated. The Reporters will omit everything that has passed since the gentleman was called to order. The question now is on the previous question.

Mr. LUCKING. Mr. Speaker, my request was not acted upon, to allow two or three gentlemen, who specially ask it, including myself, leave to print.

The SPEAKER. The Chair awaits the pleasure of the House. If the gentleman from Ohio withholds his demand for the previous question——

Mr. GROSVENOR. I do not understand what the gentleman says.

Mr. LUCKING. I ask unanimous consent that I, "Mr. LUCKING, of Detroit," may have permission to print my remarks on this bill.

Mr. GROSVENOR. I will join with the gentleman from Washington [Mr. HUMPHREY], and I will make no objection.

Mr. LUCKING. There is also Mr. BURTON, of Ohio, to whom I had agreed to give ten minutes, but who was called away. My time has been cut off; and Mr. BAKER, of New York.

The SPEAKER. The gentleman asks unanimous consent that himself—and he accepts the amendment of the gentleman from Ohio, that Mr. HUMPHREY of Washington be included—be permitted for five legislative days to file his remarks on this bill. Is there objection?

Mr. WILLIAMS of Mississippi. Mr. Speaker, with the gentleman from Ohio [Mr. BURTON] and the gentleman from Mississippi [Mr. SPIGHT] and the gentleman from New York [Mr. GOULDEN], who are upon the committee, and the gentleman from New York [Mr. BAKER]——

Mr. BAKER. I do not want it on this bill.

Mr. PAYNE. If this is to be included, I shall have to demand the regular order.

The SPEAKER. Objection is made.

Mr. GROSVENOR. I ask for the previous question.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WILLIAMS of Mississippi. Division, Mr. Speaker.

The House divided; and there were—ayes 175, noes 141.

Mr. WILLIAMS of Mississippi. Let us have tellers, Mr. Speaker.

The SPEAKER. The gentleman from Mississippi demands tellers.

Mr. GROSVENOR. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 155, nays 125, answered "present" 14, not voting 87, as follows:

YEAS—155.

Acheson,	Deemer,	Howell, N. J.	Patterson, Pa.
Adams, Pa.	Dixon,	Howell, Utah	Payne,
Adams, Wis.	Douglas,	Huff,	Perkins,
Alexander,	Draper,	Hughes, W. Va.	Porter,
Babcock,	Dresser,	Humphrey, Wash.	Powers, Me.
Bartholdt,	Driscoll,	Jackson, Ohio	Powers, Mass.
Bates,	Dunwell,	Jones, Wash.	Reeder,
Beidler,	Dwight,	Kennedy,	Roberts,
Bingham,	Esch,	Ketcham,	Scott,
Birdsall,	Evans,	Kinkaid,	Shiras,
Bishop,	Flack,	Kyle,	Slemp,
Bonynge,	Fordney,	Lacey,	Smith, Ill.
Boutell,	Foss,	Lanning,	Smith, Iowa
Brandegee,	Foster, Vt.	Lawrence,	Smith, Samuel W.
Brick,	French,	Littlefield,	Smith, N. Y.
Brooks,	Gaines, W. Va.	Livernash,	Smith, Pa.
Brown, Pa.	Gardner, Mass.	Longworth,	Southard,
Brown, Wis.	Gardner, Mich.	Loudenslager,	Southwick,
Brownlow,	Gardner, N. J.	Lovering,	Spalding,
Buckman,	Gibson,	McCarthy,	Sperry,
Burke,	Gillet, N. Y.	McCleary, Minn.	Steenerson,
Burkett,	Gillett, Cal.	McCreary, Pa.	Sterling,
Butler, Pa.	Gillett, Mass.	McLachlan,	Stevens, Minn.
Calderhead,	Goebel,	McMorran,	Tawney,
Campbell,	Graff,	Mahon,	Thomas, Iowa
Capron,	Greene,	Mann,	Tirrell,
Cassel,	Grosvenor,	Marsh,	Townsend,
Conner,	Hamilton,	Marshall,	Van Voorhis,
Cooper, Pa.	Haskins,	Martin,	Volstead,
Cousins,	Haugen,	Miller,	Vreeland,
Cromer,	Hedge,	Morgan,	Wachter,
Crumpacker,	Hemenway,	Morrell,	Weems,
Currier,	Henry, Conn.	Needham,	Wiley, N. J.
Curtis,	Hepburn,	Norris,	Williamson,
Cushman,	Hermann,	Olmsted,	Wilson, Ill.
Dalzell,	Hildebrant,	Otis,	Wright,
Daniels,	Hill, Conn.	Otjen,	Wynn,
Davis, Minn.	Hitt,	Overstreet,	Young.
Dayton,	Hogg,	Parker,	

NAYS—125.

Aiken,	Flood,	Lamb,	Russell,
Baker,	Gaines, Tenn.	Lewis,	Scarborough,
Bankhead,	Garner,	Lind,	Shackleford,
Bartlett,	Gilbert,	Lindsay,	Sheppard,
Bassett,	Glass,	Little,	Sherley,
Beall, Tex.	Goldfogle,	Livingston,	Shull,
Bell, Cal.	Granger,	Lloyd,	Sims,
Benny,	Gregg,	Lucking,	Smith, Ky.
Benton,	Griffith,	McAndrews,	Smith, Tex.
Bowers,	Gudger,	McLain,	Snook,
Bowie,	Hamlin,	Macon,	Southall,
Brantley,	Hardwick,	Maddox,	Spight,
Breazeale,	Harrison,	Meyer, La.	Stanley,
Brundidge,	Hearst,	Moon, Tenn.	Stephens, Tex.
Burleson,	Henry, Tex.	Padgett,	Sullivan, Mass.
Burnett,	Hill, Miss.	Page,	Sullivan, N. Y.
Caldwell,	Hitchcock,	Patterson, N. C.	Swanson,
Candler,	Hopkins,	Patterson, Tenn.	Taylor,
Cassingham,	Houston,	Pierce,	Thayer,
Clark,	Howard,	Pou,	Thomas, N. C.
Clayton,	Hughes, N. J.	Pujo,	Underwood,
Cochran, Mo.	Humphreys, Miss.	Rainey,	Van Duzer,
Cockran, N. Y.	James,	Randell, Tex.	Wade,
Cowherd,	Johnson,	Ransdell, La.	Wallace,
Crowley,	Jones, Va.	Richardson, Ala.	Webb,
De Armond,	Kehoe,	Richardson, Tenn.	Wiley, Ala.
Dickerman,	Keliher,	Rider,	Williams, Ill.
Dinsmore,	Kitchin, Claude	Rixey,	Williams, Miss.
Dougherty,	Kitchin, Wm. W.	Robertson, La.	Zenor.
Field,	Kline,	Robinson, Ark.	
Finley,	Kluttz,	Robinson, Ind.	
Fitzgerald,	Lamar, Mo.	Rucker,	

ANSWERED "PRESENT"—14.

Adamson,	Burton,	Landis, Chas. B.	Ryan,
Allen,	Denny,	Legare,	Sherman.
Bede,	Hay,	Maynard,	
Bradley,	Knopf,	Miers, Ind.	

NOT VOTING—87.

Ames,	Garber,	McCall,	Sibley,
Badger,	Gillespie,	McDermott,	Slayden,
Bowersock,	Gooch,	McNary,	Small,
Broussard,	Goulden,	Mahoney,	Smith, Wm. Alden
Burgess,	Griggs,	Metcalf,	Snapp,
Burleigh,	Hinshaw,	Minor,	Sparkman,
Butler, Mo.	Holliday,	Mondell,	Stafford,
Byrd,	Hull,	Moon, Pa.	Sulloway,
Castor,	Hunt,	Mudd,	Sulzer,
Connell,	Hunter,	Murdock,	Talbott,
Cooper, Tex.	Jackson, Md.	Nevin,	Tate,
Cooper, Wis.	Jenkins,	Palmer,	Trimble,
Darragh,	Knapp,	Pearre,	Vandiver,
Davey, La.	Lafean,	Pinckney,	Wadsworth,
Davidson,	Lamar, Fla.	Prince,	Wanger,
Davis, Fla.	Landis, Frederick	Reid,	Warner,
Dovener,	Lester,	Rhea,	Warnock,
Emerich,	Lever,	Robb,	Watson,
Fitzpatrick,	Lilley,	Rodenberg,	Weisse,
Foster, Ill.	Littauer,	Ruppert,	Wilson, N. Y.
Fowler,	Lorimer,	Scudder,	Woodyard.
Fuller,	Loud,	Shober,	

So the previous question was ordered.

Mr. SLAYDEN. Mr. Speaker, I would like to be recorded.

The SPEAKER. Was the gentleman present, giving his attention, when his name should have been called, and failed to hear it?

Mr. SLAYDEN. The fact is, I was listening to a story at the moment.

The SPEAKER. The gentleman does not bring himself within the rule.

Mr. RYAN. Mr. Speaker, is the gentleman from New York [Mr. WADSWORTH] recorded as voting?

The SPEAKER. He is not.

Mr. RYAN. Then I withdraw my vote, and ask to be recorded as "present."

The name of Mr. RYAN was called, and he voted "present."

The following pairs were announced:

Until further notice:

Mr. MINOR with Mr. LAMAR of Florida.

Mr. FOSTER of Vermont with Mr. POU.

Mr. DAVIDSON with Mr. SPARKMAN.

Mr. LILLEY with Mr. REID.

Mr. KNOPF with Mr. WEISSE.

Mr. FULLER with Mr. BYRD.

Mr. WARNER with Mr. LESTER.

Mr. CONNELL with Mr. BUTLER of Missouri.

Mr. DARRAGH with Mr. DAVIS of Florida.

Mr. DOVENER with Mr. TRIMBLE.

Mr. HOLLIDAY with Mr. MIERS of Indiana.

Mr. LORIMER with Mr. MAHONEY.

Mr. ALLEN with Mr. SMALL.

Mr. WARNOCK with Mr. ROBB.

Mr. WM. ALDEN SMITH with Mr. MCNARY.

Mr. BEDE with Mr. BURGESS.

Mr. METCALF with Mr. WILSON of New York.

For the remainder of the session:

Mr. SIBLEY with Mr. DAVEY of Louisiana.

Mr. FREDERICK LANDIS with Mr. LEGARE.

Mr. SHERMAN with Mr. RUPPERT.

Mr. HUNTER with Mr. RHEA.

Mr. SNAPP with Mr. FOSTER of Illinois.

Mr. CHARLES B. LANDIS with Mr. TATE.

Mr. BRADLEY with Mr. GOULDEN, on subsidy bill.

Mr. WADSWORTH with Mr. RYAN, on commission bill.

Mr. BURLEIGH with Mr. HUNT, until April 25.

For this day:

Mr. FOWLER with Mr. SCUDDER.

Mr. MUDD with Mr. DENNY.

Mr. NEVIN with Mr. PINCKNEY.

Mr. WOODYARD with Mr. SHOBER.

Mr. PRINCE with Mr. MCDERMOTT.

Mr. MURDOCK with Mr. GARBER.

Mr. MOON of Pennsylvania with Mr. EMERICH.

Mr. PEARRE with Mr. GRIGGS.

Mr. SULLOWAY with Mr. GILLESPIE.

Mr. PALMER with Mr. VANDIVER.

Mr. BOWERSOCK with Mr. TALBOTT.

Mr. WANGER with Mr. ADAMSON.

Mr. RODENBERG with Mr. MAYNARD.

Mr. HULL with Mr. HAY.

Mr. JENKINS with Mr. LEVER.

Mr. LOUD with Mr. FITZPATRICK.

Mr. WATSON with Mr. GOOCH.

Mr. AMES with Mr. BADGER.

Mr. CASTOR with Mr. BROUSSARD.

Mr. LITTAUER with Mr. SULZER.

Mr. KNAPP with Mr. COOPER of Texas.

Mr. LAFEAN with Mr. SLAYDEN.

Mr. ADAMSON. Mr. Speaker, I voted "no." I understand that my friend from Pennsylvania [Mr. WANGER] was present. Has he voted?

The SPEAKER. He is not recorded.

Mr. ADAMSON. Then I desire to change my vote.

The name of Mr. ADAMSON was called, and he voted "present."

The result of the vote was then announced as above recorded.

The SPEAKER. Is a separate vote demanded on the committee amendments?

Mr. WILLIAMS of Mississippi. Mr. Speaker, I desire a separate vote on each amendment.

The SPEAKER. On the committee amendments or the other amendments?

Mr. WILLIAMS of Mississippi. On each committee amendment.

The SPEAKER. The Clerk will report the first committee amendment.

The Clerk read as follows:

On page 1, after the word "follows," line 4, strike out all down to the word "Speaker," line 1, page 2, and insert "five members of the Senate of the United States and five Members of the House of Representatives of the United States, to be appointed by the presiding officer of each House of Congress, respectively."

The question was taken; and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 2, in line 9, after the word "Congress," strike out the word "at" and insert "on the first day of."

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 2, line 12, strike out all of section 2 after the word "commerce."

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 2, line 24, strike out "fifty" and insert "twenty."

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Page 3, line 1, after the word "section," insert "to be paid upon vouchers to be approved by the chairman of the commission."

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report now the amendment offered by the gentleman from Ohio.

The Clerk read as follows:

Page 2, line 10, after the word "legislation," insert "if any."

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from California.

The Clerk read as follows:

Amend by striking out the final period in section 2, insert a comma, and add thereafter the following: "and also what change or changes, if any, should be made in existing laws relating to the treatment, comfort, and safety of seamen in order to make more attractive the seafaring calling in the American merchant marine."

Mr. GROSVENOR. Will the Clerk tell me where that comes in? I do not quite understand where that comes in.

Mr. MANN. At the end of section 2.

Mr. GROSVENOR. It follows the word "commerce."

Mr. MANN. Yes.

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Michigan.

The Clerk read as follows:

In section 2, at the end thereof, insert: "*Provided*, That no plan or policy shall be reported or recommended which involves the payment of subsidies or bounties from the Treasury of the United States."

Mr. GROSVENOR. Mr. Speaker, I object to that.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. WILLIAMS of Mississippi. Division, Mr. Speaker.

The House divided; and there were—ayes 114, noes 161.

Mr. WILLIAMS of Mississippi. Mr. Speaker, let us have the yeas and nays.

Mr. LIND. Mr. Speaker, may we have the amendment reported again? I ask unanimous consent that the amendment be again reported.

Mr. GROSVENOR. I object.

The yeas and nays were ordered.

The question was taken; and there were—yeas 124, nays 136, answered "present" 17, not voting 104, as follows:

YEAS—124.

Aiken,	Gaines, Tenn.	Lamb,	Scarborough,
Baker,	Garner,	Lewis,	Shackleford,
Bankhead,	Gilbert,	Lind,	Sheppard,
Bartlett,	Glass,	Lindsay,	Sherley,
Bassett,	Goldfogle,	Little,	Shull,
Beall, Tex.	Granger,	Livernash,	Sims,
Bell, Cal.	Gregg,	Livingston,	Slayden,
Benny,	Griffith,	Lloyd,	Smith, Ky.
Benton,	Gudger,	Lucking,	Smith, Tex.
Bowers,	Hamlin,	McAndrews,	Snook,
Bowie,	Hardwick,	McLain,	Southall,
Brantley,	Harrison,	Macon,	Spight,
Breazeale,	Hearst,	Maddox,	Stanley,
Brundidge,	Henry, Tex.	Moon, Tenn.	Steenerson,
Burleson,	Hill, Miss.	Padgett,	Stephens, Tex.
Burnett,	Hitchcock,	Page,	Sullivan, Mass.
Caldwell,	Hopkins,	Patterson, N. C.	Sullivan, N. Y.
Candler,	Houston,	Patterson, Tenn.	Swanson,
Cassingham,	Howard,	Pierce,	Thayer,
Clark,	Hughes, N. J.	Pou,	Thomas, N. C.
Clayton,	Humphreys, Miss.	Pujo,	Townsend,
Cochran, Mo.	James,	Rainey,	Underwood,
Cockran, N. Y.	Johnson,	Randell, Tex.	Van Duzer,
Cowherd,	Jones, Va.	Richardson, Ala.	Wade,
De Armond,	Kehoe,	Rider,	Wallace,
Dickerman,	Kelliher,	Rixey,	Webb,
Dougherty,	Kitchin, Claude	Robertson, La.	Wiley, Ala.
Field,	Kitchin, Wm. W.	Robinson, Ark.	Williams, Ill.
Finley,	Kline,	Robinson, Ind.	Williams, Miss.
Fitzgerald,	Klutts,	Rucker,	Wynn,
Flood,	Lamar, Mo.	Russell,	Zenor.

NAYS—136.

Acheson,	Davis, Minn.	Hogg,	Otjen,
Adams, Pa.	Dayton,	Howell, N. J.	Overstreet,
Alexander,	Deemer,	Howell, Utah	Patterson, Pa.
Babcock,	Douglas,	Huff,	Payne,
Bartholdt,	Draper,	Hughes, W. Va.	Perkins,
Bates,	Dresser,	Humphrey, Wash.	Porter,
Beidler,	Driscoll,	Jackson, Ohio	Powers, Me.
Bingham,	Dunwell,	Jones, Wash.	Powers, Mass.
Birdsall,	Dwight,	Kennedy,	Reeder,
Bishop,	Esch,	Ketcham,	Roberts,
Bonynge,	Evans,	Kinkaid,	Scott,
Boutell,	Flack,	Kyle,	Shiras,
Brandegee,	Fordney,	Lacey,	Smith, Ill.
Brick,	Foster, Vt.	Lanning,	Smith, Iowa
Brooks,	French,	Littlefield,	Smith, Samuel W
Brown, Pa.	Gaines, W. Va.	Longworth,	Smith, N. Y.
Brownlow,	Gardner, Mass.	Loudenslager,	Southwick,
Buckman,	Gardner, Mich.	Lovering,	Spalding,
Burke,	Gardner, N. J.	McCarthy,	Sperry,
Burkett,	Gillet, N. Y.	McCleary, Minn.	Sterling,
Butler, Pa.	Gillett, Cal.	McCreary, Pa.	Stevens, Minn.
Calderhead,	Gillett, Mass.	McLachlan,	Tawney,
Capron,	Goebel,	McMorran,	Thomas, Iowa
Cassel,	Graff,	Mahon,	Tirrell,
Conner,	Greene,	Marsh,	Van Voorhis,
Cooper, Pa.	Grosvenor,	Marshall,	Volstead,
Cousins,	Hamilton,	Martin,	Vreeland,
Cromer,	Haskins,	Miller,	Wachter,
Crumpacker,	Hedge,	Morgan,	Weems,
Currier,	Hemenway,	Morrell,	Wiley, N. J.
Curtis,	Henry, Conn.	Needham,	Williamson,
Cushman,	Hepburn,	Norris,	Wilson, Ill.
Dalzell,	Hermann,	Olmsted,	Wright,
Daniels,	Hill, Conn.	Otis,	Young.

ANSWERED "PRESENT"—17.

Adamson,	Dinsmore,	Landis, Chas. B.	Ryan,
Allen,	Gibson,	Legare,	Sherman.
Bradley,	Haugen,	Mann,	
Burton,	Hay,	Maynard,	
Denny,	Knopf,	Miers, Ind.	

NOT VOTING—104.

Adams, Wis.	Foster, Ill.	Lorimer,	Scudder,
Ames,	Fowler,	Loud,	Shober,
Badger,	Fuller,	McCall,	Sibley,
Bede,	Garber,	McDermott,	Slemp,
Bowersock,	Gillespie,	McNary,	Small,
Broussard,	Gooch,	Mahoney,	Smith, Wm. Alden
Brown, Wis.	Goulden,	Metcalf,	Smith, Pa.
Burgess,	Griggs,	Meyer, La.	Snapp,
Burleigh,	Hildebrant,	Minor,	Southard,
Butler, Mo.	Hinshaw,	Mondell,	Sparkman,
Byrd,	Hitt,	Moon, Pa.	Stafford,
Campbell,	Holliday,	Mudd,	Sulloway,
Castor,	Hull,	Murdock,	Sulzer,
Connell,	Hunt,	Nevin,	Talbott,
Cooper, Tex.	Hunter,	Palmer,	Tate,
Cooper, Wis.	Jackson, Md.	Parker,	Taylor,
Crowley,	Jenkins,	Pearre,	Trimble,
Darragh,	Knapp,	Pinckney,	Vandiver,
Davey, La.	Lafean,	Prince,	Wadsworth,
Davidson,	Lamar, Fla.	Ransdell, La.	Wanger,
Davis, Fla.	Landis, Frederick	Reid,	Warner,
Dixon,	Lawrence,	Rhea,	Warnock,
Dovener,	Lester,	Richardson, Tenn.	Watson,
Emerich,	Lever,	Robb,	Weisse,
Fitzpatrick,	Lilley,	Rodenberg,	Wilson, N. Y.
Foss,	Littauer,	Ruppert,	Woodyard.

So the amendment was rejected.

The Clerk announced the following additional pairs:

For the day:

Mr. LAWRENCE with Mr. RANSDELL of Louisiana.

For the balance of the day:

Mr. Foss with Mr. MEYER of Louisiana.

Mr. HITT with Mr. DINSMORE.

Mr. HAUGEN with Mr. CROWLEY.

Mr. GIBSON with Mr. RICHARDSON of Tennessee.

For the vote:

Mr. HILDEBRANT with Mr. TAYLOR.

Mr. DENNY. Mr. Speaker, I voted "aye" on the amendment. I find that I am paired. I desire to withdraw that vote and to be recorded present.

The SPEAKER pro tempore. The Clerk will call the name of the gentleman from Maryland.

The Clerk called the name of Mr. DENNY and he answered "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The question was taken; and the bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. GROSVENOR. Mr. Speaker, I move to recommit the bill, and on that I demand the previous question.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

The question is now on recommitting the bill.

The question was taken; and the motion to recommit was rejected.

The SPEAKER. The question now is on the passage of the bill.

Mr. WILLIAMS of Mississippi. Mr. Speaker, upon that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 144, nays 118, answered "present" 15, not voting 104, as follows:

YEAS—144.

Acheson,	Deemer,	Huff,	Patterson, Pa.
Alexander,	Dixon,	Hughes, W. Va.	Payne,
Babcock,	Douglas,	Humphrey, Wash.	Porter,
Bartholdt,	Draper,	Jackson, Ohio	Powers, Me.
Bates,	Driscoll,	Jones, Wash.	Powers, Mass.
Beidler,	Dunwell,	Kennedy,	Reeder,
Bingham,	Dwight,	Ketcham,	Roberts,
Birdsall,	Esch,	Kinkaid,	Scott,
Bishop,	Evans,	Kyle,	Shiras,
Bonynge,	Flack,	Lacey,	Slemp,
Brandegee,	Fordney,	Lanning,	Smith, Ill.
Brick,	Foster, Vt.	Littlefield,	Smith, Iowa
Brooks,	French,	Livernash,	Smith, Samuel W.
Brown, Pa.	Gaines, W. Va.	Longworth,	Smith, N. Y.
Brown, Wis.	Gardner, Mass.	Loudenslager,	Southard,
Brownlow,	Gardner, Mich.	Lovering,	Southwick,
Buckman,	Gardner, N. J.	McCarthy,	Spalding,
Burke,	Gillet, N. Y.	McCleary, Minn.	Sperry,
Burkett,	Gillett, Cal.	McCreary, Pa.	Steenerson,
Burton,	Gillett, Mass.	McLachlan,	Sterling,
Butler, Pa.	Goebel,	Mahon,	Stevens, Minn.
Calderhead,	Graff,	Mann,	Tawney,
Campbell,	Greene,	Marsh,	Thomas, Iowa
Capron,	Grosvenor,	Marshall,	Tirrell,
Cassel,	Hamilton,	Martin,	Townsend,
Conner,	Haskins,	Miller,	Van Voorhis,
Cooper, Pa.	Hedge,	Mondell,	Volstead,
Cromer,	Hemenway,	Morgan,	Vreeland,
Crumpacker,	Henry, Conn.	Morrell,	Wachter,
Currier,	Hepburn,	Needham,	Weems,
Curtis,	Hermann,	Norris,	Wiley, N. J.
Cushman,	Hildebrant,	Olmsted,	Williamson,
Dalzell,	Hill, Conn.	Otis,	Wilson, Ill.
Daniels,	Hogg,	Otjen,	Wright,
Davis, Minn.	Howell, N. J.	Overstreet,	Wynn,
Dayton,	Howell, Utah	Parker,	Young.

NAYS—118.

Aiken,	Flood,	Lamar, Mo.	Scarborough,
Baker,	Gaines, Tenn.	Lamb,	Shackleford,
Bankhead,	Garner,	Lind,	Sheppard,
Bartlett,	Gilbert,	Lindsay,	Sherley,
Bassett,	Glass,	Little,	Shull,
Beall, Tex.	Goldfogle,	Livingston,	Sims,
Bell, Cal.	Granger,	Lloyd,	Slayden,
Benny,	Gregg,	Lucking,	Smith, Ky.
Benton,	Griffith,	McAndrews,	Smith, Tex.
Bowers,	Gudger,	McLain,	Snook,
Bowie,	Hamlin,	Macon,	Southall,
Brantley,	Hardwick,	Maddox,	Spight,
Breazeale,	Harrison,	Moon, Tenn.	Stanley,
Brundidge,	Henry, Tex.	Padgett,	Stephens, Tex.
Burleson,	Hill, Miss.	Page,	Sullivan, Mass.
Burnett,	Hitchcock,	Patterson, N. C.	Sullivan, N. Y.
Caldwell,	Hopkins,	Patterson, Tenn.	Swanson,
Candler,	Houston,	Pierce,	Thayer,
Cassingham,	Howard,	Pou,	Thomas, N. C.
Clark,	Hughes, N. J.	Pujo,	Underwood,
Clayton,	Humphreys, Miss.	Rainey,	Van Duzer,
Cochran, Mo.	James,	Randell, Tex.	Wade,
Cockran, N. Y	Johnson,	Richardson, Ala.	Wallace,
Cowherd,	Jones, Va.	Rider,	Webb,
De Armond,	Kehoe,	Rixey,	Wiley, Ala.
Dickerman,	Keliher,	Robertson, La.	Williams, Ill.
Dougherty,	Kitchin, Claude	Robinson, Ark.	Williams, Miss.
Field,	Kitchin, Wm. W.	Robinson, Ind.	Zenor.
Finley,	Kline,	Rucker,	
Fitzgerald,	Kluttz,	Russell,	

ANSWERED "PRESENT"—15.

Adamson,	Denny,	Knopf,	Miers, Ind.
Allen,	Dinsmore,	Landis, Chas. B.	Ryan,
Bede,	Gibson,	Legare,	Sherman.
Bradley,	Hay,	Maynard,	

NOT VOTING—104.

Adams, Pa.	Foster, Ill.	Lilley,	Rodenberg,
Adams, Wis.	Fowler,	Littauer,	Ruppert,
Ames,	Fuller,	Lorimer,	Scudder,
Badger,	Garber,	Loud,	Shober,
Boutell,	Gillespie,	McCall,	Sibley,
Bowersock,	Gooch,	McDermott,	Small,
Broussard,	Goulden,	McMorran,	Smith, Wm. Alden
Burgess,	Griggs,	McNary,	Smith, Pa.
Burleigh,	Haugen,	Mahoney,	Snapp,
Butler, Mo.	Hearst,	Metcalf,	Sparkman,
Byrd,	Hinshaw,	Meyer, La.	Stafford,
Castor,	Hitt,	Minor,	Sulloway,
Connell,	Holliday,	Moon, Pa.	Sulzer,
Cooper, Tex.	Hull,	Mudd,	Talbott,
Cooper, Wis.	Hunt,	Murdock,	Tate.
Cousins,	Hunter,	Nevin,	Taylor,
Crowley,	Jackson, Md.	Palmer,	Trimble,
Darragh,	Jenkins,	Pearre,	Vandiver,
Davey, La.	Knapp,	Perkins,	Wadsworth,
Davidson,	Lafean,	Pinckney,	Wanger,
Davis, Fla.	Lamar, Fla.	Prince,	Warner,
Dovener,	Landis, Frederick	Ransdell, La.	Warnock,
Dresser,	Lawrence,	Reid,	Watson,
Emerich.	Lester,	Rhea,	Weisse,
Fitzpatrick,	Lever,	Richardson, Tenn.	Wilson, N. Y.
Foss,	Lewis,	Robb,	Woodyard.

So the bill was passed.

The following additional pairs were announced:

For the balance of the day:

Mr. BOUTELL with Mr. GRIGGS.

Mr. ADAMS of Pennsylvania with Mr. LEWIS.

For this vote:

Mr. PEARRE with Mr. TAYLOR.

Mr. COUSINS with Mr. HEARST.

The result of the vote was announced as above stated.

On motion of Mr. GROSVENOR, a motion to reconsider the vote by which the bill was passed was laid on the table.

SENATE BILLS AND RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles and the following resolutions were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 1659. An act granting permission to Capt. William E. Horton, United States Army, to accept a decoration tendered him by the President of the French Republic—to the Committee on Foreign Affairs.

S. 3737. An act to authorize the President to appoint Capt. Edward O. C. Ord to the grade of major in the United States Army and place him on the retired list—to the Committee on Military Affairs.

Senate concurrent resolution No. 69:

Resolved by the Senate (the House of Representatives concurring), That of the eulogies on the late Senator Marcus A. Hanna there be printed and bound in cloth 6,200 additional copies, of which 2,000 shall be for the use of the Senate and 4,000 copies for the use of the House of Representatives, and 200 of which shall be bound in full morocco, with gilt edges, for the family of the deceased—

to the Committee on Printing.

Senate concurrent resolution No. 70:

Resolved by the Senate (the House of Representatives concurring), That there be printed 8,000 additional copies, in cloth binding, of the Eleventh Special Report of the Commissioner of Labor, relating to the regulation and restriction of output; 1,500 copies for the use of the Senate, 2,500 copies for the use of the House, and 4,000 copies for distribution by the Department of Commerce and Labor—

to the Committee on Printing.

Senate concurrent resolution No. 71:

Resolved by the Senate (the House of Representatives concurring), That there be printed 10,000 additional copies, in cloth binding, of the Tenth Special Report of the Commissioner of Labor, being a compilation of the labor laws of the different States and Territories and of the Federal Government, with the decisions of courts relating thereto; 2,000 copies for the use of the Senate, 3,000 copies for the use of the House of Representatives, and 5,000 copies for distribution by the Department of Commerce and Labor—

to the Committee on Printing.

LEAVE TO PRINT.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent for general leave to print on this bill for five legislative days.

Mr. WILLIAMS of Mississippi. That is the request I was about to submit.

There being no objection, leave was granted.

TENNESSEE RIVER, NEAR CHATTANOOGA, TENN.

The SPEAKER laid before the House a bill of the following title, with amendments of the Senate:

A bill (H. R. 15014) to enable the Secretary of War to permit the erection of a lock and dam in aid of navigation in the Tennessee River, near Chattanooga, Tenn., and for other purposes.

On motion of Mr. BURTON, the amendments of the Senate were concurred in.

LOTS 2, 3, 4, AND 5, SQUARE 979, WASHINGTON, D. C.

The SPEAKER also laid before the House a bill of the following title, with amendments of the Senate:

A bill (H. R. 13262) to confirm the title to lots 2, 3, 4, and 5, in Square No. 979, in Washington, in the District of Columbia.

On motion of Mr. BABCOCK, the Senate amendments were concurred in.

And then, on motion of Mr. PAYNE (at 5 o'clock and 35 minutes p. m.), the House adjourned.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. BOUTELL, from the Committee on Ways and Means, to which was referred the bill of the Senate (S. 5369) to extend to Peoria, Ill., the privileges of the seventh section of the act of Congress approved June 10, 1880, governing the immediate transportation of merchandise without appraisement, reported the same without amendment, accompanied by a report (No. 2771); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12899) constituting Coal City, Grundy County, Ill., a port of delivery, reported the same without amendment, accompanied by a report (No. 2772); which said bill and report were referred to the House Calendar.

Mr. GROSVENOR, from the Committee on Ways and Means, to which was referred the bill of the Senate (S. 5169) making Lewes, Del., a subport of entry, reported the same without amendment, accompanied by a report (No. 2773); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WILEY of Alabama, from the Committee on Militia, to which was referred the bill of the House (H. R. 10014) to create a commission to investigate the expediency and practicability of establishing public rifle ranges throughout the United States, reported the same without amendment, accompanied by a report (No. 2775); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HILL of Connecticut, from the Committee on Ways and Means, to which was referred the bill of the Senate (S. 4955) to provide for the appointment of an additional assistant appraiser at the port of Boston, reported the same without amendment, accompanied by a report (No. 2777); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SHERMAN, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 3182) to pay certain Choctaw (Indian) warrants held by James M. Shackelford, reported the same without amendment, accompanied by a report (No. 2778); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. FOSTER of Vermont, from the Committee on Claims, to

which was referred the bill of the House (H. R. 14291) for the relief of Arthur R. Henderson, reported the same without amendment, accompanied by a report (No. 2764); which said bill and report were referred to the Private Calendar.

Mr. CLAUDE KITCHIN, from the Committee on Claims, to which was referred the bill of the House (H. R. 12284) for the relief of John Stinson, reported the same with amendment, accompanied by a report (No. 2765); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12285) for the relief of A. J. Stinson, reported the same with amendment, accompanied by a report (No. 2766); which said bill and report were referred to the Private Calendar.

Mr. FOSTER of Vermont, from the Committee on Claims, to which was referred the bill of the Senate (S. 3944) for the relief of G. F. Tarbell, reported the same without amendment, accompanied by a report (No. 2667); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the Senate (S. 705) for the relief of the legal representatives of G. B. Stimpson, reported the same without amendment, accompanied by a report (No. 2768); which said bill and report were referred to the Private Calendar.

Mr. YOUNG, from the Committee on Claims, to which was referred the bill of the House (H. R. 8413) for the relief of John Gretzer, jr., reported the same without amendment, accompanied by a report (No. 2769); which said bill and report were referred to the Private Calendar.

Mr. COCKRAN of New York, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 15128) to authorize the Secretary of the Treasury to cancel a certain bond of Klaw & Erlanger, reported the same without amendment, accompanied by a report (No. 2770); which said bill and report were referred to the Private Calendar.

Mr. PAYNE, from the Committee on Ways and Means, to which was referred the bill of the Senate (S. 4651) for the relief of James T. Barry and Richard Cushion, executors of the last will and testament of Martin Dowling, deceased, reported the same without amendment, accompanied by a report (No. 2776); which said bill and report were referred to the Private Calendar.

ADVERSE REPORT.

Under clause 2 of Rule XIII, the following adverse report was delivered to the Clerk and laid on the table:

Mr. PRINCE, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 59) for the relief of Charles W. Howard, reported the same adversely, accompanied by a report (No. 2774); which said bill and report were ordered laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 13133) for the relief of George E. Hoffman, and the same was referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. WILLIAMS of Mississippi (by request): A bill (H. R. 15362) to authorize John Cowdon and James Seldon Cowdon, at their own expense, to do certain public work and to be paid for same by the Government of the United States, after each part of said work has been successfully performed, at such rates as are herein stated—to the Committee on River and Harbors.

By Mr. WADE: A bill (H. R. 15363) making it the duty of the Interstate Commerce Commission to prescribe rules governing the transportation of live animals between the States and in the Territories of the United States—to the Committee on Interstate and Foreign Commerce.

By Mr. BOWERS: A bill (H. R. 15364) making an appropriation for dredging a channel across the bar at mouth of Wolf River where the same empties into the Bay of St. Louis, in the State of Mississippi—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 15365) to provide for a survey at the mouth of Wolf River where the same empties into the Bay of St. Louis, in the State of Mississippi—to the Committee on Rivers and Harbors.

By Mr. OVERSTREET: A bill (H. R. 15366) to amend section 4046 of the Revised Statutes of the United States—to the Committee on the Post-Office and Post-Roads.

By Mr. SOUTHWICK: A bill (H. R. 15367) to provide for the registration and protection of trade-marks—to the Committee on Patents.

By Mr. GOLDFOGLE: A joint resolution (H. J. Res. 152) to award a gold medal commemorative of the patriotic services rendered by the late Hyam Salomon to the Revolutionary Government—to the Committee on the Library.

By Mr. HEARST: A resolution (H. Res. 349) requesting the Attorney-General to inform the House as to the investigation instituted by Department of Justice relative to the Reading Company—to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BOWIE: A bill (H. R. 15368) granting an increase of pension to Andrew J. Levi—to the Committee on Pensions.

By Mr. BONYNGE: A bill (H. R. 15369) granting an increase of pension to Israel E. Munger—to the Committee on Invalid Pensions.

By Mr. BUCKMAN: A bill (H. R. 15370) granting an increase of pension to Seth Phillips—to the Committee on Invalid Pensions.

By Mr. BURKETT: A bill (H. R. 15371) granting a pension to Martha Overman—to the Committee on Pensions.

By Mr. CROMER: A bill (H. R. 15372) granting an increase of pension to Henry C. Hunt—to the Committee on Invalid Pensions.

By Mr. CLARK: A bill (H. R. 15373) for the relief of George Turner—to the Committee on War Claims.

Also, a bill (H. R. 15374) for the relief of Howard Munker—to the Committee on War Claims.

Also, a bill (H. R. 15375) for the relief of Sterling Clock—to the Committee on War Claims.

Also, a bill (H. R. 15376) for the relief of John Williams—to the Committee on War Claims.

Also, a bill (H. R. 15377) for the relief of William Faller—to the Committee on War Claims.

Also, a bill (H. R. 15378) for the relief of Willis Arnaud—to the Committee on War Claims.

Also, a bill (H. R. 15379) for the relief of David Smith—to the Committee on War Claims.

Also, a bill (H. R. 15380) for the relief of James Rhodus—to the Committee on War Claims.

By Mr. DENNY: A bill (H. R. 15381) for the relief of Catherine McGuinn, administratrix of estate of Dennis O'Dea—to the Committee on War Claims.

By Mr. GUDGER: A bill (H. R. 15382) granting a pension to James B. Anders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15383) granting a pension to James Bryson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15384) granting a pension to William Brunnon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15385) granting a pension to Franklin B. Carland—to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 15386) granting an increase of pension to A. E. Millender—to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 15387) granting an increase of pension to William Hall—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: A bill (H. R. 15388) for the relief of Joseph H. Davis—to the Committee on War Claims.

By Mr. MIERS of Indiana: A bill (H. R. 15389) to correct the record of John Hutchison and grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. MARSHALL: A bill (H. R. 15390) granting an increase of pension to Augustus C. Foster—to the Committee on Invalid Pensions.

By Mr. NORRIS: A bill (H. R. 15391) granting an increase of pension to John S. Hoover—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois: A bill (H. R. 15392) to remove the charge of desertion from the record of William Deniston—to the Committee on Military Affairs.

By Mr. SPERRY: A bill (R. R. 15393) for the relief of John H. Lohman—to the Committee on Claims.

By Mr. SIMS: A bill (H. R. 15394) for the relief of the legal representatives of W. M. McAuley, deceased—to the Committee on War Claims.

By Mr. SCUDDER: A bill (H. R. 15395) granting an increase of pension to Mary E. Burrell—to the Committee on Invalid Pensions.

By Mr. WADE: A bill (H. R. 15396) for the relief of Florence Lambert—to the Committee on Claims.

By Mr. WILSON of Illinois: A bill (H. R. 15397) granting a pension to Carl Traver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15398) to remove the charge of desertion from the military record of George S. Green—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BRADLEY: Petition of Montgomery Grange, of Montgomery, N. Y., and others, in favor of the passage of bill H. R. 9302—to the Committee on Ways and Means.

By Mr. CALDERHEAD: Petition of Lamar Methodist Episcopal Church, of Lamar, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of John Carver and others, of Cloud County, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CONNELL: Resolution of Admiral Dahlgren Section, No. 31, Navy League, of Scranton, Pa., urging the passage of bills S. 2990 and 2991, relative to an efficient national naval reserve—to the Committee on Naval Affairs.

Also, petition of C. L. Homsher and 56 others, of Bridgeport, Okla., protesting against the passage of the bill legalizing the issuance of $22,000 of bonds for the purpose of constructing waterworks, etc.—to the Committee on the Territories.

By Mr. CURTIS: Petition of the C. O. Myers Company, of Atchison, Kans., favoring the passage of bill H. R. 9303—to the Committee on Ways and Means.

Also, petition of R. B. Moore and 66 others, of Topeka, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Carbondale (Kans.) Grange, No. 754, in favor of bill H. R. 6273—to the Committee on Interstate and Foreign Commerce.

Also, petition of Carbondale (Kans.) Grange, in favor of the passage of bill H. R. 10765—to the Committee on Agriculture.

By Mr. DINSMORE: Petition of I. A. Gaither and others, of Cane Hill, Ark., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HARRISON: Petition of Carroll Dunham Smith, in favor of bill H. R. 9303—to the Committee on Ways and Means.

By Mr. HEPBURN: Petition of citizens of Parnassus, Pa., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. KETCHAM: Papers to accompany bill granting an increase of pension to William Hall—to the Committee on Invalid Pensions.

By Mr. WILLIAM W. KITCHIN: Petition of citizens of Stokes, N. C., in favor of bill H. R. 3574—to the Committee on Ways and Means.

By Mr. KNAPP: Petition of the Austen Manufacturing Company, of Oswego, N. Y., in favor of bill H. R. 9303—to the Committee on Ways and Means.

By Mr. MIERS of Indiana: Paper to accompany bill to correct the military record of John Hutchison—to the Committee on Military Affairs.

By Mr. PORTER: Resolution of the District of Columbia Society, Sons of the American Revolution, relative to the removal of the remains of Commodore John Paul Jones from Paris to the United States—to the Committee on the Library.

Also, resolution of the District of Columbia Society, Sons of the American Revolution, relative to the translation into English of a certain work published by the Government of the Republic of France—to the Committee on Printing.

By Mr. RIDER: Petition of the International Brotherhood of Steam Shovel, Dredge, Firemen, Deck Hands, and Scowmen, protesting against the United States Government constructing steam dredges, etc.—to the Committee on Rivers and Harbors.

By Mr. RYAN: Paper to accompany bill H. R. 15350, granting an increase of pension to George Taylor, ulias George Parks—to the Committee on Invalid Pensions.

By Mr. WACHTER: Resolution of Decatur Section, No. 20, Navy League of the United States, of Cambridge, Md., favoring the passage of bills S. 2990 and 2991—to the Committee on Naval Affairs.

By Mr. WILLIAMS of Illinois: Papers to accompany bill granting a pension to Margaret Crisell—to the Committee on Pensions.

By Mr. WILLIAMS of Mississippi (by request): Memorial to accompany bill authorizing John Cowdon and James Seldon Cowdon, at their own expense, to do certain public work, etc.—to the Committee on Rivers and Harbors.

By Mr. ZENOR: Papers to accompany bill H. R. 15357, granting an increase of pension to William Churchill—to the Committee on Invalid Pensions.

HOUSE OF REPRESENTATIVES.

SUNDAY, *April 24, 1904.*

The House met at 12 o'clock m.

The following prayer was offered by the Chaplain, Rev. HENRY N. COUDEN, D. D.:

Eternal and everliving God, our Heavenly Father, we thank Thee for that deep and ever-abiding faith which Thou hast implanted in the hearts of men, and which has inspired the true, the noble, the brave of every age with patriotic zeal and fervor, bringing light out of darkness, order out of chaos, liberty out of bondage, and thus contributing here a little, there a little, to the splendid civilization of our age. Especially do we thank Thee for that long line of illustrious men who lived and wrought, suffered and died that our Republic, with all its sacred institutions, might live. And to-day we are reminded of that host of statesmen whose names have been connected with the Congress of our nation, where deeds of heroism have been enacted no less onerous than on the field of glory. And, gathered here to-day in memory of those whom their colleagues would immortalize, may the heart guide the tongue that truth may live to inspire those who shall come after them, and God grant that we may live so pure, so true, so noble, that men will rise up and call us blessed, and passing on we may find a glorious reward awaiting us in the realms of eternal day. And pæans of praise we will ever give to Thee, in the name of Jesus Christ our Lord. Amen.

The Journal of yesterday's proceedings was read and approved.

Mr. GROSVENOR. Mr. Speaker, I offer for adoption the following resolutions.

The Clerk read as follows:

Resolved, That the business of the House be now suspended that opportunity may be given for paying tribute to the memory of Hon. MARCUS A. HANNA, late a Senator of the United States from the State of Ohio.

Resolved, That as a particular mark of respect to the memory of the deceased Senator, and in recognition of his distinguished public career, the House at the conclusion of the exercises of this day shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The SPEAKER. The question is on agreeing to the resolutions.

The question was taken, and the resolutions were unanimously agreed to.

Mr. LONGWORTH. Mr. Speaker, in the very brief period that I shall occupy I shall attempt to do nothing more than merely to record myself as one of those who have assembled here to-day to pay the last tribute of loving respect to the memory of Senator MARCUS A. HANNA. The Senate of the United States has heretofore met for the same purpose, and has paid affectionate tribute to the memory of their late comrade. The legislature of the State of Ohio, which so short a time ago that it seems only yesterday met to pay to him the highest honor that they ever paid any man in the history of the State of Ohio, have within a few days again met to pay to him the last farewell. The country has spoken, and there is but little left to say. But upon this solemn occasion, when we of the House have met to add our voice to the voices of those who have spoken with eulogy of MARCUS A. HANNA, I count it as a privilege to be permitted to say one brief word which, although but too inadequate, as I well realize, is none the less sincere and heartfelt.

In all the eulogies that I have read and have heard pronounced—and they have come from the most eminent men of the country—the thing that has most impressed me, what has seemed to me to be the dominant note, has been that of admiration for Senator HANNA not only because he was a great statesman and a great and dominant figure in American business and in American politics, but an admiration for his qualities as a man; and I know of no one in American history who so preeminently combined in his make-up those qualities which the American people call "manly." His tremendous popularity among the people is all the more remarkable because he was not of a type that usually make the popular idol. He was not a great general, though he served honorably in the Army of his country. He was not a great orator of the kind that sway men's souls and passions, though he was a speaker of great clearness and of immense force. He was not the father of, in the sense of having his name inevitably connected with, any great public policy. It was not because of those qualities which usually appeal to men's hearts that the American people loved him. It was because they saw in him the typification of that simple, honest, energetic American manhood that has made this country the greatest among the nations of the earth.

Since the sad day in which this great man passed away men of all creeds, of all degrees, the high and low, rich and poor, have lifted up their voices in eulogy of Senator HANNA. Great orators have delivered eloquent orations; great writers have contributed literary gems; but to my mind the most eloquent and touching of

all was that unspoken eulogy, if one may be permitted to use such an expression, of the people in the city of Cleveland, men and women, who stood for hours in the snow, with the thermometer at the zero point, waiting to get one last look at the features of their well-beloved fellow-citizen; those people who lined the streets and with bared heads and aching hearts watched the funeral cortege pass on its way to the final resting place; those miners all over the State of Ohio who at the hour of the funeral laid aside their picks and shovels and joined with those far away in a last tribute of farewell to the man who had proved himself their friend.

To myself the death of Senator HANNA came as a personal loss. I believe that the first serious thought that I ever had of entering upon a political career came as a result of a conversation I once had with him in this Capitol, shortly after his election to the Senate, in which he said that he thought it the duty of every young man to whom it was in any way possible to take an interest in the political questions of the day and to ally himself actively with one of the great parties.

Since that time he was always ready with advice and counsel, and his unvarying kindliness to me I shall always remember with gratitude and with pride. It was my good fortune to be especially intimately associated with Senator HANNA during the last campaign in Ohio, when as chairman of the speakers' bureau I had charge of his routine and of the arrangement of his meetings, and I have often thought that his tremendous labors at that time may have contributed to hasten his last illness. With an energy that seemed almost superhuman he insisted in filling not only those appointments which were made for him by the committee, but also in adding more in response to requests that the committee had refused, and he did so, I have always thought, not so much with the desire to gain votes, although he was devoted to his cause and intensely partisan, but because he wanted to oblige his friends. The name of MARCUS A. HANNA will doubtless go down through history as one of the great men and unquestionably the most forceful individual figure of his day; but his friends will keep his memory green, not only because he was a great leader and a great statesman, but because he was a simple, kindly, big-hearted American gentleman, who always kept his word and never went back on a friend.

Mr. CASSINGHAM. Mr. Speaker, my first knowledge of Senator HANNA was secured years ago before he became particularly active or prominent in State politics, his attention at that time being directed almost entirely to the coal and iron business, with which he was identified.

At the time I refer to I merely knew him by sight and as one of the influential business men of the city of Cleveland, Ohio. My impression of him at that time was that he was a man of a stern and distant nature, in whose presence I, at least, would not feel comfortable. I also entertained the opinion at that time that he was possessed of but little sympathy for what is known as the "labor element." These opinions of mine were strengthened by newspaper references to him after his entrance into and prominence in national politics as the manager of Mr. McKinley's political interests.

One day, after my election to Congress, in passing his office with a Democratic Member of this body, my companion suggested that we should go in to see Senator HANNA, to which I objected, being largely influenced in my judgment by the impressions I have just referred to with reference to his stern character. However, we went in and I am glad to say that the kindly manner in which he received us entirely dissipated the erroneous opinions that I had previously formed concerning his character.

After that interview I could readily see why he had become the great political leader that he was. His sturdy steadfastness to friends, his kindly nature, and his recognized ability were the magnetic influences that drew men to him and held them there.

His antagonism to the labor element was frequently commented upon, in the section of the country where I reside, during the period of his early attention to State politics, but as the sphere of his influence broadened into national politics this belief disappeared, and for some time prior to his death he held a place in the esteem of the laboring class equaled by few, if any, men in public life. On the day of his burial at his home city the evidences of the high esteem and regard in which he was held by all classes, especially by the labor class, were striking features of that sad occasion.

The Democratic party recognized him as an able political antagonist, one who not only enjoyed the confidence of the substantial and corporate interests of the country but also that of the great army of wage-earners.

The bulletins describing his condition during his last illness were watched with interest by persons in all conditions of life without regard to party affiliations, and when the announcement of his death came they all mourned the loss of a distinguished citizen of our common country.

The nation mourns the loss of a foremost citizen and Ohio the death of one of its ablest sons, and I, as an American and an Ohioan, wish to add my voice to the universal expression of regret in the death of MARCUS ALONZO HANNA.

Mr. GOEBEL. Mr. Speaker, we meet to-day to honor, among others, the memory of MARCUS A. HANNA, late a citizen of Ohio and Senator of the United States. I knew him for many years, and our relations were always cordial and pleasant and remained so up to the time of his death.

Senator HANNA was a successful business man. He did not, until 1884 and when he came into the field of politics, attract public attention. From that time forward he was in the public eye. Possessed of a keen intellect, exerting a power to make and then to take advantage of political conditions and circumstances as they arose, he soon engrafted his individuality upon his party in Ohio, which made it possible for his appointment by the governor as a Senator of the United States to fill the vacancy caused by the resignation of Senator Sherman and until the meeting of the legislature. I shall always remember his remarkable contest before that legislature when he sought an election for the full term, and in which he was successful.

Senator HANNA came to the Senate with the prestige of his party and as the personal friend of President McKinley. He rose rapidly in that body and in the confidence and esteem of the nation, possessing a strong body, a mind quick of conception, honest and manly, exercising good business judgment, and bringing them all into play, he soon became a power in that body and a recognized leader of his party. He was in all respects a safe man, his advice was good, his motives pure, and essentially he became a factor in shaping legislation of great consequence to our nation. His friendship was sincere and lasting. He made enemies, yet in his loyalty to friends he never wavered. He was willing to share all the burdens as well as the joys of friendship. It was justly said of him that could he have had a voice as to the eulogies pronounced upon him he would not countenance false praise nor wish to have ascribed to him virtues he did not possess.

Senator HANNA was but human, so that at times he erred. Then his criticisms of men and measures were rather severe, but he had so many good qualities that so strongly impressed themselves upon you, that one soon lost sight of the other ones. He was not a brilliant man in the full acceptance of that term, yet blended in him were all the elements of an able man, and those elements he exerted for the public good. He was distinctively a man of the people. His death was untimely, for his eye had not been dimmed nor his intellect impaired—cut down while in strength and usefulness.

All the world's a stage,
And all the men and women merely players:
They have their exits and their entrances;
And one man in his time plays many parts.

Senator HANNA played a leading part in life's drama. He gave full measure to his country, and left behind a character that time in its fleeting race will not soon efface. The world is better because he lived. His party will miss a wise counselor, and the nation mourns his loss.

Mr. SOUTHARD. Mr. Speaker, every man, large or small, is in greater or less degree the creature of circumstances, and Senator MARCUS A. HANNA was no exception to the rule. He was possessed, however, of those qualities of mind and heart which, under ordinary circumstances, make success certain. He was to a very great degree what is known as a self-made man. He was, in the first place, a successful business man, and accumulated a large fortune even for his day and generation, when fortunes are measured in millions. His fortune was acquired by honest means and methods. He had courage—that which is sometimes called "nerve"—and sound business judgment. All of his accumulations came as the result of legitimate profits from business conducted along legitimate lines. He was in no sense a speculator except as the element of speculation enters into all business enterprises. His strong personality, his courage, and his self-reliance made him a leader in business as he afterwards became a leader in public affairs.

From a very modest beginning as clerk in his father's store, he became the head of large transportation companies and manufacturing and mining concerns.

He enjoyed a high reputation for honesty, integrity, and fair dealing. His word was his bond, and it is said that neither was ever questioned. He was widely known and as widely respected as a business man long before he became a politician and a statesman. No man, perhaps, ever commanded the confidence of the business men of the country to a greater degree.

I had known of him many years as a business man and as a Republican in politics before I came to know him personally in 1895. He was then deeply interested in the nomination of William McKinley for President. He had assumed the management of his preconvention campaign. Mr. HANNA himself was an ardent protectionist.

It was thought almost universally at that time that protectionism and not free silver would become the dominating or paramount issue. He believed McKinley to be the logical candidate of the party. He believed also in McKinley, and he loved him as a brother. Mr. HANNA was then in the full strength of matured manhood. He had had wide experience in organizing and handling men. He had never held political office, but he was not a novice in political methods. He had always taken more or less interest in public affairs, and twice, at least, had he been elected a delegate to the national convention. For some years he had been rather a prominent figure in the rather factional strife which prevailed in the State at that time.

Here is where my acquaintance with Mr. HANNA commenced. Afterwards, up to the time of his death, I met him frequently and thought I got to know him fairly well. With the commencement of the campaign which resulted in the nomination and election of McKinley as President began what may be termed his public career. It was short, but eventful.

From the very beginning he became prominent, and his prominence increased to the end. Perhaps no one short of McKinley himself exercised a greater influence in public affairs. During the early part of this period he was hated by millions. During the latter part many of those who had hated him had learned to love him, and millions were singing his praises. Few men have been more viciously misrepresented and villainously slandered by those who spoke without knowledge or a desire to obtain it. A man with less strength and fortitude would have sunk beneath the load. He lived to rise triumphant over all, and when he died there was not one whom the nation could not better afford to lose.

In organizing the campaign for the McKinley nomination he displayed the same qualities which had made him successful in business. Energy and method characterized all his work.

The high character of McKinley and the fact that he stood as the embodiment of the protection idea contributed much to his nomination, but the consummate organizing ability of Mr. HANNA made the victory an easy one. After the nomination he became the chairman of the national committee, and it was during this campaign of 1896 that he displayed those masterful abilities which challenged universal attention and fixed his status as the greatest political organizer of his day. I believe the campaign of 1896 the most remarkable in our history. It was from its inception a campaign of education. The issues were clearly defined, and they were real issues. The discussion of them aroused much of class feeling. Mr. HANNA was a wealthy man. He was known to be a close friend and adviser of the candidate for President. He at once became the target for the grossest abuse and the most vituperative slander.

Among other things, he was characterized as a man of corrupt methods and a cruel, tyrannical oppressor of labor. While nothing was further from the truth, he was in no position to make a personal defense. By the close of the campaign it became as settled conviction in the minds of millions of men and women that these vile statements were true. So persistently were these slanders circulated that in his State they were for a time generally believed by those who did not personally know MARCUS A. HANNA. When McKinley became President it was his desire that Mr. HANNA should be called to the Senate. It is not difficult to see why the President wished to have him there. He had been McKinley's friend and adviser, and no one had had better opportunity to discover his true worth.

He was first appointed to fill the vacancy occasioned by the selection of Senator Sherman as Secretary of State. Afterwards he was twice chosen to represent his State in the United States Senate, each time under circumstances and conditions differing widely from the other. Preceding each election he had received the indorsement of the State convention of his party. His candidacy was the dominating issue in each campaign, and I think it can be fairly stated that the difference in the results in these two very spirited contests fairly measured his growth and advancement in favor with the people of his State.

The first election was carried by only a few thousand; the one occurring six years later by more than 100,000, an unprecedented majority in Ohio. Notwithstanding his ante-election indorsement in 1897, it became uncertain that he would be elected Senator. The business men of the State arose in their might and demanded that the expressed will of the party at the polls should be respected. I do not believe that another such meeting was ever held, composed entirely of the people of a single State, as that which assembled in Columbus in January, 1898, to protest against the effort then being made to prevent the selection of Mr. HANNA for Senator. There were at least 10,000 politicians and business men, all representative men from every part of that great Commonwealth.

All this time President McKinley was perhaps the most popular and the man most beloved in his party and Mr. Hanna was his trusted friend. Undeserved abuse, criticism, slander, and libel, persistently indulged in, aided factious opposition in creating this anomalous political condition. If Mr. Hanna was seriously disturbed by these things his friends generally did not know it. I saw him frequently during that intensely bitter struggle which immediately preceded his first election. He was always composed and cheerful, with never an unkind word for those who were opposing him.

In his election to the United States Senate he found increased opportunity to make himself known and understood by the people. He had for a long time been a large employer of labor, and all those who had been associated with him, as employees or otherwise, were his friends. The erroneous impressions as to his character could not last. They had no solid foundation on which to rest. Laboring men grew to trust him and to believe in him. While he differed as to important matters with many of those known as "labor leaders," they became, as a rule, exceedingly well disposed, because they knew him to be friendly, frank, fair, and courageous.

At the time of his death there was probably no more popular and beloved man in the nation. He was exceptionally loyal to his friends, and they were strongly attached to him. It has been said frequently that he was not an orator. This depends on what we adopt as a definition for oratory. All agree that he was an original thinker and a clear and convincing speaker. Speaking of his career in the Senate, one of its members says: "He took his initiation pitted against eighty-nine old gladiators of debate, and he who is willing to do justice to this man's fame must admit that from his entrance here until his death, on all questions political and commercial, he maintained his place in the very first rank of the strongest debaters in the Senate. No ordinary man could have done that." Another speaks of him as a powerful and convincing speaker. One thing is certain, he became popular as a public speaker, and the people turned out to hear him in large numbers in whatever part of the country he chanced to be.

He obtained his early education in the common schools, but his grasping and retentive mind put him in possession of a store of useful knowledge that enabled him to understand and deal with intricate business or state problems.

He was one of the most considerate and obliging of men; at least, that is the way he impressed his friends. He at once inspired confidence and affectionate regard, and when he passed away the tears that were shed were the evidence of unfeigned sorrow.

His time in the Senate covered a period of about seven years. He was always helpful in shaping policies and determining legislation. Few men with so short a service can be said to have accomplished so much. It is perhaps too early to assign to Mr. HANNA his proper place among the great men that Ohio has given to the nation, but we can rest assured that history will accord to him high honor and that he will be held in grateful remembrance by a patriotic people.

Mr. TAWNEY. Mr. Speaker, when the lives of great men come to a close, it is well that, in accord with historic custom, we pause to honor their memories and think upon the institutions, the movements, of which they were a part. It were an interesting task for some idle hour to imagine what our body politic would be if such men as the late lamented Senator HANNA were endowed with earthly immortality, what changes would result if their influence and power continued to grow forever. Could democratic institutions long continue to flourish if such were the law? An All-Wise Providence has ordered it otherwise. As one after another of the strong towers of the nation's citadel are laid low, we witness a never-ceasing spectacle of change. It is said that if there were no moon to attract the waters, there would be no ebb and flow of the sea; and the stillness which follows the death of a great man resembles nothing so much as the pause of the waves if the moon were swept from the sky.

When we analyze the current of our national affairs and seek the causes which explain it we find somewhere in the shadows of the bordering hills great men who, like the mothers of legend and song, keep watch at the springs of life. They mold the needs of men and supply the foods to satisfy them. They plan and project their plans into the political and industrial life of the nation. They initiate and control the policies of government. They become bureaus for the wisdom and power of the land, so that other men must work and speak through them. Such a center of influence and power was Senator HANNA. But, sir, Senator HANNA held a position in our national life in many ways

unique. He represented as possibly no other man of the present day the close relation between commerce and national politics. If it be true that "commerce follows the flag," there is a sense in which it is also true that "commerce is being."

It sometimes happens that commercial interests are established before political relationship. Commercial relations sometimes make political relations expedient and even necessary. Indeed, sir, I hold it true that commerce follows human taste and need, and the flag, commerce. Where on the face of the earth can human tastes change without affecting the currents of our foreign trade? Where are the needs of men altered by civilization or uncivilizing influences without producing demands which commerce alone can supply? And what nation is there which does not protect its ships and its citizens and seek friendly political relations to increase their wealth and straighten their commercial paths through the seas? Senator HANNA'S life, I repeat, in a peculiar way illustrates this relation.

Called home from college after a single year by the sickness of his father he devoted himself after his twentieth year to mercantile life. In an incredibly short space of time he became one of the captains of business in and about his home city in the State of Ohio. His growth was phenomenal. He disposed of his grocery trade and invested in coal and iron. His factories and foundries multiplied; he became a master of the iron trade; he studied coal mines and bought coal lands; he studied the iron trade and bought iron lands and boats to carry the ore. He built the first steel ship on the Great Lakes and became intimately associated as a part owner of those great and productive iron mines of Minnesota at the head of the Great Lakes. Men toiled for him from the Alleghenies to the Rockies.

When the labor unions began to organize he invented the union of coal operators. He became a director of the Globe Ship Manufacturing Company, of Cleveland; president of the Union National Bank, of that city; president of the Cleveland City Railway Company; president of the Chapin Mining Company, on Lake Superior. He interested himself in theaters, and was the proprietor of a successful playhouse; and in all these varied business experiences he did not fail to discover that the policies of the Government, the laws of industry and trade, determined to a very great extent the possibilities of our national commercial growth. Consequently he became interested in the political platforms of parties, in party leaders, in industrial institutions, and in commercial legislation.

Friendship for William McKinley, which began in a lawsuit in which these two men took opposing sides, grew into a warm admiration, and in 1896 he began directing the campaigns which resulted in the nomination, the election, and the reelection of that immortal patriot and statesman to the Presidency of the nation. Senator HANNA, as everyone knows, was chairman of the Republican national committee from 1896 to his death, and was himself elected to the Senate of the United States from the State of Ohio in 1897, and reelected to that position only a few short weeks prior to his death. He grew in wealth not so much because he prized riches as because he was born with tenacity of purpose and an instinct for mastery. He toiled desperately, but he toiled with his head more than with his hands. Probably there was not another man in America who possessed so accurate a detailed knowledge of the many branches of business life in which he was interested.

The instinct for mastery over the conditions of life was powerful in him, as it is in all strong men. He loved freedom from the limitations that make life meaningless to countless thousands, and sought freedom for himself and his friends alike. It was for mastery and independence that he built ships and operated mines. It was for this, too, that he sought political position and influence. He had discovered that commerce and politics are not distinct and separate, and that to be master in the one sphere a man must enter the other. His interest in tariffs, the uplifting of the merchant marine, the construction of the isthmian canal, his deep concern for the relations between labor and capital, and his loyal and efficient aid to the political interests of his great friend, William McKinley, were part and parcel of his determination to be free. His motives were simple and manly; his methods were the methods of that straightforward business honesty in which, as a youth, he was trained.

I know of no just measure of the ability of men save the degree to which they achieve mastery over the conditions of life. He is strong who makes the forces of the world pour their treasures into the coffers of the institutions he represents. No breezes blow which do not fill his sails. For him all knowledge, all moral influence, and all wealth exist. If there are obstacles, he overcomes them; if there are battles to be fought, in the end he wins them; if there are friends to be supported and great causes to be sustained, he is sufficient. Judged by this standard, Senator HANNA was one of the greatest men of this great age. No weakness of will, no faltering on the threshold of action, marked his life; no maudlin mind wandering rendered him incapable of prolonged and concentrated mental effort. Wherever he was and whatever his task, he was master of himself and his resources. Who among the many men with whom he was associated was more alert and receptive than he? Who was quicker witted, more fertile in planning, or more prompt in action? Who was truer to his friends and party? Who was more fearful to his enemies?

Senator HANNA'S philosophy of life was simple and practical. He may have lacked many graces of conduct; he may have lacked the tact to accomplish his ends without sharp clash of opposing forces; but when the day of battle came and the fight was on, he was farseeing, courageous, prepared. For Senator HANNA'S life was not an ideal ore, but—

> Iron dug from central gloom
> And heated hot with burning fears,
> And dipped in baths of hissing tears,
> And battled with the shock of doom
> To shape and use.

Neither the graces of solitude and meditation nor the capacity for intrigue and diplomacy which characterize more complex matters can explain his power. His creed was simple; his life was filled with usefulness, and no Gibraltar rock ever stood more firmly on its broad base than he.

In politics he was guided by the sublime feeling of his party, and he possessed that essence of all the virtues—sincerity. Methinks I hear that gruff apostle of sincerity, Thomas Carlyle, mutter from his tomb, "I care not what creed a man professes, so he be sincere." The truth is, our departed champion served his friends and his country with every throb of his mighty brain, and this was nowhere so well illustrated as the way he took defeat. He knew when he was whipped. Incapable of shaping his judgment merely to suit the currents of popular opinion, he was, nevertheless, of all men, quick to abandon his own private position and adopt the plans of his party when once they had prevailed. He was, again, the common-sense business man in politics, content to do his best both as counselor and as committeeman for the cause he had espoused.

And where, in the history of America, have two men stood so closely and beautifully together through a period of so many years as MARK HANNA and William McKinley? In the presence of the martyred President, HANNA was always charmed and chastened. That friendship buoyed up his spirit in dark and trying hours. Thinking over their splendid loyalty, we find ourselves suddenly mindful of that other friendship, immortal in Hebrew legend and song—the friendship of Jonathan and David. "Then Jonathan and David made a covenant, because he loved him as his own soul. * * * Then said Jonathan unto David, Whatsoever thy soul desireth, I will even do it for thee."

Here, if anywhere in the world, were two souls knit together by a common idea of manly living and the common conviction as to wise and beneficent political policies. More forceful, perhaps, than his more honored friend, HANNA had devoted himself without reserve to the other's political interests, and by a "stoop of the soul, in bending upraises it, too," accomplished his generous task. At the time of that awful calamity which laid the President low upon his bier, HANNA suffered a wound from which he never recovered. It aged him perceptibly; and let us hope that those two modest, daring champions have entered into that perfect friendship of all the good and great.

I can not close my remarks without saying that I profoundly admire HANNA'S simple solution of the labor situation of to-day. He believed in organization on both sides of that question. He was, perhaps, the first great industrial leader to organize, in 1879, a coal operators' union. It was his way of meeting the union of miners; but he believed from the first that such organizations should be undertaken, not in the interest of capital on the one side and in the interest of labor on the other, but on both sides for "the mutual benefit of the employer and the employee." It is the Golden Rule applied to industrial relations.

In the later years of his life, when approached by the officers of the Civic Federation for aid in settling labor controversies, it was this simple practice and aim which appealed to his judgment and won his support. The people of America all know how valuable were his direct efforts, guided by this rule, in settling industrial disputes. In the February number of the National Magazine he is reported as saying:

> I am finally convinced that it (the Civic Federation, whose motto is the Golden Rule) is the object to which I desire to consecrate the remaining years of my life. * * * I am sure that the American people will sustain a policy, based upon the highest moral and social impulses, which will eliminate the passionate prejudices that now exist between capital and labor.

I know of but one standard by which to judge the wisdom of any philosophy—"by their fruits ye shall know them;" and in all the literature of social theory I find but one theory of human action which is at once adequate and practical, the theory that conduct should aim at and realize the common good of all concerned. In the greatest of all poems of the nineteenth century and the

most philosophical poem of all literature Goethe represents Faust as setting out upon the search for a moment of complete happiness. Mephistopheles agrees to bring him to such a moment. They have formed a contract, signed in blood. If Mephisto succeeds, Faust will surrender his soul as a forfeit. The devil tries him with the love of a woman, then with wealth, then with art and culture, then with power and influence in the state.

From each experience Faust turns away disappointed; but at last, when he has grown old and weary of failure, he becomes absorbed in draining a marsh and turning it into a public park. It is a labor for the good of the public in which he has abandoned forever the hope of satiating his own Titanic passions, and behold! to his own amazement he is supremely blest, profoundly content. In joy he cries out to the moment when he sees his task complete, "Oh, still delay—thou art so fair." Mephistopheles at once claims the forfeit of Faust's soul, but all in vain. Faust has wrought his own salvation in an humble effort to uplift the world.

Let us believe that in this simple faith lies the solution of all our problems. Let us hope that with education and social progress a glad day may dawn when all men may live by this creed. We find, sir, in the life of the late Senator HANNA an example of the wisdom of that ancient Nazarene who said: "Except a corn of wheat fall into the ground and die, it abideth alone; but if it die, it bringeth forth much fruit." We are glad that we knew MARCUS A. HANNA, and we are thankful for the memory in whose ample courts the dead become our sceptered sovereigns, whose spirits rule us fromt heir tombs.

Mr. BEIDLER. Mr. Speaker, it is probable that my acquaintance with the late Senator HANNA, commencing as it did over thirty years ago, was a longer acquaintance than that enjoyed by any other Member of the House. And living in the same district with him, and being engaged in the same business avocation as he, we were frequently thrown together in business matters long before he gave any great attention to politics. In January, 1885, over nineteen years ago, he submitted to me a proposition to enter into business relations with him, which, however, was never consummated. In July of 1900, after the national convention held in Philadelphia, and after I had received the nomination for Congress, I called on him at his office, and he gave me the warmest and most cordial welcome, saying that he would assist me in every way in his power, which he did, and upon my election he assisted me in all matters pertaining to the district which I have the honor to represent. My recollections of Senator HANNA are of the most kindly character.

I will leave it for others, whose eloquence better fits them to do so, to speak of Senator HANNA'S achievements in business and public life. I shall pay my humble tribute to him as a man of many sterling qualities of heart and brain, for he was a man of heart as well as of brain. The same qualities that contributed to his success in business life made him a strong and commanding figure in national public life. To those who had known him only since his memorable part in the nomination and election of the late and lamented President McKinley, Mr. HANNA'S rise seemed almost meteoric. But his was not a comet-like flight upward. From early manhood he was an active political worker. He did not spring from business life into successful political life with one bound. He started at the bottom of the ladder, working in the wards and precincts of Cleveland as the ward and precinct workers work to-day. It was there that he learned the rudiments of politics, and there that he learned the lessons which contributed so largely to his success in the great arena of national politics. He learned to know and to understand men.

Senator HANNA was a fighter. His business, as well as his public life, was one long fight. He was a man who preferred defeat after fighting to victory gained by the tricks and wiles of demagoguery. His political life was largely a repetition of his business life. His methods of reaching results were the same. He made enemies right and left, but while these enemies hated him, they also feared him, and at the same time admired him. They admired in him the very qualities that made them his enemies, and when he was called to the life beyond, there was not one who did not grieve deeply and sincerely. Senator HANNA made enemies because he was a strong man; and when a man, especially in public life, is strong he arouses strong enmities. A man can afford to have enemies if they admire him. The same qualities that made enemies for Senator HANNA likewise made him friends. No man had more loyal friends.

Senator HANNA was conservative; he believed in treading the paths that were tried and safe. His warning to the people of this country to "stand pat" was not a warning to stand still. His now famous "stand pat" meant that the people should continue to enforce those policies that have brought peace and prosperity to the land and happiness to the people. In his public and in his business career he never stooped to the tricks of the demagogue. Demagogy he fought as he would have fought a pestilence. In seeking public favor he never pandered to public prejudice and passion, but fought to overcome that prejudice.

Senator HANNA was a leader, and that statement needs no corroborative testimony from me. He was a leader because he had strength of purpose and strength of character and because he had the implicit confidence not only of those who were his friends, but of those who were opposed to him.

As I have said, Senator HANNA was a man of heart as well as of brain. His heart was big and it was tender. Strong himself, he sympathized with the weak. No friend of Senator HANNA ever had a better and truer friend than Senator HANNA. He would fight for his friend's honor as quickly, and perhaps more quickly, than for his own honor. He sympathized with and extended a helping hand to those who were in distress or suffering.

Senator HANNA has gone, but his influence will remain and continue to grow with us. As a man he has left an impress for good upon all with whom he came in contact. As a public citizen he has left an impress for good upon the entire country. The world is better because he lived in it, and more can not be said of any man.

Mr. BRICK. Mr. Speaker, MARCUS A. HANNA is dead. Another great man in the zenith of his fame and power of good has reached his journey's end.

Again in the marvel of life we are standing rapt and helpless in the presence of the profoundest mystery of human destiny—death—the precipice that marks the deepest, darkest tragedy, the end of each and all.

Our friend has gone, and on its ragged edge we stand in listening love, waiting for the sound of a voice that comes back only in the trouble of the waves that break upon the fretful shore.

But to me the greatest mystery is life.

The flower unfolds in bursting bud and falling leaf.

It lingers for awhile in sweet perfume, to fade away and then to bloom again.

What shall we do? What words can we say?

There is the sunshine and beauty, a glad song in the sky, the bee's quiet hum of rich content in a wealth of sweetness, and then the cruel thorn, many struggles, the torn flesh, and a tear.

There comes a far cry, a tree falls in the forest dim and dusk, the flower is crushed, and over the débris the world moves on.

But the fragrance of the flower that has been will forever hang round the hearts that will be.

The grave is the mother of universal pain and every human sorrow, but in its mysterious depths it also cradles the birth of every high resolve and the love of bird, and beast, and man.

Again the mystery—in the alchemy of life the rainbow of infinite love is only seen through the moisture of a tear.

How unutterably barren and cheerless would this world be without its monumental grave, without the huge and thoughtful silence of all its mighty dead.

The stringless lyre, the voiceless songs immortal, they fill the halls of memory with their harmonies, wondrous sweet and kind, that tell of all that is and of all that man would like to be. They tell us of all the noble doings, the joys and sorrows, the ecstacies and grief, the agonizing frailty, and the victories of all the good and great since time began.

They sound the sublimest symphony that was ever touched and played upon the harp of a thousand strings in the love of hearth and home and wife and child and friend.

And we are born again to nobler things in the longings of a softened heart.

Yes; it is too true. MARK HANNA has left us, after having enriched the world with an honest, faithful, sincere life, to return no more.

He needs no words for fame, no apologies for rest.

He grandly fought and serenely died in the full fruition of his highest powers and noblest thought, in the splendid harvest time of the nation's greatness.

He lived to see the end of all he had worked for and dreamed of.

He lived long enough to watch the shadows fall at noon by the bedside of his dearest friend, the nation's martyred hero, the kindest, gentlest, tenderest memory of the world, the idol of his manly heart, and the type and flower of an American Christian gentleman.

With him he had lived to see the culmination of all their hopes, financial stability, exalted citizenship, American victory, expanded glory, and commercial supremacy.

McKinley's gentle spirit took its flight, his troubles ended then, and in the dusk of twilight MARK HANNA wandered on a while, with a great burden pressing down his heart, till at last he, too, fell asleep.

And now his labor's o'er.

They have joined each other, through the darkness and in the dawn, beyond the mystery of life and death.

And we are left to pay a tribute to ourselves in the laurel wreath we place upon their tomb.

Death is always sad, and in its pathos comes the thought—after all his struggles and his triumphs, his kind acts, illustrious deeds, the things done and the things he would have liked to do—why could not he have remained with us yet a little longer, in the deserved praise and friendly admiration of the many millions of his fellow-men who loved him living, and who love him now, with head bowed down in speechless grief for their good friend gone.

Honesty, sincerity, and manly courage are the pillars of the State.

No true work was ever wasted, and since the world began no true life has ever failed.

It is an endless thread running through all eternity.

The spirits of men never die; they live forever, and walk abroad forever among the children of men.

If you fail, you wrong everybody.

If you fill your niche and fill it well, you are a hero.

And in the precursored fulfillment of life's problems there are no degrees of heroism.

In the immortality of human achievement there is no death for an honest faithful life.

There never was a grave dug to smother in its bosom the sunbeam of a heart throb.

There never will be a night black enough to enshroud the luster of a star-led thought.

Every brave and loyal act presses Time so close it dulls his busy scythe.

And MARK HANNA filled his niche complete.

He was a loved and loving man, sympathetic, upright, and absolutely honest.

In the precious thoughts, the noble images, and the spotless character left behind, he has given to the world the richest, rarest legacy of any man's work and worth.

He was faithful to every trust of life—true to himself and friend. And above all that he has done which may live after him, he possessed the one great elemental virtue that makes men eternal.

He was part of the universe, brother of the air, the sea, the soil, and every man, however humble, was his brother.

His brain was warmed by the rich red blood from the heart.

And he had a heart to feel and know that all flesh and blood are human; that each poor, struggling soul has the same hopes, the same joys and sorrows, and that their hearts yearn for friendship and bleed at scorn and contumely the same as his—a heart that beat in sympathy with every human being that toils with arm or brain.

Through all his days it was oak and "stainless to the core."

Through all his days and nights it throbbed for the poor and weak.

And on this blessed day we consecrate to him, all over the broad land, in a million lowly homes, MARK HANNA'S name is spoken soft and low by men and women who work for bread—he was their friend.

Mr. Speaker, after all is said and done, in the far-off, mystical future, that will be his chiefest glory.

Some day the subtle influence of his name will be a potent spell to bring together in terms of understanding and bonds of peace the lives of men who will work for each other in wedded harmony.

He was a man of splendid courage.

Honesty and sincerity refused to bend the suppliant knee in deceiving utterance, and that bred conflict.

Bitter conflict born of passion and prejudice, as old as the great round world, the heritage of every great man.

Some men are tall enough to cast a lengthening shadow far beyond the horizon of their little day.

Great enough to be maligned and misunderstood in their generation.

Brave and strong enough to become the target for the envenomed shafts of envy, malice, and human littleness.

Virtuous and broad enough to inflame the jealous heart of all the meanly wise and feebly good with impotent slander.

But the grave ends all.

The rust of steel mingling with pathetic dust to nourish the vines and flowers that kindly cluster around the tomb of a worthy man.

No man must be measured by an act or a year.

He should be measured by his whole life, by the tendency not of a day, but of all.

Struggle as we may to peer into the future we are but finite.

As to the ultimate judgment of greatness in any man, time and events are the final arbiters.

All we can do now—all that we care to do now in our affection is to cover his resting place with the flowers of our continuing friendship, to pay to his greatness, as we know it, the tribute of an appreciation that lives beyond the grave.

He was a great leader, a man of superb executive ability.

But I shall always remember him best for the splendid qualities of his heart.

Honesty, sincerity, and friendship filled the life of all who knew him with sunshine.

He was successful in everything he undertook, but money could not spoil him, nor fame and power pervert him.

He believed, through very instinct, that a kind act was brighter than gold, more enduring than the stars.

He believed that in the cross and crown of life and death we are nearer to God as we draw closer to man.

That there is no pearl ever born in the deep sea's deepest mystery, no sun-defying crest that ever hung on beauty's brow, no star that lights the wanderer's path of doubt and fear, no word of praise, no sparkling gem of jeweled joy, that could ever vie with the light of a friendly eye, with the luster of the moistening drop that lingers down a manly face for another's sorrow.

Fame may die in a day, but the heart it will live on forever.

He was a kindly, loving, generous, manly man, true to life, true down to the very gates of night. My friend Harry S. Chester, of Indiana, has beautifully written a little poem that tells in simple pathos of the parting of two great men—of a parting in the purple twilight on the ever-widening shore, where the stream of HANNA'S life was emptying in the sunset sea.

A FEW WORDS FROM THE HEART.

MY DEAR MR. PRESIDENT: You touched a tender spot, old man, when you called personally to inquire after me this a. m. I may be worse before I can be better, but all the same such "drops" of kindness are good for a fellow.

Sincerely, yours,

M. A. HANNA.

DEAR SENATOR: Indeed it is your letter from your sick bed which is touching—not my visit. May you very soon be with us again, old fellow, as strong in body and as vigorous in your leadership and your friendship as ever.

Faithfully, yours, THEODORE ROOSEVELT.

You touched a tender spot, old man, you touched a tender spot;
These little drops of kindness help a fellow out a lot.
God bless the sweet expression, for it came from out the heart,
With all the deep affection that a friendship can impart.

"God bless you, dear old fellow, for you struck a tender chord,
As true in wealth of beauty as our human hearts afford.
May you be with us years to come is all I wish for you,
My dear old fellow, from a friend, most faithfully and true."

How grand if all the world were blest with such a human strain,
How many hearts o'erburdened now would have surcease from pain;
"Old fellow" and "old man," ah, these expressions from the soul,
Would drive out bitterness and hate and put love forever in control.

The world, our country, is greater and grander in his life, and we his friends are braver, better, truer, kindlier men in his death.

Mr. LOVERING. Mr. Speaker, no man goes out of the world alone. A thousand souls take flight at once, yet is each transfigured in his own sphere, and we stand transfixed, some gazing up whence he is gone, some looking only at the place made vacant. Every great man who dies makes death easier for those who follow.

Seneca said: "He is a great man who is willing to die when life is pleasant to him."

How long shall a man live 'tis not for him to know.
How well shall a man live is all his own to show.

The greatest solace in the loss of our friends is that we have had them. And sweet memory forbids that we should bury our friendships alive in the graves of our friends.

All that was mortal of MARK HANNA has been borne away out of sight, but the immortal lingers and abides in our hearts. His sphere was not limited by State or nation; it embraced all mankind. We had not to wait for death to sanctify. Long before it came he had made his record. Men had come to know his worth, and the fitting words of eulogy that have since been spoken but voiced the thoughts that were already in our minds.

Those who knew him best saw in him a big-hearted man with red blood, whose every impulse was genuine, whose every thought was clean, whose every act was generous, and whose public life was a model of American patriotism.

Though coming late into the political world, he brought a large business experience and a ripe judgment to his new field of labors. Untrammeled by hackneyed conventionalities, he cut loose from old political methods and hewed out a new path to victory. He sought his ends by directness and not by subterfuge. He was accomplished in the arts of persuasion and won votes through conviction.

Was he your friend? Then well you knew
His friendship was unfeignedly true;
And no reservation mocked the relation.

It may not be said that he was faultless, but it can be said that he was never false. He may have erred, but all the world loves and forgives the man whose great human sympathies at times o'ertop and sway his judgment.

And now we say that he is dead. What do we mean? Only that he has taken the one short step from earth to heaven. One short step from life to life eternal. One short step from the mortal to the immortal. The one short step that sooner or later must be taken by one and all.

Mr. SMITH of Illinois. Mr. Speaker, life comes to us without our asking, and that peaceful sleep which, with all the wisdom of the ages, we have not yet been able to fully solve or look upon without some lingering dread or heart quiverings, and which, for want of a better or more expressive term, we call "death," will come to all, whether we crave its coming or try to ward it off.

To all intelligent existence it seems there is some life work, great or small, for each to perform. Prominence is achieved by many in various walks of life. Some grow great in war, others in statesmanship, others in diplomacy, others in ecclesiastical fields, others in science and the arts, others in the business world, and still others in what is sometimes termed the "humbler walks of life;" but in all and through all there seems to be an eternal fitness of things, and we can not avoid, try it though we may, the feeling and conviction that all our life work, energies, and efforts are in some manner unknown to us; in some mysterious way, at least, influenced if not marked out for all.

During my terms of service in Congress our flag has on various occasions floated at half-mast over the Capitol building. During this time twenty Senators, one Vice-President, and eighty Members of the lower House have answered the last roll call, fallen at their post of duty while serving their country and constituencies in their respective capacities. Some of them thus falling asleep with their official robes about them had achieved such prominence as to have become world known; others had acquired national reputations, and still others are remembered for their hard work and splendid results in a more humble and limited sphere; but all have received the encomiums of their people and words of commendation and praise from their colleagues in the halls of Congress. Each one has filled with credit the little space allotted him, and their memories are cherished by an appreciative people and the friends they knew in life.

On the 14th day of September, 1901, our flag fell to half-mast by reason of the death of President McKinley, taken from us by the hand of an assassin, we know not why, at what appeared to be the noontide of his usefulness. He left us mourned by the nations of earth and loved by the people of our whole country; but his works live after him, and his memory will be cherished in the hearts of his countrymen for all time. McKinley lived through periods of history making, and his name is written, in words which can never be effaced, on the brightest pages of the history of those times. When his body was being carried to and tenderly placed in its windowless apartment at Canton, Ohio, business throughout the entire country ceased and silence reigned. No grander evidence of the feelings of the great heart of this nation has ever before been exhibited. He left an example of honor, integrity, unswerving devotion to duty, and an exalted patriotism worthy of the commendation and emulation of all. Throughout the future history of this country the memory of William McKinley will live—live in the hearts of our people, unbesmirched and unsullied, and his acts, works, and efforts will stand as beacon lights to which others may look with profit in the days to come.

February 15, 1904, our flag again floated at half-mast as the whispered words were passed from lip to lip that "Senator MARCUS A. HANNA is dead." Self-made, as we call it, Senator HANNA'S life was a busy one. Born in New Lisbon, Columbiana County, Ohio, September 24, 1837, he forged his way by honest effort and hard work to business prominence in a busy world. He attained wealth by honest effort, business intelligence, and level-headed sagacity. He accomplished this not by pulling others down, but by applying business principles and availing himself of the opportunities which his country afforded. What Senator HANNA did in a business way others with the same energy and perseverance may accomplish in this grand Commonwealth of ours. By his indomitable energy and untiring efforts he builded a business monument in life around which his thousands of employees have cast their garlands of approbation, and over the cold sods which cover his remains to-day they are dropping their tears of sympathy and expressing their regrets that one of their warmest friends has passed away.

While always active in politics in a limited sense, yet not until 1896 did he take such part in political affairs as to make him a national character and a prominent figure in political life; but from the time of his selection as chairman of the Republican national committee Senator HANNA'S name was known throughout the world. A Republican from principle, he stood unhesitatingly, unswervingly, and uncompromisingly for the success of the policies of his party, believing fully, as no one now questions he did, that the success of these policies were better calculated to advance, build up, foster, and improve the conditions of our people and country than were the policies advocated by any other party seeking success at the hands of the voters. He devoted his time and great abilities to the advancement of those principles and achieving success for the policies which with all his heart and force he advocated. Our country to-day has a brilliant record of the success achieved under his guidance and masterful management.

Many may envy his accomplishments, but does anyone now doubt the sincere and earnest belief he entertained in the benefits which would accrue from the success of the principles he advocated? The American people are noted for doing justice to ability, intelligence, and principle, even though the mead of praise may for a time be deferred, and to-day Senator HANNA'S memory receives the reward of praise which his life work deserves.

I often feel that 'twould be better far to cheer by words of praise and encourage by acts of commendation the efforts, work, and accomplishments of friends while yet they tread the paths of life, struggling and laboring in the interest of all, than wait till after their life work is completed and then scatter flowers o'er their windowless tombs and laud their virtues, their abilities, their labors, and their patriotism, when their ears are closed to all the sounds of encomiums and praises which then, and so often only then, are expressed.

No one is perfect; all have their faults, their failings, their shortcomings. We do not expect perfection here, and since this is the universal law, the mantle of charity should be borne by every individual, ready at all times to be thrown about the shoulders of anyone when criticism or calumny is directed against him, before he exercises the right to seriously criticise or impugn the motives of his friend. Before criticising, would it not be more generous and eminently more charitable to hesitate, and say, "I may be mistaken; he may be right; before passing judgment I will investigate?" And after this is done we all can say, "'Twas better far to take this course than wait till after death to determine, and then strew flowers of eloquence over the cold and cheerless apartment to which we have consigned the body of our friend."

As wanderers in a world which, in the light of developing science and discoveries, is as yet but little known, something continuously whispers to our inner selves that "'Tis not the whole of life to live, nor all of death to die." Into each life, whether among the civilized or uncivilized, there comes a feeling, bidden or unbidden, some longing for a future, some kind of a conscious existence after the walls of earth's charnel house are broken down. Shall we say that this is but a dream? If but a dream, why should our intelligence be always haunted with it? I prefer to believe that instead of dreams such feelings are realities, inspired by that part of our being which to mortal ken is yet unknown.

The mystery of life has never yet been fully solved; perhaps 'tis better thus. A veil is hanging 'twixt this and that we know not of, through which we can not look and feast our eyes on visions beyond, but glintings reach us at every turn in life and lead us on in thought, with hope which lingeringly looks and longingly waits for some bright rays, until we feel that at some time, somewhere, and in some sphere, which as yet we can not explore, we'll meet again the wanderers who have glided from us here. May we not still fondly hope that as earth's beautiful visions fade and what we now call death has kissed our eyelids down, we are then but entering a brighter sphere and higher existence than this, where we are now enveloped by shadows and all our paths are sprinkled with our tears.

From earth's life Senator HANNA has disappeared. His sphere in life was well filled; his duties well, faithfully, honestly, and honorably performed. The world is better for his having lived in it. He worked for the betterment and upbuilding of mankind, and, as he said, was ready to devote the remainder of his life to the working out of the great questions of labor and capital, which will still be vexing subjects for years to come; but it was not given him to continue and complete this work. He outlived the slurs and vituperations which in the earlier part of his active political career had been hurled at and heaped upon him, and to-day partisan politics are hushed as with bowed heads, intelligent men, members of one of the greatest legislative bodies of any government on earth, bound together with the warmest feelings of friendship, inspired by love of patriotism, always ready and willing to recognize real merit wherever found, and ever commending noble aspirations, join hand and heart in offering their tribute of respect to his memory and commending his earnest, unselfish, and patriotic life work to those who come after him.

Peace to his ashes! Honor to his integrity, his ability, his sterling manhood! He left us mourned by an appreciative people. May we all profit by his example.

While to Senator HANNA we to-day utter our faltering good-by, yet when the sunburst of eternity dawns upon us, we hope, we expect, and we believe that somewhere, at some time, and in some higher sphere we'll meet again.

Mr. KYLE. Mr. Speaker, there is, it is said "a tide in the affairs of man which taken at the flood leads on to fortune." Many of us are painfully reminded that with the tide the opportunity passes away like ships that pass in the night, unseen, unheard, never to return again. Mr. HANNA, while a young man, active, energetic, observant, and watchful, saw his opportunity, recognized it, seized it, used it, and with it rode the tide at its flood from humble surroundings to the exalted place that he held in the hearts of the whole American people; and while on the highest wave of his popularity the waters receded from under him, and he was buried from our sight forever. Over his faults all are content to spread the mantle of charity, but his good deeds are the heritage of the whole people, share and share alike.

I did not know him intimately, but well. I first knew him personally in 1896 at the St. Louis convention, and met him often, always, however, in matters of politics, from that time on. I took part, in a humble way, in his memorable campaign for the United States Senate, when the will of the people was triumphant after a most prolonged and exciting effort. His rise in politics and his preeminent position in the affairs between capital and labor was from that time uninterrupted.

His last campaign was not only brilliant, but the most marked personal and political vindication of a man in American politics. His majority, as shown by election of the members of the general assembly, exceeded by many thousands the majority over the Democratic candidate for governor, being almost unanimous. His friends were fearful of his exertions, lest he might not be able to bear up under the strain; but the same energy that had marked his whole career was called into exercise, but the effort was too much. His work was done. The end had come; and may his good deeds ever live as an inspiration to America's youth and the possibilities to be obtained under our great free institutions.

Mr. MORGAN. Mr. Speaker, to the tributes which are paid to the memory of one of the most distinguished of American citizens permit me to add a word expressive of my admiration for his character and my deep respect for him as a man. It is not my purpose to review his life. That has already been accurately and eloquently done by those who knew him intimately and well. "Paint me as I am," said Oliver Cromwell while sitting to young Lely. "If you leave out the scars and wrinkles I will not pay you a shilling." Could Mr. HANNA now speak to us he would indorse that request. Many lessons of wisdom may be learned from his successful and useful life. It was a remarkable life, a marvelous career that the ceremonies of this day commemorate.

Great intellectual power, a lofty aim and purpose, a rich nature, an enlightened conscience, perfect integrity, and a kind and tender heart won for Mr. HANNA, in a marked degree, the respect, confidence, good will, and admiration of the American people. His life and character are a striking illustration of the spirit, the tendencies, and the possibilities of free institutions. He was a great and good man, and his goodness was the crown of his greatness. He was great in intellect. A clear, discriminating, logical, and consecutive thinker, he grappled successfully with every political, social, and economic problem that claimed his attention. He was accustomed to collect and hurl his whole mental force against the citadels of truth, and carry them, as it were, by storm.

With the capacity to master every situation completely, he had, in a rare degree, the ability to make his views convincingly clear to others. He was gifted with remarkable intellectual powers. He was great in word. He appealed to the intelligence, the judgment, the reason, and the conscience of his hearers, and his wise utterances always rose above prejudice, above passion, above personal considerations, to the sublime heights of philosophy whose logic is invincible. Perhaps he was not an orator in the ordinary sense of the term. He never seemed to aim at rhetorical effect. Sincerity and earnestness characterized his words, and his delivery was at times impassioned and always clear, logical and effective. He was the impersonation of tremendous will power. Sustained by an indomitable will, patiently, persistently, and perseveringly in the face of disappointment and failure, he bore his way through great difficulties and accomplished great results.

In times of uncertainty and doubt men were prone to gather around his strong will and draw inspiration and confidence from its unflinching self-reliance. Words coming up out of the heart and sent forth with a commanding purpose never failed to make a deep impression. With an unfaltering purpose he applied himself to every task, and only death itself could subdue his overmastering will. He was great in what may be termed "representative capacity." He became one of the exponents of the hopes, aspirations, and triumphant sentiments of the American people. It is a well-recognized truth that he who leads must follow. Mr. HANNA identified himself with certain ideas and convictions that were dominant in the minds of the people, and to them gave his life, his strength, his all.

He was also great in character. In every relation of life he exhibited the traits of honesty, inflexible integrity, and a sacred regard for the rights of others. He was true to himself, true to his friends, true to country, and true to Christian civilization. His convictions were of the conscience enlightened by the judgment and reason, and were never surrendered for the sake of expediency. He was a conspicuous example of that type of our great men who have been distinguished for the persistency with which they have adhered to their convictions of justice, honor, and right. The grandest treasures of a republic are its manly men, and in the death of Mr. HANNA the country has suffered an irreparable loss.

His life was gentle, and the elements
So mix'd in him, that Nature might stand up
And say to all the world, "This was a man!"

Naturalists tell us that birds of paradise fly swiftest against the wind and gather strength from the opposing gale. When Mr. HANNA entered public life no man was more misunderstood, more underestimated, and more misrepresented, but the storm of abuse and vituperation only served to stimulate the growth and development of his intellectual and moral qualities. While his public career was comparatively brief, the power of originality and constructive statesmanship, a progressive spirit, candor, and sincerity, tireless energy, a dauntless will, and noble deeds for country and humanity, gave him a place among the foremost citizens of the Republic. Because of what he was, because of what he represented, and because of what he did, the memory of this clean-handed, clear-minded, strong-hearted man will be forever enshrined in the hearts of his countrymen.

His mortal remains rest in the bosom of the State he served so faithfully and loved so well, but his thoughts, words, and deeds, spirit and example, will be reproduced in other sympathetic souls, let us hope, until the stars shall cease to twinkle and steal away into eternal darkness and the earth itself and man shall be no more. Mr. HANNA is not dead. Such men never die. He stepped into the skies at the close of a life crowned with honor and usefulness.

To live with fame
The gods allow to many, but to die
With equal luster, is a blessing Heaven
Selects from all her choicest boons of Fate,
And with a sparing hand on few bestows.

Mr. HILDEBRANT. Mr. Speaker—

As in many groups they were busied in diverse occupations, some in games and others in work, the Master opened the door and with a smile beckoned to the leader of the busiest group, who, laying down his tools, went within and the door shut behind him. His comrades waited for him, and, finding that he came not, realized that that was death.

It is said that centuries ago a pagan philosopher used this illustration of what we call death, and—

We have seen it occur in our midst that the Master came into the busiest group and beckoned the master of the group into the open door. He followed and the door shut. "God's finger touched him, and he slept."

The life of MARCUS ALONZO HANNA was a busy life. It teemed with happenings, both small and great. It was not, however, a career fashioned and formed by the "changes and chances of this mortal life," but it was a career that from beginning to end shaped and directed not only the affairs of men, but itself as well; that met and overcame obstacles; that bravely encountered and mastered problems; that mapped out its own course, and largely influenced the course of others. Every minute of his life was occupied with thoughts and actions which had for their purpose the betterment of the condition of his fellow-men and of his country, and his own success was incidental to his unselfish efforts in behalf of others. He was a leader of men, and he came into this leadership solely by virtue of his demonstrated ability to lead.

He became a great man. It has been said that "some men are born great, some achieve greatness, and some have greatness thrust upon them." That the greatness of Senator HANNA was achieved there is no room for doubt. It was recognized, I believe, by even those who were wont to vilify and caricature him, that he carved out his own career. He died in the midst of his labors, and still his work may be said to have been finished, for so thorough were his methods and so prompt his actions that he left little undone.

To my mind MARCUS A. HANNA was the ideal American citizen. It was through a sense of duty that he entered actively into the political field. He might have ended his life's labors in the seclusion and peace of his home as a retired business man and have held aloof from politics as from something contaminating, as, alas, do many of our successful business men, but he felt his place to be in the din and noise of life's battle, where he could use his great abilities in the right settlement of political questions, as he had used them in the business and social and ethical fields of his endeavors. His rise in the political arena was substantial, though rapid, for it was the result of the application of the methods that brought him his other successes, methods that win success every-

where and under all conditions—straightforwardness, honesty, frankness, truth, and sincerity.

These virtues were the warp and woof of MARK HANNA'S character, and linked as they were to an indomitable will and a high purpose, they made for the best that human nature can accomplish.

Senator HANNA had no specialty. He did all things well. And it was the aggregate of his achievements that made him great, rather than any one thing he did. He did things simply and without ostentation. He exercised his abilities quietly and unassumingly, yet he left the impress of his strong personality upon every thing or subject with which he came in contact.

He had a bright, genial, sunny disposition, which completely hid whatever disappointments came into his life. His friends loved him and his enemies had learned to respect him. He in turn loved his friends and despised not his enemies. This mutual love was not platonic or feigned, nor was it sycophancy on the one side for favors granted or expected or, on the other side, a false profession of friendship, but it was real and true affection, as was evidenced by the sincere grief of Senator HANNA'S hosts of friends when his earthly life ended. The entire country, not much less than the State of Ohio, mourns his taking away, and our feelings are akin to those we experienced when our loved McKinley was so ruthlessly snatched from us.

But, Mr. Speaker, it can not be that the busy and fruitful life of MARCUS A. HANNA is as a story that is told. I believe that, although his earthly activities have ceased, he will live on in the minds and hearts of men until the end of time as an exemplar of civic and political virtue and of personal rectitude of character; and I think that more than to any others should he be to the young men of America an example of right living, as a business man and as a politician, as a statesman and as a friend, as a husband and as a father, for—

> His life was gentle, and the elements
> So mix'd in him, that Nature might stand up
> And say to all the world, "This was a man!"

Mr. GIBSON. Mr. Speaker, in the Theta Delta Chi fraternity, to which I belong, when we assemble to bury a brother each one of us deposits a flower upon his grave; and so here to-day where we have assembled to complete the funeral ceremonies in honor of a man who in a larger sense was our brother, I come to put a flower of affection in that bouquet of love and respect we this day, in the name of the American people, deposit in the most sacred archives of this Capitol as a token of devotion to the memory of MARCUS ALONZO HANNA.

I do not speak of Senator HANNA as an intimate personal friend. My relations to him were mainly political. Owing to some mutual misunderstandings, our first acquaintance was hostile, but as soon as he understood the facts about which we differed he not only accorded to me all that I had contended for, but conceded more than I had the right to expect, and became my friend, and continued my friend down to his death.

SENATOR HANNA'S MAGNANIMITY.

Such was the magnanimity he displayed toward me that I at once felt that he was a truly great man and a truly good man, for he had almost unlimited power in the matters about which we differed, and a small-minded man or a bad-hearted man would have used his power to have crushed me, whereas Senator HANNA not only righted the wrong he had done me, but gave me more than I contended for. The result was I soon learned to respect and honor him, and my regard grew as my knowledge of him increased, until at the time of his death I had a respect and reverence for him greater than for any living man.

When my troubles with Senator HANNA over some appointments in my district began I carried my case to President McKinley. The President, after hearing me, said: "I am satisfied. You go to Senator HANNA and tell him what you have told me, and he will do you right. You can trust him; he is a just man." I protested that Senator HANNA had been saturated with misinformation and was much prejudiced against me. The President replied: "I know him better than you do. He will do you justice." So I went again to Senator HANNA and found him the just man President McKinley had represented him.

I mention these personal matters to illustrate the character of Senator HANNA. I am satisfied that the great power he wielded during the opening of McKinley's first Administration did not inflame his heart with pride or develop the slightest traits of tyranny.

> Oh, it is excellent
> To have a giant's strength; but it is tyrannous
> To use it like a giant.

I wondered at first why Senator HANNA had been so magnanimous. I confess I had not been accustomed to the chivalric magnanimity he accorded me. In my political warfare thitherto the only alternative was to cut down my adversary or be cut down by him in a conflict that knew neither truce nor surrender, and when Senator HANNA conceded to me what I was claiming, when I was absolutely in his power, I could hardly realize the fact.

But as time rolled on, and I learned more of him from many sources, I realized that my contention had been with a great and good man, who scorned to belittle himself by taking advantage of his power, but rather took pleasure in righting the wrong he had done.

Great, therefore, was the personal blow I felt when the news came that Senator HANNA was dead, and the blow I felt tens of thousands of others felt, and a pall of gloom overspread the whole land. One of the great lights in our country's firmament had ceased to shine, and in sorrow we all realized that the eclipse was forever, except in so far as its light was reflected on the pages of our country's history and in the hearts of his fellow-citizens and in the admiration of all mankind.

THE FRIENDSHIP OF M'KINLEY FOR HANNA.

President McKinley and Senator HANNA were so closely allied that, knowing McKinley's affection for HANNA and his supreme confidence in his judgment and goodness, and knowing, too, HANNA'S affection for his great chief, and his absolute loyalty, when McKinley was so suddenly and so tragically cut off in the very noonday of his greatness and glory, it seemed to me that his personal mantle had fallen on the Titanic shoulders of Senator HANNA, and so my regard and reverence for him, already great, was much increased.

I easily recall that pathetic moment when, stretched on the painful bed of death at Buffalo, the dying McKinley, unable to see who was present in the room, called out, "Is MARK here?" and how, when Senator HANNA spoke to him and laid his hand upon his head, the President seemed to feel relieved, and a smile of complacent satisfaction lit up his face and illumined the room.

And, as after Mr. McKinley's death the nation loved and honored him the more, so also the nation began to honor and love HANNA more. The sanctity that enveloped McKinley in the public estimation, transfiguring him into a saintly hero after his martyrdom, shed its holiness and its glory upon McKinley's greatest friend and closest political brother until HANNA himself became the living representative and successor of the dead McKinley and the perpetuator of his dynasty.

And when he died it seemed not only that the great Ohio Senator had forever departed from our midst, but that the lingering spirit of McKinley had departed with him, and that a great era in our country's history, an era crowded with many and mighty events, changing our history and the history and map of the world, an era more brilliant, more glorious, more magnificent, and more fruitful of mighty and beneficent consequences than any in our history since the days of Washington—it seemed to us all that with the death of McKinley and HANNA this stupendous and illustrious era had forever closed and the volume of the record thereof had been completed for all time.

HANNA, HOBART, AND M'KINLEY, THE GREAT TRIUMVIRATE.

How mighty, how magnificent, how thrilling, and yet how tragic, the pageant beheld by the American people since that day, only seven years ago, when McKinley, Hobart, and HANNA first stood up in this Capitol to be crowned with the greatest political honors the greatest Republic of the world ever bestows. McKinley, Hobart, and HANNA, a mighty triumvirate of patriots, only seven short years ago here in our midst, encircled by the great men of our nation, full of life and joy and hope, the crowned conquerors in a tremendous political contest, the recipients of the plaudits of many millions of enthusiastic friends, happy in the wide prospect of almost unlimited power, inspired with great plans for the welfare of their party, the good of their country, and the happiness of mankind, the circumambient air balmy with the breath of millions of spring's fairest flowers, and the heavens reverberating with the applause of countless multitudes of men, the music of many martial bands, and the thunder of cannons shouting their approbation.

What a sublime event! Grand and spectacular enough to have drawn to it the spirits of our patriot dead. And now where are these three choice statesmen of our country and our generation? Where are McKinley, Hobart, and HANNA? Gone, gone—forever gone; gone like the sublime pageant that ushered in their inauguration—

> And, like the baseless fabric of this vision,
> The cloud-capp'd towers, the gorgeous palaces,
> The solemn temples, the great globe itself,
> Yea, all which it inherit, shall dissolve,
> And, like this insubstantial pageant faded,
> Leave not a rack behind.

But time continues, the seasons come and go, seed time and harvest follow each other in orderly succession, the Republic of our love survives, the same God who has cared for us since the days of Washington still keeps watch and ward over us, other great men are raised up to take their stand in the field of action and to occupy their seats in the halls of council; and the eagle of

Columbia soars and circles triumphantly above the Dome of the nation's Capitol, with unruffled feathers and steady wing, in an unclouded sky, bathed in the golden light of that sun he loves so well, his eye sweeping to every confine of the Republic, and his cry of supremacy challenged by no nation in all the world.

HANNA A NAPOLEON IN POLITICAL WARFARE.

Senator HANNA was a politician, but a politician in the largest sense. He brought to politics the practical methods of business. He organized his party as it was never organized before, and it was this organization that brought victory to his side. And when we consider that this organization covered a continent and embraced 44 States and 70,000,000 people, we have some slight conception of the magnitude of the undertaking.

So marvelously fitted was he by nature and by training and by inclination to head the great army of protection and sound money in the tremendous conflict with the legions of free silver and free trade that he seemed created and commissioned and inspired for the leadership. Truly—

We are but as the instruments of Heaven;
Our work is not design, but destiny.

The battle waged by the contending hosts in 1896 was the most stupendous ever fought in the political world. Senator HANNA's opponents numbered over 6,000,000 voting men, all active, patriotic, and enthusiastic Americans, drilled by captains skilled in political warfare, marshaled for the conflict by veteran leaders, and captained by a political Henry of Navarre whose energy was sublime, whose confidence seemed inspired by a destiny, whose splendid personality fired his followers with an enthusiasm akin to frenzy, and whose talents and genius magnetized all who met or heard him.

For four months the battle raged. Forty-four States, some of them equal to nations in territory and population, were the battle fields, and a whole continent the general theater of operations. From Lakes to Gulf, from river to mountain, from land to sea, and from ocean to ocean the roar of the mighty conflict resounded.

The forces of Bryan raged and flamed far and wide like a prairie fire, and nothing seemed able to stay the irresistible conflagration; the forces of HANNA moved forward like tremendous ocean waves, sweeping all before them and beating down all opposition. The advocates of free silver came rushing on like the tempestuous tornado of torrid climes, crushing everything in its fury; the defenders of the gold standard withstood the shock as the mountain withstands the tempest. The champions of free trade, like the guards of Napoleon at Waterloo, charged at the close of the battle with an enthusiasm and valor that no human army seemed able to resist; but the phalanxes of protection, like the invincible troops of Wellington, held their ground with an endurance and a courage seldom equaled and never surpassed in political warfare.

THE ANIMOSITY IN THE CAMPAIGN.

As in ancient warfare the main struggle was to slay the chieftain in command, so in this battle every effort was made to destroy this champion of protection and sound money. Ten thousand venomous slanders were hurled at him; cartoons without number were fired at him; the heaviest political artillery, loaded to the muzzle with the most destructive ammunition, poured upon him a ceaseless cannonade, and millions of political squibs, torpedoes, popguns, and firecrackers made a deafening uproar whenever his name was mentioned or wherever he appeared on the field of action.

In that tremendous conflict wherever he was there the fight was hottest and the thunder of combat the loudest. Leonidas at the pass of Thermopylæ, fighting almost single handed against the countless hosts of Persia, was not more fiercely assailed than was HANNA in the tremendous battle of 1896.

But amid the sulphurous storms of calumny, the fierce lightnings of vituperation, and the fearful thunders of denunciation; amid the incessant and fiery assaults of editors and cartoonists; amid the hissing shafts of invective and the ponderous maledictions of mighty orators, hurled amid immense crowds with mighty shouts of approval, and reenforced by the most malignant resolutions, vociferously and unanimously adopted, MARK HANNA stood—

Like Teneriffe or Atlas unremoved—

and in no degree disconcerted or dismayed, serenely giving his orders to his lieutenants, or issuing encouraging bulletins of the progress of the battle in distant parts of the field.

As some tall cliff that lifts its awful form,
Swells from the vale, and midway leaves the storm,
Though round its breast the rolling clouds are spread,
Eternal sunshine settles on its head.

Some one has said that free thought is commonly understood to be the right to freely express our contempt for the thoughts of others, and Goethe has said that all the Germans gained by the freedom of their press was the liberty of abusing each other as much as they liked. And so in our country, those men are loudest mouthed in claiming the right of free speech who are foulest mouthed in misusing that right.

In politics misrepresentation, vilification, abuse, and travesty, cartoons, caricatures, and scurrility are so common that many have come to regard them as legitimate, and some consider them essential, while not a few look on a political campaign without these accessories as dull, flat, stale, and unprofitable.

Having been given the leadership of his party in two great Presidential campaigns, Senator HANNA made no complaint when assailed by every form of speech, song, picture, and print that political ingenuity could devise or partisan prejudice concoct.

When reviled, he reviled not again. He heeded not the assaults of his antagonists. He was blind to the cartoon and deaf to the defamation, devoting all his thoughts and all his energies to the education of the people in the issues of the campaign, carefully pointing out and mile-marking the road to prosperity and the pathways of peace and plenty.

HANNA'S GRAND TRIUMPH OVER CALUMNY.

But when the battle had been fought and won; when people of all parties, on a nearer and fuller view, had better opportunities to study and understand this great party leader, this omnipotent campaign manager; when his private record had been all searched, and found so bright and so blameless; when it was found that the mud of slander thrown at him did not stick, that the arrows of malice did not wound, that the charges fired at him had but ended in noise, and that, like a mighty war ship coming out of the storm and the battle and the breakers unharmed into the port of safety, with flags of triumph flying and the bands of music playing the tunes of victory and of joy; when it was seen that HANNA, like good gold, was only the brighter for the rubbing he had received; when his manifold acts of charity and benevolence became better known; when his earnest and persistent efforts to aid the laboring men of the nation to secure a larger share in the fruits of their industry began to be considered, and when, last of all, his beautiful devotion to William McKinley won for him a better hearing and a more considerate judgment, then the storms of prejudice that had thundered about him began to disappear, then the arrow of malice was put back into its quiver, then the missile was dropped by the hand that held it, then the cartoonist threw away his pencil, and the mouth of the accuser was closed, and lo! the world beheld in MARCUS ALONZO HANNA one of the world's best and greatest men and one of nature's grandest noblemen.

General Grant, dying on Mount McGregor, no longer the target of political opponents, no longer breathing an atmosphere foul with slander, no longer belittled by hired cartoonists, no longer exposed to the poison-tipped shafts of irony and invective, but dying in perfect peace, in an atmosphere sweet with the fragrance of flowers and the breath of a holy and universal sympathy, beloved by the hundreds of thousands who had fought under him, honored and respected by the hundreds of thousands who had fought against him, reverenced by all men, of all parties, and of all sections—Grant, dying on Mount McGregor, had not more completely lived down all personal and political hostility than had MARCUS A. HANNA, dying at the Arlington, amid the lamentations of the mighty nation he loved so well and had striven so hard to serve.

Senator HANNA was clean in his politics. It is said by his successor, Senator DICK, that none of the money spent by him in the great McKinley campaign was used for corruption. He kept no slop trough to which the swine of politics might resort. His aim was to fill the head of the voter and not his stomach; to reach the voter's heart through his head and not through his pocket. "Millions for instruction, but not one cent for corruption," was his motto, and the campaign of education he conducted by pen, pencil, press, picture, and preacher was the most remarkable in magnitude and effectiveness this country, or any country, has ever known.

HANNA THE CHAMPION OF THE PANAMA ROUTE.

Next to his success as a captain in great political battles, Senator HANNA will be best remembered for his championship of the Panama Canal. In consequence of the French ownership of the Panama route and the contracts between the French owners and the Republic of Colombia, our country seemed shut out from the Panama route, and we were consequently forced to look up another route for our canal.

Then it was that we turned to the Nicaragua route, and we had almost determined to construct our canal on that route when Senator HANNA, with surprising resolution and powerful argumentation, and almost unaided and alone, stood forth as the champion of Panama; and such was the force of his arguments and so convincing the facts he arrayed in behalf of his contention that he succeeded in having Panama brought into consideration; and he finally won a triumphant success in having the Panama route selected and acquired.

Never in our history has one man ever won a more signal victory. Solitary and alone he began the battle, and when the friends of the Nicaragua route came rushing on with triumphant

shouts and in apparently irresistible numbers, HANNA, undaunted, stood in their way, and by his courage and persistence, by his logic and zeal, and especially by the great influence he wielded with the head men of the nation, he stayed the almost unanimous sentiment in favor of the Nicaragua route and succeeded in having Panama chosen in its stead.

More than three hundred years ago that great navigator, Sir Walter Raleigh, told Queen Elizabeth that the nation owning Panama held "the keys of the world," and Senator HANNA, by having the Panama route selected, secured for our country "the keys of the world."

And when the Panama Canal shall have been completed, and the marriage of the Atlantic and Pacific oceans finally consummated, after being separated since the foundation of the world, when the ships of all nations pass through I hope their sailors may behold upon the heights of Culebra, halfway between the seas, the statue of MARCUS A. HANNA, rising like a Titan, both arms outstretched, one pointing toward the Atlantic and the other toward the Pacific, and inscribed on the statue's pedestal in electric letters these words:

Behold the two oceans which this canal, like a marriage bond, has united and made as one.

Senator HANNA was a lover of his country, and gave evidence of this by joining the Federal Army in the great struggle for the preservation of the Union, and was one of the men assigned to the defense of this city and participated in the battle at Fort Stevens in July, 1864.

HANNA A LOVER OF HIS FELLOW-MAN.

A man who loves his country necessarily loves his countrymen, and Senator HANNA gave many evidences of his good will for his fellow-man and was constantly engaged in works of benevolence and deeds of charity.

While worth millions of money, while a Senator of the United States from one of our greatest States, while forced by his position and associations into the constant company of the rich, the great, and the famous, Senator HANNA never forgot that there were poor men and poor women and poor children in the world, never ceased to remember the humble toilers in the mine, the mill, the factory, and the field, and his great heart and great mind were deeply interested in plans to better their condition and make happier their lives. And he often said he would rather harmonize labor and capital, rather devise a plan whereunder the employer and the employee might cooperate with mutual good will and mutual advantage, than be President of the United States; and the last years of his life were devoted to the solution of this stupendous problem.

He was one of the founders and the chairman of the National Civic Federation, a society formed for the purpose of reconciling differences between large corporations and their employees, using the Golden Rule as their motto and law of action; and great was the good he had done and was doing at his death, through this federation, as well as by his individual efforts. Well might he have said with the Roman poet—

Homo sum; humani nihil a me alienum puto.

I am a human being, and nothing that concerns a human being is a matter of unconcern to me.

The labor organizations of the United States had learned to trust him, the labor leaders were in constant consultation with him, and the philanthropists of the world had begun to concentrate their attention upon him as the man most likely to solve the problem of labor versus capital to the advantage and satisfaction of both. And when Senator HANNA died there were no more sincere mourners at his grave than the laboring men of our country; and truly might there be inscribed on his tombstone:

Loved by the poor and honored by the great.

The great plans he had formed for the revival of the American merchant marine, for the reconciliation of labor and capital, for the amelioration of the condition of the poor, and for the perpetuation of American prosperity he did not live to carry out; and when he died all of these great questions lost a powerful champion and a zealous and effective friend. To all of those interested in the happy solution of these problems he was a veritable tower of strength, a—

Tower of strength,
Which stood four-square to all the winds that blew.

We failed fully to realize how great and good a man he was until he died, and then we were appalled by the magnitude of the vacancy made by his death. Verily, he was a colossus in politics and in statesmanship, and for generations his mighty proportions will be the standard by which political greatness will be measured; and also for generations will he be pointed to as an example of how a man can be great in politics and in statesmanship and great in business enterprises and commercial ventures and great as the friend of the poor, the helper of the humble, and the benefactor of charity—all at the same time.

But the curtain has fallen upon the scenes of his activities. The pall of death hides him from our view. He has become a citizen of another world, and all that is left for us is to remember his splendid deeds, to love him for his goodness, to honor him for his greatness, and to emulate the magnificent example he has left us. The prosperity of our country is his monument and the words of a nation's gratitude is his epitaph.

Mr. MORRELL. Mr. Speaker, inasmuch as the characteristics and trend of mind of the late MARCUS A. HANNA were a revelation and a subject of wide comment to men of all classes in the State which I have the honor in an humble capacity to represent, and having been in touch with both of the interests which his thoughts, advice, and actions most vitally concerned, I shall venture to say a few words in his memory.

Perhaps no other State in the Union is so prone as Pennsylvania to what is called "strikes;" no State in which labor organizes and fights through strikes for what it considers its rights; no State in which, on the other hand, capital as determinedly opposes what it considers unjust demands on the part of labor.

It might, therefore, have been supposed that with these problems always before them there would have arisen among the men of Pennsylvania one who would perhaps have offered some practical suggestions toward their solution, but it was left to the State of Ohio to produce such a man in the late MARCUS A. HANNA. He more nearly than any man up to his time had approached the solution of this, the greatest problem which an industrial nation like the United States has to face, and I believe that had he lived he would have suggested a method which would have satisfied both sides.

Therefore Pennsylvania and Pennsylvanians owe much to Mr. HANNA in bringing them to realize the possibilities of a solution of the greatest problem which faces the economic conditions of their State.

Senator HANNA'S greatness lay in his simplicity of character and the truthfulness of his soul. He treated great subjects with the same directness of thought that he did small, and believed that they were as easy of solution as small ones, were the same principles of honesty and conviction applied.

Senator HANNA'S great purposes and broad policies are borne tribute to by the measures he advocated and brought to success; his great qualities of mind by the high regard in which he was held by the great men of the hour; his nobleness of heart and affectionate nature by the thousands of rich and poor, high and low, who either came to his bier to pay visible tribute or mourned in their hearts at home.

It is the kindly acts which a man performs to those who are struggling on a lower plane which I think really proves true kindness of heart, for it is always comparatively easy for a great man to do a favor for another great man.

In this instance let me relate an anecdote. We all realize that the position of a new Congressman is not, as a rule, one to be envied. He comes here to Congress having promised greater or less things to his constituents, and he finds—what each one of us found—that he does not amount to much, except to make up a quorum or to swell the vote by answering to roll call. I don't think a new Congressman ever forgets those who were kind to him or gave him a helping hand during his days of initiation.

Now, there was a certain new Congressman, not from Ohio, who had to go over to the Senate on a certain occasion to try to induce his Senator to give his support to a measure in which some of his constituents were interested. He was not at all sure as to whether or not the Senator would give the support he desired, and his anxiety was increased by his unsuccessful effort to find the Senator. As he was hurrying through the Marble Room, looking on this side and on that, he suddenly heard a genial voice call out "Won't I do as well as the fellow you are looking for?" and turning around he saw Senator HANNA seated on a sofa beside a friend, but with a hand held out to him. His fears vanished and his confidence in his purpose returned.

No better example could be found of Senator HANNA'S character—always ready and even looking for opportunities to do a kind act.

Of course, Mr. Speaker, men may come and men may go, and yet this busy world of ours still goes on; but we can one and all, concerning MARCUS A. HANNA, join in exclaiming: "Oh, for the touch of the vanished hand (of friendship), and the sound of the voice (of encouragement) that is still!"

There is a set phrase to the effect that "some achieve greatness, others have greatness thrust upon them;" but, after all, the only greatness, to my mind, worth having is that greatness which comes as a tribute to love and sympathy shown by a man to his fellowmen.

We are told that "as we brought nothing into this world, so we can take nothing out." That may be true as far as material things are concerned, but can we really say that Senator HANNA

took nothing with him, when the word of his death took joy from the hearts of thousands and left a nation in mourning?

And if it be so that "as ye have lived so shall ye be judged," how great are the rewards we may confidently believe were awaiting him in the land beyond the skies.

Mr. CALDERHEAD. Mr. Speaker, I count it a privilege to say a word in memory of my friend Senator HANNA. Living in the same faith and hope, with the same purposes in life and the same regard for the great citizenship in which we live, and the same belief in the Divine purposes of this great nation, I bring my tribute to his life and services.

His character was not made in a day. One of his ancestral race said, "There's many a hard stroke goes to the making of a man." If I could tell my boys the story of his life, it would be the story of an American boy who went barefoot to an American district school, and then to the academy, and then to work, and then to business. And he played the same games and recited the same lessons, and learned labor and toil in the same way that American boys who become men have played and learned.

Trained in the stern old faith that God is the eternal God to whom we must answer for duty performed or duty neglected, he fought over and over again the battles of the soul that every true man must fight and must finally win. Truth and honor and fidelity became the constant attitude of his mind and soul by the constant exercise of these great things. No man who had not acquired strength and endurance of soul by these battles with himself could have stood the conflict of life that came to him in the years of his public career as he stood them and won the victory he won.

But his great victory over adverse public opinion was not his greatest victory. His later years were so associated with his friend President McKinley that the men can hardly be separated in our minds. When we think of one we habitually think of the other. Both of them lived and labored to carry forward the divine purpose of humanity. Both came from the common American homes, from the common American schools, from the common American business life. Both had the same standards of home life and duty, and the same standards of public life and duty.

McKinley was a widow's son, a schoolboy, a student, a citizen volunteer soldier, a lawyer, a Member of Congress, a governor of his State, and then President of a great nation of free people. When he died and was carried to his grave the whole busy world stopped its busy work while his body was lowered to its grave. "The Czar in his palace, the Kaiser in Berlin, King Edward in Denmark, the Duke of York in Montreal, all members of the governments in their offices, the workingmen in their factories, the people in the streets, trains and cars on their tracks, steamships at sea and boats on the rivers, all public buildings, stores, and places of amusement, the entire machinery of mankind, came to a stop and stood still in silence while he was laid to rest." He had conquered the world by his character.

When Senator HANNA lay dying, at every place in the world men inquired from hour to hour, and the hearts of mankind bowed when the final message came. His body was carried into the Capitol of the nation and into the Chamber of the greatest legislative body in civilization. The Senators and Representatives of our National Congress stood around his bier. The Supreme Court of the United States, the greatest court in the world, came and stood uncovered beside him. The President and his Cabinet and the commanders of our Army and Navy stood beside him. The diplomatic corps, representing fifty-three nations of the earth, stood beside him. The eloquent Edward Everett Hale said the words of farewell and consolation and hope, and laid his character, like a benediction, upon us.

Both these burials were the testimony of mankind to the character of the men whom Liberty's nation has given to the world. Christian mothers trained them both. How gentle their lives are making us. What kindly, earnest, strong standards of life they have given us, and how imperceptibly and unconsciously we are following their standards. The glories of our victories in the late war with Spain are almost forgotten in our memories of these men. The influence of their lives spreads over us all and inspires us with the faith that "love, honor, courage, fidelity, and a noble self-sacrifice are better than life." This is their victory over us. They have won our hearts, and their memories live to instruct our boys. And beyond the veil, they are with the Redeemer, in whose faith they lived and labored and loved. "It is God's way; His will be done."

Mr. GROSVENOR. Mr. Speaker, in the very few moments I shall occupy I shall not attempt to discuss the great characteristics of Senator HANNA. I will only refer very briefly to some of the salient points of his career and contribute to the record more elaborate suggestions in the same direction.

I did not know Senator HANNA well until he became connected with the activities of Ohio politics. He had been a member of our State executive committee, or an advisory member, for a considerable number of years before the public outside of the State came to know him. I indorse all that has been said in regard to the unselfish character of Senator HANNA. He never entered politics for any selfish purpose. He never remained in politics for a like consideration, and he never sought personal preferment until the time came when that alone could become a vindication due to his own party and the dearest friend that he had within the lines of that party. He believed thoroughly in the principles of the party to which he belonged. No man ever more faithfully stood by the tenets of his party, and no man ever was clearer of any purpose of halting or compromising or apologizing for anything that he believed to be a true doctrine of political rights.

Senator HANNA was a reader and student of politics. He did not, as many have supposed, grasp every idea without studious consideration and careful weighing of arguments pro and con. He was a student of theories illustrated by practical facts. To the theories of the writer and the speaker he applied practical everyday common sense, of which he was a storehouse. It was these qualities that made him so powerful as a business man. Theories were to him only suggestions; practical facts were to him the demonstration of the falsity or the truth of theories.

Senator HANNA was a warm supporter of John Sherman for President of the United States; and, though I have not seen it adverted to since his death, it was a fact within my own observation and the knowledge of many others who are here, that he opposed the attitude of Mr. McKinley in one of those grand State campaigns, and having cast in his lot with Sherman, notwithstanding all his affection for McKinley, he did all in his power to prevent the breaking up and disintegration of the Ohio delegation, even though McKinley, acting under the instruction of his friends at home, cast his vote in the convention for James G. Blaine.

Senator HANNA about that time or shortly afterwards became warmly attached to McKinley; and that attachment grew to be one of the most beautiful exhibitions of love between the two men that I have ever witnessed. He believed in McKinley. He had seen the rise and progress and growth and development of that splendid character. He had lived in the immediate section of the State where McKinley resided and had known him as a young lawyer. I remember an anecdote that he told me in the presence of one who knew the facts, how McKinley came down to some of his coal mines, where some riotous coal miners had been prosecuted for riots, and McKinley defended the miners and assailed the management of the mines. Senator HANNA said that was the first time that he ever felt the full appreciation of the possibilities of McKinley.

From time to time, as the campaign of 1896 developed, it was currently reported that HANNA would be benefited in some way by the election of McKinley. I want to contribute this much to the history of those times, with which I was thoroughly familiar: I personally know, and there are others who know the same thing and from the same source of knowledge, that immediately following the election of 1896 President McKinley tendered to Mr. HANNA formally a position in his Cabinet; and I remember distinctly the answer that HANNA made, although I did not see the letters that passed between them.

He said that it would appear to the people of the country that he had been selfish and self-seeking in the matter of his strong support for McKinley; and he preferred the character and reputation of a disinterested friend of Mr. McKinley's to any office that McKinley could give him. And it was not until McKinley had tendered, in writing, the place of Secretary of State to Mr. Sherman and it had been accepted by him that HANNA yielded to the suggestion that he should be a candidate for the United States Senatorship; and then he did so at the urgent personal request of McKinley, who said that if he could not have him in the Cabinet he desired that he should be a member of the Senate. Thus it was that it came to our knowledge that he was not a self-seeking politician, but was a disinterested friend, first of McKinley and next of the success of the great party to which he belonged.

It was a chapter in Ohio politics that I do not intend to enter upon, to which reference has been made by some of the gentlemen who have preceded me. I do not want to recall, except for the sake of the justice of history, the events of the year when HANNA, having been tendered and having accepted the position of Senator, having been nominated by the overwhelming vote of the State convention, was almost defeated for election. I refer to it now to say that, notwithstanding all the bitter denunciation of HANNA and his friends incidental to that great contest and that chapter in Ohio politics that brings the blush of shame to every man who was connected with the treachery of that hour and day, after all the calcium light of these months and years has been turned upon him, there was no stain of corruption or dishonor placed upon the skirts of HANNA.

I know it has been said that office was conferred for favors among the members of the State legislature. That is true; that is a part of our politics; that is incident to the politics of our country. And there was no man who more firmly believed and more religiously practiced the tenet of remembering his friends and standing by them than did HANNA. And a man who does not do that is not fit to be in politics. The man who will falter when his friend's hour of trouble comes ought to have no friends when his trial is on. That is the religion of American politics, and he who does not obey it is not fit to be a member of the great body to which an American citizen belongs.

I never heard Senator HANNA complain of a man who tried to betray him in that contest; and you have heard how he stood up and pronounced an almost tearful eulogy over the man who of all other men owed him allegiance and betrayed his duty.

When HANNA had served in the Senate and sought the approbation of his fellow-citizens in Ohio by reelection, then he became an earnest seeker for the office, not because he desired that office for selfish purposes, but because he was determined that his friends should not suffer by reason of his having been a candidate.

I do not care to refer, in the brief moment that I am to use, to that which has so often been referred to by others—the abuse and traducing of HANNA in the newspapers and throughout the country. It is a very curious study; there is no other picture like it in the history of mankind, except our account, our knowledge, our belief in the character of Him who spoke of Himself as being "despised and rejected of men" and who has since become the great and adorable central figure of Christianity.

But, without any purpose of comparison, when, in all the history of mankind, was it that a man so thoroughly hated, thoroughly despised, thoroughly condemned by ninety-nine per cent of all the people of the United States—not all of them hating, but every one of them suspicious—died in a very few short years at his post of duty covered with honor and acquit of dishonorable characteristics by an equal per cent of all mankind? How he did it I do not know.

That Senator HANNA felt keenly the abuse of himself we all know who knew him. That he suffered intensely nobody who knew him can doubt. A Senator has said since the death of Senator HANNA that on one occasion HANNA exhibited to him one of those infamous cartoons, born of the malice of a corrupt man, and shed tears over it. And there are a number of us who can state how repeatedly he said: "If I believed there was any possible justice, any possible reason, for all this, I would not shrink from bearing it; the grief that comes to me," said he, "is not on my own account, but because of the regret and sorrow that is felt by my friends."

It will not do at the end of a career like that to say that "no honest man need be afraid of slander." One honest man has lived it down; many have, but here is a conspicuous example of one who lived down the basest organization of slander ever hurled at a man in American politics and emerged from it with honor and credit.

But that does not answer the just criticism of mankind. Here was a man of distinguished life, pure in his social, political, and business relations, sound as a dollar upon every question of manhood; and yet for the purpose of destroying McKinley, whom they knew slander could not affect, because he was too well known, a vicious conspiracy of crime and slander and libel and detraction was organized and hurled at MARCUS A. HANNA. If they could destroy HANNA, the most important spoke in the wheel would be broken; and utterly regardless of every principle of humanity, every suggestion of decency, every inspiration of honor and integrity, they drove straight at the mark of ruining MARCUS A. HANNA. They did not cease with 1896. They proceeded to permeate the whole country, and little children looked with horror upon the libelous publications that were made. Such a crime as that can not be atoned for by a cowardly retraction when the victim is dead. But it is said he lived it down; he became great; he became honored; therefore there has been no harm done. Here is one victim who lived it down; here is one victim who, after years of faithful struggle, got the better of his libelers.

How many have fallen under the stroke of slander! How many have been driven away from the effort to live down libels and slanders! That is the place to look; not at that one man who has outlived and grown above the shaft of envy and ill will and crime. The question is, how many have failed to do it? How many hearts have been wronged, how many tears have been shed, how many honest men have suffered, how many wives have shed tears, how many children have fled in mortification from their fellows? That is the way to estimate the work of the libeler—the criminal libeler—the man who stalks in the community with the poison that he exudes and tarnishes the very name of Christian civilization. To what extent has his work been done? Never, until the great God above issues the decree that shall fix his punishment, will the exact value of his career be known.

Mr. Speaker, I can not pursue the subject further. I loved MARCUS A. HANNA. I never knew a man whom I admired more greatly than I did him. I never knew a man who rose so rapidly. And yet there were reasons for it and characteristics that make it not strange that he rose. But it is a wonderful history that in six years' time a man can come from obscurity, so far as public office is concerned, and enter the Senate of the United States and make the profound impression upon that great body and upon the country that he did.

I have no time for detail, but we all remember how enthusiastically we, here in this House, by an overwhelming majority, following the lead of one of our greatest men, the chairman of the Committee on Interstate and Foreign Commerce [Mr. HEPBURN], who so enthusiastically championed the Nicaragua Canal, we all remember with what enthusiasm we sent the bill to the Senate, and how we understood that when it reached there four-fifths of the Senate would be on our side, and yet how a single Senator, by the force of his training and his education, his character, his power of research, seized upon his knowledge of the situation and ultimately revolutionized the whole action of the Senate and received the cordial approbation of the House; and now, to-day, as we stand here eulogizing his memory, the news is just flashed into print on this side of the ocean that the great achievement has been wrought out and that the title, indefeasible and unassailed, in the Panama Canal has become ours.

Senator HANNA was most happy in his home life, and it was here at his home and at his beautiful residence on the lake shore near Cleveland that the true qualities of genuine humanity and chivalrous gentlemanly attributes shone out so brightly. His wife was a lady of most excellent fitness to be the companion and friend of HANNA. Strong in mental qualities, able and attractive in all the graces of the female character, she stood by him through his life with the devotion of a true wife; made his home at his hearthstone the citadel of love and rest; shared in his triumphs; contributed to all that made him great, and wept over him with the just consciousness that in no respect had she fallen short of her great duty as a charming and faithful wife.

Mr. Speaker, I ask unanimous consent that all Members may have leave to print in the RECORD eulogies in commemoration of Mr. HANNA, and that the resolution in his case lie on the table until the conclusion of the other eulogies which are to be pronounced.

The SPEAKER pro tempore (Mr. GOEBEL). The gentleman from Ohio [Mr. GROSVENOR] asks unanimous consent that general leave to print eulogies upon the late Senator HANNA be granted. The Chair hears no objection, and leave is granted.

DEATH OF HON. CHARLES W. THOMPSON.

Mr. WILEY of Alabama. I offer the resolutions which I send to the desk.

The Clerk read as follows:

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. CHARLES W. THOMPSON, late a Member of this House from the State of Alabama.

Resolved, That as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career, the House at the conclusion of the exercises of this day shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The SPEAKER pro tempore. The question is on agreeing to the resolutions.

The question was taken, and the resolutions were unanimously agreed to.

Mr. UNDERWOOD. Mr. Speaker, in an hour of sadness we sometimes stand aside from the maddening stream of humanity, rushing on in the daily struggle for life, and ask, What is it all about? Why this ceaseless fight for existence? Why this strenuous toil for worldly success? Why this ever unsatisfied desire to plunder more of life's honors and earth's riches than other men are allowed to do? Up from the struggling masses, straight from the fighting crowd, the answer is wafted back: "This is the day we are allowed to play our parts, the only day we will ever have; time will not stop to wait for us. On we must struggle if we expect to obtain ambition's success, for the road of life leads to waste and decay, and the end of the journey is almost in sight by the time we have well begun." Then, why should we start at all? Why labor to continue a journey that must end in darkness and in nothing? Why seek to acquire riches that leave us at the grave? Why barter the peace of life for honors that die with us and are soon buried under the mold of time? Well might we answer: 'Twere better the journey were not begun if the main highway leading on through the heat of noonday sun, through the dust of disappointed hopes, and over the jagged rocks of unsatisfied ambition were the only road over which life's burdens could be carried to the peace beyond the grave; but it is not.

Beyond the main highway there is a shady pathway whose way is blazed only to true philosophers. Along that path but few great names are inscribed; the clanking swords of the world's great generals are unheard; there none feel the iron hand of despotic rule; there the barter and soul-destroying struggle for great wealth does not thrive; there the mere brutal fight for existence is never found; there the desire to mount to success over other men's fortunes does not exist.

Only those can wander there who have learned that love of humanity, the broadening of the soul, self-respect and truth, are the true riches of life, and that peace is earth's greatest reward. Those who travel along this quiet path of life are not struggling to supplant their fellow-men; their motto is to do well their part, for there all the honor lies. This they have learned from sad experience, and that any other course leads to pain and sorrow.

In thinking of the life and death of our dead colleague and friend, CHARLES WINSTON THOMPSON, I have drifted into these reflections. Our dead friend had attained many of life's victories, and yet he was not over ambitious—he did not acquire success at the cost of peace to himself. He had amassed a fair fortune, but he had not gathered it by pulling down his fellow-man. He was liberal in his charities and kindly in his heart. He had attained high political honors, but never did he belittle the success or true worth of those he competed with.

He drifted into the great beyond in his early manhood, in the midst of life's achievements and rewards, but he was a philosopher with it all, and lived and died at peace with himself and with the world. "He played well his part," and died loved and honored by his friends and constituents.

A darkening sky and a whitening sea,
And a wind in the palm trees tall,
Soon or late comes a call for me,
Down from the mountain or up from the sea;
There let me lie where I fall.

And a friend may write—for friends there be—
On a stone from the great sea wall:
Jungle and town and reef and sea—
I loved God's earth and His earth loved me,
Taken for all in all.

Mr. LITTLEFIELD. Mr. Speaker, twice have I been in the pleasant, hospitable, and typical town of Tuskegee, in the black belt of Alabama. On the first occasion, with a small Congressional party, I was the guest of Hon. CHARLES W. THOMPSON, of Alabama, and greatly enjoyed his whole-souled and generous hospitality. On the second occasion, as a member of the Congres ional committee, it became my privilege to accompany his body to its last resting place in the beautiful cemetery at Tuskegee, where it now lies with his kindred. My acquaintance with him and my knowledge of his many estimable personal qualities and characteristics are such as enable me to render upon this occasion, in more than a perfunctory way, a sincere and heartfelt tribute to his memory. In person he was engaging and attractive. His character was of the highest, and his personal and political integrity were above suspicion. He was a fine specimen of the Christian southern gentleman. Cut off in the forty-fourth year of his life, he was serving with great credit to himself and usefulness to his State his second term as a Member of the House.

The fact that during this relatively short life he had accumulated by honest toil and his own individual efforts what is considered a handsome fortune in his section is the conclusive demonstration of his great business ability and thrift, and furnishes the adequate reason for the prominent and leading position he occupied among the people with whom he lived, and, with his estimable personal characteristics, gives us the unerring key to the universal and widespread sorrow that was manifested at the time of his death by his fellow-citizens.

The deep, sincere, and heartfelt mourning that moved his townspeople, without regard to race or color, was a most striking tribute to his memory. The influence and position which he acquired in the House is known to us all, and is creditable to his natural abilities as well as his industrious and painstaking service in committee and on the floor.

Beyond and above this ordinary service which simply reaches the common level and is not necessarily indicative of high ideals or characterized by advancing and elevating thought, I believe that Mr. THOMPSON was sincerely and successfully contributing to the solution of one of the greatest problems that can concern the people that he represented—indissolubly united as we are, the problem that seriously concerns us all—without abandoning or surrendering any of the ideas and views which have by long contact and intimate association with the colored race become firmly imbedded in the consciousness of the Anglo-Saxon race in the South.

By precept and example, the influence of a successful business and public man, and direct personal effort, he used every endeavor to aid and facilitate the development and the elevation of this unfortunate race. Believing that the misconception and misunderstanding that exists and persists between the people of the North and the South upon this question as to the real spirit, purposes, and desires of each section was profound and unfortunate, he thought that nothing could dispel it more effectually than the actual observation by each section of conditions as they exist and by having brethren meet brethren in the home and business life of each.

It is written, "As in water face answereth to face, so the heart of man to man." There can be no question that if the people of the North could visit and meet the people of the South and the people of the South could see the people of the North by their firesides and as they pursue their various avocations to a large degree violent prejudices would fade away, false impressions would be corrected, and sectional feeling would rapidly become a thing of the past. "A consummation devoutly to the wished."

Mr. THOMPSON no doubt had these considerations in mind when he made the small Congressional party his guests, and while the visit was necessarily short and the information obtained meager, I feel justified in saying that all felt it a move in the right direction, and that those who constituted the party were beginning to more accurately appreciate real existing conditions.

He did not, however, satisfy himself by generalities, but devoted a great portion of his tireless, well-directed energy to aiding individuals of the race whose lot had been cast with his in the most practical and efficient manner. In answer to a letter from me for specific information upon this great question, he wrote on February 12, 1903, a letter which throws a flood of light upon the proper method of ultimately and successfully solving the race problem, in which he said:

MY DEAR SIR: Replying to your personal request for information regarding the colored people whom you met while on your visit to Alabama with "the Thompson party" last year, I introduced to you, on my plantation, James Whitlow, colored, who can neither read nor write, and who owns 880 acres of well-improved farming land, valued at $12,000, and upon which there is no incumbrance, and also ten head of mules, cattle, etc. He is the father of ten children, all of whom can read and write. His oldest son has purchased and is operating a public steam gin, and gins cotton for his community, keeps the books, and manages the business. Whitlow is a good citizen, enjoys a good credit, and is well respected by all of his neighbors, both white and black. He pays but little attention to politics, seldom ever votes, and is an honest, upright citizen.

I also introduced to you Mose Green, who owns 400 acres of land, valued at $4,000, which he purchased from me eight years ago on time without making a cash payment and paid for in four years. He has it well improved, is out of debt, and owns six mules and horses.

He is an ex-slave, and can not read or write, but has six or eight children, all of whom can read and write; and his oldest son has recently bought and paid for 160 acres of land.

You were also introduced to Anthony Griffin, who purchased 400 acres of land adjoining that of Mose Green. He has it paid for, and has educated all of his children at Booker Washington's school. He, like the others, can neither read nor write.

Charlie Davis was also present, who owns 640 acres of land, valued at $4,000, which he purchased some years ago on time, and which is now unencumbered and paid for. He has a fairly good common school education, is a good citizen, and enjoys a good credit.

We have in my county twenty or thirty other colored citizens who own good tracts of land, well improved, and who are accumulating property every year, and who are also educating their children at Booker Washington's school and in the public schools of the county. These thrifty, economical, industrious colored people pay very little attention to politics; in fact, they seldom go to the polls; are highly respected in their sphere by both white and black, and enjoy the friendship, confidence, and protection of the white people.

A great many of the colored people you met on my plantation the day you spent there have lived as tenants on my land for the past twenty years and have lived comfortably, but have been extravagant and thriftless and have never accumulated much property.

Booker Washington's school has done a great work for the colored people in that section in stimulating and encouraging them to secure homes, accumulate property, and educate their children.

I have learned since Mr. THOMPSON's death what his modesty would not permit him to state in a personal letter, and that is that the larger portion of these "colored citizens" were indebted to him for the financial aid and business advice that enabled them to become good citizens, entitled to and receiving the respect of the people among whom they lived and wrought.

In this noble work I conceive he was discharging the highest duty of American citizenship, and for it he is entitled to the most unreserved commendation. It is a splendid object lesson of what may be accomplished by practical common-sense methods.

One of Mr. THOMPSON's most striking characteristics was his accurate knowledge of human nature and the certainty with which he could select men who were worthy of help and would not abuse his confidence. He is fully entitled to the encomium of Dean Swift, who declared that—

Whoever could make two ears of corn or two blades of grass to grow upon a spot of ground where only one grew before would deserve better of mankind and do more essential service to his country than the whole race of politicians put together.

Who can render greater service to his country than he who demonstrates the possibility of making useful citizens of a race which, under proper conditions of education and development, should prove and will prove the South's most valuable agricultural and

industrial resource? Rightly and wisely utilized, it will be the most potent factor in the development of that agricultural, industrial, and material greatness which is the God-given birthright of that land of brave men and fair and virtuous women.

Where are the Anglo-Saxons who, with the same opportunity, struggling against the same disadvantages, can show the same achievement and success that have attended the efforts of James Whitlow, Mose Green, Anthony Griffin, Charles Davis, and "twenty or thirty other colored citizens," aided by such men as Mr. THOMPSON? Given enough of such colored men and enough such men to aid them, and the race question will, when time enough shall have elapsed for the proper operation of these legitimate forces, work out its own solution.

The establishment of a home to shelter his wife and children, the education of his children, teaching the gospel of honest toil, and the accumulation of property adequate for their comfortable maintenance and support are essential features in all true American citizenship. These possessed and all other essential elements follow, "as the night the day." To these noble ends Mr. THOMPSON unselfishly bent his best energies with most gratifying success. He was not only the friend and supporter of every good work, but he was especially interested in and efficiently supported the magnificent work being done by Booker T. Washington in the Tuskegee Institute.

He was a firm believer in its great utility, beginning as it does at the bottom with practical industrial education, laying the firm foundation without which no enduring superstructure can stand. That his work in this direction was thoroughly appreciated by the colored people no one could fail to see who witnessed the great outpouring of that race as they gathered at the funeral exercises and followed his body to the grave with sincere, pathetic, and unobtrusive manifestations of profound sorrow.

True it is that they have lost a firm and faithful friend, his town its foremost and well-beloved citizen, and his State and his country a broad, liberal-minded, catholic, and progressive Christian statesman. May we not express the belief that his progressive, enlightened, catholic, and patriotic spirit was in truth and fact in harmony with the prevailing sentiment of the law-abiding, patriotic, God-fearing people of his beloved Southland? That, without antagonizing or attempting to eradicate ideas that are the result of generations of development, education, and heredity in opening the door of opportunity to a race recently emerged from barbarism and kindling the flame of hope in the breast of the lowly, he correctly voiced the higher and nobler sentiment that is perhaps slowly, but none the less surely, pervading the land of the orange and the palm?

If we are justified in entertaining this belief, the time can not be far distant when, under the blessing and guidance of the God of nations, our fathers' God and our God, we shall witness the full fruition of the scriptural saying, "For now we see through a glass, darkly; but then, face to face."

Mr. CLAYTON. Mr. Speaker, I have come to-day to join in these ceremonies, to indorse the beautiful sentiments uttered in behalf of our dead friend, and to vote for the resolutions which have been offered. The melancholy occasion and knowledge derived from an intimate association with Mr. THOMPSON naturally suggest the thoughts that come to me.

While death is looked upon as the final and great calamity in every life, it at least brings all living men to the position where they are willing and disposed to do justice to the dead, whether foe or comrade. It is perhaps true that the best measure of any man can be had after his departure from the conflicts of life. His friends can then best contemplate his good deeds and his honorable career. If he had antagonists while living, he is no longer in competition with them. He has ceased to be the object of jealousy or envy. The grave has in his case silenced in the hearts of living men these human frailties.

In great sorrow we now pay loving and just tribute to the character, the public services, and the useful life of our departed friend.

On this the Lord's Day we have converted this Hall, the scene of many a fierce political struggle, into a sort of sanctuary, into a place where we acknowledge the omnipotence of God, and bow in recognition to His universal law—the law of life and death. We stand in the presence of death and confess that man, with all of his boasted knowledge and ingenuity, must in the end admit his inability to defeat the dread reaper, and that, sooner or later, under the inexorable providence of God, all the sons and daughters of Adam will go willingly or unwillingly to join the departed in the great beyond.

In considering the success that our friend achieved in life we ought to be mindful of the obstacles that he met with and that he overcame, for all success is measurable; it is all comparative. We find that less than forty-four years ago this young man was born in Macon County, Ala., at a time when the fair land of the South was suffering acutely from a cruel and devastating war. He was born amidst devastation. The section of our great country from which he came was then about to undergo an industrial revolution—a change from slave labor to free labor—under which changed conditions doubtless the South has achieved greater industrial development than would have been possible under the old conditions. In short, we may say that Mr. THOMPSON was a child of the bloodiest war of the nineteenth century.

As soon as he had reached the age and growth that enabled him to see over the top of a business counter in his father's store he engaged in helping his father earn a livelihood for a large and growing family. He was put to work—aye, he went to work in his early youth gladly and willingly. The citizens of his town are fond of relating the story of his work, beginning when he was a barefooted boy and ending when he was a planter on a large scale, a successful banker, and an honored Member of Congress. We can not doubt that the experience and practice which he had, beginning in his early youth, equipped and trained him so that he became a successful business man. Doubtless the apparent hardship which the boy underwent enabled him to lay a foundation of that sterling character and led to large accomplishments—first in business and afterwards in politics.

This young man entered politics a few years ago, first by election to the State senate of Alabama. He there proved himself to be a wise and useful legislator, so that scarcely had his services as senator ended when he was chosen to come to this body, charged with making laws for our whole united country. He came here because he was ambitious to serve his State and country. No other inducement guided him, for he had amassed what is called a fortune in the South and a competency in any section of the country, and that, too, without ever having subjected himself even to a suspicion of a questionable dealing. Indeed, he was liberal and fair and businesslike in all his methods.

But, Mr. Speaker, there are others who know more about his business achievements than I do., I first learned to know Mr. THOMPSON well after he had entered the political arena. He did not have a collegiate education. He had little familiarity with polite literature. But he had a superior, God-given endowment. He had an incisive intellect, a quick perception, good judgment, and rare common sense. He brought all these gifts with him in his political life. It may be said of him that, perhaps, no man in this Congress has accomplished more in life, in the face of adverse circumstances, in a like number of years, than this young man accomplished. He would have been sent to the next Congress by the unanimous voice of his people. No man had dared rise up to oppose him. His death came as a shock and as grievous misfortune to his immediate constituents. Our friend has gone. We bless his memory and praise his noble qualities. We can do no more except to draw lessons and inspiration from his useful and honorable career.

He was a typical Southerner, with all his warmth of heart, with all of his impulsiveness, and with all of his courage and honesty of purpose. He loved his people. He loved his State. He loved his country. He served all of them well and faithfully. A few weeks ago we took that which was mortal of him from this city down to Alabama, and on a sunlit plain we laid him away and covered his newly made grave with a profusion of flowers. He now sleeps a sleep that shall know no wakening until the resurrection morn. Rest, dear friend, in the bosom of your beloved mother State, and in that dear old community where the aged and the young, all the people, the white and the black, revere the memory, honor the good work, and are proud of the achievements of CHARLES W. THOMPSON. We laid him away in "God's acre," in his beloved Alabama, a land so fair and blessed of heaven, where even at night, under moonlit skies and amidst the evergreen boughs of the magnolia the mocking bird sings in December.

Mr. CONNER. Mr. Speaker, death does not always come as a surprise. When by reason of extreme age or prolonged illness it claims one of our number we regard his removal as inevitable and soon become reconciled to it. It is like a reaper in a field of ripened grain, where we expect to find the golden harvest lying low after the sickle has passed. But when in the vigor of mature manhood a friend is suddenly stricken down we stand in mute surprise and are appalled. As we regain our mental poise and reflect calmly upon the situation the truth of the words so oft repeated comes to us: "In the midst of life we are in death."

Why some are taken and some are left, why the strong and vigorous fall and the frail and weak remain can no more be understood than why the lightning in the forest strikes a tree of vigorous growth and spares the one of lesser strength. These secrets are lodged only in the bosom of the Infinite, to be revealed in His own good time. In our weakness and frailty we can but speculate as to the purpose while following in a path whose course we do not know.

Little did anyone at the beginning of this session of Congress imagine that before its close we would be called upon to mourn the loss of Mr. THOMPSON. There was nothing in his appearance or manner or in the smile that played upon his face to indicate that he was soon to become a shining mark for death. It was perhaps better for him and for his friends that this unwelcome secret was veiled from sight.

It was my good fortune to become acquainted with Mr. THOMPSON soon after he entered the Fifty-seventh Congress. He was from the South—a typical southerner. He loved the South and sought to have others share his affection for her institutions. He first on coming here made his home at a hotel where all the other Members of Congress were from the North and, as a rule, belonged to a different political party. And yet it was not long until he was the friend and associate of every Member living at the hotel, stranger that he was and affiliating with another party. His gracious manner, his warm and cordial nature endeared him to everyone who came into contact with him.

Political affiliations were forgotten, sectional differences sank out of sight, and the man and friend only were seen. He had a distinct and marked individuality. He carried about him an atmosphere which charmed and drew men unto him and held them in its embrace. He was a loyal friend, not for a day only, but for all time. He was frank and open in his life. He wished others to know more about him and his surroundings. He invited as his guests people from the North to visit his home, in order that they could better understand the conditions in the South. Those who accepted his invitation and enjoyed his hospitality were charmed with the simplicity of his life and the wealth of friendship that existed for him among all classes in his own State.

He won at home as he did here, by his frank, open, and manly life. He was a faithful Representative and always loyal to his district and State. No Congressman was ever more alert to serve his constituents than Mr. THOMPSON. In his death his State and country lose a valuable Representative, his neighbors a true and loyal friend, while the loss to his family overshadows all others. And yet there comes to the stricken family a ray of hope in the thought that this son, this brother, this father has but passed out of sight, and that some time, some where, God in His goodness will bring about a reunion of mother, brother, and children, where death has no sting and the grave no victory.

Mr. BOWIE. Mr. Speaker, on this solemn occasion we all feel the same unfeigned regret. It is a sad duty which calls us together to-day. We come to pay our tribute and our respect to one who has gone from us.

The fate which overtook Mr. THOMPSON will sooner or later overtake us all. It is the universal law. The same summons comes with unerring certainty to the king in his palace and the peasant in his hovel. It has been so from the beginning; it will be so to the end. "The Lord gave, and the Lord hath taken away; blessed be the name of the Lord."

If this is true, as it undoubtedly is, why is it that mankind remains unaccustomed to the sight; that every new recurrence brings grief to many stricken hearts? Did anyone ever go but what there was some mourner at the funeral, some heart the sadder for the going? Death is not always feared or even regretted by the dying. To many it is a relief from toil and trouble, a passing over the river to the Great Beyond with peace and thankfulness. Why, then, do the living always shudder? Why does a convenient season never come to them for a loved one to go? The answer is a mystery which Heaven has not revealed, but we all realize the truth of the impulse.

At any rate we always bow our heads in grief and drop a tear of sympathy over each new-made grave. And so to-day we meet together as a witness and a testimonial of our love and respect for our colleague and comrade who has passed over the river and rests under the shade of the trees.

The life of CHARLES W. THOMPSON is one to inspire and to lift up. Thrown upon his own resources with an unfinished education at an early age he rose to the height of every occasion. He met and solved every task; he triumphed over every difficulty. He turned his attention to business in a small town where opportunities were few, and he succeeded. The injunction, "Whatsoever thy hand findeth to do, do it with thy might," he obeyed to a literal degree.

Cut off as he was in the very prime and flower of a young manhood, he had succeeded in a marked degree in public life. As a member for four years in the State senate of Alabama he rendered able, conspicuous, and honorable service to his State. Elected to this Congress in November, 1900, he gave its duties here the same enthusiastic service which in private life and in the State senate had yielded such successful results. He had in a short period of three years accomplished much for the good of his people, and was making his impress felt upon national legislation. The life before him was full of promise and further usefulness. He was taken away in the very prime of life, even before his time.

No remarks upon his memory would be complete without recording the deep religious side of his nature. A member in the best standing of the Southern Methodist Church, his loss, I sincerely believe, was more widely felt by its ministers in Alabama than the loss of any of its lay members in recent years. It was well remarked by one of his friends on the occasion of his funeral services that his last public act in Alabama was to attend the conference of this church; and his last service in Washington was to attend services at the Mount Vernon Methodist Church in this city.

He died—I shall not say without regret, but certainly without fear and without complaint. He had a strong and abiding faith, even the faith of a little child. He felt it was not death at all, but simply a change. That that which was mortal was laid down, and with it pain and strife, and struggle and turmoil. That in its place was the immortal, and with it came peace and the happiness which passeth all understanding. Truly "Blessed are they who die in the Lord."

Mr. SMITH of Iowa. Mr. Speaker, called one day to my western home, I bade Colonel THOMPSON good-by, leaving him apparently in the full enjoyment of health. Reaching my home I found the announcement of his death.

I was deeply shocked, for I had known and loved him well. From the time that he came to Washington we dwelt under the same roof, and I had been a visitor at his home at Tuskegee. Gen. Lew Wallace, in Ben Hur, puts substantially these words into the mouth of Judith:

> There never was a people that did not think itself at least the equal of any other; never a great people that did not think itself the very superior.

Bearing this in mind, it is not to be wondered at that citizens though we be of one common country we are all of us inclined to look upon our particular section as the most favored in this land.

Born as he was at about the time of the war between the States, Colonel THOMPSON bore no bitterness in his heart arising out of that strife. The estate of his family was well-nigh wrecked by that struggle, but he set himself about to build up the affairs of his family, and he succeeded.

He had, however, deeply embedded in him the convictions and the opinions of the people of his own section. His political allegiance was with that party there dominant. His convictions upon the race problem were the convictions in large measure of his people, and yet he was broad enough to realize that if the South must forever keep the black race there it was best for the South that all possible should be made of that race.

During his service in the legislature of Alabama he did not lend his sanction to the doctrine that any human being is better for being ignorant, but gave his generous support to the doubling of State appropriations for the maintenance of the famous institution located at his home.

While loyal to every southern sentiment and loyal to every southern tradition, he was of that broad mold of Henry W. Grady, of whom it was said that when he died he was literally loving the nation into peace. His death was premature, measured by earthly standards, and yet, measured by his achievements, his life was longer than that of most of men.

His loss was felt by all who knew him, though when I heard of it I could not but feel most deeply for that dear, sweet-faced mother I had met in their home in Alabama. His sudden taking off is but another illustration of the fact that—

> There is not a wind that blows but brings with it some rainbow of promise. There is not a moment that flies but the sickle in the field of life reaps its thousands with their joys and cares.

Death was not feared to him. I never knew a man of more simple and childlike Christian character. He came to this city with deep-seated convictions upon the subject of morality and religion, and without ostentatiously advertising them he lived all his days here in strict harmony with them.

Never did he depart from that standard of conduct which had been his in his little town at home. He went out of life in the full faith that he was going to a better world beyond, and surely we may join with him in that belief that—

> Though with bowed and breaking hearts,
> With sable garb and silent tread,
> We bear his senseless dust to rest,
> We know he is not dead.

Mr. THOMAS of North Carolina. Mr. Speaker, it is with feelings of profound sorrow and deep regret that I rise in this Chamber to pay a last sad tribute of respect to the memory of CHARLES WINSTON THOMPSON, and to lay upon his tomb in the fair State of Alabama, in our sunny Southland, my wreath of immortelles and my garland of flowers. Not only were the ties of friendship between myself and CHARLES W. THOMPSON strong, but the ties be-

tween North Carolinians and Alabamians, between the State of North Carolina and Alabama, are especially strong and numerous. Many of Alabama's citizens are of North Carolina descent. Some of North Carolina's citizens are of Alabama descent, including distinguished Representatives from both States upon this floor. The cities of Alabama, some of them, bear the names of our North Carolina cities. The names of Greensboro and of Newbern, my home, are also the names of Alabama cities.

Since Alabama was admitted into the Union in 1819 North Carolina has contributed largely to her population, and Alabama has honored many of North Carolina's sons. The distinguished William R. King, who was born in the county of Sampson, in my Congressional district, and who formerly represented North Carolina in this House, afterwards represented Alabama in the United States Senate, and from that good State was sent as minister to France, and became Vice-President of the United States. There are now residing in Alabama many distinguished citizens of "Tar heel" ancestry; many who have removed to that State from my State. Such men as Judge Thomas Ruffin Roulhac, United States district attorney; the Hon. Hannis Taylor, minister to Spain under Mr. Cleveland's Administration, a native of Newbern, N. C., and many other men eminent at the bar and in public life. Mr. THOMPSON himself bore the name of "Winston," a prominent North Carolina family, as well as of Alabama's beloved governor, John A. Winston. These facts may account in part for my own attachment to Alabama people and to her late Representative whose memory we honor to-day.

It is difficult, Mr. Speaker, for me to find appropriate language in which to express the shock and the sadness which the news of the death of CHARLES W. THOMPSON caused me. Since I have been a Member of this body, the greatest parliamentary assembly in the world, in the brief period of three terms of service here, I have seen many of the nation's most eminent men, including a President and Vice-President of the United States and great statesmen and political leaders, pass from the stage of action. The nation and the world have mourned their departure. But many of these—yes, most of these—have vanished from the scenes of earthly glory, honor, and triumphant success in the zenith of their fame and after many years of public service.

CHARLES WINSTON THOMPSON had just begun his public career. In private life he was a successful planter, banker, and business man, and had accumulated a large income. In his public life he had served Alabama in the State senate, but his political career here was just beginning; and his service in Congress was a stepping stone only to other honors, including the governorship of his State, when, in a moment, suddenly and almost without warning,

God's finger touched him and he slept.

Coming in and going out among us in this Hall, sitting by my side during this Congress, full of life, hope, and happiness, looking forward eagerly, cheerfully, joyously into the future; seeing there no shadows, only the bright sunlight of peace and success, and in the vista of the years only still wider avenues of business enterprise, still higher honors in public life, still greater joy in living; in apparent good health, death's poisoned shaft pierced him in a night, and after a brief struggle my friend succumbed to the inevitable. He met with patient resignation and fortitude the divine decree; he faced death bravely, and closing his eyes upon the changing scenes of earth fell asleep to awake in heaven's eternal morning.

Closing his earthly career in his forty-fourth year, he had won success as a business man, an educator, a legislator, and a statesman, and in every capacity he was useful and honorable, and withal a Christian gentleman, popular with all classes and conditions of people in the community in which he lived, and beloved by them all.

We have often heard it said that a man dies when his work in the world is finished. The work of CHARLES W. THOMPSON seemed just to have begun. Why was it not to be completed? Wherefore was the stately column broken? By what theory, what reason, what philosophy, do you explain the sudden termination of a bright, happy, useful, and prosperous life?

It is said that our friend contracted the disease by which he was stricken in attending devoutly the services of his church, the Methodist Episcopal Church South. Wherefore, while evil men continue to live and flourish, should a good man die? These are questions constantly recurring when death strikes down a good man at our side; questions as old as the everlasting hills, as the philosophies of ancient times, as the teachings of the heathen philosophers, Plato, Socrates, and Aristotle, as old as human life itself, yet ever new and recurring like the mystery of death. The stoic answers, "We know not; let us endure without complaint." The epicurean answers, "We know not; life is brief, its ills are many, and so while we live let us live." The Christian answers, "It is the divine will, and we bow to the divine decree."

Whatever may be the solution of this great mystery and the answer to these questions, we can find no comfort when one whom we love and esteem meets an untimely end except in the thought that God, who controls the universe, who holds in the hollow of his hand the oceans, who counts the sands upon the seashore, and numbers the stars of heaven, and yet who marks the flight and fall of the sparrow, knows what is best and does it; and though his divine decrees are immutable and mysterious, yet they affect men and nations alike and are the decrees of a loving Father.

Mr. Speaker, I am a predestinarian. I believe not that what is to be will be, but that when God wills, however untimely it may appear to us, then must events transpire and changes come in the lives of men and nations, and that his divine will is best.

The poet Whittier, in that grand poem "The eternal goodness," imagines some beautiful islands of the sea, unreal and far distant, which are full of beautiful flowers and rare exotics, and joy and peace and sunshine, where it would be ecstasy merely to exist. Realizing the sin, the suffering, passions, changes, and chances of this mortal life he longs for these beautiful islands of rest. He can not discover them, and so he patiently waits by the shore and listens for the sound of the muffled oar of the boat which is to bear him across the ocean's billows. He turns to his faith in the eternal goodness of God, exclaiming:

I know not where His islands lift
Their fronded palms in air;
I only know I can not drift
Beyond His love and care.

It is said that "death loves a shining mark." Certainly in the sudden death of Mr. THOMPSON was this exemplified. Successful, surrounded by friends, of good habits, and with the brightest prospects, the grim destroyer selected an illustrious victim. His aim was sure, swift, and deadly, and before we realized that the end was near, and although the most skillful medical aid in the country was summoned to his bedside, almost without warning his spirit winged its flight into the great beyond. The pale boatman, with his muffled oar, bore him across the waters to those beautiful isles of the sea upon whose shores break forever and forever the waves of eternity.

CHARLES W. THOMPSON possessed besides a knowledge and aptitude for business and politics a keen appreciation of all that was good, true, and beautiful in the world. He had a refinement and sensibility which led him to love and admire the best in art, literature, nature, and mankind. His soul abhorred vice and impurity of speech. He thought no evil; he believed good of everyone. He had a cheerful optimism, a wise conservatism, a belief in God and humanity, and a love for his fellow-men: a rare combination of qualities which made him popular with men of all parties and creeds. In Congress his career and speeches were especially notable in their purpose to endeavor to unite all sections of our common country and to obliterate all sectional feeling. He appealed for just consideration and accurate knowledge of the South and southern conditions.

In an eloquent speech which he made upon southern war claims, in which he urged the repeal of the fourth section of the Bowman Act, which bars the great bulk of southern claims for supplies furnished to or taken by Federal forces in the civil war, because it makes the claimant's loyalty to the United States Government during that war essential to the validity of his claim, Mr. THOMPSON made an earnest plea for the whole people of the South, for reconciliation and peace between all sections of the country, and showed the gross injustice of northern partisans in believing and treating the South as still disloyal to the Union.

I quote one paragraph from that speech. Mr. THOMPSON said:

Southerners are as good citizens of the United States to-day as are the Northerners, and they should be treated as such by our laws. Our supplies were taken and used by the officers of the Government, and should be paid for. The South does her full share of the fighting for the Union. She does her full share of the work of the country. She bears her full share of the burdens of the country. She pays her full share of the $150,000,000 paid in pensions each year for Union soldiers. She is striving equally with the North for the honor, welfare, and advancement of the whole country. The two sections are in perfect unity, peace, and concord each with the other, and all acts inconsistent with this so desirable condition of affairs should be forthwith repealed. Think of the heroes of Georgia, Virginia, and the Carolinas in the Revolutionary war; the men who, almost starved, barefooted, and in rags, baffled the hosts of British regulars and won from them an unnumbered series of brilliant victories under Sumpter and Marion. Remember the exploits of the Southerners under Andrew Jackson in the war of 1812, under Scott and Taylor in the Mexican war, and remember that when the Spanish war broke out the Southern Confederate veterans and their sons sprang with one accord to the defense of the Stars and Stripes and fought for the flag on sea and land with unsurpassed bravery and vigor. The man who held the fort at Habana was a Southerner and a nephew of Robert E. Lee. The first one to fall in that war was a Southerner, sealing his devotion to the Union with his heart's blood.

Such sentiments as these indicate the patriotic spirit of CHARLES W. THOMPSON. Mourned by his friends, the community in which he was reared and lived, the constituency by whom he was beloved and twice elected to Congress, and by all the citizens of

Alabama, the body of CHARLES W. THOMPSON has returned to the dust of his native State and his brave and kindly soul to the God who gave it. May he rest in peace in Alabama's soil, there to await the resurrection morning and the "rising of the Sun of righteousness with healing in his wings."

Mr. RAINEY. Mr. Speaker, the power of a great nation does not depend alone upon armies and fleets and the extent of its territory, but upon the honesty and worth and enthusiasm of its citizens. The material progress of a country depends to a large extent upon the integrity of the men who are elected to public office.

CHARLES WINSTON THOMPSON believed always in the idea that a public office is a public trust, which must always be administered with the same appreciation of the responsibilities involved as is required in the transaction of the ordinary business affairs of life.

As a Member of the Congress of the United States and in all the minor political offices he at various times filled he discharged his duties honestly, faithfully, and fearlessly, and with the same zeal and integrity that always characterized his transactions in the numerous business activities in which he was engaged.

He brought with him to this House all the enthusiasm of his young manhood. He has left here the impress of a strong, manly personality. Upon such men as CHARLES WINSTON THOMPSON depends, to a large extent, the welfare and material progress of our country.

He was born in the Southland when the two sections of our country were contending in the greatest civil war the world ever saw. He lived out his young manhood surrounded by the evidence of the changed and constantly changing conditions brought about by that conflict. The traditions of centuries had been destroyed. The labor system of great States had been overturned.

Amid the chaos which followed the war he grew to manhood. Living in the center of the "black belt" of Alabama, he had opportunities for the study of social conditions such as were presented to but few men. Fighting always, even in early youth, with a manful courage the battle of life, he soon learned to appreciate fully the difficulties which presented themselves in the attempt to solve the race problem in the South.

His material affairs prospered, and he was able to give much time to the study of this most important question. He made it his life work. The locality in which he lived was peculiarly fitted to develop in him the ideas he sought to impress upon Congress and upon the country.

The emancipation of the negro had left that race largely preponderating in his section. On account of this fact the great Tuskegee Institute was located there. This great institution, officered by negroes, has been successfully striving to uplift the race by training them in the industrial occupations. He was in entire sympathy with this work and rendered at all times valuable assistance.

Here in the village of Tuskegee he resided during all the years of his life. He has contributed much toward the solution of this great economic problem.

He was loved by all who knew him. His bright, cheerful disposition made him armies of friends wherever he went, among both the white and the black races.

> Sunshine was he in the winter day,
> And in the summer, coolness and shade.

He was an honest, conscientious, enthusiastic, forceful man of action, always in the full possession of all his faculties. Such a man is the grandest object this world ever exhibits. To use the words of a great American orator, "The heavens in their magnificence, the ocean in its sublime immensity, mountains standing firm upon their granite foundations, all are less imposing than a living man in the possession of his highest faculties."

We have assembled here to-day to do honor to the memory of an honest, thoughtful man, who in his lifetime was a potent factor in the solution of great economic questions. Such a man while he lives is an inspiration to all who come within the sphere of his influence—

> And when he dies he leaves a lofty name;
> A light, a landmark on the cliffs of fame.

The work he attempted to do can not be arrested by the cold hand of death. He started into forceful motion activities which will not stop with his death. Fifteen hundred years ago barbarians attempted to remove from the earth the influence of Athenian sculpture and they mutilated and buried the old Greek statues; but these great works of art live again, and during all the centuries have "kissed into being with their cold lips of marble" successive generations of artists, who have made the world ever more beautiful and have developed and uplifted human ideals.

Such a man as CHARLES WINSTON THOMPSON lights up this old cheerless world and glorifies all he undertakes with bright hues brought down from heaven.

He was a true son of the Southland. He loved her history and her traditions; he loved the locality in which he was born and had always lived.

He loved the flowers and the bright skies and the singing birds of his native State. He loved her almost perpetual summer, her balmy breezes, and her broad smiling landscapes. He loved the people who live there—young and old, white and black; he loved them all, and they loved him.

Death came in the full flush of youthful manhood, when for him the sun was still shining in the eastern sky and had not yet approached the meridian. Death is always sad, but it is less sad when the shadows of evening are gathering, and when a man has lived out the years of his mature manhood and is entering upon the infirmities of old age.

He died here in this capital at his post of duty, a victim to the severity of an unusually cold winter in Washington. I was one of the Members of this body who accompanied his remains to his native village. As the long train moved swiftly across parallels of latitude we soon began to realize that we had left behind us the land of snow and cold and were entering upon the sunny Southland.

I shall never forget the impressive scene which followed our arrival in his native village. The night was not far advanced, and from miles around his old friends had come to pay their tribute to his memory.

I can see yet the long procession up the village street, the heartfelt grief of his family and of the friends of his own race, the long lines of black men and women who stood respectfully, with uncovered heads, as we passed.

It was glorious springtime in the Southland. The air was laden with the fragrance of flowers; from the orchards came the song of the mocking bird. It was the season he loved best. CHARLIE THOMPSON had come home—back to the country he loved and to the people who loved him.

We covered his grave with flowers and left him there in the land he loved, under the blue sky of his native State, where the flowers bloom and the birds sing and the balmy breezes forever blow from the southern gulf.

[Mr. BURNETT addressed the House. See Appendix.]

Mr. PADGETT. Mr. Speaker, once more an angel messenger delivered his message to the House of Representatives, and the late CHARLES W. THOMPSON responded and took his departure. We have assembled upon this holy Sabbath afternoon to speak a word of just tribute to his memory and his works. He and I entered Congress at the beginning of the Fifty-seventh Congress. During that Congress I only knew him as a Member of the House. In the Fifty-eighth Congress we were assigned to work upon the Banking and Currency Committee, and there I knew him better and had more association with him.

In speaking of him to-day, however, I shall speak less of what I know myself and more of what those who knew him better and had had longer association with him testified to his worth and his merits; to speak that impression that he made upon me and what I believed he was, in truth and in fact. First of all, I desire to say that he was a man of deep religious conviction. To say that he was a member of the church is not enough. True, he was a devoted member of the church, but there is more than church membership. In his heart, in his soul, in his being there was a deep, earnest conviction of his duty, his obligations, and his relationship to his God. He believed in the Fatherhood of God, not abstractly, not simply that God was the Creator in the abstract of all things, but in the concrete that he was the Father of the human race.

It is a good thing, Mr. Speaker, to lodge in the human heart a belief in the fatherhood of God, and CHARLES W. THOMPSON had a deep and earnest and sincere conviction in this belief, and this belief made itself manifest in his life, in his conduct, and in his character. Again, Mr. Speaker, he was a man of broad humanitarian sympathies. All of us have our sympathies, all of us have our charitable thoughts, our kindly affections, our love for our friends, but there is more in life, there is more in sympathy than affection for an individual or kindness to a particular person.

There is a breadth, there is a broadness, there is a comprehensiveness in sympathy that reaches out and touches humanity, and CHARLES W. THOMPSON had that sympathy. He believed in the brotherhood of man. He touched elbows with humanity; his heart responded to the noble sentiments, the deep sympathy, the abiding confidence in the integrity, in the worth, and in the merit of humanity, and it was this belief, it was this broad humanitarian sympathy inspiring his life that interprets and sheds light upon his character and upon his worth as a man, as a citizen, and as a legislator.

He was also a successful man in the material business affairs of life, a man of sobriety, a man of energy, a man of industry, a

man who properly and wisely appreciated the virtues that enter into and constitute the elements of life and of character. He did not believe that character was a haphazard matter, but he realized that it was constituted of elements, essential elements without which life was a failure, and that these elements of character were the virtues of life, and he put these virtues into practice.

He was not satisfied simply to believe in virtues, in the elements of character in the abstract, but he had a desire and an ambition to exemplify and illustrate these virtues in his daily walk, in his conversation, in the mode and the manner of his living and moving among men. As the result of this he enjoyed the confidence, the love, and the respect of the people of his home land and of his colleagues and associates in this Chamber. I shall not dwell upon that. Others who knew him longer and had associated more with him have borne witness to that phase of his life.

Let me only add that a man moved by such impulses, inspired by such inspirations, knew and realized and proved that "life is more than meat and the body is more than raiment."

I was one of the committee of this House appointed to attend his funeral at his home in Alabama. The esteem and respect of the people of his native State was indeed a beautiful and inspiring tribute to his worth and a noble monument to his memory.

In the midst of life death came to him, and he left us; and we stand here to-day asking ourselves why. Is death the end? If so, our aspirations are barren; our inspirations are fruitless. If death is the end, why should we cultivate the intellect to sweep out over a universe, to gather in the knowledge and the glory and the grandeur of creation? If death is the end, why should we fill our hearts with the inspirations of love? Why should we link and bind our lives with the ties of friendship and hallowed association, if it all comes to naught? If death is the end, why should we not seek only to gratify that within the grasp of our senses?

It is standing in the contemplation of scenes like this, in the shadow of lives like that of Mr. THOMPSON, that we can rise in the dignity of manhood, in the glory of such a character, and say, "I know that my Redeemer liveth and that after this life I shall see God."

'Tis life, not death, I crave; more life, richer life, would I have. Here in this life, hemmed in by the senses, able to communicate only through the limited and narrow channels and avenues of sense; over there, untrammeled by the limitations of our physical senses in the life which he enjoys, we are in touch with the eternities—the eternities of time, the eternities of space, the eternities of opportunity, the eternities of accomplishment.

Oh, the little time that is allowed us here, when our ambitions, our calculations, our aims, and our purposes are cut short as illustrated by the life of this man! Encompassed by the limitations of time, the limitations of space, our sphere of action is so narrow we can extend our associations and friendships and obligations and duties only over a little territory.

Here opportunity, it is said, comes to us once only, and then it seems that we accomplish in the full, rounded, perfected sense so little. Is it not a comfort, as we measure life and character by such a standard as the life and character of this man, to find consolation in the thought of the life beyond, in the eternities of our opportunities and our accomplishments? Verily, these are the grandeur and the glory and the power of life.

Mr. SCARBOROUGH. Mr. Speaker, some one has truthfully said: "It is a pious office to scatter sweets over the tomb of departed worth." For that purpose we are met to-day. CHARLES W. THOMPSON is no longer a Member of this great American Congress, but his comrades on both sides of this Chamber esteem it a melancholy pleasure to turn from acrimonious debate and place among the archives of the second session of the Fifty-eighth Congress their testimonials as to the character and worth of the lamented dead.

The death of our friend is another startling proof of the uncertainty of life. Neither exalted position nor wealth furnish any immunity against this dread visitation. Our friend had both, but in spite of that and in spite of the services of skilled physicians, CHARLES W. THOMPSON heard a call that he could not disobey; his spirit passed beyond the shadows and mists of time, and his body sleeps in the land of his birth, where from day to day his dusty couch is watered by the tears of generous love.

I met Mr. THOMPSON at the opening of the Fifty-seventh Congress. We took the oath of office at the same time, I believe, lived at the same hotel, and sat near each other in this Hall. So I had some opportunity of knowing him.

I believe there is no life in which a man more surely makes his own place and maps out his own course than in this body. As some one remarked here in debate a few days ago, it matters not what a man may have been at home, no matter what social or political distinctions he may have won in some other arena, or what ability he may have shown in some other forum, when he becomes a Member of the House of Representatives he will be judged by the record he makes here.

Mr. THOMPSON attracted men not by brilliant speech or self-assertiveness, but rather by his gentleness and conservatism. He was a manly man. His was a bright face that wore a cheery smile, sure token of a genial, happy disposition, and a mind that entertained high ideals. The world is a mirror that reflects back our own image. Smile, and it smiles at you; weep, and it shows a tearful countenance. Changing the figure, some one has said that the world is a savings bank from which we can draw out only what we put in. No wonder, then, that our dead friend saw love and beauty and joy and gladness in the world, and wore a smile and had a hearty hand shake for those he met. He was in love with the world around him and with his fellow-men, and the world was in love with Mr. THOMPSON. He gave to his fellowmen the warmth of his sunny nature and they paid him back in his own coin.

As a legislator he was studious and purposeful. His ambition was to do right. A Southerner, he was typical of that section—loyal to its traditions and proud of its history. But he was not provincial; he was an American and loved the whole Union. As a business man he was unusually successful, and yet he was neither a bigot nor a Shylock. He gave his goods to feed the poor, and was delighted to be a steward of his Lord's money.

I had the honor of being one of the Congressional escort that went with his body to his much-loved Alabama home. It was a sad mission. The immense concourse of people, representing all classes and conditions, that followed his body to the grave was an eloquent tribute to his worth, and showed the esteem in which he was held by his neighbors. Only two weeks before he had told friends and loved ones good-by, after a brief visit to his home, and had, in apparently perfect health, resumed his duties here. Life seemed to spread out before him and years beckoned him forward. But he fell in the zenith of his manly strength, with the sun of life at high meridian. Measured by the highest standard of manhood, his life was not so short after all, for "he lives longest who lives best."

Let me speak briefly now of the most striking phase of Mr. THOMPSON'S character. He was not ashamed of the gospel of Christ and esteemed it an honor to be reckoned among the children of God.

The average man can easily conform to the requirements of the moral law at home, surrounded by Christian influences, but many men become lax in the observance of religious duty when they come to the capital and go with the multitude to do evil. Not so with our departed friend. We are told that the first Sunday after he arrived in Washington, at the opening of the Fifty-seventh Congress, he went to the church of his choice, the Methodist Episcopal Church South, put himself under the charge of the pastor, and then, Sunday after Sunday, when in Washington, he was found among the worshipers. No, he was not ashamed to be called a Christian.

When the shadows lengthened and the death dews settled on his pallid brow he told the minister, "I am not afraid to die." Who does not envy such heroism?

The great and wise of earth have weighed the planets, measured their orbits, and determined their revolutions; but none have been able to raise the shadows that hang around the tomb or say where will rest the soul when freed from this mortal casket.

And yet our friend, soothed and sustained by an unfaltering trust in God, approached the King of Terrors in this final conflict and was not afraid.

He had heard "songs in the silence," and the God whom he had served forsook him not in that hour. Crowns and coronets, scepters and robes of office give no guaranty against the icy touch of death or any title to rest and home and life and joy beyond the grave. But in spite of wealth and high position and the seductive influences of official life, our friend had found the "open sesame."

Peace, peace, sweet peace,
Wonderful gift from above—
Oh, wonderful, wonderful peace,
Sweet peace, the gift of God's love.

Mr. WILEY of Alabama. Mr. Speaker, we stand in the shadow of a great sorrow. Again we are impressed with the solemn words of the poet:

Oh, deep, enchanting prelude to repose,
The dawn of bliss, the twilight of our woes;
Yet half I hear the panting spirit sigh
It is a dread and awful thing to die.

Ebon-handed Death, with his relentless scythe, has again invaded our ranks and cut down a beloved colleague in the full pride and strength of a glorious young manhood.

On the 20th day of last month, at the hour of 4 o'clock p. m.,

his disembodied spirit winged its flight from the ills of life to a brighter and better home beyond the skies, to that—

Mysterious world, untraveled by the sun,
Where time's far-wandering tide has never run.

In this untimely death the State mourns one of her stronge and noblest sons. His illness was brief. Grief-stricken, we scarcely had occasion to gather around his sick bed before we were summoned to follow his body to the grave.

So buoyant and manly, strong and healthy, brave, loyal, and true was he that it never occurred to us to associate him with the idea of death. Better than any man I ever knew he appreciated the just relations between himself and others, the duties arising from them, and his obligations at all times to fulfill them.

I was his intimate personal friend and loved him for those qualities of head and heart which endeared him to all who came into close contact with him. As a father, son, brother, neighbor, friend, church member, and patriotic citizen he discharged every duty cheerfully and with the approval of a good conscience.

Time robs us of our treasures one by one, leaving us nothing save our dead. The ways of God are inscrutable—past finding out. In the midst of a useful and honorable career, with a rainbow of promise spanning a brilliant future and glowing with prismatic colors of richest hue, it is beyond our finite comprehension to understand why the "dread summons" should come to him at an hour so inopportune. All our sorrows, it is said, have elements of good in them, and as "the swift shuttle passes" we catch bright glimpses of golden threads in the black web of our afflictions. Light and shade, good and evil, joy and sadness, sickness and health, life and death, cross and recross like warp and woof in the loom and weave up the eternal network of our destiny. But—

Each hope and fear that blights the eye or clouds the brow
Proclaims there is a happier sphere than this bleak world that holds us now.

From the almost inspired pen of Edmund Burke we have this memorable sentiment: "There is nothing in the world that does not lie within the reach of an informed understanding and a well-directed pursuit." The moral qualities, the excellencies of character, of brave and loyal men have caused the torch of truth to come down from heaven to earth. Truth and courage are lordly virtues. They wear upon their heads the dignity and glory of kingly power; and when softened by charity, which is their loving mother, they become the superb crown of humanity—not imperious despots, but checked and tempered sovereigns of the soul.

CHARLES W. THOMPSON was a broad-gauged, progressive, liberty-loving American. He was not a theorist or pessimist. He was no literary vagrant, loitering about the soft places of indolence and ease. He was intensely practical. He did things. He accomplished results. With a Napoleonic grasp of the situation, he reached conclusions with unerring accuracy and apparently without conscious intermediate process. Earnestly patriotic, his ardent wish was to have all sectional lines obliterated, to behold the North, South, East, and West banded together in the common bonds of perpetual union and fraternal love. Direct in his methods, clear of comprehension, with a bright mind full of useful knowledge, fluent in speech, and graceful in manner, it was no marvel that in his public addresses he became so interesting and instructive that "the common people heard him gladly."

The Bible description of a Christian worker, "not slothful in business; fervent in spirit; serving the Lord," precisely fitted him. He met the duties, responsibilities, and obligations of life with truth and courage, honor and manhood. It is the rugged highway that calls forth one's strength and not the valleys of sensuous ease. The fierce winds drive the roots of the giant oak deep down into the earth, so that it may resist the raging storms. Carlyle defined genius to be "a light of intelligence, of truth, and of all manfulness." This sort of genius craves recognition and appreciation. Merit does not voluntarily hide itself from the knowledge of men. It will live through the fires of persecution. It will break the shackles of ignorance, superstition, and prejudice. It will stand firm against adversity's howling tempests. Even prison walls and iron bars can not shut out its influence.

It was a doctrine of old paganism that the gods gave nothing to mortals without severe toil. Acting upon the principle that labor conquers all things and "time will bring its own reward," the splendid gentleman whose death we mourn to-day struck out for himself in the great ocean of busy life around him and struggled heroically with its waves. He proved himself strong and worthy; and his fellow-men were not slow in making the discovery, in properly appreciating his efforts, and in rewarding him according to his deserts. From obscurity to fame he fought his way, and his career demonstrates and illustrates the magnificent possibilities of American citizenship.

With a modest beginning in his native town of Tuskegee, he amassed a large fortune before he reached the age of 40 years. He did not enter the political arena until he had already achieved notable business successes. The first official position he held was that of State senator, and while serving in that capacity he was elected to the Fifty-seventh Congress in a hotly contested race. He was returned to the Fifty-eighth Congress by a large majority, and would have been reelected without opposition to the Fifty-ninth Congress but for his sudden death. He was peculiarly adapted to public life. Enthusiastic in his affections, generous in nature, magnanimous in disposition, benevolent and public-spirited, tactful in the management of men and measures, tireless in energy, patient and painstaking in the conquest of details, he possessed, in addition to these characteristics, a magnetic personality, which enabled him to triumph in all his undertakings without surrendering one "jot or tittle" of his honest convictions.

Doctor Johnson has somewhere said: "He whose life has passed without a contest, who can neither boast success nor merit, and is content with his own character, must owe his satisfaction to his insensibility." There is not a person on earth who has not in him the power to do good. What men want is not talent so much as purpose; not so much the ability to achieve as the will to labor.

In little circles, it may be, we gather about us those who are bound to us by ties of affection or cemented by common rights and mutual interests. A man can not live for himself alone. Our fallen friend was literally the "archimedean lever" that moved the social, commercial, and religious thought and action of the community in which he was born. He had, of course, battles to fight and victories to win. He encountered difficulties and conquered them. He faced obstacles and surmounted them. A tree is known by the fruit it bears. A man is judged by the product of his labor.

According to every standard known to human experience by which earthly fame is measured we are forced to rank him among those who have compassed large results; but the make-up of this remarkable man can not be understood, nor a proper estimate be put upon his life and character, without taking into account the beneficent influence his devoted Christian mother exercised in his moral and religious training.

It was Madame de Stael who told Napoleon Bonaparte that if he wished to regenerate France he must first regenerate her mothers. A nation's glory or shame begins at the lullaby cradle, fondly rocked by an anxious mother's hand. It is an indisputable fact that scarcely any man has ever attained distinction in his chosen sphere who was not reared by a consecrated mother.

The tender love and consideration he always manifested for his mother was beautiful to contemplate. How proud she was of her worthy son—the idol of her heart, the "apple of her eye," and what a cruel blow was struck her when the "still small voice" coming from the realm of shade fell upon his ear and whispered: "Child of the dust, come away—come away."

When he left her to attend to his Congressional duties at Washington, imprinting a kiss upon her aged lips, health bloomed in his cheeks and joy laughed in his eyes; only two weeks later when he returned to her his body lay in a coffin. His image deep graven on her broken heart will remain "till memory be dead." He was her prop and support—her stay and hope. She had directed his youthful mind and guided his erring footsteps, and now, in her declining years, she delighted to lean on his loving breast; and he never failed her. His staff was her "comfort."

He was essentially a busy man; yet in the hurry and bustle incident to an active life he found time for the distribution of charities and benefactions with a liberal hand. He did not deem it a weakness to give sway to the influence of loving and sympathetic emotions. He preserved in his warm heart some green spots where the caravan wheels of the world never passed and where the hoofs of its carnival coursers never trod. His benevolences made life beautiful to many sorrow-stricken souls, bringing to them flowers and music and good cheer, and pouring into their weary hearts light and gladness, and sunshine.

But he has left us forever. Death, who knocks alike at the palaces of the rich and the cottages of the poor, unwilling to await the fruition of his earthly endeavors, has called this faithful public servant, this genial and gentle friend, "from labor to rest;" but he has not died in vain. His good deeds will live after him and inspire the youth of the land to emulate his well-rounded character. He leaves to the nation and his native State, to his family, kindred, and friends the legacy of an unsullied name. We mourn for a comrade lost; we grieve for a friend that is gone; but we will cherish the memory of his noble life, and emulate those lustrous virtues which incited him to lofty aspirations in his works and aims during his pilgrimage on earth, in his daily walk amongst his fellow-men. They have builded for him "a monument not made with hands, eternal in the heavens."

Mr. Speaker, I ask unanimous consent that all Members who have not spoken, but who may desire to submit remarks upon the life and character of CHARLES WINSTON THOMPSON, have leave to print in the RECORD within such time as is usual.

The SPEAKER pro tempore. Without objection, it will be so ordered.

DEATH OF HON. WILLIAM W. SKILES.

Mr. CURRIER. Mr. Speaker, I offer the following resolusions, which I will send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. WILLIAM W. SKILES, late a Member of this House from the State of Ohio.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of these exercises, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The resolutions were agreed to.

Mr. GROSVENOR. Mr. Speaker, I have listened with great interest to the beautiful eulogies that have been pronounced upon the dead and distinguished Member from Alabama [Mr. THOMPSON], and a thought has come to me that it is wise that we should assemble in a session of the House to speak of the character and virtues of those who have gone before. There is too much of censure and too little of intelligence in considering and discussing our public men. One will not find among the body of men comprising this House many who have not come here because of some strong, attractive, and valuable personal characteristic. So it is well that their careers shall be described and their virtues proclaimed, their successes made known. It will be an incentive to the young men of the future and an assurance to the people of the present.

I speak for a very few moments of the life and character of our colleague, WILLIAM WOODBURN SKILES, of Ohio. His death was untimely; it came when he was apparently just upon the threshold of a great career. He fell at the post of duty. He fell when he was being honored and appreciated by his fellows and when the door of ambition was open before him, when he was zealously pushing his way to usefulness and influence. He was born in the State of Pennsylvania in 1849, was taken to Ohio, and settled in Richland County, a county of fine farms, intelligent men, good people, loyal friends of civilization. He was educated and grew up to manhood, studied law, and was admitted to the bar in 1878. He had been married about a year before. He diligently and faithfully pursued the practice of law from the time of his admissi n to the Ohio bar until the time of his death. He never sought office, never held any office of any importance until he was elected to the Fifty-seventh Congress. He was a strong, able, well-educated, well-trained lawyer, a man who had the confidence and esteem of the bar and bench of Ohio in the fullest degree. I speak, of course, of those who knew him. He was an admirable advocate. His arguments to the court were powerful; his addresses to the jury were forceful, eloquent, and able. He was a faithful lawyer. He was one of those lawyers who devote themselves to the interests of their clients. Honorable, high-minded, above all suspicion of the shyster, he was a straightforward gentleman. So devoted to the interests of his clients was he that he attracted my attention in a matter in which he took deep interest during the last few months of his life. He had in his hands the interests of a client whom he believed was threatened with a great wrong and injustice, and he labored persistently while in Washington, scanning all the evidence, studying carefully the law of the case. I myself became greatly interested in the case, for I felt—learning from him more than all I knew before—that injustice was probably threatened; and his appeal to the executive of Ohio was made with the conscientious belief that it was the only salvation for his friend and client. He was engaged in a struggle for that client when he fell at the hands of death.

The last act of his life was at the peril of his life; the last effort he made was a fatal effort. He left there because of his client and was hurried to his home only to fall under the hands of disease. As I have said, he was well educated, a man who kept in touch with the progress of the affairs of his State and his country. He was a faithful party man. He was not an offensive partisan, but a good partisan. He believed in party organization; he believed that a man could do more good for his country through the organization of a party than he could do by any independent action of his own. And that is the true philosophy of American government. Our Government is a government by parties, and the government of party consists in the organization of party and the fidelity of the membership to party and to party organization. No man in this country, if I may be allowed a slight digression, has ever risen to a position where he has benefited his country and done good to mankind on his own hook. Free governments are not administered by guerrillas, and guerrillas are as distasteful and harmful to popular government in time of peace as they are distasteful to the soldier in time of war.

Mr. SKILES was elected to the Fifty-seventh Congress by a large majority in a district, however, that gives a large majority to the party to which he belonged. He was a popular candidate, an able and efficient candidate, a candidate who challenged and received the honor and respect of his partisan opponents. He was a candidate who treated his opponents with consideration, respect, and regard, and they esteemed him and believed in him, notwithstanding the principles that he represented. In the town where he lived, Shelby, Ohio, he was popular. I was unable to attend his funeral, but I am told that there was a significant demonstration of love and affection which testified in the strongest possible degree to the high standing that he held in the community. I know that his standing in the State at large was the standing of a citizen highly respected and highly honored. His home life was beautiful. His love and affection for his wife was significant and happy. His family around him loved and honored him, and they weep with both affection and pride because of his untimely death and of his career.

He was making his way in Congress. He had suffered illness here which retarded his progress, but he was making his way. He was able, he was clear-headed, he was intelligent, and he was ambitious. Those are the elements that go to make Congressmen successful. Personally, I think that the greatest of these is ambition, because I believe in ambition. I believe the man who is ambitious to rise is the man who will do all that is necessary to challenge and receive the respect and confidence of his fellows. His death, therefore, was untimely. It is my belief that he would have been reelected to the Fifty-ninth Congress; and if he had, I am confident he would have overcome a sort of unwritten, and what to me seems an unfortunate, law of some of our districts in Ohio, that a man elected to Congress may be there but for two terms and that then he shall be relegated to the rear—a fatal defect in our system, something that makes us many times weaker than we would be if common sense and good judgment prevailed. I believe that in his case he would have grown and overcome any such obstacle, if that obstacle existed, and I had hoped to see him a distinguished and prominent Member of Congress. Had he lived, I have no doubt that my wish would have been realized.

But he is dead and gone, Mr. Speaker. His record is made up. It is a good record, and one of which his family may well be proud and his fellows may well approve. I have no time nor disposition to discuss the philosophy of death. I can not understand any more than any other man or all men put together why it is that the men most valuable, most wanted here, die first. I can not understand how a young man, as THOMPSON of Alabama, whose life and character have to-day been eulogized, or a strong man like SKILES, should die, while old men, men too old for activity, are left behind. God knows, and some day, as we have so often heard to-day, we may know all about it.

I do not know now, and no philosophy can teach me and no study of books can enlighten me—no dogma of religion can throw upon it any light. So I am willing to submit to the decrees of a benevolent Heavenly Father. With blind faith—for that is what all of our faith must come to at last—in the goodness of God and the wisdom of His administration of affairs, His careful meting out of all that is right and just and desirable to us, I shall abide my time and believe that when men like THOMPSON and SKILES and HANNA fall there is some good reason for it, and that some day I perhaps may know what it is. If I do not, it will make little difference, for I shall still have confidence—blind confidence, if you please—in the wisdom of the power that is administering these events.

We shed our tears figuratively over the grave of our departed colleague; we tender to his loving wife and family our sincere condolence and regard, and may his shining example, his bright career, be an incentive to those he has left behind, and in the fullness of time may they come to appreciate that virtue, honor, integrity, patriotism, and uprightness will secure the approbation of the people.

Mr. TIRRELL. Mr. Speaker, it is certainly fitting that one who has been a Representative in this body and in the midst of the performance of his public duties has been called hence that those who knew him intimately should attest their appreciation of his character and here embody in permanent form the salient features of his life. It was my privilege to be numbered in that class. During the Fifty-seventh Congress Representative SKILES and myself boarded at the same hotel, sat at the same table, and during a portion of the time his son was my private secretary.

Thus I came to know him intimately; not only him but all his family. Little by little the incidents of his career were unfolded to me as well as his social and domestic life. He was not one who carried his heart upon his sleeve. He was not voluble in conversation. He did not volunteer information about himself. He had no self-conceit. He never boasted of his achievements. There was no vain glorification in his conversation. He did not consider it necessary to assert himself to secure his own advancement.

He knew his limitations, and while not deprecating his own

abilities had a self-reliant confidence that asserted itself when necessary for the accomplishment of the end he had in view. He took a broad view of every matter in which he was interested. He adopted the simplest and most natural methods to accomplish his purposes. Thus as time rolled on, slowly, but surely, he laid the foundations of a useful, honorable, and eminently successful life. He was a farmer's boy. His youthful vision saw the broad Ohio fields and the woods and streams around him where nature only could impress its lessons.

The district school, with its rudimentary instruction, must have afforded a desultory education only. A better education was the home associations of the farm itself, for the strong men, the patriotic men, the men of energy, the men who have become leaders in public and industrial life are, as a rule, those brought up under the inspiration of the mountains around them or the plains that stretch for miles beyond the homestead. Here ambition is inspired and indomitable resolution to succeed implanted.

Such was the effect upon him, for largely by his own efforts he secured the means to complete a course in Baldwin University at Berea, Ohio, from which he graduated in 1876. Admitted to the bar that year, he cast about for a place in which to locate. Naturally he would have selected a city or a large town in which to practice. A country village in modern times offers no inducement even to the young practitioner.

It is not merely that litigation in such places is discountenanced, which perhaps is not an evil, but because where invested capital is lacking and manufacturing or mercantile business is on a small scale there is no occasion for a lawyer's services. His cases will be trivial and his fees gauged by the amount involved. There are few occasions for consultation, and his office is apt to become the rendezvous of the idle classes or the village politician.

Yet such a place was selected by our friend in Shelby, at that time an unpretentious town. He builded better than he knew. Did he foresee its future, when large manufacturing firms and corporations should extend its borders? Was it among his ambitions even then that he could so identify himself with its development as to be an integral part of it himself?

Whether or no, such was the case, for scarcely an industry of importance was established in which his was not one of the guiding hands. He joined the societies and associations of the town, took an active part in their deliberations, did yeoman's work in them all, and served the people for years as one of their school committee. All this was done not for self-interest, but as a duty.

> The sweetest lives are those to duty wed,
> Whose deeds both great and small
> Are close-knit strands of an unbroken thread
> Where love ennobles all.
> The world may sound no trumpets, ring no bells;
> The book of life the shining record tells.

Nor did he ever forget that he was but one of the common people. He climbed rung by rung the ladder of fame with unconquered energy, but he never made his own aggrandizement his master. He was the genial companion and friend. As he strolled down the streets of Shelby he met all sorts and conditions of men. He met them on common ground. For all he had a dignified but winning presence and the outstretched hand. There was no assumption of superiority.

For the poor and suffering he was kind, sympathetic, and charitable. The needy have often been the recipients of his unostentatious benevolence. For him neither wealth nor poverty made the man. The honesty, the intention, the character—these determined his judgment, so that as the years sped on the simplicity and uprightness of his own character made a profound impression in his adopted town.

Early in his legal practice he was associated in partnership with his brother, and the association continued to the end. As previously stated, the field was too narrow and limited for his capacity. There was little promise for the future. His restless mind first turned to the enlargement of business opportunities in Shelby and, when its commercial and financial interests were assured, to the enlargement of his own. He took up the adjustment and trial of railroad accidents as a specialty, and so successful was his firm that they soon acquired a monopoly of this line of business in the surrounding country.

Clients came to the country town, passing the great cities, to seek his counsel. The firm became the foremost in this specialty in the county, with a most remarkable business, considering the circumstances, surpassed, indeed, by but few even in the largest cities in the State. So keen were his perceptions, so accurate his legal application of principles, so just his conclusions that in his latter years few cases actually came to trial, but were settled by argument with the opposing party.

It is as a legislator we have known him. He did not participate in the debates of this House. He cared apparently nothing for the acclaim the orator receives. Those who have listened to his public addresses assert that his views were presented always in a clear, concise, and logical manner, depending more upon hard facts and reasoning than eloquent periods or impassioned appeals. Details were easily mastered by him, and for this reason he was a very valuable representative in the committee room and most useful to his constituents. It was his wish that Judge A. R. Webber, of Elyria, Ohio, should succeed him, and yesterday Judge Webber was nominated as his successor.

His death came as a shock, for he had recovered from severe illness in the spring and seemed in vigorous health. What a demonstration at his obsequies! Æneas in the plutonian shades saw the shadowy forms of the philosophers, the warriors, the heroes, and gods of mythological antiquity pass by. He sought to seize their elusive forms. At last as Marcellus came near and smiled upon him he exclaimed: "Oh, give to me the lilies and the purple flowers, that I may strew them on Marcellus's grave." So the churches, the societies, the bar, the people almost literally strewed with flowers his pathway to the grave. Seven thousand and seventy-five persons passed by to gaze for the last time upon his mortal body.

He was at rest; that rest which he had longed for when the summons came; for if the disembodied spirit can look down from the battlements of heaven, his spirit looks down upon us to-day, saying, in the words so often repeated by him when living, and which illustrated both his life and death:

> So live, that when thy summons comes to join
> The innumerable caravan which moves
> To that mysterious realm where each shall take
> His chamber in the silent halls of death,
> Thou go not, like the quarry slave at night,
> Scourged to his dungeon, but sustained and soothed
> By an unfaltering trust, approach thy grave
> Like one that wraps the drapery of his couch
> About him, and lies down to pleasant dreams.

Mr. HILDEBRANT. Mr. Speaker, for the second time on this Sabbath day, a day which has been appropriately dedicated to the paying of tributes to those who once labored here with us and who have gone before into the spirit realm, I arise to briefly call to remembrance the life and character of our late friend and colleague, WILLIAM WOODBURN SKILES, and in thus doing deserved honor to him, may we who survive him try to learn lessons from his life that may help us as we march along life's highway, whither he has gone.

Mr. Speaker, the necrology of Congress in recent years is alarming, and it brings forcibly to our minds the statement that verily "in the midst of life we are in death." Among her representatives Ohio has furnished a fruitful field for the grim harvester, for to-day not one, but two, of her sons—one a Senator and the other a Representative—whose lives were full of deeds that add to the fame of their State, to the glory of the nation, and honor to themselves, are being paid the respect that is their due.

WILLIAM WOODBURN SKILES was born and raised in the fertile valley of the Cumberland, in the State of Pennsylvania, and at a tender age went with his parents to the home in Ohio where was to be the theater of his life's work and where, also, he was to end his earthly labors.

Like a great many of our American boys, he went to district schools, and later enjoyed the benefits of a liberal higher education at Baldwin University. He became a lawyer, and practiced his profession with his brother, at Shelby, Ohio. Mr. SKILES'S reputation as a deep-thinking, able, and conscientious lawyer was not confined to his home or his county. It extended to the larger field of jurisprudence in the State of Ohio at large, and here in Congress he was considered a man of exceptional legal training and ability. In this his second term the honor came to him of presiding over one of the most important committees of the House—the Committee on Patents; but before he had fairly entered upon the discharge of his duties as such death claimed him. Had he lived, I confidently expected him to bring to bear in the field of patent law such a fund of knowledge and such sound judgment as would stamp him as one of the leading lawyers in the House, if, indeed, he had not already, in his comparatively short service, won that distinction.

Mr. SKILES went about the affairs of life in a thoroughly self-contained way, as seemingly always sure of his ground, for, being a deep thinker and close reasoner, he never acted except upon well-prepared plans. This characteristic rendered him valuable in the councils of his party in Ohio, as well as in diversified fields of business activity, for Mr. SKILES, besides being a lawyer and a politician, was also a manufacturer and a financier. His personal appearance denoted the man of affairs, and his almost massive head told of great intellectuality. His election to Congress was the natural trend of a man of his parts. He was built to be a lawmaker, and that he was cut off right in the midst of his labors, when he was just beginning to demonstrate his usefulness and value, is a great loss to the country as it is to his constituency.

Although he did not live out the allotted three score years and

ten, his life was as full of deeds as though he had gone to the limit, and few men manage to crowd into their lives more things of a substantial character that last beyond the fitful and evanescent life of man than did Mr. SKILES. Such a life as his was worth living because he lived for something. He took hold of life, and with all his physical might and all his mental strength turned to good account the talents with which he was endowed; and in doing this he made for himself a good name, to which we here to-day, who would do him honor, can add nothing. His life work, well done, is his monument.

His fellow-men profited by what WILLIAM WOODBURN SKILES was, because what he was and what he did, in each and all the pursuits in which he was engaged, whether as lawyer or as banker, whether as manufacturer or as Congressman, whether as politician or as home builder, or whether as private citizen or public man in any capacity, stood for what is best in a Christian nation and for what is best in a country like ours, which must of necessity be built upon such men as my late colleague was in order to insure its perpetuity.

The love and esteem in which the friends and neighbors of Mr. SKILES held him was amply testified by their general and unmistakably sincere sorrow, when, at Shelby, Ohio, his home, the people turned out and came from far and near to pay their last tribute to their friend, their benefactor, and their honored and highly respected Representative. I was privileged to attend the funeral of Mr. SKILES as one of the committee on the part of the House, and I was deeply impressed by the universal sorrow expressed by the people and by the great outpouring of his constituents who desired to generously give evidence of the loss they so keenly felt. These incidents profoundly impressed me, and I mention them here that they may go into the RECORD as showing that the people with whom Mr. SKILES lived and moved, those who knew him long and knew him best, loved him most.

Mr. SNOOK. Mr. Speaker, it is not my purpose at this time to speak of the life and character of the late Senator from Ohio, who lived to thrust aside the shafts of malice and ridicule that were aimed at him as they have been at no other man in public life for many years. I shall leave that work to those who were more closely associated with him and who knew him better than I.

Mr. Speaker, I arise to say a few words in memory of one with whom I had no personal acquaintance when I became a Member of this body, but one whom I soon learned to love. Long before I met him an old schoolmate of his had said to me: "I want you to meet Mr. SKILES. I know you will become friends." And the moment we met I felt that the prophecy was true. He had a genial nature, that seemed to lift the common things of everyday life into the light.

The windows of his soul were ever open to let in the joys and hopes that crowd along life's pathway. And yet he was not dead to life's sufferings and sorrows; they always touched his heart and were sure to elicit his sympathy, his comfort, and his aid.

In short, I found him to be just what his friend said he was—a true, honest, manly man. The work of his hand and his brain as shown forth in his character give true answer to the question often asked, "Is life worth living?" He knew that life is a precious jewel intrusted to our keeping to be polished and perfected and then worthily worn in the sight of all men.

No one could have stood with your committee in the city of Shelby on the 13th day of last January and looked into the grief-stricken faces of her people and longer doubted that it was worth while that such a life should have been lived.

Every word, every look, and every act of her citizens showed that one and all had sustained a personal loss in the death of WILLIAM SKILES.

Shelby had known him as man and boy for fifty years—farmer, teacher, lawyer, Representative in Congress; progressive, public-spirited citizen, and man of worth.

This was the story we heard whispered from every lip, while the grief pictured in every face told of the immeasurable loss that his death had brought to his friends and neighbors.

In the half a century that marked the span of his life Shelby had grown to be a city. His life had been interwoven with every step of her progress.

He had been one of the foremost contributors to her advancement, and as a universal token of respect the factory, the shop, the store, and the schools were closed, and her people with one accord turned aside to give expression to their grief and lovingly testify to the memory of his worth as a citizen and a man.

With bowed heads we gathered within the portals of his late home. Loving hands had covered the bier with sweet-scented flowers. It seemed that his work and his worth had been such that all nature had been robbed of her storehouse of flowers for his bed as if to conceal the fact that he was gone, that we might believe he was still one of us fallen asleep amid some bank of flowers, ready to wake again at a moment's notice to take up life's battles. The illusion seemed complete until we heard the voices of the singers raising an appeal for the departed soul.

Lead, kindly light, amid th' encircling gloom,
Lead thou me on!
The night is dark, and I am far from home:
Lead thou me on:
Keep thou my feet; I do not ask to see
The distant scene: one step's enough for me.

We listened and were touched by the appeal of the singers, and joined with them in a fervent prayer that the soul of our friend might even then be resting on the bosom of its Maker.

I know of no fitter tribute with which to close my remarks than these words, published at the time of his death, in the Shelby Globe.

Drop a tear. This day has marked a parting of the ways for us and one we held most dear. His life having been spent within her precincts, all Richland County to-day mourns the passing of W. W. SKILES.

Even as these lines are read the cortege is moving on the street, and the massive casket covered over with beautiful flowers is emblematic of the universal respect which enshrouds his memory with the living. He is dead. But his name will live in a loving people's heart till they, too, have joined the caravan.

We hear the muffled tread of horse and wheel as he is borne away, and our hearts swell with emotion for the loneliness of the home that death has touched; and yet it can not be undone. The wheels of time can not be reversed. And as tender hands place him in his last repose we breathe a sigh of "Peace to his ashes," and, returning from our mission, see the setting sun as it guides his soul to its distant home.

Mr. KYLE. Mr. Speaker, I had intended to ask that my remarks might be printed rather than that I should make any, but by so doing I would feel that I was unfaithful to a duty that I owed to one of the most pleasant friendships that I have ever formed in my life and one that I shall cherish so long as I shall live; and so, Mr. Speaker, after I have spoken of that friendship for a moment or two, I shall ask to continue my remarks in the RECORD.

My personal acquaintance with Mr. SKILES began when we came to Congress. At the meeting of the Fifty-seventh Congress both of us came as new Members of the Ohio delegation. I had known him by reputation, but from the very first time we met until he left for his home during his last sickness that friendship so pleasantly begun rapidly grew into close personal relations.

The days had not come to our friend SKILES when he could say in his heart that there was no pleasure in them. Scarcely had he begun that which was most promising for him and hardly had he entered upon that work which certainly not only bid fair, but assuredly promised, that there would come to him the just rewards for the kind and character of services that he bestowed upon that which he undertook. The mandate went out from on high, directing the messenger to summons WILLIAM W. SKILES from his busy, useful, active life to one of eternal rest. He has been gathered to his fathers, but is with us still, for the example of a good life can never be forgotten. Genuine praise that comes to one either living or dead is that which comes from his own home people. The regard in which one is held at home is the true measure of his real worth.

I never witnessed more genuine grief nor more universal regret over the death of any man than that manifested in his home city. Business was suspended, schools were closed, and the people went mourning about the streets. This to my mind is fully accounted for and was his just merit. He had been a loving husband, a kind, indulgent father, a successful lawyer, and had always been active in every proposition that involved the welfare of his home city. In this behalf his hand was not only seen, but the effect of his splendid business judgment was manifest.

Under his watchful eye Shelby grew from a village to an active, splendid manufacturing city, and it was to his pride that he had contributed to its material success, and there came to him for this solicitude and thoughtfulness the preference of its citizens for him. No man probably ever enjoyed in a larger degree and to a fuller extent the confidence of his people than did our departed friend; and when the opportunity offered itself to them to select a Member of Congress, they turned in but one direction and with but a single thought to their favored son, WILLIAM W. SKILES.

He served them faithfully and well, and through him came not only to his family and to his personal friends, but to the citizens of his community, the realization that his work was well done and the just pride that they and their welfare were ever uppermost in his mind, and that if the summons sent out for him must be answered no greater pleasure could come to him than that his life should be laid down while working for those who were nearest and dearest to him.

Mr. CASSINGHAM. Mr. Speaker, my first acquaintance with WILLIAM WOODBURN SKILES dated back to the period of his election to the Fifty-seventh Congress, and the impressions I gained at that time concerning his character continued until the day of his death.

He was a man of warm and genial nature, a true friend of those who once won his esteem, and of unbounded charity to all.

As a young man he worked his way through college by teaching every other term, and at the same time studying so that he might keep up with his class. After finishing his college course he entered upon the study of law, and to that profession he devoted himself until he was taken away, the only public office he ever held, with the exception of his service of eighteen years as a member of the school board, being in this body, commencing with the Fifty-seventh Congress.

Work and thoroughness in work was the guiding principle of his life, and the youth of this country can well look to his career as one to be emulated in the untiring devotion to one's chosen profession.

Yet this devotion to his extensive practice did not make him narrow-minded, for he became identified with many large enterprises and was charitable to the extreme, always ready to support any worthy cause. He gave liberally to all the churches in his home, although adhering to no particular creed. His faith in mankind and the ultimate good in all things was ever manifest. He was a man of firm and strong convictions and feelings, and yet there was no spirit of petty revenge or retaliation in his nature. "Leave it to time, for time levels all things," he was accustomed to say when anyone would talk to him of retaliation.

The beautiful side of his character is disclosed by what he considered as one of the proudest moments in his life—the visit of his aged mother to him after he took his seat in this body. The pride of the mother in seeing her son as one of the representatives of the people in Congress was to that son praise higher and sweeter than the commendation of the world. And he was a representative type of American citizenship in his affection for his family, probity in public and private life, and untiring zeal and capacity for work in his undertakings, and we on this side of the Chamber, who differed from him politically, admired him for his manly qualities and esteemed him for his kindly nature. In politics he always tried to avoid a conflict; but if the conflict came, he always had the courage to follow his convictions to the end.

Success in his own life made him the more partial to contribute, by words and deeds, in helping those just entering upon the struggles of life. In fact, he would not hesitate to assist in every way a young man whom perhaps he had never seen before. I could relate many instances of his unfailing kindness, but many of my colleagues also wish to pay tribute to his memory, and I know of no better way of closing my remarks upon the life and character of WILLIAM WOODBURN SKILES than by quoting the words of his favorite poem—

Oh, why should the spirit of mortal be proud?
Like a swift-fleeting meteor, a fast-flying cloud,
A flash of the lightning, a break of the wave,
Man passeth from life to his rest in the grave.
* * * * *
For we are the same our fathers have been;
We see the same sights our fathers have seen,
We drink the same stream and have the same sun,
And run the same course our fathers have run.

Mr. WEBB. Mr. Speaker, to the luxuriance of beautiful tributes paid our dead colleague to-day I desire to add only a few words. It was a pleasure to serve with him on the Patents Committee, of which he was chairman, although my acquaintance with him was not a long one. He impressed me when I first met him as being a dignified, kind-hearted, able, elegant gentleman. My subsequent association with him confirmed this impression, and our intercourse was of the pleasantest nature. When the news of his death came I was grieved and shocked, and felt genuinely as did Byron when he wrote:

Thy day without a cloud hath pass'd,
And thou wert lovely to the last;
Extinguish'd, not decayed.

The best index of a man's character is the estimation in which he is held by those who knew him longest and best. Judged by this standard, W. W. SKILES must have approached unto the perfect man. He lived in Richland County and its capital city, Shelby, from his fifth year to his death—a period of a half century. When the Congressional funeral party reached Shelby grief could be discerned on every countenance, and sadness pervaded the entire atmosphere. The stores and shops were closed, business suspended, men and women spoke in whispers, and everything in the little city presented an air of bereavement. I do not think that I ever witnessed such a striking expression of universal grief. The weather was bitter cold, the mercury ranged below zero, the snow 12 inches deep and scattering flakes still falling; and yet women, men, and children stood for two hours in this freezing climate in order to get a last look at their departed friend and fellow-citizen. I shall never forget the sadly beautiful scene, as he lay in the parlor of his own cultured home, buried in a bank of fragrant flowers. He seemed as natural as in life, peaceful and serene in death as he had been imperturbable and equable while living.

All along the funeral march to the cemetery it appeared as if the entire population of the city had assembled to bow their heads in an expression of the keen sense of their loss, and many tear-stained eyes unmistakably betrayed the grief which had seized each heart. Yes, sir; he was well beloved by his own people—those who knew him best and longest—and this, at last, is the highest tribute that men can render unto man; that is, to love him.

In the loss of our colleague I am reminded of James Montgomery's words:

Friend after friend departs:
Who hath not lost a friend?
There is no union here of hearts
That finds not here an end.
Were this frail world our only rest,
Living or dying, none were blest.

To those faithful, loving ones who, of all others, loved him most, and to his great State, which honored him and which he honored, and in whose bosom he now sleeps, I commend the comforting lines written by the sweet singer Whittier:

I long for household voices gone;
For vanished smiles I long;
But God hath led my dear ones on,
And He can do no wrong.

Mr. CURRIER. Mr. Speaker, one of the first men with whom I became acquainted when I took my seat as a new Member of the Fifty-seventh Congress was Mr. SKILES, himself a new Member.

We were both appointed as members of the Committee on Patents, and I came to know him well. Modest and unassuming, his manner to all was that of a kind and courteous gentleman.

His was a most attractive and winning personality. His acquaintances speedily became his loving friends, and perhaps the first and best test of success in this world is the ability to win and hold personal friends.

We who served with him on the Committee on Patents soon discovered that he brought to the discharge of his duties a sound judgment, a high sense of honor, great industry in investigating all matters brought to the attention of the committee, and a conscientious desire to give the very best that was in him to the service of the country. He quickly grasped the main points of a proposition, and his suggestions regarding legislation were wise and helpful to his associates.

He was greatly attached to his home and to the town of Shelby, where he had long lived. There is something wrong about a man who does not love his home, who does not think that his home town is the fairest and best town in all the world and that his neighbors are the very best neighbors that a man ever had. In everything that made for the welfare and improvement and building up of Shelby Mr. SKILES was a leader, and no town ever had a more devoted and loyal citizen.

We who attended the last sad services at Shelby, and saw the great mills and all the business houses closed and silent while the people thronged the streets and stood with bared heads that cold and stormy day as the funeral procession passed, realized how much he was loved and how deeply he was mourned by those who knew him best.

Mr. SKILES was very proud of the privilege of representing the people of his district in the House and had a high sense of the honor and dignity of the position.

Of the nine Republicans who were members of the Committee on Patents in the Fifty-seventh Congress, Mr. SKILES and myself were the only ones reelected to the Fifty-eighth Congress, and at the beginning of this session we were again placed on that committee, Mr. SKILES being chairman. He took up the work of the committee with all the interest and earnestness and capacity for intelligent and well-directed labor which characterized his work everywhere. I looked forward with great pleasure to being associated with him in the business of the committee during the Fifty-eighth Congress.

We parted at the beginning of the holiday recess, expecting to meet again in a few days. When I returned I received a message from him announcing his illness and requesting me to take charge of the committee during a hearing which had been arranged before the recess. I wrote him that I would attend to it, but no final action would be taken by the committee until he returned, which we all hoped and believed would be in a few days. He dictated a reply, but before I received it he had passed away. His brief illness closed a life which in every way was a success, made so by ceaseless effort and strict integrity.

His life here, while it added to the work of a tired man, was, on the whole, I feel sure, a pleasant experience for him. The work of a Member of Congress in the House, in committees, and at the Departments, the thousand and one things to which he must give attention keep him occupied early and late; and were it not for the charming social intercourse which prevails among the Members and for the friendships we form here this life would not be worth living.

When a new Member takes his seat here he soon perceives that

Congress is full of able men, and men not merely able, but brave and honest and conscientious. Men who with all the light they can get from a careful and patient investigation of pending measures are trying unselfishly to do their full duty.

No man for any great length of time can deceive a constituency of 200,000 intelligent people, and few men serve long in American politics unless their reputation for integrity and veracity is beyond question. The action of Congress is often bitterly criticised, sometimes when the criticism is deserved, but far more often when it is not deserved.

Mistakes are made here of course. The late William Walter Phelps once said: "Men who do not make mistakes never make anything else." The House is doing things, and often on a scale so vast as to be almost appalling to a man who comes here after an experience in the legislature of a small State, and on the whole all must admit that it does its work well.

In the death of Mr. SKILES the House lost a Member who in his brief career here demonstrated that he possessed those qualities which fit a man for able and successful public service, and the many Members of the House who were privileged to know him lost a dear and valued friend.

May we all hold as he did the respect, confidence, and love of our associates here and elsewhere "until the shadows lengthen, and the evening comes, and the busy world is hushed, and the fever of life is over, and our work is done."

Mr. Speaker, I ask unanimous consent that gentlemen who have not spoken may have leave to print remarks in the RECORD, and that all who have spoken may have leave to extend their remarks.

The SPEAKER pro tempore. Without objection, it will be so ordered.

There was no objection.

The SPEAKER pro tempore. Now, in pursuance of the resolutions already adopted, and as a further mark of respect to the deceased Senator and Representatives, the House stands adjourned until to-morrow, at 12 o'clock noon.

Accordingly (at 5 o'clock and 26 minutes p. m.) the House adjourned.

SENATE.

MONDAY, *April 25, 1904.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on the request of Mr. SPOONER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection. The Chair hears none.

AUGUSTA ARSENAL, GA.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 13th instant, a memorandum from the Chief of Ordnance, United States Army, relative to the condition, location, character, and capacity of the Augusta Arsenal, at Augusta, Ga. What does the Senator from Georgia desire to have done with the communication?

Mr. BACON. I am unable to state without having an opportunity to look at it. I wish to have it printed as a document. I ask the Chair to let it lie on the table for the present, unless the Chair desires to refer it to some committee, to which I have no objection.

The PRESIDENT pro tempore. It might be referred to the Committee on Military Affairs and printed.

Mr. BACON. That course will be entirely agreeable to me.

The PRESIDENT pro tempore. The communication and accompanying papers will be referred to the Committee on Military Affairs and printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 13262) to confirm the title to lots 2, 3, 4, and 5 in square No. 979, in Washington, in the District of Columbia; and

A bill (H. R. 15014) to permit the erection of a lock and dam in aid of navigation in the Tennessee River near Chattanooga, Tenn., and for other purposes.

The message also announced that the House had passed with an amendment the bill (S. 2814) to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900; in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 7056) to create a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes; and

A bill (H. R. 7296) for the protection of the public forest reserves and national parks of the United States.

The message also transmitted to the Senate the resolutions of the House of Representatives on the life and public services of Hon. MARCUS A. HANNA, late a Senator from the State of Ohio.

The message further transmitted to the Senate the resolutions of the House of Representatives on the life and public services of Hon. WILLIAM W. SKILES, late a Representative from the State of Ohio.

The message also transmitted to the Senate the resolutions of the House of Representatives on the life and public services of Hon. CHARLES W. THOMPSON, late a Representative from the State of Alabama.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 1851) granting an increase of pension to David T. Towles;

A bill (H. R. 2591) for the relief of W. S. Feland, late deputy collector second Kentucky district;

A bill (H. R. 7190) for the relief of the Bank of North Wilkesboro;

A bill (H. R. 8692) to authorize the apprehension and detention of insane persons in the District of Columbia, and providing for their temporary commitment in the Government Hospital for the Insane, and for other purposes;

A bill (H. R. 8925) granting an increase of pension to John Weaver;

A bill (H. R. 9256) granting an increase of pension to Enoch Stahler;

A bill (H. R. 9331) to extend the time for completion of the East Washington Heights Traction Railroad Company;

A bill (H. R. 11676) to ratify and amend an agreement with the Indians of the Crow Reservation in Montana, and making appropriations to carry the same into effect;

A bill (H. R. 13850) granting an increase of pension to Mary Heaney;

A bill (H. R. 15010) to amend section 6 of "An act to authorize the construction of a bridge by the New York, Chicago and St. Louis Railroad Company and the Chicago and Erie Railroad Company across the Calumet River at or near the city of Hammond, Ind., at a point about 1,200 feet east of the Indiana and Illinois State line and about 100 feet east of the location of the present bridge of the New York, Chicago and St. Louis Railroad Company across said river; also to authorize the construction of a bridge by the Chicago and State Line Railroad Company across said river at the point where said company's railroad crosses said river in Hyde Park Township, Chicago, Ill., being at the location of the present bridge of said company across said river in said township," approved July 1, 1902; and

A bill (H. R. 15195) authorizing the construction of a wagon, toll, and electric-railway bridge over the Missouri River at Lexington, Mo.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE THOMPSON.

Mr. MORGAN. Mr. President, I desire to state that at half past 4 o'clock to-day I shall ask the Senate to act on resolutions, responsive to the resolutions of the House, in respect to the life and public services of Hon. CHARLES W. THOMPSON, late a Representative from the State of Alabama.

EXEMPTION OF PRIVATE PROPERTY AT SEA.

Mr. CULLOM. Mr. President, I give notice that to-morrow, immediately after the early morning business, I shall ask leave to address the Senate on the joint resolution (H. J. Res. 102) relating to the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerent powers. I desire to talk briefly upon the joint resolution, but more at length upon the general question of foreign relations.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of the Philadelphia County Medical Society, of Philadelphia, Pa., praying for the passage of the so-called "pure-food bill;" which was ordered to lie on the table.

Mr. STEWART presented memorials of sundry citizens of Belleville, Topeka, Rossville, Franklin County, Wichita, Junction City, Leavenworth, Kansas City, Yates Center, Montgomery County, Burlington, Newton, Allen County, Pomona, and Holton, all in the State of Kansas, remonstrating against the enactment of legislation to require certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

Mr. GALLINGER presented the petition of A. F. Rosenbein,

of Los Angeles, Cal., praying for the enactment of legislation regulating the erection of buildings on the Mall, in the District of Columbia, which was referred to the Committee on Appropriations.

He also presented memorials of sundry citizens of Rothbury and Montcalm, the in State of Michigan; of Denver, Colo., and of Fergus Falls, Minn., remonstrating against the enactment of legislation to require certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

Mr. WARREN presented sundry papers to accompany the bills (S. 5197) for the relief of the estate of Pierre Z. Doucet, deceased; (S. 5198) for the relief of Marie Annette Bouligny and Francois Bouligny; (S. 5199) for the relief of the estate of Joseph A. Landry, deceased, and (S. 4974) for the relief of Lucien Meuillon, deceased; which were referred to the Committee on Claims.

Mr. HEYBURN presented a memorial of the Woman's Christian Temperance Union of New Plymouth, Idaho, remonstrating against the admission of Oklahoma and Indian Territories into the Union as one State; which was referred to the Committee on Territories.

Mr. LONG presented a petition of Arkansas City Post, No. 158, Department of Kansas, Grand Army of the Republic, of Arkansas City, Ark., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of Local Union No. 332, Iron Moulders' Union, of Pittsburg, Kans., praying for the passage of the so-called "eight-hour bill," and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

He also presented the memorial of E. G. Dewey and sundry other citizens of Moline, Kans., remonstrating against the enactment of legislation to require certain places of business in the District of Columbia to be closed on Sunday; which was referred to the Committee on the District of Columbia.

AFFAIRS IN THE PHILIPPINES.

Mr. LODGE. I present a communication from the Secretary of War, addressed to the chairman of the Committee on the Philippines, transmitting a compilation prepared in the Bureau of Insular Affairs relative to the administration of affairs by the civil government of those islands. I move that the communication and accompanying paper be printed as a document.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. BLACKBURN, from the Committee on the Judiciary, to whom was referred the bill (H. R. 14944) establishing a regular term of the United States circuit and district courts at Lewisburg, W. Va., reported it with an amendment.

Mr. McCOMAS, from the Committee on the Judiciary, to whom was referred the bill (S. 4197) to provide for the distribution of the Federal cases in the United States courts, reported adversely thereon; and the bill was postponed indefinitely.

Mr. CULBERSON, from the Committee on the Judiciary, to whom was referred the bill (S. 4569) for the relief of certain Indians by appeal from the Commission to the Five Civilized Tribes to the United States courts, asked to be discharged from its further consideration, and that it be referred to the Committee on Indian Affairs; which was agreed to.

Mr. ALGER, from the Committee on Military Affairs, to whom was referred the joint resolution (S. R. 14) providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department, reported adversely thereon; and the joint resolution was postponed indefinitely.

PRESERVATION OF HISTORIC AND PREHISTORIC RUINS, ETC.

Mr. FULTON. I am directed by the Committee on Public Lands, to whom was referred the bill (S. 5603) for the preservation of historic and prehistoric ruins, monuments, archæological objects, and other antiquities, and to prevent their counterfeiting, to report it favorably with amendments, and I submit a report thereon. I ask for the immediate consideration of the bill.

The PRESIDENT pro tempore. The bill will be read.

The Secretary proceeded to read the bill.

Mr. TELLER. Mr. President, no one knows what the bill is, owing to the confusion in the Chamber. From what committee did it come?

The PRESIDENT pro tempore. From the Committee on Public Lands.

Mr. TELLER. It was reported this morning, I understand.

Mr. FULTON. Yes, sir.

Mr. TELLER. I wish to object to its consideration, and to have it printed.

The PRESIDENT pro tempore. Objection is made, and the bill goes to the Calendar.

Mr. FULTON. I should like to explain in just a few words what the character of the bill is, and then I think the Senator from Colorado will not object to it.

Mr. TELLER. I can tell very much better what it is when I read it.

Mr. FULTON. I wish to make the explanation anyway.

Mr. TELLER. I know that some of these ruins are not on public land, and the Government has no control of those.

Mr. FULTON. No; and the bill does not pretend to give Government control over them. It could not if it desired.

Mr. TELLER. There is no indication that the attempt will not be made.

Mr. FULTON. We are not trying to do it.

The PRESIDENT pro tempore. The bill has gone to the Calendar under the objection.

Mr. FULTON. The bill was introduced by the Senator from Massachusetts [Mr. LODGE]. It was considered by the Committee on Public Lands and referred to a subcommittee consisting of the Senator from Nevada [Mr. NEWLANDS], the Senator from California [Mr. BARD], and myself. All it proposes to do is to provide for the preservation of the prehistoric ruins and monuments found principally in the southwestern part of the United States.

Mr. STEWART. I should like to ask the Senator from Oregon if it does not suggest more reservations, and if pretty much everything in our country is not to be reserved?

Mr. FULTON. It makes no reservations except such portions as contain these ruins.

Mr. TELLER. The bill has gone to the Calendar, has it not?

The PRESIDENT pro tempore. The bill has gone to the Calendar.

Mr. FULTON. It has gone to the Calendar, I understand, but I promised to make an explanation and, with the permission of the Chair, I should like to make it.

There are a great many people interested in this measure all over the country. All the scientific societies have taken an interest in it. They have been trying for years to secure legislation of this character. It seems to me very fitting and proper that some such legislation should be had.

I feel that I have done my duty when I have reported the bill and tried to secure its immediate consideration. I understand that going to the Calendar kills it for the present session and makes it impossible for it to become a law at this time.

PUBLIC BUILDING AT AUBURN, ME.

Mr. QUARLES. I am instructed by the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1320) to provide for the purchase of a site and the erection of a building thereon at Auburn, in the State of Maine, to report it favorably with amendments.

The PRESIDENT pro tempore. The junior Senator from Maine asks for the present consideration of the bill. It will be read.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The first amendment of the committee was, in section 1, line 7, after the word "apparatus," to strike out the word "elevators;" and in line 11, after the word "apparatus," to strike out the word "elevators;" so as to make the section read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office and other Government offices in the city of Auburn and State of Maine, the cost of said site and building, including said vaults, heating and ventilating apparatus, and approaches, complete, not to exceed the sum of $50,000.

The amendment was agreed to.

The next amendment was to strike out section 6, in the following words:

SEC. 6. That no money shall be used for the purpose mentioned until a valid title to the site of said building shall be vested in the United States, nor until the State of Maine shall have ceded to the United States exclusive jurisdiction over the same during the time the United States shall be or remain the owner thereof for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COURTS IN TENNESSEE.

Mr. PETTUS. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 14533) to change and fix the time for holding the district and circuit courts for the northern division of the eastern district of Tennessee, to report it favorably without amendment. It is a bill to change the holding of the United States court in Knoxville from one week to another week. It is only a few lines long, and I ask for its present consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ASSOCIATE JUSTICE OF NEW MEXICO.

Mr. CULBERSON. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 1953) to provide for an additional associate justice of the supreme court of the Territory of New Mexico, to report it favorably with an amendment, and I ask for its present consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment of the committee was to add at the end of section 4 the following proviso:

Provided, That one of said judges shall reside and hold a district court in the city of Roswell.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

HARRY C. MIX.

Mr. BACON. I report back from the Committee on the Judiciary with a favorable recommendation and without amendment the bill (H. R. 875) for the relief of Harry C. Mix, and I ask for its present consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It relieves Harry C. Mix, of Bibb County, Ga., from any and all liability to pay a certain recognizance given by A. F. Holt and the said Harry C. Mix as security for A. F. Holt on the 23d day of January, 1895, in the penal sum of $1,500, by which recognizance they acknowledged themselves to be held and firmly bound to the United States of America that A. F. Holt should personally appear at the then next term of the district court of the United States for the southern district of Georgia, to be held at Savannah, Ga., in that district, on the first Monday in January, 1895, and at the succeeding term or terms, should the case be continued, A. F. Holt being charged with the embezzlement of postal funds.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ESTATE OF NATHAN E. HARRELSON.

Mr. WARREN. I report from the Committee on Claims a resolution for which I ask present consideration. It refers to a matter already in court partly tried, and I ask for its present consideration.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the bill (S. 5399) entitled "A bill for the relief of Nathan E. Harrelson," now pending in the Senate, be, and the same is hereby, referred to the Court of Claims in pursuance of the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883. And the said court shall proceed with the same in accordance with the provisions of such an act and report to the Senate in accordance therewith.

CLAIMS OF NIGHT INSPECTORS OF CUSTOMS, ETC.

Mr. WARREN, from the Committee on Claims, to whom were referred the bill (S. 5537) for the relief of night inspectors of customs who performed double duty, the bill (S. 5538) for the relief of Albert Wood, and the bill (S. 5619) for the relief of James F. Secor, surviving partner, reported a resolution; which was considered by unanimous consent, and agreed to, as follows:

Resolved, That the bills for the relief of night inspectors of customs who performed double duty (S. 5537), for the relief of Albert Wood (S. 5538), and for the relief of James F. Secor, surviving partner (S. 5319), now pending in the Senate, be, and the same are hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, and the said court shall proceed with the same in accordance with the provisions of such acts and report to the Senate in accordance therewith.

BILLS INTRODUCED.

Mr. COCKRELL introduced a bill (S. 5646) authorizing the construction of a wagon and electric railway bridge over the Missouri River near Randolph, Mo.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. GALLINGER introduced a bill (S. 5647) authorizing the appointment of dental surgeons in the Navy; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 5648) to change the name of Thirteen-and-a-half street to Linworth place; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

Mr. OVERMAN introduced a bill (S. 5649) for the relief of the owners of the steamboat *Bee*, or their personal representatives; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT of New York introduced a bill (S. 5650) for the relief of Ernest Bregazzi, residuary legatee of Nicholas White, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. LONG introduced a bill (S. 5651) granting a pension to Georgianna Eubanks; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 5652) to amend section 4046 of the Revised Statutes of the United States; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Post-Offices and Post-Roads.

Mr. MALLORY (for Mr. TALIAFERRO) introduced a bill (S. 5653) granting an increase of pension to William N. Meacham; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 5654) to open to homestead settlement and entry the relinquished and undisposed of portions of the Round Valley Indian Reservation, in the State of California, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 23d instant approved and signed the following acts:

An act (S. 1974) amending the act of Congress approved January 26, 1895, entitled "An act authorizing the Secretary of the Interior to correct errors where double allotments of land have erroneously been made to an Indian, to correct errors in patents, and for other purposes;"

An act (S. 4130) to amend sections 1288, 1293, and 1294 of the Code of the District of Columbia, relating to marriage, so as to authorize marriages according to the custom of the Society of Friends, or Quakers; and

An act (S. 4636) to validate certain original homestead entries and extend the time to make final proofs thereon.

HOUSE BILL REFERRED.

The bill (H. R. 7296) for the protection of the public forest reserves and national parks of the United States was read twice by its title, and referred to the Committee on Forest Reservations and the Protection of Game.

COAL-LAND LAWS IN ALASKA.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 2814) to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900.

Mr. HANSBROUGH. I move that the Senate disagree to the amendment of the House of Representatives and ask for a conference on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. HANSBROUGH, Mr. NELSON, and Mr. BERRY were appointed.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12833) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 4, 5, 6, 7, 12, 13, 21, 24, 25, 27, 29, 34, 36, 37, 45, 49, 55, 62, 67, 68, 69, 72, 74, 78, 83, 92, 96, 97, 99, 104, 105, 106, 113, 121, 122, 128, 129, 130, 133, 135, 139, 143, 144, 146, 150, 152, 153, 159, 161, 162, 165, 171, 172, 173, 175, 178, 179, 181, 184, 189, 190, 193, 195, 196, 197, 201, and 202.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 8, 9, 10, 11, 16, 17, 18, 23, 31, 32, 33, 35, 38, 42, 43, 44, 46, 48, 63, 64, 65, 66, 70, 71, 75, 76, 77, 79, 80, 81, 82, 84, 85, 86, 88, 89, 91, 93, 94, 98, 102, 103, 108, 109, 110, 111, 112, 114, 115, 116, 117, 118, 119, 120, 123, 124, 125, 126, 127, 131, 134, 137, 138, 140, 141, 142, 145, 147, 154, 155, 156, 160, 168, 169, 170, 176, 177, 180, 185, 186, 187, 188, 192, 194, 198, 199, 203, 204, 205, 206, 207, and 208, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the matter inserted by the said amendment insert the following: "clerk, one thousand dollars; clerk, nine hundred dollars; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amend-

ment as follows: In lieu of the sum proposed insert: "$23,750;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "assistant morgue master and janitor, four hundred and eighty dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "three thousand dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lines 2 and 3 of said amendment strike out the words "render expert advice to or perform service for, or;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$65,632;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "three thousand dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "seven thousand five hundred dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment, and on page 11 of the bill, in line 11, after the word "each," insert the words ", one of whom shall act as a night watchman;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$21,320;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,200;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In line 7 of said amendment, after the word "of," insert the words "not to exceed;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the word inserted by said amendment insert the words "or in;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$75,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "five thousand one hundred dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "sixteen thousand two hundred dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$7,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$27,450;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$18,750;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$2,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$106,700;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: Restore the matter proposed to be stricken out by said amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with amendments as follows:

In line 7 of the matter inserted by said amendment strike out the words "and reimbursed to this appropriation."

In line 12, after the word "seventy-eight," insert the following: "and paid into the Treasury one-half to the credit of the United States and one-half to the credit of the District of Columbia."

In line 24, after the word "railways," insert the following: "and paid into the Treasury."

And after the word "above," in line 25, strike out all down to and including line 28 of said amendment.

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$195,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment as follows:

In line 7 of the matter inserted by said amendment strike out the words "except at the following rates," and insert in lieu thereof the words "at rates in excess of the following."

In line 25 of said amendment, after the word "one," insert the word "hundred."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows: Add after the word "dollars," at the end of the amended paragraph, the following: "; a detailed statement shall be submitted to Congress of the expenditure of the foregoing sum, and for the fiscal year 1906 estimates shall be submitted in detail as to the particular school buildings requiring unusual repairs of and changes in plumbing;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$38,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 148, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$769,240;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 151, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$45,005;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 157, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$15,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 158, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$80,360;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 163, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$101,300;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 164, and agree to the same with an amendment as follows: In lieu of the number proposed insert "thirteen;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 166, and agree to the same with an amendment as follows: In line 3 of said amendment strike out the words "two hundred;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 167, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$47,360;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment

of the Senate numbered 182, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$110,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 183, and agree to the same with an amendment as follows: On page 56 of the bill, in line 12, after the word "almshouse," insert the words "consisting of one or more plain, substantial buildings;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 191, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$2,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 200, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,500;" and the Senate agree to the same.

On amendments numbered 50, 51, 52, and 174 the committee of conference have been unable to agree.

W. B. ALLISON,
J. H. GALLINGER,
F. M. COCKRELL,
Managers on the part of the Senate.

J. T. MCCLEARY,
E. J. BURKETT,
RICE A. PIERCE,
Managers on the part of the House.

Mr. ALLISON. I will state with reference to this report that it settles all differences between the two Houses except the differences arising from amendments numbered 50 and 174, the first amendment relating to the municipal building and the second relating to the purchase of land for a new police-court building. All the other matters in difference between the two Houses have been agreed to by the conferees, and I now ask the Senate to agree to the report.

The report was agreed to.

Mr. ALLISON. I move that the Senate still further insist upon its amendments in disagreement and ask for a further conference with the House of Representatives.

I will state to the Senate that the conferees on the part of the Senate regard these amendments as very important, and I hope if there is any disagreement with the views of the conferees, Senators will express their disagreement.

Mr. GORMAN. It has been utterly impossible to hear what is going on. I ask the Senator from Iowa what there is still in disagreement on the bill?

Mr. ALLISON. There is practically no disagreement except upon the provision relating to the municipal building, and in connection with that the amendments for the purchase of land with a view to the erection of a new police court. Those two are the principal amendments. There are one or two minor amendments that can be easily agreed to when those are disposed of. The municipal-building amendment is the important matter in difference.

Mr. GORMAN. Mr. President, it is a very important matter. I understand the Senator from Iowa to say that the principal disagreement between the two Houses is in regard to the provision for the District building. As I understand the case, Congress provided for the construction of this building to accommodate all the District offices except the police court, and that now there comes on this bill an entirely new provision changing the law and providing that the police court shall be in the municipal building. I think that is a correct statement. Is it not?

Mr. ALLISON. The House provision requires the police court, the recorder of deeds, and the register of wills to be placed in the new building, and also requires that what is known as a "carpenter and repair shop" shall be placed in the basement of the building. It is stated by the architect of the building that to make the changes as proposed in the House provision will cost in round numbers some $350,000. The Senate passed upon these questions by declining to put the police court in this building, by declining to change the location of the recorder of deeds and the register of wills, and believes that the carpenter and repair shop would be out of place and impossible in the basement of the municipal building.

Mr. GORMAN. The provision which came from the House is, I understand, a change in the law; that is to say, when the building was provided for it did not contemplate and embrace room for the police court. Therefore the provision in the bill as it came to the Senate is a change in the law. If that be true, in view of the fact that it would mar the whole structure and bring to the municipal building of the District a class of persons arrested for petty crimes and make it one of the most disagreeable features in the District of Columbia, I understand the attitude of the Senate is that they can not submit to a proposition so objectionable. I understand further that always in matters of this sort when differences are to be adjusted between the two Houses, the House seeking to change the existing law or to put in a provision that had not theretofore been considered must recede.

If that be so, in view of all the circumstances and the desire of everybody in the city who has thought of the matter, I trust the Senate will not consent to recede from its amendment. If the case were reversed and the Senate had put upon the bill such a provision and the other House had objected to it, I think it would be the duty of the Senate to recede. That is the only way by which we can come to a conclusion in matters of this sort. There is every reason why the Senate should adhere to its amendment, and I trust the conferees will never consent, in the closing hours of the session, that such a provision shall be forced upon the bill.

Mr. ALLISON. Just one word, Mr. President. The House does not concede that by the law which authorized the construction of this building there was such a detailed statement as would prevent Congress from now making provision for these offices. But aside from that the change proposed, the modifications to be made, will postpone this construction, will require an entirely new set of plans, and will largely increase the cost of the building, besides having the effect to place in the building offices and places that ought not to be there at all, as, with the exception of the police court, they are well provided for and are in close proximity to the courts which constantly must refer to and deal with the records of the District.

I have therefore moved that the Senate insist upon its amendments in disagreement and request a further conference.

The motion was agreed to.

The PRESIDENT pro tempore appointed Mr. ALLISON, Mr. GALLINGER, and Mr. COCKRELL the conferees on the part of the Senate at the further conference.

NAVAL APPROPRIATION BILL.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 12220) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 15, 24, and 38.

That the House recede from its disagreement to the amendments of the Senate numbered 19, 20, 21, 31, 32, and 33, and agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "storehouse and storekeeper's office, to complete, fifty thousand dollars; in all, navy-yard, Charleston, S. C., seven hundred and six thousand five hundred dollars;" and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "seven million two hundred and eighty-four thousand and seventy-one dollars;" and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In line 14 of the amendment strike out all after the word "President" down to and including the word "action," in line 15, and insert in lieu thereof the following: "who, upon approval of such report, shall authorize the purchase of such site and the establishment of such naval training station;" and the Senate agree to the same.

EUGENE HALE,
GEO. C. PERKINS,
THOMAS S. MARTIN,
Managers on the part of the Senate.

GEORGE EDMUND FOSS,
ALSTON G. DAYTON,
ADOLPH MEYER,
Managers on the part of the House.

Mr. HALE. This is a complete agreement and disposes of the naval appropriation bill. The last item in the report which has just been read, referring to a training station for the Navy upon the Great Lakes, was finally agreed to with an amendment leaving the whole matter, after the board provided by the Senate amendment shall have reported, to the President, who may then establish the station, so that it is not brought back for more contests in the two Houses or in either of the two Houses. The amendment which the Senate put on, which has been adopted with the modification I have stated, indicates that the new board to be appointed would be not naval officers, but civilians, though that word is not used, living outside of any of the States that are interested in securing the site.

But it was not thought best to entirely restrict it, and the Secretary or the President can appoint a board consisting of a civilian, an engineer officer, and a naval officer; and I presume that that is what will be done, rather than to appoint three civilians. But all that is left in the discretion of the Secretary or the President.

Another matter had passed beyond the jurisdiction of the conferees——

Mr. FORAKER. Before the Senator passes from that amendment, I should like to learn a little bit more about the agreement having been reached as to the naval training station. The point to which I will address my inquiry is whether or not there was any limitation as to the territory within which the station should be selected.

Mr. HALE. There is no limitation.

Mr. FORAKER. Then they can go upon any of the Great Lakes. They are not restricted to Lake Michigan?

Mr. HALE. No; all that is left to the board.

Mr. FORAKER. They can take Put in Bay if they want to? I should like to have the provision read.

Mr. HOPKINS. I should like to ask the Senator if the action of this commission is final or whether they will report to Congress, as in the previous legislation.

Mr. HALE. They do not report, as I said, to Congress for controversy here, but report to the President, who may then establish a station.

Mr. HOPKINS. Then the action of the board will be final.

Mr. HALE. The action of the board, when approved by the President, will be final.

Mr. FORAKER. The action of the board is to be subject to the approval of the President, and not to the approval of Congress?

Mr. HALE. It is subject to the approval of the President. Undoubtedly the commission will be composed partly of civilians, but instead of being brought here for another controversy it is left to the President. Congress is not a very good place, as the Senator knows, to settle sites. I will state that this provision received the assent of the Senators from both sides of this question and from the House Members. It is left to the President to approve finally the report.

Mr. FORAKER. Can it be read?

Mr. HALE. It has been read.

Mr. FORAKER. It is in the RECORD.

Mr. HALE. It is in the RECORD.

There is another matter, I was going to say, that had passed from the jurisdiction of the conferees because it was agreed to by both Houses—that a battle ship should be comprehended in the naval programme of the naval appropriation bill. Under the light of events that have transpired in the East and the very remarkable developments that have in naval warfare been disclosed, if that matter had been open I should certainly have been in favor either of striking out the provision for the battle ship or providing that no step should be taken toward committing ourselves to it until the next session of Congress. But as it has been agreed to by both Houses, we could not interfere with that matter.

I may say that if I was Secretary of the Navy, in the present conditions I should not dare to go on and commit the Government to the building of another immense battle ship costing $8,000,000. The lessons of the war between Russia and Japan thus far go to show the vulnerability, the unsafety, of these immense, lofty battle ships and the undesirability at present of committing ourselves to the further construction of them. The salient events of the war show how incomplete as an engine of war one of these enormous, high-turreted battle ships is. If she is struck below the water line and the center of gravity is disturbed, she turns over like a turtle and everybody on board her is drowned.

Mr. SPOONER. Will the Senator allow me to ask him a question?

Mr. HALE. Certainly.

Mr. SPOONER. Is the language of the bill permissive or mandatory?

Mr. HALE. It is permissive, undoubtedly. It authorizes.

Mr. SPOONER. So it is practically in the discretion of the Department or the President?

Mr. HALE. Undoubtedly.

Mr. SPOONER. He can withhold action.

Mr. HALE. Undoubtedly the President and the Secretary can withhold action.

Mr. BACON. If the Senator from Maine will pardon me, I desire to recall his attention to the fact that when this bill was under consideration I ventured to suggest that the improvements in submarine offensive weapons and engines were such that it would probably be a comparatively short time before a battle ship, however well it might be protected against the ordinary projectile, would be out of date and obsolete if it were not provided with protection against the submarine boat and the submarine torpedo.

Mr. HALE. The Senator was wise in his suggestion, but events since then have marched with such startling rapidity that the point made by the Senator becomes more apparent and more important than it then was.

The trouble with the great, the immense, the elaborate, the lofty battle ship, which, as Senators have seen, does not look like a ship, but like a great fortification, is that when she is hurt she can fight no longer. Other structures may be hurt, may be splintered, may be damaged, but they keep fighting on. But if an explosion takes place from hurried firing in a turret, it is more than likely to communicate to the magazine, and the whole ship, with everybody on board, is blown into the air. Aside from the occurrences in the East, where Russian battle ships, one after the other, have been disabled and put out of service, we have had three important calamitous accidents on our battle ships within the last year—the *Iowa*, the *Massachusetts*, and later the *Missouri*. It was only the breadth of a hand that prevented the entire battle ship *Missouri*, the latest of our battle ships and the best upon that design, being entirely destroyed. If the magazine had been communicated with by the fire, or the explosion, the whole ship would have gone. Just such an accident as that is likely to occur in any turret at any time during any battle.

Mr. STEWART. May I interrupt the Senator from Maine to ask him a question?

Mr. HALE. Certainly.

Mr. STEWART. I wish to ask the Senator if it is not discretionary, under the language of this report from the committee of conference, as to whether or not the Secretary shall take this action?

Mr. HALE. Undoubtedly. The provision is that for the increase of the Navy the President is authorized, etc., and then it goes on to describe what shall be done.

Mr. STEWART. I hope the Senator will allow me to make a single remark. I hope we shall not build it. I have suggested several times that I believed that these battle ships, so far as warfare is concerned, would soon be found to be an engine of the past. I do not believe they are up to date. They may be good for a battle at sea, but they will be superseded by submarine boats and other submarine devices to be employed near the land. I repeat, they will be of no use, except for a battle at sea, if such a battle shall ever occur. For battles about harbors I do not think they are going to be used.

I believe the old monitors and ships of that style for the defense of ports were better than these expensive battle ships. I am very glad the Department is under no necessity to construct such ships under the report that is made. I hope, before we undertake any such thing, we shall examine very carefully the progress of recent inventions for the defense of harbors—submarine boats and other inventions—which are being made daily for such defense. All those should be thoroughly examined before we expend these vast sums on a thing which, to my mind, is purely experimental.

Mr. HALE. Of course this is largely in the realm of conjecture. Nobody can prophesy with any authority; but with the lessons that have already been learned, I should doubt whether at the termination—whenever that may be—of the Eastern war between Russia and Japan any nation will go on building more of these enormous, high-turreted battle ships, and there is danger of this war showing to us that we have got a bad investment in the $150,000,000 that we have already put into the battle ships.

I do not find undue fault with the Department or with the boards that have recommended these things, for other nations have been going on in a quite reckless way in building these enormous, high-turreted ships. It will be a melancholy thing if it is found that the great investment in these ships has proved of comparatively little value in case of naval warfare.

Mr. MALLORY. Will the Senator from Maine permit me to ask him a question?

Mr. HALE. Yes.

Mr. MALLORY. I should like to inquire if it is a rule of our Department now that in battle ships the secondary batteries shall be superimposed on the main battery turret? Some vessels of the class, I think, of the *Kearsarge* have what are called "superimposed turrets," with smaller guns, 8-inch guns, superimposed on the 12-inch guns; but that makes them rather lofty, and I should like to inquire if that is a rule to be adhered to hereafter in the construction of our battle ships?

Mr. HALE. Mr. President, in some remarks which I submitted when this bill was under consideration in the Senate I stated the history of the double superimposed turrets. It shows the fallacy of trusting entirely to a board of officers. There ought to be a larger introduction of the discretion of the Secretary of the Navy in these matters, rather than that of the board. The *Kearsarge*

and *Kentucky* were built not only with the lofty turrets which other turreted vessels have, but with the additional turret for small guns on top, making them still more top-heavy and more liable, to use the phrase which they have now adopted in the Navy, of "turning turtle," than if they had but one revolving turret. At that time the board declared that that was the typical vessel which ought to be built for the future.

But the board changed its mind the next year, and we have had, most fortunately in my judgment, no more ships built, and none are contemplated of this still greater height than the ordinary turret—the upper revolving turret for small guns. But it shows the fallacy of depending upon the reports of boards when the Secretary of the Navy has not had enough to do with it and Congress has not had enough to do with it.

Congress ought to have some part in the legislation upon this matter; but the whole subject is now left with the Secretary of the Navy. I hope the Secretary will exercise large and administrative caution, prudence, and restraint before any more money is spent upon another of these great battle ships. I hope he will himself exercise that prudence and that discretion. He is the representative of the Government in the Department, and in large questions he should decide; and he, better than any board of mere naval officers, who want to keep pushing the building of these large vessels, can decide whether it is wise to go on and to commit the Government to the erection of another one of these unsafe vessels.

Mr. McCOMAS. Will the Senator from Maine permit me to ask him a question which grows out of what he says?

Mr. HALE. Yes.

Mr. McCOMAS. The Senator speaks of the danger to battle ships and the effect of submarine torpedoes. Is not the same difficulty apt to occur with respect to heavily armored cruisers?

Mr. HALE. No, Mr. President, it is not. The Senator has seen the two classes of ships and knows the difference between them. The center of gravity of the armored cruiser is not so likely to be disturbed by a shot or an accident or an explosion as is that of the battle ship. I think it likely that we may have gone to the extent of building the cruisers too large; but I think that in the future the formidable fleet will be the smaller vessels with the smaller guns. Pretty much all the damage that has been inflicted in naval warfare has been under this late management and development of the fleets by the 8-inch guns.

I do not pretend to be an expert, but from long study and contemplation I have certain views about these things, and I should not put a gun larger than a 10-inch gun in any ship. I should think twice—yes, three times—before building the great, high-turreted battle ships that a single shot or a single accident will put out of service.

Mr. ALLISON obtained the floor.

Mr. MALLORY. Before the Senator from Maine takes his seat I should like to ask him a question for information as to the action of the conferees in regard to the Charleston Navy-Yard.

Mr. ALLISON. I yield.

Mr. HALE. That is left as the House left it on the motion of the Representative from the Charleston district in that body, with the addition of an appropriation for one more building. The House put on the bill, against the report of the Naval Committee of that body, items amounting to about $600,000—all that was asked. The committee have only added to that a provision for one building.

Mr. ALLISON. Mr. President, I notice by the provisions of this bill that the discretion as respects the battle ships is in the President of the United States. That discretion, as I understand this provision, will require him to build a 16,000-ton battle ship or else postpone the construction of any battle ship under this bill. I want to ask the Senator from Maine how many of these 16,000-ton battle ships we have now?

Mr. HALE. None of them as yet have been launched, but three were provided for under the act of last year, and one this year, and previously there were three or four, perhaps five, almost as large, but they do not come up to 16,000 tons. The limitation as to size has resulted from the language which rather unguardedly—and I take to myself some reproach about that—has been used, that they should be of about such a tonnage. So when we would provide for a ship of about 11,000 tons, the naval board would recommend a ship of 13,000 tons, and we would go on and build it.

Last year, taking notice of this, I had inserted a provision which ought to have been put in bills before, that such vessels should be of not more than a certain tonnage, so that the Secretary of the Navy has discretion. I say "the Secretary of the Navy," but it is all left to the President in terms, because that is our way of legislating. Practically, however, it is in charge of the Secretary of the Navy, although the President, being a higher officer, is intrusted in terms with this discretion. So the Secretary can build under this provision any battle ship up to 16,000 tons, or he can defer taking any steps until after developments in the Eastern war, for the President is only authorized to do this.

Mr. ALLISON. Mr. President, as I understand, there are but few battle ships of this size now in existence.

Mr. GORMAN. Mr. President, I trust we shall have order in the Senate Chamber. We on this side should like to hear what Senators on the other side are saying. I should like to be able to do so, at all events.

The PRESIDENT pro tempore. The Senate will please come to order.

Mr. ALLISON. Mr. President, I do not know whether a battle ship of this size has ever been constructed.

Mr. HALE. There is not a 16,000-ton battle ship to-day afloat on any of the seas of the globe.

Mr. ALLISON. So I understand.

Mr. HALE. But there are several being built, and there is one that comes pretty near to that tonnage; but there is not to-day, I repeat, nor has there been tried in any way, nor tested at all, a single battle ship afloat of 16,000 tons.

Mr. ALLISON. The discretion given to the President in this bill, I have no doubt, will be wisely exercised. In view of the fact that battle ships on the ocean are now being tested in a pretty lively way, I should think that it would do no harm to postpone the preparation for the building of this battle ship until Congress can again convene and deal with this subject in the light of the situation at that time.

Mr. HALE. That is exactly what I hope the Secretary of the Navy or the President will do.

Mr. GORMAN. I understood the Senator from Maine—there was so much confusion in the Chamber, however, that I could not hear everything he said—to say that, in view of recent experience growing out of the management of battle ships, as a result of the experience in the war being waged between Russia and Japan, if the conferees had had full charge of this matter and the right to deal with it, they probably would have left out this great battle ship of 16,000 tons.

Mr. HALE. I can not quite speak for the conferees, but I certainly should have urged that upon the committee of conference if the subject had been within their discretion.

Mr. GORMAN. I so understood the Senator. I understood, of course, the Senator to speak only for himself, but I wish to ask him whether it is even yet too late to bring up the question? The clause providing for the increase of the Navy, beginning on page 75 of the bill as it passed the Senate, placed in the President authority to have a battle ship constructed, of course under the Secretary of the Navy and under the supervision of a board, but it practically leaves with the President of the United States the primary and real responsibility in this matter.

I trust that the President will take note of what has been so well said, not only this morning, but on a previous occasion, by the distinguished Senator from Maine [Mr. HALE], the chairman of the Committee on Naval Affairs, who, while not being an expert in naval architecture and construction, probably has had as large experience in these matters as any man in the service of the Government and who has done so much to build up the Navy.

What I sought to do when this bill was under consideration was to limit the appropriation, having in mind, as the Senator from Maine has in mind, the prediction of Mr. Ericsson, who built the first ironclad, that the time would speedily come when those great ironclads would become obsolete and when torpedo boats and submarine mines would supplant them.

But the officers of the Navy have been so restless about this matter and so determined not to have any restraint put upon them that I have felt during this very session that there was an unwise and impolitic encroachment on the part of the Secretary of the Navy himself, who, when the suggestion was made for a reduction of this amount so as to afford time to enable the Department to ascertain what was the best policy to pursue, has criticised Senators and Representatives who had been advocating that idea and published them all over the world as being opposed to a navy.

So, while I can understand perfectly the desire of the heads of the various bureaus in the Department and their position regarding those who oppose great appropriations, I repeat what I said on a former occasion when this bill was under consideration, that the appropriation is too great; that we are moving along too rapidly; but the power of the executive branch has been such during this session that we have not been able in any respect to curtail the appropriations on these accounts.

A hundred millions for the Navy! It must come back to the Executive as a matter of necessity to suspend the operation of this bill if the country is to be saved this enormous expenditure.

I take it that the statement of the Senator from Maine that the conference committee has no jurisdiction over this matter is probably well taken, although I have known cases where a bill has been amended as this has been, not in relation to the number and size of ships, but other provisions in some cases have been amended.

I had hoped that the conference committee would take the mat-

ter up, and not depend solely upon the exercise of a wise discretion in the executive branch. I have some hope that such discretion will be exercised in this particular case in the interest of the country; but that is not the proper way to legislate.

The Senator from Maine is quite right, that Congress ought to determine, after an examination by experts and a report by the Navy Department, as to the character, the number, and the cost of these ships; and all that ought to be definitely stated in the act. That is what we have been doing from the beginning of the construction of the new Navy until recently.

I trust the result of this discussion and the information we have gained in the management of war ships in the great contest being waged between the Russian and the Japanese nations will induce us at the next session to more carefully scrutinize these appropriations.

It is, I repeat, Mr. President, a most extraordinary thing that the country and the press of the country have taken no note of the tremendous speed at which we are proceeding in this matter of preparation for war.

The Senator speaks of the size of the guns. Sir, there has been a constant pressure from the experts of the War and the Navy Departments to make our guns greater and better than are produced by any other nation on the face of the earth. We have given them ample authority and all the money that has been required to do so. I remember well a contest was made for a year or two in both Houses of Congress over a proposition to enable the Army to construct a 16-inch gun. We made appropriations for it. There was no machinery in the United States equal to the requirements of its construction, and I believe there has been built but one such gun, which cost hundreds of thousands of dollars. The Navy, rivaling the Army and endeavoring to reach out further, attempted practically the same thing, but they only reached, I believe, a 13-inch gun.

Now it has come to pass that the experience of naval officers all over the world has demonstrated that a 6 or an 8 inch gun is all that is required on one of these ships and that it is the most effective. So the time has come for a halt.

It is true, as I said a moment ago, notwithstanding the press and apparently the people—for, as a rule, we can only judge what their views are through the press—seem to take no note of these expenditures; but the time has come—and I am glad to see the Senator from Maine take that view—of bringing the matter back to a fair consideration by Congress, so that we may have economy and a more thorough system in all of these expenditures.

The PRESIDENT pro tempore. The question is on agreeing to the report of the committee of conference on the naval appropriation bill.

The report was agreed to.

POST-OFFICE APPROPRIATION BILL.

Mr. PENROSE. I submit the report of the committee of conference on the post-office appropriation bill, and ask that it may be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13521) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 6, 7, 9, 16, 17, 18, 19, 20, 21, 22, 23, 24, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 63, 64, 65, 67, and 70.

That the House recede from its disagreement to the amendments of the Senate numbered 10, 12, 13, 14, 15, 25, 26, 28, 29, 30, 31, 42, 43, 44, 58, 62, 69, and 71, and agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 3 and 4, and agree to the same with an amendment as follows: Page 11, line 6, strike out all after "post-offices" down to and including "the allotment of same," in line 18, and including amendment No. 4, and insert in lieu thereof the following: "and for separating mails at third and fourth class post-offices, one million dollars: *Provided*, No part of this appropriation shall be disbursed until the Postmaster-General shall publish the rules or regulations governing the Department in the allotment of same: *Provided further*, That of the said one million dollars no greater sum than fifty thousand dollars shall be used for unusual business accruing at third and fourth class post-offices, and no greater sum than seven hundred and fifty thousand dollars shall be used for separating mails at third and fourth class post-offices: *And provided further*, That of the said one million dollars the sum of two hundred thousand dollars shall be available for allowances to third-class post-offices to cover cost of clerical services in accordance with the provisions stated in the paragraph next succeeding, and in addition to the five hundred thousand dollars therein appropriated. And the Postmaster-General shall report to Congress, prior to February 1, 1905, the method of application of this sum, and all the circumstances under which the appropriation has been disbursed;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: Strike out all the matter inserted by amendment numbered 5 and insert in lieu thereof the following: "For allowance to third-class post-offices to cover the cost of clerical services, five hundred thousand dollars in addition to the two hundred thousand dollars appropriated for this service in the next preceding paragraph: *Provided*, That no allowance in excess of two hundred dollars shall be made where the salary of the postmaster is one thousand dollars, one thousand one hundred dollars, and one thousand two hundred dollars; nor in excess of three hundred dollars where the salary of the postmaster is one thousand three hundred dollars, one thousand four hundred dollars, and one thousand five hundred dollars; nor in excess of four hundred dollars where the salary of the postmaster is one thousand six hundred dollars, one thousand seven hundred dollars, one thousand eight hundred dollars, and one thousand nine hundred dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: Strike out all of the matter contained in said amendment and insert in lieu thereof the following: "For the acquisition in fee by purchase from the Pennsylvania, New York and Long Island Railroad Company of a site for a post-office building in the city of New York, State of New York, of the lot of land bounded by Eighth avenue, Thirty-first street, Thirty-third street, and a line drawn parallel with Eighth avenue, and distant four hundred and fifteen feet westwardly from the westerly house line thereof, the westerly thirty feet of said lot between Thirty-first and Thirty-third streets to be used for a private street or way to be constructed by the Government for its purposes in connection with said post-office building; subject, however, to the rights of said railroad company, its successors and assigns, to be specifically defined in the contract of conveyance of said site, to retain, occupy, and use the subsurface of said lot for its railroad and station purposes, and to the necessary reservations for purposes of light and air, one million seven hundred thousand dollars, or so much thereof as may be necessary, to be paid out of any money in the Treasury not otherwise appropriated, and not from, nor chargeable to, the revenues of the postal service: *Provided*, That such appropriation shall not become available until the Postmaster-General shall have certified to the Secretary of the Treasury that the terms, conditions, and limitations of such purchase and conveyance meet with his approval;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: Page 13, line 9, strike out all after the word "General" down to and including the word "Company," in line 16; and also strike out the amendment of the Senate reading as follows: "*Provided further*, That no part of this appropriation shall be expended for the telephone service required in any post-office except in cases where the opportunity to furnish such service is afforded to all companies supplying the same in the city where said post-office is located, and then only to the company proposing to furnish the best service at the lowest rate of compensation;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: Strike out the matter contained in said amendment and insert in lieu thereof the following: "from which sum may be paid the amount necessary to fulfill the existing contract for service in Boston;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "fifty-three;" so that it will read: "two hundred and fifty-three clerks, class six;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "forty-one;" so that it will read: "one thousand two hundred and forty-one clerks, class five;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "twenty-eight;" so that it will read: "five hundred and twenty-eight clerks, class five;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "seven hundred and twenty-six;" so that it will read: "one thousand seven hundred and twenty-six clerks, class four;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "fifty;" so that it will read: "one thousand five hundred and fifty clerks, class four;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "two hundred and eighteen;" so that it will read: "four thousand two hundred and eighteen clerks, class three;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "two thousand and thirty-one;" so that it will read: "two thousand and thirty-one clerks, class two;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "eight hundred and five," so that it will read: "eight hundred and five clerks, class one;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "thirteen million two hundred and twenty-four thousand;" so that it will read: "thirteen million two hundred and twenty-four thousand dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: Strike out the matter contained in said amendment and insert in lieu thereof the following: "and for their necessary official expenses not covered by their per diem allowance, not exceeding $5,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: Restore the following: "For fees to special delivery messengers, $900,000," and add, after the word "dollars," page 25, line 9, the following: "*Provided*, That nothing in this act contained shall be construed to repeal or in any manner modify section 161 of the Revised Statutes of the United States in its application to the Post-Office Department;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the matter contained in said amendment insert the following: "eighteen;" so that it will read: "eighteen rural agents, at $1,500 each;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the matter contained in said amendment insert the following: "eighteen;" so that it will read: "eighteen rural agents, at $1,400 each;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the matter contained in said amendment insert the following: "two hundred and twelve thousand seven hundred;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In lieu of the matter contained in said amendment insert the following: "eighty-six;" so that it will read: "eighty-six rural agents in the field;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the matter contained in said amendment insert the following: "one hundred and three thousand two hundred dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: Of the matter contained in said amendment strike out the following portion: "It shall be the duty of the purchasing agent to report to Congress at the commencement of every regular session. This report shall contain a schedule embracing the bids by classes, including the name of the bidder and the prices named, indicating such as have been accepted;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: Restore the words "and their headquarters," and add after the word "headquarters" the following: "except in cases of post-office inspectors while temporarily located at any place on business away from home or their designated domicile for a period not exceeding twenty consecutive days at any one place; and the Postmaster-General shall designate an official domicile and headquarters within the division or territory to which such officer or employee is assigned;" and the Senate agree to the same.

BOIES PENROSE,
J. P. DOLLIVER,
A. S. CLAY,
Managers on the part of the Senate.
JESSE OVERSTREET,
J. J. GARDNER,

I concur in this report except as to Nos. 42 and 43.

JOHN A. MOON,
Managers on the part of the House.

Mr. CLAY. I suggest to the chairman of the committee—and I know that some other Senators on this side of the Chamber feel the same way about it—that this conference report be printed and taken up in the morning. I think it can be disposed of then in a few minutes. I hope that suggestion will be accepted.

Mr. PENROSE. If the Senator desires that, very well; but I should like to have the report agreed to to-day.

Mr. CLAY. After conference with some of the Senators on this side of the Chamber, I am sure we shall save time by postponing until to-morrow the consideration of the report.

Mr. PENROSE. Very well.

The PRESIDENT pro tempore. The report will be printed and lie over.

DAVID ROBERTSON.

Mr. PROCTOR. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 3684) to place David Robertson, sergeant first class, Hospital Corps, on the retired list of the United States Army, to report it with an amendment, and to submit a report thereon. I ask unanimous consent for the present consideration of the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment of the Committee on Military Affairs was, in line 8, after the word "Senate," to strike out:

Promote said David Robertson to be a second lieutenant of infantry in the Army of the United States, and to place him upon the unlimited retired list of the Army in that grade.

And to insert:

to place said David Robertson on the retired list of the United States Army with the full pay and allowances of the grade held by him at the date of such retirement.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN WALLER.

Mr. DOLLIVER. I am instructed by the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 36) to reimburse John Waller, postmaster at Monticello, N. Y., for money expended in carrying the mail, to report it with an amendment, and to submit a report thereon.

Mr. PLATT of New York. I ask unanimous consent for the present consideration of the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment reported by the Committee on Post-Offices and Post-Roads was, in line 6, after the words "sum of," to strike out "$800" and insert "$426.25;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John Waller, late postmaster at Monticello, N. Y., out of any money in the Treasury not otherwise appropriated, the sum of $426.25 to reimburse him for money expended in carrying the United States mails and from damages consequent therefrom.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH CROW.

Mr. DOLLIVER. I am directed by the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 2896)

for the relief of Joseph Crow, to report it with an amendment, and to submit a report thereon.

Mr. MILLARD. I ask unanimous consent for the present consideration of that bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. MALLORY. What committee reported that bill?

The PRESIDENT pro tempore. The Committee on Post-Offices and Post-Roads.

The amendment reported by the Committee on Post-Offices and Post-Roads was, in line 9, to strike out the words "as above stated" and insert "of post-office funds by Alfred M. Oleson;" so as to make the bill read:

Be it enacted, etc., That the sum of $1,029.59 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and that the same be paid to Joseph Crow, of Omaha, county of Douglas, State of Nebraska, to reimburse him for a like amount charged against his account as postmaster by reason of the embezzlement of post-office funds by Alfred M. Oleson.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was rejected.

SOUTHERN JUDICIAL DISTRICT OF IOWA.

Mr. MITCHELL. I am instructed by the Committee on the Judiciary, to whom was referred the bill (H. R. 14673) to create a new division of the southern judicial district of Iowa, and to provide for terms of court at Davenport, Iowa, and for a clerk for said court, and for other purposes, to report it without amendment.

Mr. DOLLIVER. I ask unanimous consent for the present consideration of that bill.

The Secretary read the bill; and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COURTS AT LEWISBURG, W. VA.

Mr. SCOTT. I ask unanimous consent for the present consideration of the bill (H. R. 14944) establishing a regular term of the United States circuit and district courts at Lewisburg, W. Va.

The PRESIDING OFFICER (Mr. KEAN in the chair). The morning business has not yet been concluded.

Mr. SCOTT. I wanted to call the bill up when it was reported, but I happened to be absent from the Chamber at the time.

The PRESIDING OFFICER. The bill will be read for information, subject to objection.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on the Judiciary with an amendment, in line 6, to strike out the following proviso:

Provided, however, That suitable rooms and accommodations are furnished for holding said courts free of expense to the Government of the United States.

So as to make the bill read:

Be it enacted, etc., That a regular term of the United States circuit and district courts for the southern district of West Virginia shall be held every year at Lewisburg, W. Va., on the second Tuesday in February.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MISSISSIPPI RIVER BRIDGE IN MINNESOTA.

Mr. NELSON. I ask unanimous consent for the present consideration of the bill (S. 5504) to amend an act entitled "An act to authorize the counties of Sherburne and Wright, Minn., to construct a bridge across the Mississippi River," approved March 29, 1904.

The PRESIDING OFFICER. The morning business is not yet concluded. Will the Senator wait until the morning business shall have been concluded?

Mr. NELSON. Very well.

REVISION OF PENSION LAWS.

The PRESIDING OFFICER. The Chair lays before the Senate a resolution heretofore submitted by the Senator from North Dakota [Mr. MCCUMBER], coming over under an objection.

Mr. MCCUMBER. I ask unanimous consent for the present consideration of the resolution.

Mr. ALDRICH. What is the resolution?

The PRESIDING OFFICER. The resolution will be read.

The Secretary read the resolution submitted by Mr. MCCUMBER on the 23d instant, as follows:

Whereas the pension laws of the United States have not since the origin of the pension system been revised; and

Whereas, owing to the fact of different wars and different acts of Congress which have been passed relative thereto, some of which clearly apply to one condition and others to other conditions, a confusion has arisen with respect to their interpretation; and

Whereas some of these acts are overlapping, some of them practically repealed, and some in part obsolete by implication; and

Whereas the interpretation of different Assistant Attorneys-General and Pension Commissioners has brought about a further conflict as to the legal effect of certain acts, and has made doubtful the full legal right of pension claimants; and

Whereas by reason of these conditions the pension laws of the United States are in a condition of uncertainty and should be revised and codified; and

Whereas the said laws are not in all respects adequate to meet the present conditions of the survivors of our wars:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to have prepared by officials of the Pension Bureau and to report to the Senate at its next meeting in December, 1904, a proposed revision of the pension laws of the United States, applicable to all of the military service of the United States, the same to contain full notes of statutes and decisions; and that there be arranged in separate titles so much of the law as is still applicable and has reference specially to each particular war for which a pension law has been passed.

That there be drafted in such code, separate and distinct from the substantive law relative to pensions, rule of procedure for pension claims, providing therein such blank forms as will enable a pension claimant to conduct his own case.

Mr. MCCUMBER. Mr. President, I simply wish to say in reference to this matter that a bill was introduced some time ago and referred to the Committee on Pensions for the appointment of a commission to revise the pension laws of the United States. That committee, after considering the matter, deemed it better to first consult with the Secretary of the Interior and the Commissioner of Pensions to see if they could not with their present force do the work better than any commission. Therefore I called upon the Secretary of the Interior and the Commissioner of Pensions and they informed me then, as they did also later by letter, that with the force which they have and with attorneys and those who are competent to take the matter into consideration they could during the recess of Congress prepare a proposed pension law and submit it to the Senate.

I believe we could get better results by this method of procedure than by a commission, and inasmuch as it is simply to report a proposed revision with all amplifications and notes necessary for Senators to fully understand it, I hope there will be no objection to allowing the Pension Commissioner and the Secretary of the Interior to prepare and report to us such a bill.

Mr. GALLINGER. I will inquire whether this is a Senate or a concurrent resolution.

Mr. MCCUMBER. It is a Senate resolution.

The PRESIDING OFFICER. It is simply a Senate resolution.

Mr. GALLINGER. I think if anything is to be done in this matter it ought to be by concurrent action of the two Houses.

But, Mr. President, I wish to make a statement along a different line. Supposing that I was still occupying the honorable position of chairman of the Committee on Pensions, Judge Botkin, who is chairman of a commission appointed some years ago to revise the statutes of the United States, telephoned me this morning that that commission have had for a considerable time under consideration a proposed revision of the pension laws and have almost completed their work. He said to me that if it was necessary the revision his committee had made could be completed and reported to Congress in a single week, but that they would like a little longer time than that to complete their work.

Now, Mr. President, under those circumstances, inasmuch as this matter has had very careful consideration by three distinguished jurists, and their work is almost entirely completed, it seems to me it is not necessary for us to do anything further about it until we get the result of the work of that commission.

If the matter had not been taken up previously I think the scheme the Committee on Pensions has suggested here would be a very wise one, and that it might result in precisely what we have so long desired—a revision and codification of the pension laws. But under the existing conditions I think the Senator from North Dakota will agree with me that it is not wise for us to have a revision made by this distinguished commission and another revision made by law clerks in the Interior Department.

So I trust, Mr. President, that for the present, at least, the resolution may be allowed to go over.

Mr. BAILEY. Mr. President, I desire to inquire why Congress shall impose upon itself the necessity of labor in connection with the pension laws? Why not just leave it to the Secretary of the Interior to issue an executive order and dispose of them hereafter like he has done heretofore?

Mr. MCCUMBER. Mr. President, the necessity for a revision of the pension laws has long been felt, not only to every Senator who has made any study of the subject, but also to the Interior Department itself. There is, I believe, no commission that could

so successfully deal with that subject as could the Department itself. The Department are ready, willing, and anxious to make this report for us at the next session. They are able to make it. They have all the data before them. They have every one of the conditions before them upon which there has been any disagreement between the Department and the legislators. They understand the matter thoroughly.

Every question that can possibly arise under the pension laws is daily before the Pension Bureau. It seems to me that, having before them constantly all of these defects, the Pension Bureau is better enabled to prepare and to present to us for intelligent discussion a proposed amendment or revision of the pension laws. Even though there may have been a commission working on general laws and taking up the pension laws in connection with them, I do not believe that that commission can give us the information that is called for in this resolution.

I hope, therefore, Mr. President, that the resolution may pass, as we will have then the report directly from the Interior Department and from the Pension Bureau, which will enlighten us on every point on which we will want information at the coming session.

Mr. BAILEY. Mr. President, if it were purely and only a codification of the pension laws, even including pension orders and regulations——

Mr. McCUMBER. It is not, Mr. President.

Mr. BAILEY. Then it might be proper to request the Department having charge of it to make the compilation. But I understand the Senator to say that the legislation in certain respects is inadequate, and he seeks the advice of the Pension Department upon matters of legislation. Am I correct in that?

Mr. McCUMBER. The Senator is not correct. That may be one position, but the acts overlap each other. Some of them are practically repealed simply by implication. Some of them are claimed to be obsolete; some of them are not. They are not all of them clearly expressed. Some of them relate to one war, and some to another. Take, for instance, the Indian wars. The acts are not all couched in the same language. They are not all subject to the same conditions. The preamble explains the reason for this work. The reason that is suggested by the Senator from Texas is only one out of the many reasons.

Mr. BAILEY. Mr. President, I believe those matters should properly come in a report from the Interior Department to Congress. But when Congress confesses its inability to reconcile conflicting laws, or the Department confesses its inability to state what law has been repealed and what is in force, it looks to me like we need legislation more than advice.

I am not willing to see Congress completely and entirely abdicate its right to legislate on these matters, and I am compelled to object to the present consideration of the resolution.

Mr. McCUMBER. I can not see how the Senator can say the Department would be legislating when we ask the Department to give us information that we may legislate on the subject.

Mr. BAILEY. It is the Department's duty to give us that information in a report, and you ask——

Mr. McCUMBER. And we propose simply to call——

Mr. LODGE. I call for the regular order. Objection has been made.

The PRESIDING OFFICER. The resolution is the regular order. Objection was made to it on Saturday.

Mr. GORMAN. I objected to it on Saturday.

Mr. LODGE. I beg pardon.

Mr. McCUMBER. Mr. President, that is exactly what we are doing in this resolution. We are calling for the information, but we are calling for it to be submitted to us in such a form, with such annotations, that we may clearly and distinctly understand it, so that it may be the better presented for our consideration. I certainly can see no objection to having the report made in this way, in the form of proposed legislation.

There is not a single committee that does not send down to the several Departments for information, and they ask the Department to propose a bill for legislation.

In two-thirds of the cases the bills which are passed by the Senate are such bills as are reported by the several Departments to the Senate. It gives us a better understanding of the matter, and certainly I can see no objection to its coming in this form.

Mr. ALDRICH. Will the Senator permit the last whereas to be read?

Mr. McCUMBER. I intend to strike out all of the preamble when the question is reached on agreeing to it.

Mr. ALDRICH. That relieves one of my objections to the resolution.

Mr. BAILEY. Would the Senator also strike out the requirement that there shall be a proposed revision, and content himself with a compilation? Then I will have no objection to the resolution.

Mr. McCUMBER. We have a compilation now that has been prepared, and I defy the Senator or anyone else to understand that compilation. As I said, several portions overlap each other and are almost incomprehensible.

Mr. BAILEY. Surely the Senator does not propose to intrust a revision to a Department that is incapable of making an intelligible compilation? If you have a compilation you can not understand, as matters exist, then what would be the state of the law when the same compilers were through with the revision?

Will the Senator permit me to ask what objection there is to the commission whose appointment and whose work now is almost completed, as has just been stated by the Senator from New Hampshire? I understand that commission was appointed under a law of Congress.

Mr. GALLINGER. Several years ago.

Mr. BAILEY. Several years ago. They have doubtless been paid for their work and are now ready to hand it over completed to Congress. In the face of the fact that they hold the appointment in the usual and ordinary way of organizing a board of revision or codification, and in view of the fact that they are now within a week or ten days of a readiness to present their work to Congress, it seems to me unusual, if not extraordinary, that the whole matter should now be taken out of their hands and committed to some one else.

There must be some good reason for it. Of course the Senator does not propose a measure of this kind without a reason. It may be that he has examined the compilation soon to be submitted and that it is unsatisfactory, or it may be that those who have undertaken the work under the authority of Congress have not revised, but have simply compiled, the laws, and it may be that new laws are desired, rather than to know what the existing law is.

Of course the Senator from North Dakota might enlighten the Senate on that point. It might be that the Senate would take this whole matter out of the hands of those to whom it has been intrusted and commit it to new hands, which, in the nature of things, would require some time for its work.

I will ask the Senator from New Hampshire, with the permission of the Senator from North Dakota, how long the commission to which he referred has been engaged in this work?

Mr. GALLINGER. I remember meeting Judge Botkin, of Montana, I think, who was at the head of the commission, at least three years ago. The commission was then engaged in its work of revising and codifying the laws of the United States. This morning Judge Botkin telephoned me that as part of their work they had taken up the pension laws and have given the matter very careful and patient consideration, and are about to conclude their work on that particular branch of the law, saying to me that if it was necessary they could report on that within a week or ten days, but that they would like to have a little more time.

Mr. BAILEY. Now I comprehend. That is the same commission that was authorized by a duly enacted law to codify all the laws of the United States.

Mr. GALLINGER. Precisely; all the laws.

Mr. BAILEY. And it is their duty in codifying those laws to omit the obsolete portions, those that have been repealed by subsequent enactments. That commission was originally composed of great lawyers, some of whom I had the honor to know. I understand that some of them now are entitled to the highest respect for their legal attainments. Surely it is better to leave it with them than to send it to the Department, whose compilation is admitted to be unintelligible.

Mr. McCUMBER. Mr. President, it is not simply a question of compilation. What we wish is a revision. I do not think that the Department would have any authority in a matter of compilation to leave out anything of the body of the law itself which would tend to make it clear and explain it. Even though portions of the law overlap each other, even though some portions were more or less inconsistent with each other, still they would all have to go in the compilation. In a matter of a revision of the laws we would change the substance of the laws themselves, we would arrange them in a form in which they would be intelligible, we would leave out the redundant matter, and would change it entirely to conform it to present conditions.

I confess I do not see that we are taking anything out of the hands of the commission of which the Senator speaks. If they make their report, well and good. But I would place more confidence in a report that was made not only by good lawyers but by those who have a full and complete knowledge of the subject-matter and of the infirmities that daily arise under the administration of the pension laws. We might have the very best of jurists to compile the laws or to determine what would be a fair system of pension laws, but in order to get what we wish, in order to avoid the inconsistencies, in order to secure greater justice and equality in the administration of the pension laws, I believe that many suggestions could be given us by the Department that could not be given us by a commission unless that commis-

sion got its information from the Department. In my talk with the Secretary of the Interior and with the Commissioner I have not ascertained that this commission has called upon them for any great amount of assistance or information.

Mr. President, we appointed some ten years ago, I think, a commission to revise the criminal code of the United States. That commission, I believe, made, some three or four years ago, one little report of what it was doing, and the revision has not shown up yet. I do not believe the commission that has been appointed will have for our use a report that we can use and use to the same advantage that we could the one which the resolution calls for.

They have their force there in the Department at work: they can give us this information, and if the Department are willing to furnish us that information, I can not see what possible objection any Senator could have to the Senate receiving it. The Committee on Pensions wish it; they ask for it; it is no expense to the Government to grant it, and if we need it in our deliberations and ask for it, I do not understand why any Senator should object to our receiving it.

Mr. GALLINGER. Mr. President, a single word. I hesitate, of course, to put myself in opposition to the wishes of the distinguished chairman of the Committee on Pensions, and yet it does seem to me conclusive that inasmuch as this matter is in the hands of a very distinguished commission, composed of eminent jurists who have given the matter great consideration, it is safer there than in the hands of what is provided in this resolution—officials of the Pension Bureau. I apprehend there is not a lawyer of any considerable distinction in the Pension Bureau, unless it be the Commissioner himself.

Mr. McCUMBER. I beg to differ with the Senator on that point. I think there is.

Mr. GALLINGER. Well, Mr. President, if there are eminent lawyers working for from $1,200 to $2,000 a year, I think they might find better employment.

Mr. McCUMBER. One may become quite efficient, I will say to the Senator, where all his life work for ten or fifteen years has been in a single Department, so that he would understand at least the pension laws, though he might not understand real-estate laws.

Mr. GALLINGER. The Senator says this will not be any expense to the Government. Of course it will. If officials of the Bureau are detailed to do this work, when they are doing that they will not be doing something else. The fact is that it will not be of any expense if we allow it to remain in the hands of the commission that now has it in charge. They are paid a salary, a large salary commensurate with their distinguished attainments. I really think that in the matter of correct and salutary legislation we ought at least to wait until this commission makes its report, which will be here before we assemble in December next.

I can not believe that we will get a result as favorable from a codification, or whatever it may be, made by clerks in the Bureau of Pensions as we will from eminent jurists who are now engaged in the work.

My attention was attracted by the last whereas, as well as by some of the preceding ones, and I confess that I do not see the great necessity for this work. We have got along pretty well. The Pension Bureau are granting pensions under existing laws, and I do not know that the soldiers are finding fault about it; they seem to be doing it very liberally. Congress is taking up the work of special pensions, and I do not apprehend that any codification or revision or the laws will help us in determining any of the cases that come here for our consideration.

Everything considered, Mr. President, it seems to me that the resolution can safely be laid over for the present and not be pressed for further action.

But, Mr. President, if the resolution is to pass I want it to be a concurrent resolution, and I now move to amend the resolution, so that it will read:

Resolved by the Senate (the House of Representatives concurring).

And also to amend it so as to provide that the report shall be made to Congress at its next meeting, in place of being made to the Senate.

The PRESIDING OFFICER. The Senator from New Hampshire offers an amendment, which will be stated.

The SECRETARY. It is proposed to make the resolution a concurrent resolution, and in line 3 to strike out the words "the Senate," and insert in lieu thereof the word "Congress."

Mr. McCUMBER. I have no objection to that amendment.

The amendment was agreed to.

Mr. SPOONER. The Senator from New Hampshire was making an observation when I came into the Chamber that I did not distinctly understand. I should like to interrogate him, with his consent, in regard to it. If I correctly understand the Senator, he said that the commission which is revising the statutes of the United States has about completed a revision of the pension laws and will be shortly ready to report.

Mr. GALLINGER. I will say to the Senator, as I stated in my previous remarks, that this morning, supposing that I still occupied the position of chairman of the Committee on Pensions, Judge Botkin, who is at the head of that commission, telephoned me, saying that the commission had had for some time under consideration the pension laws and had about completed their work and could make a completed report, if necessary, so far as their work was concerned, in a week.

Mr. SPOONER. I should like to ask the Senator from North Dakota why we should have two revisions of the pension laws proceeding at the same time?

Mr. McCUMBER. I do not know why we should have two commissions appointed for considering the general laws and another one appointed for the consideration of the criminal code; yet such seems to have been the case. One thing is certain: This commission, I believe, were appointed some four or five years ago, and up to the present time they have reported nothing. The Committee on Pensions has had before it the matter of the revision of the entire pension code. We wish to take that up at the next session. The committee desires to get all the light it can on that subject. It ought not to be forced to secure all of the light that it may receive entirely from a revision by the commission who, as has been suggested, are working upon a revision of the entire laws of the United States.

We ask for many things in this resolution that would not be in their revision. For instance, we ask that it "contain full notes of statutes and decisions." We ask "that there be arranged in separate titles so much of the law as is still applicable and has reference specially to each particular war for which a pension law has been passed." We ask "that there be drafted in such code, separate and distinct from the substantive law relative to pensions, rule of procedure for pension claims, providing therein such blank forms as will enable a pension claimant to conduct his own case." In other words, we ask for considerable information that we would not obtain in the revision by this commission.

In order to take this matter up intelligently before the committee, as I said, the chairman of that committee called upon the Secretary of the Interior and the Commissioner of Pensions and stated to those officers what was desired: that it was desired simply for the purpose of information and to get the idea of the Pension Bureau as to what the pension law ought to be, that the Department's ideas might guide, to some extent, our own judgment. This we could not get from the Commissioners, because they have nothing to do with carrying into effect the pension laws. They would necessarily not understand them as well or understand the many defects that are in those laws as the Department which has the enforcement of the laws.

Now, as the Pension Committee asked for this, I was directed to introduce the resolution. It was done for that purpose, so that we might secure this information. They can furnish it; they are willing to furnish it and desirous to do it. That being the case, not knowing exactly whether this matter will come before the next Congress or not, but being certain that the Bureau can furnish us something, we simply ask that they be allowed to furnish it.

Mr. SPOONER. Mr. President, is the Senator through?

Mr. McCUMBER. I simply want to say to the Senator from New Hampshire [Mr. GALLINGER], who says he has heard no complaint from the soldiers relative to the present pension laws or relative to their enforcement, that it is certainly a surprise to me. The great complaint that is made by the soldiers of the country is the red-tapism that they have to go through in order to secure a pension, and it is to simplify and codify the laws and procedure that we have brought this matter before the Senate.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the resolution goes to the Calendar.

Mr. PLATT of Connecticut. I beg the indulgence of the Senate, having been absent on a conference——

Mr. McCUMBER. Will the Senator from Connecticut yield to me that I may simply ask that the resolution, instead of going to the Calendar, may lie on the table and go over until to-morrow?

Mr. TELLER. I object to that. Let it go to the Calendar.

The PRESIDING OFFICER. Objection is made, and the resolution goes to the Calendar.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 3117) to expedite business in the district court of the United States for the district of Oregon;

A bill (S. 3238) to amend and codify the laws relating to municipal corporations in the district of Alaska;

A bill (S. 4651) for the relief of James T. Barry and Richard Cushion, executors of the last will and testament of Martin Dowling, deceased;

A bill (S. 5255) to provide allotments to Indians in the White Earth Reservation in Minnesota; and

A bill (S. 5369) to extend to Peoria, Ill., the privileges of the seventh section of the act of Congress approved June 10, 1880, governing the immediate transportation of merchandise without appraisement.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 14754) providing for the restoration or maintenance of channels, or of river and harbor improvements, and for other purposes.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEMENWAY, Mr. VAN VOORHIS, and Mr. LIVINGSTON managers at the conference on the part of the House.

The message also announced that the House insists upon its amendments to the following bills, disagreed to by the Senate, agrees to the conferences asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LOUDENSLAGER, Mr. PATTERSON of Pennsylvania, and Mr. RICHARDSON of Alabama managers at the respective conferences on the part of the House:

A bill (S. 76) granting a pension to Mary H. Cornell;

A bill (S. 128) granting an increase of pension to Clara M. Gihon;

A bill (S. 3489) granting a pension to Annie Colt McCook; and

A bill (S. 3734) granting an increase of pension to Martha W. Cushing.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were subsequently signed by the President pro tempore:

A bill (H. R. 2866) to amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.," approved April 24, 1888;

A bill (S. 4483) declaring each of the tunnels under the Chicago River an obstruction to navigation, and for other purposes;

A bill (H. R. 6758) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1905, and for other purposes;

A bill (H. R. 12044) to authorize the establishment of a life-saving station at or near Eagle Harbor, Keweenaw Point, Michigan;

A bill (H. R. 13014) to authorize the appointment of road overseers and to create road districts in the district of Alaska, and for other purposes;

A bill (H. R. 13262) to confirm the title to lots 2, 3, 4, and 5 in square No. 979, in Washington, in the District of Columbia;

A bill (H. R. 14588) to revive and amend an act entitled "An act to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River, in the State of Louisiana, at or near Shreveport;

A bill (H. R. 14590) to authorize the courts of county commissioners of Houston and Dale counties, Ala., to construct a bridge across the Choctawatchee River between Houston and Dale counties, Ala.;

A bill (H. R. 15014) to enable the Secretary of War to permit the erection of a lock and dam in aid of navigation in the Tennessee River near Chattanooga, Tenn., and for other purposes;

A bill (H. R. 15165) to authorize the construction of a bridge across the navigable waters of St. Andrews Bay; and

A joint resolution (H. J. Res. 103) providing for printing annually the Report of the Director of the Office of Experiment Stations, Department of Agriculture.

GENERAL DEFICIENCY APPROPRIATION BILL.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives on the amendments of the Senate to the bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes, and asked a conference with the Senate on the disagreeing votes of the Houses thereon.

Mr. HALE. I move that the Senate insist upon its amendments and agree to the conference asked for, and that the Chair appoint the conferees.

The motion was agreed to.

The PRESIDING OFFICER appointed Mr. HALE, Mr. ALLISON, and Mr. TELLER the conferees on the part of the Senate.

RIVER AND HARBOR APPROPRIATIONS.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 14754) providing for the restoration or maintenance of channels, or of river and harbor improvements, and for other purposes.

Mr. ELKINS. I move that the Senate insist upon its amendments and request a conference on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees.

The motion was agreed to.

The PRESIDING OFFICER appointed Mr. ELKINS, Mr. NELSON, and Mr. BERRY conferees on the part of the Senate.

COURTS IN ILLINOIS.

Mr. PLATT of Connecticut. I am directed by the Committee on the Judiciary to report back favorably with an amendment the bill (H. R. 15228) establishing a regular term of the United States circuit and district courts at East St. Louis, Ill.

Mr. CULLOM. I ask for the immediate consideration of the bill. It is a very short bill and local in its character.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment of the Committee on the Judiciary was to strike out the proviso at the end of section 3, as follows:

Provided, however, That suitable rooms and accommodations are furnished for holding said courts free of expense to the Government of the United States until such time as a Federal building shall be erected in said city of East St. Louis.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ORDER OF BUSINESS.

Mr. BACON rose.

Mr. NELSON. Will the Senator from Georgia kindly yield to me? I desire to ask——

Mr. BACON. I have not the floor. I can not yield to the Senator.

Mr. NELSON. I ask unanimous consent for the present consideration of the bill (S. 5504) to amend an act entitled "An act to authorize the counties of Sherburne and Wright, Minn., to construct a bridge across the Mississippi River," approved March 29, 1904. It is a Senate bridge bill, and I should like to have it go over to the House so that it may be passed there.

The PRESIDING OFFICER. The Senator from Minnesota asks unanimous consent for the present consideration of a bill which will be read.

Mr. BACON. The Senator from Minnesota asked me to yield to him. I have not the floor.

Mr. TELLER. The Senator from Georgia gave notice that at 2 o'clock he would desire to address the Senate, and, according to the usual custom, he has a right to the floor.

Mr. NELSON. I was aware of that fact, and therefore I asked the Senator to yield to me.

Mr. BACON. I gave notice that I would ask the courtesy of the Senate to-day, but the time has expired, and I do not know whether the Senate desires that I shall proceed or not. I submit myself to the pleasure of the Senate.

Mr. CULLOM. Go right on.

Mr. TELLER. Go on.

Mr. BACON. I will state that three or four Senators have asked that I would yield to them, and if it will not take too much time I will do so with pleasure, especially as I myself am now in a condition to ask favors. I will state the Senator from Alabama [Mr. MORGAN] has given notice that at a certain hour he will call up resolutions from the House relative to the death of one of his colleagues in that body, and therefore my time is necessarily limited.

I have consented, however, that I would yield to certain Senators, and with the permission of the Senate I will yield to the Senator from Washington [Mr. FOSTER], provided his bill does not consume time.

Mr. FOSTER of Washington. It is a very short bill, Mr. President.

Mr. BACON. I will state to the Senator from Minnesota that I will yield to him, but I have made a promise to three Senators prior to his request, and I will yield to him in his order.

Mr. PLATT of Connecticut. I do not make an objection, but I wish to suggest that I do not think it is regular for a Senator to get the floor for one purpose and then yield to Senators to pass bills. I make no objection in this instance, but I do not want to be bound to that practice.

Mr. BACON. The Senator will understand that it is not at my instance it is done.

Mr. TELLER. For fear of establishing the precedent that a Senator may give notice that he will speak at a certain time and then farm out the time of the Senate, I object.

TRUSTS AND PRICES OF MANUFACTURES.

Mr. BACON. Mr. President, I ask that there be laid before the Senate the resolution offered by the Senator from Iowa [Mr. DOLLIVER] and the amendment proposed by myself.

The PRESIDING OFFICER. The Chair lays before the Senate the resolutions referred to. Does the Senator desire to have them read?

Mr. BACON. If they will be considered as read and inserted in the RECORD at this point, I do not desire to consume the time of the Senate by having them read.

The PRESIDING OFFICER. The resolution of the Senator from Iowa and the amendment of the Senator from Georgia will be inserted in the RECORD.

The resolution submitted by Mr. DOLLIVER on the 18th instant is as follows:

Resolved, That the Secretary of Commerce and Labor be, and he is hereby, directed to prepare and send to the Senate a statement showing what companies have been incorporated in the United States and what investments of capital made by individuals or copartnerships since the year 1900, outside and independent of the so-called "trusts," and the aggregate capital, compared with the total capitalization of the trust combinations.

The amendment of Mr. BACON to the foregoing resolution, submitted by him on the 21st instant, is as follows:

Add as an additional resolution the following:

"*Resolved further*, That the Secretary of Commerce and Labor be, and he is hereby, directed to procure, so far as practicable, the information hereinafter specified, and report the same to the Senate during the present session of Congress if practicable.

"First. What classes of goods manufactured in the United States have, during the year ending December 31, 1903, been sold or offered for sale in foreign countries, or for export to foreign countries, by the manufacturers thereof, or through their representatives or agents, at prices less than the same classes of goods were during the same period sold in the United States by the manufacturers thereof, or through their representatives or agents; the said report, while including so far as practicable all classes of goods so manufactured and sold, to have special reference to manufactures of iron and steel and other metals, of glass and crockery, textile goods and the manufactures thereof, boots, shoes, and other manufactures of leather, hats and caps and other wearing apparel, household and kitchen utensils and wares, household and kitchen furniture, sewing machines, vehicles of all kinds, farm implements and farm machinery and other machinery of all kinds, cutlery and tools of all kinds, watches, jewelry, and other articles for household and personal use, comfort, or adornment; and the said report to give the comparative prices in said sales separately for each of the said classes of goods, and the foreign countries in which or for export to which said sales were made.

"Second. What, separately stated as to each class of goods, was the general average during the said period of the said comparative prices in sales in the United States and in the several foreign countries.

"Third. If, during the said period, the said comparative prices in any instances fluctuated materially from said average; then, stated separately, what were, in such instances, the comparative prices in said sales, in the several classes of goods embraced in such instances, at different periods in the year when said fluctuations occurred.

"The Secretary of Commerce and Labor is further directed to make said reports as soon as practicable, and if, when the same shall be completed, the Senate shall not be then in session, he is hereby directed to file same with the Secretary of the Senate, and there shall thereupon be copies of said reports immediately printed for the use of the Senate."

Mr. BACON. Mr. President, it is not my purpose to enter upon a discussion of the trust question in its broad scope, as would seem to be justified by the resolution offered by the Senator from Iowa [Mr. DOLLIVER]. The fact is that his very exhaustive and conclusive speech leaves little to be said upon the trust question. At least, if his view is correct, it is certainly unnecessary to say anything more upon it. The Senator has found a very happy solution to this hitherto insoluble question, which, I presume, will result in its final disposition and removal from the field of discussion and debate. When divested of the oratoric garb in which the eloquent Senator clothed it, the proposition submitted by him him is, when viewed in its nudity, substantially that all trusts are divided into two classes, the good and the bad; that the good trusts are entirely beneficent and thus can do no harm, and therefore require no attention on our part; and that, happily for the public interests, the bad trusts have in them the inherent seeds of fatal disease, through the natural development of which they will certainly die, and that therefore no action is needed upon our part to hasten their early and inevitable demise.

If this suggestion of the learned and honorable Senator is correct, I repeat it is a most happy solution of the trust question, and we probably will hear no more of it, either in Congress or in the political campaign upon which we are about to enter.

The thing seems so simple which has thus been suggested by the learned Senator that each one of us is astonished that it had not occurred to any of us before. The country is certainly to be congratulated, however, that the matter has—by the ingenuity and eloquence of the Senator—been removed from all further necessity for investigation or action.

If the proposition of the Senator is correct, the converse of the proposition, I presume, might be recognized as a sound one—to wit, that if a trust has not died, that is conclusive evidence that it is a good trust, and it, in consequence, ought not to be interfered with. While that proposition may, under the logical demonstration of the Senator, as a general one, be perforce accepted by us as correct, in this as in all others there are notable exceptions, and the purpose I have to-day is to devote myself, in some measure, to the humbler task, not of a general discussion of the trust question, but of pointing out, if I may be able to do so, how, even in the case of a good trust, which we must assume to be the character of all existing trusts, because otherwise they would not be alive, there are some provisions of the present protective tariff law which enable that good trust to work hardship to the people and even to oppress them.

I am not even going, Mr. President, into the full field that that suggestion might authorize. I propose to limit myself to-day to the narrower consideration of the opportunity which some schedules of the protective tariff law, as it is now found upon the statute books, gives to these "good trusts"—undeniably good because they are alive and not dead—to sell to the people of the United States their products at from 25 to 100 per cent above the figures at which they can afford to sell to foreign consumers, and at which they do sell to foreign consumers.

The amendment which I have offered to the resolution of the Senator from Iowa is almost literally a copy of a resolution which I introduced in the Senate in December last. I would very much prefer, of course, that I might have the opportunity to discuss this question after the information intended to be gained by the resolution and this amendment had been obtained. But that is manifestly impossible now.

At the time when I introduced the resolution, in December, there was promptly a motion made by the distinguished Senator from Rhode Island [Mr. ALDRICH], the chairman of the Committee on Finance, to refer it to the Committee on Finance, and that was sufficient notice served that it was not intended that the Secretary of Commerce and Labor should have an opportunity to gain for us the information which we desired, and to report it to the Senate.

I presume, Mr. President, that it may be safely assumed that the objection of the Senator from Rhode Island, who, at least in the matter of tariff, is the mouthpiece of his party in this body, is and was a sufficient evidence of the fact that the procurement of that information and its conveyance to the public would not be to the interest of the party upholding the oppressive features of the particular law concerning the operation of which this information was sought to be had. It can not be doubted that if that information, when obtained, would show that there were no discriminations in prices between domestic and foreign consumers of our protected goods, so far from desiring to postpone the procurement of that information, the distinguished Senator from Rhode Island would have been eager to have had it produced.

Mr. ALDRICH. Will the Senator from Georgia permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Rhode Island?

Mr. BACON. I will for a question; but I wish to state to the Senator that at half past 4 o'clock there is a special order to come before the Senate.

Mr. ALDRICH. I was simply going to say that historical accuracy requires me to state that those resolutions were submitted, I think, in the very first days of the session. I simply gave notice that I would ask their reference to the Committee on Finance for the purpose of putting them into practical shape. I have not noticed any zeal on the part of the Senator from Georgia to secure information which might embarrass him in a speech of the kind he is now making. I do not know that he has since called up the resolutions.

Mr. BACON. From that I assume that the Senator from Rhode Island is in favor of the adoption of the resolutions now; and while we will not discuss the past, I shall be content if the Senator will lend his valuable aid to the adoption of the resolution of the Senator from Iowa, with the amendment which I have offered.

Mr. ALDRICH. I have not recently had time to examine the resolutions of the Senator from Georgia; but if he will allow them to go to the Committee on Finance, I will see that they are put in some practical form.

Mr. BACON. The Senator indulges in pleasantry. I noticed when the Senator from Iowa introduced the resolution the Senator from Rhode Island was not anxious that there should be any supervision of it by the Committee on Finance; but so soon as this particular feature is touched, the sensitiveness of the Senator from Rhode Island is immediately developed.

Mr. ALDRICH. I have no doubt the Senator from Iowa at the proper time would ask to have his resolution referred to the appropriate committee.

Mr. BACON. No; he will not, if he wishes its adoption. I hope that we may adopt the resolution, with my amendment, at this session, in order that the information may be had.

But, to resume, I remark that the obvious effect of a protective tariff provision is to increase the price to the consumer of the particular article affected by that part of the tariff schedule. That is the purpose of the protective tariff, so far as it exceeds the demands and requirements for revenue. It is not to be credited that the producer would favor a protective tariff as to his par-

ticular product if the effect of that feature of the tariff were to compel him to receive a less sum for his product than he would receive if the tariff law were not enacted.

Even if the general proposition is to be conceded that the protective tariff is beneficent, and that there is the general good to result from it in the alleged benefit flowing from the employment of labor in this country in the production of the article which is to be produced, and in the retention in the United States of the money which is spent by the consumer when he purchases the article—even if this general consideration is to be taken into account, it is not to be credited that there is a producer who is so public-spirited that he would be willing that the tariff should have that result, if it should be accompanied by the further result of a reduction of the price of the article produced by him. So that, from the most rational and commonplace consideration, we are justified in saying that the purpose and design of the protective tariff on a particular article is to enhance the price of it to the consumer of that article.

If, however, we accord to all consumers the patriotic spirit of self-sacrifice which would prompt them to be willing to submit to these increased prices for this general good, which is alleged to be the necessary result of the operation of a protective tariff, it is not unreasonable that these patriotic consumers, thus willing to sacrifice their personal interests for the general good, should be informed as to the degree in which this sacrifice is required of them, and that they should be informed as to whether or not the sacrifice thus required of them is within reasonable limits or whether it is unreasonable, oppressive, and extortionate.

Mr. President, if I do not trespass too far upon the time of the Senate, before I conclude I desire to say a word upon the subject of the distinction, even from the standpoint of the legitimate protectionist, between a legitimate tariff from that standpoint—the standpoint which I myself do not occupy, I will say in passing—and the extortionate rates which are included in some of the schedules which are oppressive to the people and far above anything which would be authorized by the tenets of those who claimed in the early days to be the fathers, the promoters, and the founders of the protective system. But I will not talk about that now, Mr. President, and it is possible that I may not reach that. I do not know.

I return, however, to the proposition that the consumer is entitled to know, even if he has this spirit of self-sacrifice, and even if he is a protectionist, whether the schedules are such that in their practical operation there is a limit within what he may consider to be legitimate bounds or whether they go far beyond that limit. A great many tests may be applied, but I am to-day going to confine myself, as I have said, within a very narrow line of inquiry in endeavoring to apply one test, which, while I concede it is not a conclusive test, is a valuable test in the fact that it may be said to be a concrete test. I am not going to indulge in generalities, I am not going to discuss abstract propositions, for while generalities and abstract propositions give more opportunity for oratorical display, they do not give the opportunity for the close test of argument which is furnished in a concrete presentation, and it is consequently my purpose to limit myself to a concrete presentation of this question as to whether or not the opportunity which is furnished to the domestic producer to sell to the domestic consumer his product at a rate of from 25 to 100 per cent higher than he sells to the foreign consumer is or is not evidence that the present tariff has any features which are abusive even of legitimate protection doctrine as laid down by those in the past who have been its advocates and great expounders.

I said, Mr. President, that this is not an infallible test, and I recognize that there may be circumstances under which the fact that a producer sells his product in a foreign market at less than he sells it in the domestic market may not be evidence of that which I think is found in the general practice of sales of that kind. I recognize the fact——

Mr. ALDRICH rose.

Mr. BACON. If the Senator will pardon me a moment, I recognize the fact, of course, that the producer may sell his goods in a foreign market at less even than their cost to him, in order that he may introduce them. I recognize that there may be particular circumstances where, from competitive reasons, in order that a party may have the advantage thereafter to legitimately compete, he may for such reasons make a sacrifice by a sale in a foreign land at less than he could afford to do at a profit. Therefore I eliminate all of that and take none of that into the account. The consideration to which I invite the attention of the Senate is to cases where the regular business of the producer, not in isolated instances, but in his regular course of business, is to sell the product to the foreign consumer at from 25 to 50 or 100 per cent less than he sells it to the domestic consumer.

Mr. ALDRICH. Will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Rhode Island?

Mr. BACON. I do.

Mr. ALDRICH. Does the Senator think because British or German producers sell their goods habitually in the United States at a less price than they do in their respective countries that this fact would be an evidence of inherent defect in the tariff system of either of those countries?

Mr. BACON. I do not exactly catch the Senator's inquiry; but if the Senator will allow me to proceed with the concrete instances to which I propose to bring his attention, possibly that may answer his question.

Mr. ALDRICH. Possibly, yes.

Mr. BACON. I say, Mr. President, that while it is not an infallible test it is a valuable test. For instance, if a manufacturer of sewing machines sells a sewing machine to a seamstress in this country for $25 and sells to the consumer in England the same machine for $15, there must be a reason for that discrimination in the price. He sells his machine for $15 in England because the English manufacturer stands there with his machine, equally good, which he sells at that price, and the American manufacturer must sell at that price or not sell at all. On the other hand, when the English manufacturer brings his sewing machine to America he must sell his machine at $25, because, before he can sell it he must not only include in his price the cost of manufacture and a reasonable profit, but the cost of transportation and the tariff, and that brings him up to the point where the price is the same as that at which the American manufacturer sells. He must either sell at $25 or not sell at all. Therefore it is a manifest and easily deduced conclusion that the difference between the price at which the American manufacturer sells his goods in England and the price at which he sells the same goods to the American consumer is a measure of the increase of price which he is enabled to secure by reason of the tariff. Home competition, if it exists, may lower that price.

Then there comes the natural inquiry as to whether or not, if he can afford to sell at $15 in England, the increased price of $25, at which he sells to the domestic consumer in America, does not indicate and conclusively show that the increase which the producer is allowed to exact from the domestic consumer is far above any legitimate need of a protective tariff law, even when considered from the standpoint of the protectionist himself. That is not a fancied illustration on my part, because, as I shall endeavor to show before I conclude, from the best evidence we are enabled to command now in the absence of the official report, which we had hoped to get through the medium of the Department of Commerce and Labor, those are the figures; but this is not limited to sewing machines by any means.

Mr. ALDRICH. Has the Senator mentioned the company that sells the machines?

Mr. BACON. No; but I shall mention some companies before I get through.

Mr. ALDRICH. If the Senator is going to discuss the concrete question, I hope he will do that.

Mr. BACON. I think the Senator, before I get through, will be fully satisfied of the fact that what I shall mention will be concrete cases.

Mr. ALDRICH. I hope so.

Mr. BACON. I shall not leave the Senator anything to complain of in that regard.

I was about to say, Mr. President, that these enormous and oppressive discriminations, indicative as they are of extortionate tariff rates, are not limited to the matter of sewing machines or any other particular machine, but extend to almost all the articles of common use in this country in greater or less degree. They are not limited to matters of personal and private use, but they extend to articles which are consumed in public utilities, such as railroads—utilities in which these exorbitant prices are at last paid by those who are the patrons of those utilities.

In order that the patience of my learned and distinguished friend the Senator from Rhode Island may not be too far taxed, I will come to an immediate concrete case in that particular class of goods. We have pretty generally the information that the price of railroad iron and steel rails in this country is very much above what it would be but for the operation of the tariff; but, in order that we may have definite information on that subject from one who is authorized to speak, I will read something, and when I get through I shall be happy if the Senator from Rhode Island will let me know whether he thinks this is concrete or abstract.

I read an article which appeared in the Indianapolis News, and which was copied by the Washington Post, September 4, 1903. I will state that the object in reading the article is to read in the hearing of the Senate a letter from Mr. Schwab, which was copied in that article; but in order that the article may not be interrupted, I shall read the entire article in which this letter of Mr. Schwab to Mr. Frick is quoted. I will say to the Senator from Rhode Island that here is one of the concrete instances that I promised to give him.

The Indianapolis News says:

The standpatters, including Senator Marcus Aurelius Hanna, ought to be greatly interested in the book just published giving some of the facts concerning the steel business in the United States. The author prints the following letter, written by Mr. Schwab, late president of the steel trust, to Mr. Frick, and bearing the date of May 15, 1899.

Here is the letter:

As to the future, even on low prices, I am most sanguine. I know positively that England can not produce pig iron at the actual cost for less than $11.50 a ton, even allowing no profit on raw materials, and can not put pig iron into a rail with their most efficient work for less than $7.50 a ton. This would make rails at net cost to them at $19. We can sell at this price and ship abroad so as to net us $16 at works for foreign business, nearly as good as home business has been. What is true of rails is equally true of other steel products. As a result of this we are going to control the steel business of the world. You know we can make steel rails for less than $12 a ton, leaving a nice margin on foreign business. Besides this, foreign costs are going to increase year by year, because they have not the raw material, while ours is going to decrease. The result of all this is that we will be able to sell our surplus abroad, run our works full all the time, and get the best practice and costs in this way.

Without stopping to comment on that letter at this time, Mr. President, I will read the balance of the article from the Indianapolis News, which comments upon it. The Indianapolis News, commenting on it, says:

We do not wonder that Mr. Schwab took an optimistic view of the situation. For at the very time that he wrote his letter, saying that rails could be made in this country for less than $12 a ton and that they could be sold at $16 at a good profit, rails were selling in this country at $25 and $26 behind a tariff duty of $7.84 a ton. The price now is $28 a ton, or more than double the actual cost of production and $12 above the figure at which Schwab says they can be profitably sold.

And yet we are told that the tariff must not be touched. We are to protect our steel-rail men against the English mills, when, according to Schwab, it costs those mills at least $7 a ton more than it does in this country to make rails. And this after the English have bought their pig iron at cost. This is the sort of foreign cheapness against which our trusts must be protected. More than this, Schwab says that we can sell rails in England on the basis of the actual cost of producing an English rail and have a margin of more than $4 a ton profit. How about standing pat on $7.84 duty on steel rails? The only effect of it is to keep the price at twice the cost of production and so to pour millions of dollars of the people's money into the pockets of a few millionaires. The duty just about makes up the difference between the price of English rails, counting that to be $19 a ton, and the present exorbitant price now charged by the steel trust.

There is a concrete instance from which, by the testimony of Mr. Schwab himself, it appears that while rails are selling at $28 a ton in the United States, he alleges that he can deliver them in England at a cost that will compete with the English rails at $16 a ton, and that that is $4 a ton above what it it will cost him to do it—that even at that rate he would have $4 a ton profit.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Rhode Island?

Mr. BACON. With pleasure.

Mr. ALDRICH. The iron producers of Alabama and the surrounding States, who have been for the past few years selling their pig iron for eighteen or twenty dollars a ton, would be convinced with difficulty that steel rails can be made for $12 a ton, whether the statement comes from Mr. Schwab or anybody else. The story and the deductions from it are simply absurd.

Mr. BACON. The statements, you will remember, are from a confidential letter—a private letter of Mr. Schwab to his associate.

Mr. ALDRICH. I do not care how private it is. The statement as applied to existing conditions is absolutely untrue and impossible.

Mr. BACON. I say "private" not for the purpose of conveying any other impression than that Mr. Schwab in making that statement could not have been influenced by any public purpose. He was simply conferring with his associate, his colaborer in the enterprise, as to what was the future of the business in which they were thus mutually interested.

Mr. ALDRICH. Mr. President, the cost of steel rails, like the cost of everything else, depends upon the cost of the material and the labor which goes into it.

Mr. BACON. I have not got through.

Mr. ALDRICH. And there might be a possible cost of iron ore, of pig iron, and of labor that would reduce the cost of steel rails to $12 per ton, but to say that they can be produced to-day or could have been produced at any time within the last three or four years, when the price of pig iron itself—which is one of the constituent elements of steel rails—has been so high, is a ridiculous statement.

Mr. BACON. I have not got through with the concrete case yet. It is not necessary, Mr. President, that it should be so extreme as the Senator says the statement of Mr. Schwab is. It would be an awful iniquity if it were that extreme; it would be still an iniquity if it were half so extreme.

Now, let me give you a few figures on that subject to see where it leads.

Mr. GALLINGER. Will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. BACON. With pleasure.

Mr. GALLINGER. The Senator did me the honor to listen to me in a very uninteresting speech the other day and did not interrupt me. I do not wish to interrupt the Senator, except to ask about the document from which he has been reading. My attention was distracted.

Mr. BACON. I am reading an article from the Indianapolis News, which was reproduced in the Washington Post of September 4, 1903, in which there was quoted a letter written by Mr. Schwab to Mr. Frick of the date of May 15, 1899.

Mr. BAILEY. If the Senator from Georgia will permit me, I think that identical letter appears in what is rather a history of the steel industry in the United States, recently written and published by a former private secretary of Andrew Carnegie.

Mr. BACON. I have no doubt that is true.

Mr. GALLINGER. The reason of my inquiry, Mr. President, was that I find in the review of the evidence of the Industrial Commission, which is signed by distinguished Democrats as well as Republicans, that Mr. Schwab, on page 25 of that review, does not talk quite as he did in that letter. I commend the Senator's attention to page 25.

Mr. BACON. That is all right. If the Senator will allow me to proceed with the presentation of the matter with some degree of continuity, I shall be more than glad if, when I get through, the learned and distinguished Senators will proceed with this discussion, because the more the subject is discussed the more light we shall get. We want all the light we can get, and I shall be more than delighted to have the matter further discussed. I am not one of those who are in a hurry to close this session on Thursday; I am willing to stay here just so long as the public business requires it, and just so long as the discussion of great public questions will give light to the people of the United States as to these matters in which they are so deeply and practically interested. So I hope the Senators will reserve the information which they have, in order that they may present it with some more degree of elaboration than they can do simply in the way of interruption. I shall feel the utmost pleasure if Senators will continue this discussion after I have concluded.

Mr. GALLINGER. I beg the Senator's pardon for interrupting him.

Mr. BACON. Mr. President, I was going to consider what was the practical operation of the most remarkable information thus disclosed to us by Mr. Schwab. I have here some figures showing the amount of rails consumed in the United States since the enactment of the Dingley bill, in which there is the tariff of $7.84 a ton on steel rails. I find that there has been consumed in the United States for the six years beginning in 1898 and ending in 1893—those are fiscal years, as I understand—12,686,434 tons of steel rails. Of that amount all was of domestic production except 142,192 tons, leaving a total of 12,544,242 tons as the amount of domestic steel rails manufactured and consumed in the United States in those six years.

Recognizing the contradiction which the Senator from Rhode Island makes to the correctness of Mr. Schwab's figures, but assuming, for the purpose of this argument, that Mr. Schwab is correct, we have from his figures, in a concrete form—not abstract—what has been the total amount in those six years under the operations of the Dingley bill that the people of the United States have paid for rails over and above what Mr. Schwab says would have been the price at a reasonable profit. That excessive price thus exacted from the domestic consumer has been made possible through the steel schedule of the protective tariff, because, in the absence of the protective tariff, the steel rails of the British manufacturer would have been here to compete with the American product unless the American producer sold rails to the American consumer at a reasonable price. The practical effect of lowering the tariff on steel rails to a reasonable rate would be that the American producer would still sell to the American consumer, but he would be compelled to do so at a reasonable price. As shown by the statement of Mr. Schwab, the British manufacturer could not compete in the United States with the American manufacturer at $20 a ton after he had added the cost of transportation to the cost of production.

Mr. ALDRICH. But, Mr. President, the very statement the Senator read from shows that in Great Britain steel rails can not be made for the figures at which they are made here.

Mr. BACON. What is that?

Mr. ALDRICH. Suppose the duty should be taken off and the price had been the price quoted in the letter to which the Senator has referred, what would the American consumer then have to pay? Not $12 a ton, for steel rails have never sold in Great Britain or in any other country in the world for $12 a ton.

Mr. BACON. Mr. President, the point is this: For the purpose of this presentation I am assuming that Mr. Schwab is correct. I recognize the contradiction of the Senator from Rhode Island of the correctness of the fact; but assuming it to be correct from

that standpoint, what is the conclusion? The statement of Mr. Schwab is that he could sell steel rails at $16 a ton and make $4 a ton profit. Therefore $16 a ton would afford a legitimate profit. But as he sells them, in fact, at $28 a ton, we have the statement which I have just made, that there is $12 a ton over and above what would be, according to Mr. Schwab's own statement, a legitimate profit of $4 a ton.

Mr. ALDRICH. In other words, the American producer of steel rails has been able to add $16 a ton profit to his entire production on account of a $7.84 duty!

Mr. BACON. Very well. The Senator from Rhode Island does not need to be told by me that not only has there to be added the duty, but the cost of transportation, and the two together make up the $12 a ton and not $16, as stated by the Senator.

Mr. ALDRICH. It costs less to transport——

Mr. BACON. If the Senator will pardon me, the difference between the $16 and the $28 is the difference made up by the $7.84 of tariff duty and the cost of transportation.

Mr. ALDRICH. It costs less to transport steel rails from the mills of Great Britain and Belgium to New England than it does from the mills of the United States.

Mr. BACON. Mr. President, I am not going to stop at this point to discuss the question which has been raised between the learned Senator and Mr. Schwab. I am discussing this matter now from the standpoint of Mr. Schwab's testimony. If the Senator can show hereafter that Mr. Schwab's testimony is not admissible, that is another matter, but I was discussing this from the standpoint of Mr. Schwab's testimony.

We have this remarkable fact, that in the six years during which the Dingley Act has been in operation the consumers of the United States have had from the domestic producers of steel rails 12,544,242 tons, and that, if Mr. Schwab's testimony is correct, the profit of $12 a ton over and above the $4 profit which he said would be satisfactory to him from his foreign consumer—with the profit of $12 a ton greater than that which he charged to his foreign consumer, the people of the United States have in that time paid for steel rails $150,530,904 more than the same rails would have been sold for to foreign consumers. The average price of rails in that time has been about $28 per ton.

Mr. ALDRICH. How is that chargeable to the protective tariff?

Mr. BACON. Well, Mr. President, I can not conceive why the Senator would ask me that question unless he wants to put me upon the stand to see whether or not I understand the most elementary principles of prices. I can not stop, of course, unless I propose to abandon the presentation of this argument, to do more than to say this to the Senator——

Mr. ALDRICH. I beg the Senator's pardon. I shall not interrupt him.

Mr. BACON. As the Senator knows, I do not object to any legitimate interruption, and I do not say that his suggestion is illegitimate. If it were not for the notice given for half past 4, I should not object to any sort of interruption, but I shall endeavor to answer the Senator anyhow.

The Senator asks how it is that $28 a ton, which the American steel-rail manufacturer exacts of the American consumer, when he avows his readiness to sell at $16 a ton to the foreign consumer, is to be attributed to the tariff? Well, I suppose that it is an easily recognized fact that the object of a protective tariff is to keep out the foreign competitor, and that the reason why this $28 a ton is available to the American producer when dealing with his American consumer is that the foreign manufacturer is by reason of the protective tariff excluded from competition.

Mr. ALDRICH. But certainly the domestic producer is only protected to the extent of the duty, unless there are some other advantages given to him.

Mr. BAILEY. Will the Senator from Georgia permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Texas?

Mr. BACON. With great pleasure.

Mr. BAILEY. I do not need to assist the Senator from Georgia.

Mr. BACON. That is all right.

Mr. BAILEY. Because that is plainly not necessary; but the Senator from Rhode Island knows it costs more to produce those rails in Great Britain than it does here, according to the testimony of experts, and it would be impossible for them to compete against our steel-rail manufacturers without a tariff——

Mr. ALDRICH. I do not accept the experts nor the statement.

Mr. BAILEY. But it is true, notwithstanding the Senator from Rhode Island does not accept it.

Mr. BACON. Yes.

Mr. BAILEY. And Mr. Schwab states in this letter that they can not manufacture steel rails there for less than $19, while we can manufacture them at $12 and can sell them at $16 a ton.

Mr. ALDRICH. Is the fact that they can not manufacture for less than $19 attributable to our tariff?

Mr. BAILEY. Not at all. That is not what I intended to say. But when they can not manufacture there for less than $19, against our manufacturing cost of $12 here, they can not compete with us without a tariff. Nevertheless, in spite of that, we add $7.84, and thus that $7.84 added to the English price of $19 would make the cost price of the English rails laid down here $26.84 a ton.

Mr. ALDRICH. Mr. President——

Mr. BAILEY. One moment. The American manufacturer, knowing that the English steel-rail manufacturer can not undersell him at any figure below $26.84, plus the carrying charges, proceeds to assess the difference against the American people.

Mr. ALDRICH. I will not impeach the intelligence of the Senator from Texas sufficiently to say that he himself believes the statement he has just made. Why is it, if the manufacturers and producers of steel rails in Great Britain can not produce them at less than $19 per ton, and the producers in the United States can produce them at $12 a ton, that Great Britain and Germany still have the markets of the world and we have only a small export trade? The statement, then, answers itself. If we can sell steel rails at $12 a ton at a profit, we should have the markets of the world in twenty-four hours in spite of Great Britain with her $19 cost. The fact that we do not export steel rails in great quantities, that we are not selling them in the markets of the world, and that we have not absorbed the business of the whole world, answers the Senator's statement.

Mr. BAILEY. The trouble with the Senator——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Texas?

Mr. BACON. Yes, sir.

Mr. BAILEY. The trouble with the Senator from Rhode Island is that he does not take the price at the time Mr. Schwab states it in his letter. At the risk of interrupting the Senator from Georgia——

Mr. BACON. Go ahead.

Mr. BAILEY. Longer than I desire, I want to say that that letter was written to Mr. Frick when he was fixing the value of the great properties that constitute the trust whose success my friend from Iowa [Mr. DOLLIVER] so eloquently praised. It was in determining what would be the probable profits of that trust that Mr. Schwab wrote this letter to Mr. Frick.

Mr. ALDRICH. In other words, it was a stock-jobbing and not a business statement.

Mr. BAILEY. It was made to Mr. Frick for his information. I am not here to say that Republican manufacturers undertake to deceive the unsuspecting public—I have no doubt that some of them do—but I undertake to say that Mr. Schwab is as reputable and as truthful as any man who ever filched money from the pockets of the American people through the agency of a protective tariff. The testimony the Senator from New Hampshire [Mr. GALLINGER] has in front of him shows that Mr. Schwab had candor, under oath, to say that the American manufacturers of steel rails are selling their goods cheaper in foreign countries than to the American consumers.

Mr. GALLINGER. If the Senator will permit me, he gave various reasons for it, the principal one being that there was an advantage in labor.

Mr. BAILEY. I will not state his reasons. I repeat his statement. He had the candor to say it—a candor which some others would do well to imitate. There is no doubt that the prices which Mr. Schwab stated in his letter were correct at that time, but the Senator from Rhode Island knows that the cost of producing pig iron varies from year to year. It has gone down from as high as $20 per ton to as low as a fraction over $7. Of course, this variation in the price of raw material varies the cost of producing the finished product.

I take this statement of Mr. Schwab, and notwithstanding the expert knowledge of the Senator from Rhode Island on all the tariff schedules he must stand second to Mr. Schwab, whose rise in the steel industry of this country is one of the romances of that great development. Beginning a boy as a day laborer, he rose to the presidency of the greatest steel corporation ever organized in the history of the world, and he rose through his unaided exertion and through his peculiar knowledge of the industry. Therefore, when Mr. Schwab fixes the cost of producing steel rails in this country and steel rails in Great Britain I accept it even as against the statement of the Senator from Rhode Island.

Mr. ALDRICH. But I should like to ask the Senator from Texas whether steel rails can be produced in the United States today or could have been produced last year or the year before last at $12 a ton?

Mr. BAILEY. No; because the price of pig iron varies; but that does not affect the profit.

Mr. ALDRICH. But it affects the statement of the Senator from Georgia, who has taken the last six or eight years in fixing the cost to the American people.

Mr. BACON. As I was saying, it is not necessary that that $12 a ton should be entirely accurate. That would be a most monstrous iniquity. I say that if it were even a half or a fourth of that, it is an iniquity.

Mr. BAILEY. Of the protective tariff.

Mr. BACON. I am speaking of it as if by reason of the protective tariff. If not simply $12 a ton, but the half of $12 a ton over and above the cost at which they can sell at a profit to foreign consumers, is charged to the domestic consumer, it is an iniquity, only less in degree.

But I was trying to argue this question upon the assumption that Mr. Schwab was reliable. It will be for the Senators to show that he is not to be relied upon. Let them give us not their fragmentary views in the way of interruptions in my speech, but something that can go to the country that shall be based on authoritative statistics, and not upon their denial simply of an assertion made by a man who, as stated by the Senator from Texas, stands at the very head and front of the steel industry, and a man presumed above all other men in this country to be able to speak authoritatively and truthfully of it.

I had, when interrupted, just called attention to the fact that if Mr. Schwab's statement is correct, the American consumer within six years that have elapsed since the enactment of this schedule in the Dingley Act, which gives $7.84 a ton to steel rails, has been required to pay $150,530,904 above the price that Mr. Schwab said was the price at which he could sell them at a profit.

Mr. ALDRICH. Why does the Senator confine himself to the Dingley tariff rate upon steel rails? The rate upon steel rails fixed by the Gorman-Wilson Act was $7.84. Why not go back and show what the cost was to the country under a Democratic Administration?

Mr. BACON. If that were so, it would be none the less an iniquity if it gave opportunity for these discriminations, and when attention is called to it it ought to be corrected by those who now have the power to correct it.

Mr. ALDRICH. But the sum would be very much larger if the Senator would take in the whole Democratic Administration.

Mr. BACON. For the purpose of the argument I grant what the Senator says, but here we find a condition. It matters not who is responsible for it in the past, here is a condition under which there is an extortion upon the consumer, and who has the power to make the correction? Who has the power to correct it? I care not where it originated. If it can be shown that it originated in Democratic Administration and if it can be shown to be an iniquitous schedule, the Republican party to-day is the one in power, capable of correcting it and relieving the people of the burden. Does it answer the question to say you are not the authors of this, when you have the power to-day to correct it and will not do it? It matters not where it came from or when it originated.

I am, Mr. President, presenting these figures for the purpose of bringing to the attention of the Republican party the fact that there is this abuse of our tariff system, and that they have the power to correct this and other like abuses, and that they do not do it. I am bringing it to the attention of the Senate for the purpose, if I have the time hereafter, of showing that this criticism is in a line with the utterances of the Republican party in different parts of the country, and notably in the State of Iowa, and for the purpose of asking Senators and the Republican party in Congress to carry out what the Republican party in the State of Iowa announced as its purpose, to revise those portions of the existing tariff law as furnished a shelter for the trusts, and not hurriedly to adjourn this Congress and leave the people under this burden, not simply as to steel rails, but as to almost all other articles of consumption by the people, both in their private business and in the public utilities of the country.

Now, sir, if it be true that within that time, according to the figures of Mr. Schwab, $1,530,904 have been exacted and taken from the American consumer over and above what would have been charged to a foreign customer, it is an important matter to be considered that this does not altogether fall on the railroads. It is at last paid by those who patronize the railroads. Men put their money into railroads not for the purpose of throwing it away, but for the purpose of investment, through which they receive from those who patronize the roads the return of the money which they put in, with a reasonable profit thereon. More than $150,000,000 has been paid by the great masses of the American people. Every man who patronizes an American railroad, who rides upon it, or ships a pound of freight has paid his part of that $150,000,000. And of this vast amount which the people have thus paid every dollar has gone into treasure chests of the makers of steel rails. The tariff law alone has made it necessary for the people to pay this stupendous sum, but not one dollar of it has come into the public Treasury.

Mr. ALDRICH. Will the Senator allow me to ask another question? and I will not interrupt him again.

Mr. BACON. I am delighted to hear the Senator, but it would be so much better if the Senator would make a speech in his own time. I want to hear him.

Mr. ALDRICH. I promise not to interrupt him again.

Mr. BACON. I do not exact any such promise from the Senator.

Mr. ALDRICH. I wanted to know whether the Senator has made the same calculation in regard to all the other items of American production?

Mr. BACON. No.

Mr. ALDRICH. And if he can, to show exactly how much the protective tariff costs the American people.

Mr. BACON. No; I have not.

Mr. ALDRICH. One hundred and fifty million dollars does not represent the total range of American production. The protective tariff must cost the American people thousands of millions of dollars, according to the view of the Senator from Georgia.

Mr. BACON. The Senator is undoubtedly correct in that suggestion. I would like to have something to say on that subject, if time permitted. We have been told that American manufactures consumed in the United States annually amount to some $13,000,000,000. It would be a most interesting inquiry how much of this thirteen thousand millions of dollars annually thus paid by the American people represents the actual cost and a fair profit on the articles purchased with this sum, and how much of it, as in the case of the steel rails, represents a stupendous tribute wrung from the people under the operations of a public tariff law and stuffed into the money vaults of private parties. Some assistance can be rendered in such an investigation by the knowledge of the fact that the average protective duty under the Dingley Act is nearly, if not quite, 50 per cent.

But to return to the sale of steel rails to American consumers. If more than $150,000,000 has, under the operation of this law, been taken from the pockets of the American people in excess of that at which Mr. Schwab himself says he would be willing to sell the same property in England, no wonder is it that one of the chief beneficiaries under this particular system announces that he is ready, if necessary, out of his own pocket, to pay the campaign expenses of the Republican party in the coming Presidential election; and no wonder that the chief concern engaged in the steel industry is reported to have made an annual dividend of more than $140,000,000, and that upon a capitalization three-fourths of which is reputed to be wind or water.

Now, Mr. President, as the Senator from Rhode Island objects to the figures of Mr. Schwab, I am going to give him something a little more concrete, about which he can not object, because the facts are not to be disputed. I hold in my hand a letter written to me personally by Mr. James T. Wright, vice-president and general manager of the Macon, Dublin and Savannah Railroad Company. I will state that he is an Indianian and a Republican and so avows himself in this letter. By his request, in reading the letter—though I will show it to the Senator privately, if he desires it, so that there will be no trouble about that—I do not give the names of the companies with which he dealt. As he requests me not to do it, I do not care to have published in the records of the country the names of the companies. It is addressed to me and dated February 23, 1904. I will read the entire letter:

MACON, GA., *February 23, 1904.*

Hon. A. O. BACON, *Washington, D. C.*

MY DEAR SIR: I beg to own receipt of yours of the 20th, and have carefully noted same.

I recall very distinctly my conversation with you on the subject of steel rails purchased by my company from the —— company, and I take pleasure in giving you the details of the transaction, asking you, however, to refrain from mentioning the names of the parties.

The extension of our road, some 40 miles, was decided upon and cash provided for it early in the spring of 1901. Owing to the demand at that time for steel in all forms and the probability of an advance in price, it seemed wise to take up the matter of the purchase of the necessary rails at once. Inquiries, therefore, were addressed and mailed to all the leading steel-rail manufacturers in the country, asking for tenders on 60 miles of 70-pound steel rail delivered at Savannah or Macon, the point of delivery to be optional with us.

We received prompt responses, but there was practically no difference in the bids, the eastern rail mills contiguous to tide water quoting practically the same price delivered at Savannah and a correspondingly higher price for Macon delivery, the interior rail mills making a lower price for Macon delivery and a higher price for Savannah delivery. It was very evident to me that the field had been divided by the manufacturers and that no one of them would encroach upon the territory assigned to the others.

After endeavoring in vain to obtain better prices than those quoted, we finally accepted the bid of the —— Steel Company, and placed our order with them for 5,618 tons of rail at $29 per ton, based upon delivery at tide water. This would enable us to arrange our own freight rate to Savannah and effect some saving in the cost of the rails. The order was declined on these terms, the —— Steel Company refusing to make any price f. o. b. mill, but insisting upon delivered price.

The matter was then taken up with interior mills, who were perfectly willing to make a price f. o. b. mill, but we were unable to obtain any concession in all-rail rates which would reduce the cost of the rail below that quoted by the —— Steel Company for delivery at Savannah.

The whole transaction in the meantime had been handled by wire, owing to the demands of the —— Steel Company that it be closed at once, as the price would be advanced.

I made one more effort. Some friends of mine were interested in a railroad project in Central America, and I broached the subject to the representative of the —— Steel Company who had come here to close the matter

with me. I told him that my friends had made some inquiry of me as to the cost of construction in that country, and I should like to know—

I am just coming to the point now that will interest the Senator from Rhode Island, and I trust that he will not leave the Chamber before I finish it—

and I should like to know at what price he would sell me steel rails delivered at tide water for shipment to Honduras. He promptly quoted me $20 per ton. Further inquiry developed the fact, however, that they would only load vessels chartered to a foreign port, and that the charter should be an essential part of the contract. The wall was complete. There was nothing left for me to do but to place my order and to thank God it was no worse, as within two days thereafter steel rails advanced $3 per ton.

Allowing a liberal amount for cost of delivery at tide water, which in this particular case would have been very small, we American citizens paid to this American industry $23,000 in excess of what foreigners would have been compelled to pay. And $23,000 would have put up a very handsome library filled with standard books on protection.

And this was a very small transaction—only 50 miles of railroad! Payments were cash, and we neither needed nor asked any concessions in the matter of time. Because we were Americans, interested in the development of a small section of our country, involving faith and sacrifices, we were compelled to pay out as a bonus in excess of $500 per mile.

These are the facts. Unfortunately I had only the verbal quotation on the rails for foreign shipment, but I have no doubt that it was at least the top of the market, but I have the full correspondence in my files covering the rest of the transaction.

Owing to the necessity for prompt action, I was unable to secure prices from foreign rail makers, but it would be foolish to imagine that that avenue had not also been closed to us.

I have written you hurriedly, and may not have given you all the facts or as clearly as you desire. If there is still opportunity and I can further elucidate the matter, please advise me, and I shall take pleasure in doing so.

For purely business reasons I must ask you not to mention the names I have given. Personally I should like to see it given the widest publicity; and if the statement is of any use to you, I shall be glad, as an American and as a Republican.

Very truly, yours, J. T. WRIGHT.

Mr. ALDRICH. Transactions of this kind have been common in the commercial world——

Mr. BACON. I hope the Senator will not interrupt me. If he has any question to ask, I will yield for a question.

Mr. ALDRICH. I have not any question.

Mr. BACON. I can not permit him to interject a speech.

Mr. ALDRICH. I was only about to say——

Mr. BACON. No; if the Senator has a question, I will reply; but I object to the Senator making a speech. However, I do hope he will take occasion to make a speech in his own time in reply to it.

Mr. ALDRICH. I was only about to concede that transactions of this kind have taken place in the United States and in the commercial world from the beginning of time down to the present moment.

Mr. BACON. That is all right.

Mr. ALDRICH. They are not the product of a protective tariff either here or elsewhere.

Mr. BACON. I hope the Senator will take occasion to state that with some degree of elaboration and fortify what he has to say, not simply to give us the dicta of his own assertion. Let us have facts and figures. We will be very glad to have the Senator enter the arena of debate and not content himself simply with interruptions and dicta without any facts to substantiate and fortify the statement.

Mr. ALDRICH. I beg the Senator's pardon.

Mr. BACON. Mr. President, if the resolution I introduced here in December had been permitted to pass, and if the Department of Commerce and Labor, with its large facilities and ample means, had been permitted to gather the information which was sought in that resolution, we might not be in the position of having to stand upon the statement of Mr. Schwab or upon the dicta of the learned and distinguished Senator from Rhode Island; but we might have had, and I presume would have had here to-day, authoritative statements officially uttered and conveyed to us by the great statistical Department of this Government. I trust that while it has been postponed we will have, under the opportunity furnished by the resolution offered by my learned and distinguished friend from Iowa and the amendment which I have ventured to propose to the same, this information in time that the people may have it during this summer.

Ought not the people to have the information? If what the Senator from Rhode Island says is true, and there is nothing in that information which would be of disadvantage to those who claim that the particular provisions of the Dingley Act under which these abuses have grown are correct and should not be changed, what have they to lose? And if it be not true—if, on the contrary, it be a fact that these oppressions and extortions are permissible under the Dingley Act—ought not the people of the United States to have knowledge of that fact when they come to pass upon the questions that will be submitted to them in November? Not from a political standpoint as to them, but from their great material interests, are they not entitled to have this information?

Now, Mr. President, I have another letter here, from a railroad president. It is not quite as concrete in all its statements as the other, but still it is as to one statement, and as to the others it is sufficiently so to at least indicate that this Congress will fail in its duty if it omits and refuses to have the definite information which can be secured through the investigation to be made by the Department of Commerce and Labor.

I am sorry the Senator from Rhode Island is not here to hear this letter, but he will probably have the opportunity to see it in the RECORD. It is written to me by the president of the National Railroad Company of Mexico, who is to me personally known. The National Railroad Company of Mexico is owned by Englishmen in the main, and the president of it is a railroad man from my own State. He was formerly the president of the Central Railroad of Georgia. He has his office in New York City. He spends his time alternately at his office and upon the line of his railroad in Mexico. It is a long railroad, extending from Laredo, in the State of Texas, to the City of Mexico, 840 miles, and there is a continuation of it several hundred miles long in the State of Texas, running from Laredo down to a point on the Gulf—Corpus Christi. The railroad altogether is some thirteen hundred miles in length.

I call attention to the facts stated by Mr. Raoul, who is a Louisianian by birth. He lived in Georgia ever since a young man, until he undertook this work about fifteen years ago. He has been for about fifteen years president of this railroad, and is now about to go out of the presidency of it to take charge of a railroad in Georgia. That accounts for certain statements made in this letter. It is in order that he may be understood that I mention that fact.

The facts which he states here I have myself had from him in years past verbally. I have made two trips with him to Mexico over his line of railroad, and in that way had opportunity, aside from frequent association with him in other places, to hear him say a great deal about the business of his railroad and everything connected with it. I had previously heard from him the statement that in dealing with manufacturers in the United States the prices charged him for goods which he was to use upon the part of his railroad in Mexico were very much under the prices charged to him by the same parties for the same goods to be used on the part of his railroad in the State of Texas. Recollecting that fact, I wrote him when this matter was first being considered by me, asking him to give me some detailed information upon that subject that I might use it in this debate, stating to him that I only asked him to do so in case it would not embarrass him. Here is his letter, written from New York February 25:

I am in receipt of your letter of the 20th. It would not be any embarrassment for me to give you the information you ask if it were possible for me to do so, but I believe it will not be practicable. I am so overwhelmed with work preparatory to getting my affairs in shape for leaving my present position with the company that I have no time to devote to anything outside of my official work, and to get any accurate information would require going back into the files of the purchasing agent's office, and the man who is familiar with this whole business is leaving for Mexico City to-day.

For a long time past all our purchases have been made on the basis of export prices even though they have occasionally stopped in Texas, the competition being keen enough to produce this cut in prices in favor of the Texas shipments, so that it has been some time past since we have had any material differences, but those differences do exist and to an iniquitous extent. I use the word "iniquitous" because it certainly seems so to me when the citizens of the United States are required under the laws of the country to pay a higher price to the manufacturers than these same manufacturers are willing to make and sell to foreign people for. In 1902 I secured bids on steel rails for Mexico from United States mills at about $24 delivered at Tampico, while the price I paid at the same time for rail for our road in Texas was $28 at the mills.

I have understood that the Canadian Pacific has just bought a large lot of rails from the United States Steel Corporation at $21. It is asserted and denied that the $21 is for delivery at Montreal. If it is, the price at the mill would be about $19, while the price for United States roads is still $28 at the mills. I do not know this of my own knowledge, and it is merely current report.

When I saw that you had introduced a bill in Congress to inquire into these differences in prices, I was very much pleased that you had started the inquiry, and intended to write you a line expressing myself in that sense, but I was interrupted by one thing and another, and finally it escaped me. The source from which you are seeking to get this information will be official and thoroughly authentic, and it seems to me it should supply you with material quite sufficient to establish your case.

* * * * * * *

With kind regards, I remain, yours, very truly,

W. G. RAOUL.

I stop there to note that the $24 was the price, delivered at Tampico, for rails which were to be used for a part of the road in Mexico. Of course, from the $24 was necessarily deducted the cost of transportation, so far as the receipt of the manufacturer is concerned, and for the road, so far as it lay in Texas, at the mills the price was $28 a ton. So if you allow even $4 as the cost of transportation, there was a difference of $8 a ton between the price charged by the manufacturers for rails sold to the same party where he was to use a part of them in Texas and to use the other part in Mexico.

Twenty-four dollars was the price at Tampico, and in that case, of course, the manufacturer paid the freight to Tampico, and that was for rails to be used in Mexico; but for rails which were to be used in Texas the price was $28 at the mills, which would have required the railroad company, of course, to pay the freight.

If $4 was the cost of transportation at a difference of $8 a ton between the price charged by the maker of the steel rails to the same person where he had a railroad line partly in Texas and partly in Mexico, he paid $8 more for the rail to be laid in Texas than for the rail to be laid in Mexico.

Mr. BLACKBURN. At the same time.

Mr. BACON. At the same time; not, as suggested by the learned Senator from Rhode Island, when there was a difference in pig iron or the cost of labor or anything else. Here is $8 a ton, about representing the difference made up by the $7.84 a ton duty.

I should like, if the learned Senator were present, to ask him if that is a sufficiently concrete presentation for him, and certainly he will not say in this case or in the case of Mr. Wright, the vice-president and general manager of the railroad, whose letter I have just read, that there is any doubt as to the correctness of the statements. In the case of Mr. Schwab, it was an estimate, and he may be in some error, but, as stated by the Senator from Texas, an estimate made under circumstances entitled to every credit as to its correctness, because it was an estimate by Mr. Schwab in all probability while conferring with his copartner as to what would be the values of securities which they were then about to put on the market, and not the price which Mr. Schwab was giving to the customer who contemplated the purchase of such securities.

But while it was an estimate in that case, in each of these two cases here are the actual prices stated by a customer. In each case it is the same rail by the same manufacturer to the same customer at the same time, and in each case there is a discrimination of the price to this same customer of the same rail at the same time as between the rail to be used in the foreign country and the rail to be used at home.

Mr. President, I repeat I am not to-day endeavoring to make a general argument against the protective tariff. I am not to-day arguing any general proposition. Some Senators are here now who were not here when I began. I repeat what I said then, that the object of the presentation which I am endeavoring to make is to show to the Republican party, to the dominant party in the Senate and in the other House, the abuses of the protective tariff system as found in some schedules of the Dingley Act, even if viewed from the standpoint of an ordinary protective tariff; and I am asking, as I asked the Senator from Rhode Island, regardless of whether or not the same conditions were found under the Democratic tariff as are now found under the Republican tariff, why is it, unless they approve of these abuses, that the Republican party, with unlimited power to legislate, will not attempt to correct these abuses? That is the object I have to-day in what I say.

But, Mr. President, in the absence of this official information which we have desired and which we are now seeking, we have had, of course, to look to various sources in the effort to get the necessary information. I call attention now to other pieces of information, which, while in some instances the evidence may not be conclusive, it is certainly sufficiently authentic to put the Congress of the United States upon notice of the fact that the people of the United States under some schedules of the Dingley tariff act are being oppressed, and that unreasonable prices are being exacted from them, which are extortionate, even from the standpoint of a protectionist.

Here is a clipping which I have from a newspaper, the name of which I unfortunately did not put down; but as it refers to the document by name from which it gets the information, if the statements herein contained are incorrect the fact can be ascertained and the truth made known. The article to which I refer is as follows:

In a recent pamphlet Mr. Henry Loomis Nelson, former editor of Harper's Weekly, shows the utter fallacy of the assertion, so frequently made, that the trusts have reduced prices. He shows, for instance, that the average yearly "base" price of wire nails per keg has increased since 1894 from $1.11 to $2.60, the present price being $3.53; and the price of barbed wire from $1.80 in 1897 to $3.17 in 1899, the present price being $4.13. The profits of the trust run from $8,000,000 to $15,000,000 a year, the increase of price being nearly all profit. It has, however, by its increase of prices, greatly reduced the consumption of wire fencing, and in 1896 the consumption of cut and wire nails was reduced by a former trust about 1,000,000 kegs. While the trust raises the price of its goods to the American farmer and mechanic, it sells to the foreigner for much less. In 1896, for example, the price of nails to foreigners was $1.30 and to Americans $2.70. In 1898 the retail price to Americans was about $4.50 and to foreigners $3.14 "base," or about $3.10 retail a keg. It was possible to buy at export price, ship the goods to Europe, bring them back, and even then undersell the trust's domestic prices. In 1899 the trust exported 51,000,000 pounds of wire nails to its former foreign customers and 215,000,000 pounds of wire.

Now, I call attention to the statement there in connection with the former statement by me, that I was not claiming that every sale made in a foreign country at a less price than made in this country was an evidence that the protective tariff as to that particular schedule was giving an undue advantage, but that I was limiting myself to the cases where these were in the regular course of trade or business; and here this author, Mr. Henry Loomis Nelson, calls attention to the fact that in one year, in 1899, the trust exported 51,000,000 pounds of iron nails to foreign customers and 215,000,000 pounds of wire.

Those do not indicate transactions such as those which I freely admit are to be excepted from the criticism, and show that it is not the business of that kind, but that it is in the ordinary course of their regular trade. The article continues:

Mr. Nelson demonstrates by these and other illustrations that the protective tariff, whatever the intended object of it may be, is practically for the benefit of a comparatively small class of persons at the expense of the many. The beneficiaries of protection are sheltered from foreign competition by the tariff and from domestic competition by the trusts which they have formed.

Now, Mr. President, the figures which I have given as to the exorbitant amount which has been exacted and collected from the American people under the steel-rail schedule of the tariff act amounted to over $150,000,000, but I call attention in that connection to the fact that Mr. Schwab, in the same letter to Mr. Frick, states:

What is true of rails is equally true of other steel products.

Therefore, if it be true, as stated by Mr. Schwab, that by reason of the difference in prices at which he was selling in the United States and the price at which he could sell at $4 profit in England there was $12 a ton to be received by the producer of steel rails, it is also true under his statement as to all other steel products.

Mr. President, I have not the figures, but I presume it will be generally recognized that the steel products of the country other than rails far exceed the product of rails in value and amount. The steel product enters into all the industrial business of life. In this country, at least, it has been very much enlarged. Things which formerly were served by wood now require iron. Important houses, bridges, structures of all kinds, implements, farming implements, which were formerly of wood are now of iron. So you might run through the whole category of mechanical industries, and the fact is presented that in this large degree the producers of steel, under the present steel schedule, are enabled to exact what is at least, according to this computation, 75 per cent above the reasonable profit; not 75 per cent on the cost, because, if what Mr. Schwab says is true, the profit on the steel rail is 75 per cent above the $4 profit, and that is true, approximately, under that statement, of all the steel products of the country.

Nor is it limited to steel or iron products by any means. We are, as I said, under the necessity of going to sources for information which may not be as thorough as they would be if the information had been given to us by the Department of Commerce and Labor. But I read from an article in the Savannah Press—a newspaper published in Savannah, Ga.—of December 14, 1903, in which there is set out the difference in prices charged in this country and the prices charged in foreign countries for the same articles by domestic producers. The article, after some personal mention, says:

This is one of the freaks of the tariff. For instance, the Savannah Press noticed some time ago the steel rails made in Pennsylvania cost the railroads of this country $28 a ton, and yet the same rails were delivered at Beirut for the Jerusalem and Joppa Short Line at $22 a ton. Or, if we deduct the freight, $5 a ton, the net charge abroad is a little over $17 a ton. American consumers are paying about $10 a ton more than the foreign purchaser for the same article. The harm done in this one item amounts in one year to a tax of nearly $30,000,000 to American enterprises.

And, according to the statistics which I have just read, in the year 1903, if Mr. Schwab's figures are correct, the people of the United States paid from $33,000,000 to $35,000,000 of bonus upon the consumption of steel rails in America over and above what Mr. Schwab said would be a satisfactory profit. Continuing, the article from the Savannah Press says:

Not only is this true of steel rails, but of ammunition caps the export price shows a difference of about 40 per cent in favor of the foreign consumer. Axle grease made in America is sold at $5.40 per dozen gallon cans and $4.50 abroad, making a difference of 20 per cent. Refixed borax sells at 2½ cents a pound abroad and 7½ cents at home, a difference of 2½ cents. Coffee and spice mills show a difference of 20 per cent in favor of foreign purchasers; harness snaps 25 per cent; meat choppers nearly 40 per cent. Nails sell at home at $2 per hundred pounds and abroad about $1.30, a difference of about 40 per cent in favor of the foreign purchaser.

One make of pianos brings $275 at home and $225 abroad. Playing cards, which sell at home for $25 a gross, can be bought for half the price abroad, a difference of about 100 per cent. Powder shows a descrimination of 30 per cent; rakes a difference of about 25 per cent; sausage stuffers a difference of 20 per cent; saws a difference of about 5 per cent. Sewing machines made in America cost from $20 to $25. The same machines when shipped abroad bring about from $13 to $17, a difference of about 50 per cent. Shovels show a difference of 30 per cent. Tin plates bring something over $4 a hundred pounds at home and about $3 a hundred pounds abroad. Remington typewriters bring $100 in this country; abroad you can buy Remington typewriters from $55 to $65. Barbed wire brings $2.90 a hundred pounds at home and $2.25 abroad. Wire rope shows a difference of over 200 per cent in favor of the foreign purchaser.

I want to read one other statement which I take from the Augusta Chronicle of December 14, in which the editor of that paper gives an instance within his personal knowledge, a small matter comparatively, but it illustrates the general proposition:

AFTER FACTS AND FIGURES.

If Senator BACON's resolution shall succeed in bringing before the people, in the strong and statistical way that the new Department of Commerce

and Labor knows how to array figures, an accurate statement of the present Republican protective tariff, it will prove a very illuminating document. It will be remembered that we published in our dispatches from Washington a day or two ago that Senator BACON had introduced a resolution directing the Secretary of Commerce and Labor to procure and transmit to the Senate information as to what classes of goods manufactured in the United States during the year ending December 31, 1903, have been sold or offered for sale in foreign countries by the manufacturers or agents at less than the same classes of goods were sold in the United States. This inquiry is to have special reference to manufacturers of iron and steel and other metals, or glass and crockery, textile goods, boots, shoes, hats, caps, and other wearing apparel, household and kitchen utensils and wares, sewing machines, vehicles of all kinds, farm implements and machinery of all kinds, jewelry, etc.

About a year ago the representative of a foreign government who has offices in New York spent a day or two in Augusta and conversed with the writer on this very subject, and cited the fact that he had saved about $50 on three typewriters which he wanted to buy in New York for use in his offices in that city by getting the representative of his government in London to import these American typewriters and ship them back to him at New York, where they entered free of duty, being of American manufacture—that is, the man in London could write to the New York dealer, and he would lay down the typewriters in London cheaper than he would sell them to a New York purchaser, not only cheaper, but so much cheaper that it was to the interest of this man in New York to go to the trouble of buying his three typewriters in this way. This, he assured me, was an actual occurrence.

It is a notorious fact that McCormick reapers and other agricultural implements are sold in Europe for less than an Illinois farmer can buy them at the factory in Chicago, and there is no doubt that Senator BACON'S resolution can develop some very interesting statistics if he can push it to a successful issue.

I have seen a statement in the public press—I can not vouch for its accuracy, but I had had information outside of that that the statement is correct—that when the barbed fence wire was taken into the trust the parties engaged in that business absolutely made 50 per cent a week profit, and that thereafter the profit settled down to 400 per cent per annum. I am fully prepared to see how that can be correct from the knowledge which I have, and which all of us who had any experience in the use of barbed wire have, knowing that it has increased in price, certainly considerably over 100 per cent, if not nearly 200 per cent, not very recently, but at the time when it was taken into the trust, and very soon thereafter.

I have a letter from an exporter in New York City, voluntarily written to me, in which he states that the price to him for barbed wire to be exported to South America is $2.20 per hundred pounds, while to the man in the United States the price of barbed wire is from $2.90 to $3 per hundred pounds. In other words, the farmer in South America can fence his fields with barbed wire made in the United States and sold to him in the United States at a less price than the farmer in the United States can buy barbed wire from the same man in the United States to fence his field with. Under the operation of the present tariff law the American farmer is compelled to pay to the barbed-wire manufacturers in the United States at least 40 per cent more than the South American farmer is required to pay when he buys exactly the same wire from the same man in the United States.

Mr. President, I find that I shall not be able to complete what I have to say this evening. I should have done so but for interruptions, of which I do not, however, complain; but owing to the special order fixed for half past 4 o'clock I know there would be a small fragment of my speech left over were I to attempt to conclude this evening. I should be very glad if the Senate would permit me to suspend at this point, and I promise, if that courtesy is allowed me, that I shall to-morrow endeavor to complete my remarks in a brief time. I do not think it will take as much time to do so then as if I should attempt to go on now.

Mr. WARREN. Will the Senator not wait until we can conclude the consideration of the last one of the appropriation bills in order that it may go to conference—the Military Academy bill?

Mr. BACON. I understand there is but one other appropriation bill.

Mr. WARREN. Only one.

Mr. BACON. And the Senator from Texas [Mr. BAILEY] has given notice that he will speak to-morrow morning. I shall endeavor, if I may have the indulgence of the Senate, to condense what I have to say into smaller space than I could do if I had to go on now.

Mr. WARREN. Of course I do not want—and it would seem ungracious in me if I should—to make any objection to the Senator going on in the morning, but would it not be better if we should consider this short appropriation bill and get it out of the way, so that it may be printed in the amended form and considered by the conference, if a conference be necessary?

Mr. BACON. Undoubtedly; but I will state to the Senator from Wyoming that I am speaking now only by courtesy of the Senate. I am not in a position to make any objection, and would not do so. The Senator might go on now, I would suggest to him.

Mr. WARREN. I am going on now, and wish to try to complete the consideration of the bill to-morrow immediately after routine morning business.

Mr. BACON. The Senator from Texas has the floor in the morning.

Mr. BAILEY. I have not given any notice of an intention to address the Senate, and Senators need not take that into account. I shall seize such opportunity as may present itself to address the Senate.

Mr. GALLINGER. I will say that the senior Senator from Illinois [Mr. CULLOM] to-day gave notice that to-morrow morning he would address the Senate.

Mr. BACON. I would simply ask the courtesy of the Senate to the extent that after the Military Academy bill has been finished I may be allowed to conclude.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. WARREN. I move that the Senate proceed to the consideration of the Military Academy appropriation bill.

The PRESIDENT pro tempore. The Senator from Wyoming moves that the Senate proceed to the consideration——

Mr. GALLINGER. Before that motion is put, I desire to say that it is my purpose, as well as my duty, at the earliest possible moment to move an executive session for the consideration of very important business.

Mr. TELLER. You can not do that now.

Mr. GALLINGER. I am not going to do it to-day.

Mr. WARREN. Mr. President, I wish to say that in asking the consideration of the Military Academy appropriation bill I desire to have it finished to-morrow morning immediately after the routine business. I want to suggest to my brother Senators that in reporting from committees their bills they shall desist, as far as possible, at least to-morrow morning, from asking that bills reported from committees shall be immediately considered and put upon final passage, instead of going to the Calendar. I say that in the conduct of good business. I am one of those who believe we should not finally adjourn until after we have an opportunity for the consideration of unobjected bills upon the Calendar. I am informed by several of those who have much to do with the conduct of the business of the Senate that there will be an opportunity for that. I want to ask that in the morning we shall proceed to the conclusion of this bill immediately after the close of the regular necessary routine business.

I now move that the Senate proceed to the consideration of the Military Academy appropriation bill.

Mr. ALGER. Before that motion is put, will the Senator kindly yield to me that I may ask unanimous consent for the consideration of a bill, which I am sure will not lead to debate?

Mr. WARREN. I yield to the Senator from Michigan.

STEAMER BEAUMONT.

Mr. ALGER. I ask unanimous consent for the present consideration of the bill (H. R. 4570) to provide an American register for the steamer *Beaumont*.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, at the end of line 8, on page 1, after the word "salvage," to insert "less the amount expended in payment of wages to foreign workingmen and in the employment of foreign tugs and for foreign material;" so as to make the bill read:

Be it enacted, etc., That the Commissioner of Navigation is hereby authorized and directed to cause the foreign-built steamer Mira, owned by a citizen of the United States, to be registered as a vessel of the United States, under the name of Beaumont, whenever it shall be shown to the Commissioner of Navigation that the repairs made in the United States, together with the salvage, less the amount expended in payment of wages to foreign workingmen and in the employment of foreign tugs and for foreign material, have amounted to three times the price paid for the wreck (exclusive of salvage) to her foreign owners.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. KEAN. In connection with that bill I should like to have the views of the minority of the Committee on Commerce published.

The PRESIDENT pro tempore. In the RECORD?

Mr. KEAN. Yes; in the RECORD.

The PRESIDENT pro tempore. The views of the minority of the committee will be printed in the RECORD, in the absence of objection.

The views of the minority of the Committee on Commerce, submitted by Mr. FRYE April 11, 1904, are as follows:

Following are the views of the minority members of the Commerce Committee, and their reasons why this bill should not pass, and why American registry should not be granted to the British-built steamship *Mira*, now owned by Mr. F. W. Gilchrist, a citizen of the United States.

It appears that the steamship *Mira* was built in Great Britain for the purpose of carrying coal between the ports of the Dominion of Canada and the ports of the United States. During the first year of her existence and more than two years ago she was wrecked on the coast of Nova Scotia. From the evidence received by the committee it appears that the *Mira* was salved by one James Reid, of either Port Huron, Mich., or of Sarnia, Ontario, there being a dispute regarding his exact residence and citizenship.

This Mr. Reid, it appears, acted under a contract with the underwriters to whom the *Mira* had been abandoned by her owners, but it is regretted that a copy of this contract was not placed before the committee, as it would have authoritatively settled the doubts that have arisen as to its terms. It is claimed by the advocates of the bill that there was a flaw in Mr. Reid's contract, the existence of which created a doubt as to his being paid for salving the *Mira*, at which point Mr. Gilchrist stepped in and purchased the *Mira* for $101,000 where she then was, in the port of Halifax, Nova Scotia. This $101,000, it is explained, was made up of two items, to wit:

1. The sum of $50,000, representing the vessel's value as a wreck; and
2. The sum of $51,000 expended on her by the underwriters for salvage.

In a letter to Senator ALGER, Mr. Gilchrist says: "I wish to say at the outset that I became interested in this vessel, not through any desire for speculations, but in order to assist a worthy friend of mine from our State, Mr. James Reid, who is engaged in the salvage business."

The opponents of the bill assert that Mr. Gilchrist's purchase of the *Mira* was a pure speculation, and they quote from a letter written by a Mr. Samuel Holmes, a New York ship broker, to Representative LITTLEFIELD, a member of the House Committee on the Merchant Marine and Fisheries, this statement:

"With the knowledge of the big repairs necessary to this vessel I interested Mr. Gilchrist, of Michigan, to go and look at her, with a view to purchase, as she would fulfill the American law written to protect the shipbuilder, the American wrecker, and the American tugboat owner. * * * Mr. Gilchrist, true to his Americanism, saw there was a profit in the ship if he could get her into an American port safely and purchase her, because it was common sense she would obtain an American register, as she would fulfill the American law in the details of American expenditure, which is regarded as the backbone of this law, and not distance in yards or miles, representing the locality of a wreck inside or outside of American waters."

It is a matter of dispute and doubt, so far as the members of the committee are concerned, as to how much of the $51,000 expended in salving the *Mira* was actually paid to American workingmen and in the employment of American tugs and the use of American material. The inclusion of the salvage as a part of the cost of repairs was made under the supposition that the work of the salvors was done by American workingmen, American appurtenances, and American tugs. It is unfortunate that there is nothing before the committee that sets these disputed questions at rest. And it is on account of these that the amendment is made in the bill requiring that in advance of the granting of American registry—

"It shall be shown to the Commissioner of Navigation that the repairs made in the United States, together with the salvage, so far only as it shall be proven to the satisfaction of said Commissioner to have been expended for payment of wages to American workingmen and in the employment of American tugs and for American material, have amounted to three times the price paid for the wreck (exclusive of salvage) to her foreign owners."

This matter of salvage assumes importance because it has been the custom, through a ruling made by the Solicitor-General of the Treasury Department in 1853, applicable to vessels wrecked in American waters and salved in accordance with the provisions of the law of 1852, to include as a part of the repairs the cost of salvage. This was, of course, under the assumption that the salving, occurring in American waters, would be done by American citizens, and, as it is the claim of the advocates of the bill that her owner has complied with the spirit of the law of 1852, it is required that he shall satisfactorily establish the fact that her salving was accomplished by American workingmen, American tugs, and American material.

It is these matters of dispute and of doubt that have not been set at rest by documentary proof, that should have been easily procurable by the advocates of this bill, which in part account for our opposition to its passage. Another matter of interest which was not settled to the entire satisfaction of the committee is whether or not it was possible to repair the *Mira* elsewhere than in the United States. If it is true that no docks were available in Canada, on which account it became necessary for her owners to bring her to the United States for repairs—that alone would enable them to recover the money expended in her purchase and salving—the matter takes on an intirely different aspect than it would if, by preference and possibly at greater cost, her owner had decided to repair her in the United States.

It appears that the steamship *Mira* cost, when new, $230,000, that her present owner has expended upon her, inclusive of purchase price, salvage, towage, repairs, and keep while idle, approximately $200,000, and at least one reputable American shipbuilder states that the "approximate price for a new ship" like the *Mira*, if built in the United States, "would be $350,000, depending upon the outfit and finish required."

A letter before the committee from a representative of the company that repaired the *Mira* states that the vessel is now "in a condition to go to sea without any more than nominal repairs being put upon her," whereas her owner states he expects to expend "more than $30,000 additional in labor and material in preparing the ship for sea." This creates a doubt that has not been definitely set at rest by any authoritative proof as to the extent that the sums already expended upon the *Mira* have or have not completed her necessary reconstruction.

That the granting of American registry to this vessel will largely increase her value is made quite clear. It is also made clear that the increased value of the vessel will rest upon her eligibility to engage in the coastwise trade. And this is so because the coastwise trade of the United States has since 1817 been reserved for American vessels, foreign vessels captured as prizes of war or forfeited for violation of the laws of the United States, and foreign vessels wrecked in American waters, purchased by American citizens, and repaired at an expense equal to three-fourths of their cost when so repaired. It is in the last-mentioned cases (of foreign vessels wrecked in American waters which was provided for in the act of December, 1852), that the foundation was laid for these appeals to Congress for special acts granting American registry to foreign vessels that have been wrecked in foreign waters, then purchased by American citizens, brought to the United States, and repaired.

The plea is advanced that the purpose of the law is to provide work for American shipyards, which would be employed in rebuilding wrecked vessels. The mere fact that the vessel was wrecked in foreign waters, it is claimed, if she were thereafter brought to the United States, purchased by an American citizen, and repaired in an American shipyard at a cost equal to three-fourths of her cost when repaired, should not disbar her from obtaining American registry. It is also claimed that this leads to an increase in the number of American shipowners, and thus is an advantage to the country. Considering that during the life of the act of 1852 has been witnessed the greatest decline in American shipping, and that our tonnage in the foreign trade to-day is 100,000 tons less than it was in 1810, its helpful effect upon American shipowning has been imperceptible.

It is almost invarinbly the case that when these foreign wrecks are brought to the United States it is only because there is no other place where the necessary repairs can be made. It is quite probable that the same number of foreign wrecks would be brought to the United States for needed repairs that are now brought here, even were it known that it would be impossible to secure American registry for them. Instead of Americans purchasing these vessels as a speculation, they would remain the property of their foreign owners, the underwriters, or the salvors. But American shipyards, American labor, and American materials would probably be employed to quite the same extent that they are now in such cases.

The question to be determined would be whether the vessel in her wrecked condition justified the risk and expense of taking her to the nearest point at which needed repairs could be made. In the case of vessels wrecked on both the east and the west coasts of the two continents of America, the United States happens to be the nearest and most available place in which a majority of the vessels so wrecked may be repaired, and the same is largely true of wrecks occurring in the Pacific. It is, in short, a question of geography, and not a question of patriotism, as to where these wrecks shall be repaired. We may be sure that if there was no advantage arising through the possession of an American register, carrying with it the privileges of the coastwise trade, foreign vessels repaired in the United States would not seek such registry.

At the present time American registry, per se, possesses little or no value to the owner of the vessel so registered. A register is issued to an American vessel when she is engaged in the trade between the United States and foreign countries, or in the trade between the east and the west coast of the United States, or in the trade between the United States and its insular dependencies. Foreign vessels are permitted to engage in the trade between the United States and foreign countries, so far as the laws of the United States apply, upon precisely the same terms as American vessels. It is conceded that the cost of operating a vessel under the American flag is greater than the cost of operating a vessel under a foreign flag, and this accounts in part for the small (about 9 per cent) proportion of our foreign trade that is carried in American vessels. It is manifest that no one possessing a foreign vessel would place her under American register, even if privileged to do so, merely to run her in the trade between the United States and foreign countries under existing conditions.

The advantage that a foreign vessel gains, therefore, in securing American registry is the privilege it carries of entering into the trade reserved for American vessels, and that admittedly is what is sought by those in whose personal interest bills of the *Mira* type are introduced in Congress. The trade that is reserved for American vessels is carried on by vessels costing much larger sums to build than they would cost if built abroad. Whenever, therefore, a foreign vessel is admitted to American registry and to the privileges of the trade reserved for American vessels, its value is correspondingly increased, while the value of the American vessels with which it competes is correspondingly reduced. This explains the motive back of the zeal displayed by those in whose personal interest these bills are introduced and pressed for passage. It is a plain question of dollars and cents, a mathematical question entirely, and in no sense a patriotic question.

There are yet to be considered the American vessel owners with whom it is proposed that these foreign-built vessels shall be brought into competition. These men have invested their money in vessels built in the United States and costing much more to build than foreign vessels cost, no doubt relying upon the good faith of Congress to retain the act of 1817, which reserves the trade between American ports for American vessels. So long as they stand alike in their opportunities to purchase vessels for our coastwise trade there is no injustice done to them, but when a less expensive foreign vessel is brought here and an American register is sought for her, then the investment by American citizens will be in danger of impairment, because it will be more difficult for the owners of American vessels to compete in our coastwise trade with the owners of more cheaply built foreign vessels. And therein lies the injustice of this proposed admission of the *Mira* to American register and the proposed admission of such foreign wrecks as venturesome or speculative American citizens may purchase with similar ends in view.

If the *Mira* had been wrecked in American waters, she would have been eligible for American registry without any action by Congress if there had been expended upon her three times the cost of the vessel as a wreck. In the first case the bid price of the vessel, together with the cost of repairs, would much more nearly approximate the cost of a new vessel than in the case of a vessel wrecked, as was the *Mira*, in foreign waters. There would be many more bidders for the vessel if she were wrecked in American than in foreign waters. This would tend to increase her value as a wreck. The higher price she would bring as a wreck in American waters would compel her owner to expend more in repairing her. Thus American workingmen would receive much more employment on a vessel wrecked in the United States than they would on one wrecked in foreign waters, even if both were repaired in the United States.

There are five bills now before Congress, of which the *Mira* bill is but one, where foreign-built vessels wrecked in foreign waters have been purchased by American citizens and repaired in American shipyards. While these bills are pending a palsy rests upon American shipyards. Americans contemplating the addition of new tonnage to their fleets will await the passage or defeat of this bill and of similar bills in order to ascertain if there is a chance for them to secure a better bargain by purchasing a repaired foreign-built wreck than is possible through the construction of a new vessel in an American shipyard. The passage of this bill, and the other four similar measures now pending, would have a very hurtful effect upon both American shipbuilders and American shipowners. It would decrease just so much the amount of new work that they would secure.

This probably accounts for American maritime interests, and other interests allied therewith, representing invested American capital approximating $175,000,000, being of record before our committee in protest against this proposed admission of foreign-built wrecks to American registry.

In the domestic trade of the United States there is just so much carrying to be done. American vessels sufficient to do all of the carrying will offer, unless foreign vessels are admitted to the trade. If there is no increase in the amount of freight to be carried, then the competition of the newly admitted foreign-built vessels reduces the profits of every vessel with which she competes, and to the extent that she gets cargoes to carry that otherwise would have gone to the American-built vessels, to that extent the latter remain idle and their owners suffer loss of employment and of profits upon their investments.

If there is enough business in our coastwise trade for an additional vessel, then the admission of a foreign-built vessel will supply that need and an American shipyard and American workingmen will be denied the opportunity to build the needed vessels. In any event, the admission of a foreign-built vessel to American registry and to competition with vessels in our coastwise trade inflicts a serious injury upon both American vessel owners and American vessel builders.

If it be the judgment of Congress that foreign vessels should be admitted to American registry and to the domestic as well as to the foreign trade of the United States, then the act permitting such registry should be made general. It should not be a private bill in the interest of certain individuals or corporations. But not one of these applicants for American registry for their special vessels desires the enactment of a general free-ship bill, as they realize that if such a measure were passed the very advantage they now seek for themselves exclusively would be extended to all Americans generally. Hence it is that the passage of these bills does not advance the argu-

ment in favor of the general admission of foreign-built vessels to American registry. On the contrary, it increases the number of those whose interests will compel them to oppose such a general law.

Take the case of the *Mira*, for example: What has her present owner done that entitles him to receive American registry for the *Mira*? He went to Halifax, Nova Scotia, and looked at the vessel, then in dry dock. The work of salving her had all been done when he saw her. Whatever acts of heroism or unusual skill were shown in salving the *Mira* did not attach to him, as he in no wise participated in her salvage. The only question presented to his mind was whether by towing the ship to the United States and there repairing her he could get American registry for her. It was a pure speculation. With his money in his possession, and with a full knowledge that he was taking a risk that might result in loss, he chose to invest his money in the ship.

This sagacious gentleman speculated upon two things: (1) The chance of getting American registry for his vessel; (2) the sentiment that could be aroused over the unusual skill and courage shown by those who salved her. The glamour of the latter is thrown all over and around this case for the sole purpose of influencing Congress to grant American registry to the vessel.

What right has the present owner of the *Mira* to any credit for the salving of the vessel? Why should the incidents of her salvage influence any Member of Congress to give her present owner American registry for her? The vessel was salved by another person, with whom the present owner had no connection whatever up to the time the wreck was safely docked in Halifax.

The mere fact that Mr. Gilchrist purchassd the *Mira* after she was salved does not entitle him to any credit for her salvage. Were Mr. Reid, the wrecking expert who salved the *Mira*, to appear before Congress an American citizen and relate the circumstances of the salving of the ship, and able to present facts that were beyond question that through a flaw in his contract with the underwriters he was in danger of losing all that he had expended in salving the *Mira*, and his profits besides, unless he secured an American register for his ship, our compassion would be aroused.

But why should it be aroused for Mr. Gilchrist, the wealthy speculator, who balanced in his mind the chances of his securing a large profit if he ventured his money and secured an American register for the *Mira*? If Mr. Gilchrist was of such vital assistance to Mr. Reid in a time when the latter was financially embarrassed through his salving of the *Mira*, how is it that Mr. Reid fails to appear before the committees of Congress at the public hearings, arranged for many days in advance of their occurrence, and to support Mr. Gilchrist when the latter is embarrassed by the denials of his long-time friendship with Mr. Reid that are made by responsible parties? If a flaw existed in the contract that Reid made with the underwriters, by which his compensation for his arduous and daring work was likely to be lost, how is it that Mr. Reid does not furnish the committees of Congress with copies of that contract in order to vindicate the truthfulness of the man who saved him, at a critical time, from financial loss?

If Mr. Reid employed American material, American tugs, and American workingmen in salving the *Mira*, as is claimed and as is denied, how comes it that he is not before the committees of Congress to establish the fact beyond the possibility of doubt for the benefit of the friend who stood so loyally by him? If Mr. Reid is himself an American citizen and finds that statement denied before committees of Congress by those opposed to the granting of American registry to the vessel he salved, why, instead of sending an ambiguous telegram, is he not present in person and supported by undubitable proofs satisfactory to the committees of Congress upon this point?

Why should Mr. Gilchrist be given an American registry for the foreign-built steamship *Mira*, in whose salving he had no part, and American registry be denied to any other foreign-built vessel, repaired wreck or otherwise, that any other American chooses to buy as a gamble, or as a speculation, to be decided for or against him by the action of the Congress of the United States?

We see nothing in this bill entitling it to our favorable consideration. We should like to know beyond a doubt whether the *Mira* could possibly have been repaired elsewhere than in the United States; we should know beyond dispute whether the salvor of the vessel was an American citizen; the nationality of the men and the materials and the tugs employed in salving her should have been established to our entire satisfaction; there should not exist the present doubt as to whether or not the contract the salvor had with the underwriters had a flaw that impaired his chances of securing the payment to which he was entitled; it should not be left to conjecture as to whether the present owner of the *Mira* purchased her to help an old friend or as a bald speculation.

We believe that the passage of this bill will inflict injury upon American vessel owners and American vessel builders; we believe that the principle involved is pernicious and undeserving of encouragement; we believe that good will result from the defeat and that harm will result from the passage of this bill, and therefore we recommend that it do not pass.

WM. P. FRYE.
S. B. ELKINS.
J. H. GALLINGER.
BOIES PENROSE.
THOMAS S. MARTIN.

RESURVEY OF TOWNSHIPS IN COLORADO.

Mr. TELLER. There is on the desk a Senate bill which has come from the House of Representatives with an amendment, which I should be glad to have the Chair lay before the Senate. It is purely a local bill.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 2382) providing for the resurvey of certain townships in Routt and Rio Blanco counties, in the State of Colorado, which was, on page 2, line 12, to strike out all after the word "occupied" down to and including the word "appropriated," in line 17.

Mr. TELLER. I move that the Senate concur in the amendment of the House of Representatives, which merely strikes out the appropriation.

The motion was agreed to.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. WARREN. Mr. President——

Mr. CULBERSON. Will the Senator from Wyoming yield to allow me to secure the consideration and passage of a short bill?

Mr. WARREN. For morning business I shall yield, but I do not think I ought to be asked to yield further to take up bills.

Mr. CULBERSON. It is not morning business, and I understand that the bill which has just been passed was not morning business.

Mr. WARREN. I am sorry, but if I should yield to the Senator I should be obliged to yield to half a dozen others whom I have already refused, and a great deal of time would be taken up.

The PRESIDENT pro tempore. The Senator from Wyoming [Mr. WARREN] is recognized.

Mr. WARREN. I now insist on my motion that the Senate proceed to the consideration of House bill 13860, being the Military Academy appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes; which had been reported from the Committee on Military Affairs with amendments.

Mr. WARREN. I ask that the first formal reading of the bill may be dispensed with and that the bill be read for amendment, the amendments of the Committee on Military Affairs to be first considered.

The PRESIDENT pro tempore. In the absence of objection, that order will be made.

Mr. FOSTER of Washington. I ask the Senator from Wyoming to yield to me, in order that I may secure the consideration of the bill (H. R. 9891) giving the consent of Congress to the removal of the restrictions on the sale of Puyallup allotted lands, and confirming and legalizing sales thereof since March 3, 1903.

The PRESIDENT pro tempore. The Senator from Wyoming [Mr. WARREN] has refused to yield to any other business than morning business.

Mr. WARREN. I ask for the regular order, Mr. President.

The PRESIDENT pro tempore. The regular order is demanded. The Secretary will proceed with the reading of the Military Academy appropriation bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Military Affairs was, under the subhead "Permanent establishment," on page 3, line 16, after the word "languages," to strike out "(major);" so as to make the clause read:

For pay of one associate professor of modern languages, in addition to pay as captain, $500.

The amendment was agreed to.

The next amendment was, on page 4, line 24, to increase the appropriation for the salary of one first sergeant in the general army service from $300 to $408.

The amendment was agreed to.

The next amendment was, on page 10, line 5, to increase the total appropriation for pay of Military Academy band, field musicians, general army service, cavalry detachment, artillery detachment, etc., from $99,965.42 to $100,074.42.

The amendment was agreed to.

The next amendment was, under the subhead "Pay of civilians," on page 11, line 1, before the word "civilian," to strike out "two" and insert "one;" in the same line, before the word "in," to strike out "instructors" and insert "instructor;" in line 2, after the word "year," to strike out "each;" and in line 3, before the word "thousand," to strike out "four" and insert "two;" so as to make the clause read:

For one civilian instructor in Spanish, at $2,000 per year, to be employed under rules prescribed by the Secretary of War, $2,000.

The amendment was agreed to.

The next amendment was, on page 11, line 6, after the word "quartermaster," to insert "and disbursing officer;" and in line 7, before the word "hundred," to strike out "six" and insert "twelve;" so as to make the clause read:

For pay of one stenographer and typewriter in the office of the quartermaster and disbursing officer, $1,200.

The amendment was agreed to.

The next amendment was, on page 13, line 4, before the words "the library," to strike out "charge of;" in the same line, after the word "library," to strike out "in the department of law and history" and insert "to be selected and appointed by the Superintendent;" so as to make the clause read:

For pay of one typewriter, copyist, and attendant in the library, to be selected and appointed by the Superintendent, $750.

The amendment was agreed to.

The next amendment was, on page 13, line 8, after the word "office," to insert "to be selected and appointed by the Superintendent;" so as to make the clause read:

For pay of one stenographer and typewriter in the adjutant's office, to be selected and appointed by the Superintendent, $600.

The amendment was agreed to.

The next amendment was, on page 13, line 21, to reduce the total appropriation for civilians employed at the Military Academy from $48,000 to $45,410.

The amendment was agreed to.

The next amendment was, on page 13, line 24, to increase the

appropriation for expenses of the Board of Visitors to the Military Academy, including mileage, from $3,000 to $3,500.

The amendment was agreed to.

The next amendment was, on page 14, line 2, to increase the appropriation for contingencies for Superintendent of the Military Academy from $2,000 to $2,500.

The amendment was agreed to.

The next amendment was, on page 14, line 11, to increase the appropriation for repairs and improvements at the Military Academy from $33,000 to $35,000.

The amendment was agreed to.

The next amendment was, on page 16, line 21, to increase the appropriation for repairs to the observatory buildings and repairs to clocks from $400 to $450.

The amendment was agreed to.

The next amendment was, on page 20, line 12, to increase the total appropriation for current and ordinary expenses of the Military Academy from $102,281.50 to $105,681.50.

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous items and incidental expenses," on page 20, after line 14, to insert:

For the printing by the Public Printer of 6,000 copies of the Jubilee Centennial History of the United States Military Academy, 1,000 of which shall be for the use of the Senate and 2,000 for the use of the House of Representatives, and the balance to be distributed by the Superintendent of the United States Military Academy under direction of the Secretary of War, $5,500, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 23, after line 23, to insert:

For the purchase of one typewriter for the laundry, with cabinet for the same, to be expended without advertising, $110.

The amendment was agreed to.

The next amendment was, on page 24, after line 12, to insert:

For the policing of barracks, bath houses, supplying light and plain furniture to cadet barracks, $9,000.

The amendment was agreed to.

The next amendment was, on page 24, after line 15, to insert:

For maintaining the children's school, the Superintendent of the Military Academy being authorized to employ the necessary teachers, $3,520.

The amendment was agreed to.

The next amendment was, on page 24, line 21, to increase the total appropriation for miscellaneous items and incidental expenses from $38,436 to $56,616.

The amendment was agreed to.

The next amendment was, under the subhead "Buildings and grounds," on page 25, line 15, after the word "linoleum," to insert "and for labor and material for repairing and renewing roof on the cadet laundry;" and in line 16, before the word "hundred," to strike out "four" and insert "nine;" so as to make the clause read:

For improvements to the cadet laundry buildings, to be expended without advertising, as follows: For covering one new steam boiler with insulating material; and for covering the second floor of the southern and central portions of the laundry with linoleum, and for labor and material for repairing and renewing roof on the cadet laundry, $960.

The amendment was agreed to.

The next amendment was, on page 25, line 21, before the word "one," to strike out "to be expended without advertising;" so as to make the clause read:

For granolithic floors in basement of Grant Hall, $1,750.

The amendment was agreed to.

The next amendment was, on page 28, after line 11, to strike out:

For completing the work of improvement to provide for an increased water supply at the Military Academy at West Point, N. Y., provided for in the act of June 28, 1902, $300,000: *Provided*, That such sum shall not be available until the plans for the complete project shall be approved by the Secretary of War, and that the Secretary of War shall determine that the whole expense necessary to complete such project shall be included within the total appropriation of $400,000.

And in lieu thereof to insert:

For completing the work of improvement to provide for an increased water supply at the Military Academy at West Point, N. Y., provided for in the act of June 28, 1902, to be available until expended, $300,000, to be expended by contract or otherwise as the Secretary of War may deem most economical and advantageous: *Provided*, That such sum shall not be available until the project shall be approved by the Secretary of War, and until the Secretary of War shall determine that the whole expense necessary to complete such project shall be included within the total appropriation of $400,000.

Mr. GORMAN. Mr. President, I first want to compliment the reading clerk on his great expedition in reading this bill—twenty-eight pages of it in less than nine minutes. I have had difficulty in following it; but still we have reached this point, and I should like to know from the Senator in charge of the bill the reason for the radical change in the House provision relating to the supply of water for West Point.

Mr. WARREN. I do not think the Senator from Maryland will find the change radical if he will look at both provisions and compare them. There is very much of the clause stricken out embraced in the one inserted. The amount of money is the same. The project upon which it is to be expended is the same. The idea is to make the appropriation immediately available. The change is made to permit the work to be entered upon as soon as the entire project is approved of as to the plans. The change is a matter of words more than a matter of substance.

Mr. GORMAN. I refer especially to the provision in regard to the supply of water for the Military Academy. As I understand, the paragraph inserted by the House provides for completing the work of increasing the water supply at West Point. The House provision appropriates the sum of $300,000, which shall not be available until the plans and project shall have been approved by the Secretary of War.

Mr. WARREN. That is included in both propositions.

Mr. GORMAN. The House paragraph provided also:

That the Secretary of War shall determine that the whole expense necessary to complete such project shall be included within the total appropriation of $400,000.

Mr. WARREN. One hundred thousand dollars has already been appropriated for this purpose in a prior appropriation bill.

Mr. GORMAN. As I understand, the Senate proposition is practically the same, except that it takes it out of the general law and puts it in the control of the Secretary of War to provide for the completion of this new water-supply system, either by contract or otherwise, as he may see proper.

Mr. WARREN. Yes.

Mr. GORMAN. The House paragraph provided in a general way that the work should be constructed under the general law.

Mr. WARREN. The House made no provision, but left it so that the general law would control.

Mr. GORMAN. Yes.

Mr. WARREN. A very large proportion of this work, as it seems to us, can be done by the force that they already have and by some slight addition thereto. It may be more economical, possibly, and the work better done by leaving it in the manner that we do, so that the Secretary of War may have some discretion.

I will say on the general subject that the water supply at West Point has been a very vexatious question. There have been several ponds or lakes under consideration, but during the last year it has been discovered that a large body of water can be secured that gives—it is estimated—about sixteen times as much water as could be had through any other project proposed heretofore. The water to be secured is farther away, so that the ditch work and piping is longer, but the first cost of the pond, of the land itself, and finally of the whole work completed would be less than under any of the other projects. So, with the present proposition, we get about sixteen times the amount of water at less money than under the old project.

The only reason for permitting this work to be done under contract or otherwise, in the discretion of the Secretary of War, is that some portions of it, especially the digging and covering of trenches and laying of the piping, can be done by men already employed rather than to let contracts, and the work can in that way be better and more cheaply done.

The PRESIDENT pro tempore. The question is on the amendment.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Military Affairs was, on page 29, after line 8, to strike out:

In carrying out the provisions of the said act of June 28, 1902, after general plans have been prepared and approved by the Secretary of War, he may proceed with the necessary enlargement of cadet barracks, upon detailed plans approved by him before the completion of detailed plans for the whole work, provided that the limit of cost is not increased thereby.

And in lieu thereof to insert:

In carrying out the provisions of said act of June 28, 1902, after general plans have been prepared and approved by the Secretary of War, he may proceed with the construction of such buildings as are most immediately necessary, upon detailed plans approved by him before the completion of detailed plans for the whole work, provided that the limit of cost is not increased thereby.

The amendment was agreed to.

The next amendment was, on page 29, line 24, to increase the total appropriation for buildings and grounds at the Military Academy from $363,585.34 to $364,085.34.

The amendment was agreed to.

The next amendment was, at the top of page 30, to insert:

That sections 18 and 23 of the act entitled "An act to increase the efficiency of the permanent military establishment of the United States," approved February 2, 1901, are hereby amended to read as follows:

"SEC. 18. That hereafter the Medical Department of the United States Army shall consist of 1 surgeon-general, with the rank of brigadier-general; 16 assistant surgeons-general, with the rank of colonel; 24 deputy surgeons-general, with the rank of lieutenant-colonel; 110 surgeons, with the rank of major, and 300 assistant surgeons, who shall have the rank, pay, and allowances of first lieutenant, mounted, and after three years' service from the date of commission, the rank, pay, and allowances of captain, mounted; and the Hospital Corps, the nurse corps, and dental surgeons as now authorized by law: *Provided*, That promotions in the Medical Corps to fill vacancies in the several grades created or caused by this section, or hereafter occurring, shall be made according to seniority, but all such promotions and all appoint-

ments to the grade of first lieutenant in said corps shall be subject to such examination as may be prescribed by the Secretary of War, and all acts or parts of acts inconsistent therewith are hereby repealed.

"SEC. 23. That the Ordnance Department shall consist of one Chief of Ordnance, with the rank of brigadier-general; six colonels, nine lieutenant-colonels, nineteen majors, twenty-five captains, twenty-five first lieutenants, and the enlisted men, including ordnance sergeants, as now authorized by law. The vacancies thus caused or created shall, as far as possible, be filled by promotion according to seniority, as now prescribed by law, except that the Chief of Ordnance shall be selected from the permanent officers of the corps for a period of four years.

"That the vacancies occurring in the grades of captain and first lieutenant of ordnance shall be filled by detail from the Army at large, from the same grade or the grade below for four years, after which no officer shall again be eligible for detail until he has served one year out of the Department: *Provided*, That officers shall be so detailed subject to such examination as may be prescribed by the Secretary of War, and the vacancies thus created shall be filled as now provided for by law. That vacancies occurring in the grade of major of ordnance, after promotion, as now prescribed by law, of all permanent officers now in the Ordnance Department, shall be filled by the appointment of officers of the grade next below, who shall have served by detail in the Ordnance Department, the selection to be made as the result of an examination, approved by the Secretary of War."

Mr. HALE. I raise the point of order, Mr. President.

The PRESIDENT pro tempore. To what amendment does the Senator desire to make the point of order?

Mr. HALE. The amendment on page 30, relative to the Medical and Ordnance Corps of the Army.

Mr. WARREN. Will the Senator from Maine delay asking for a ruling upon the point of order until some explanation has been offered?

Mr. HALE. I will state my point of order, though I do not suppose I need even to state it, because in its terms the amendment is an act of general legislation. Originally, in the Revised Statutes, under the head of "The Army"—a part of the Revised Statutes, the general laws of the land—what the organization of the Medical Corps shall be is prescribed in terms. That was a part of the existing law until the act of February 2, 1901, which in terms—that, too, being a measure of general legislation—declared what should be the Medical Department as found in that general statute, and also what should constitute the Ordnance Department.

I do not think that I need to argue the question. It is stated in the preface to these amendments concerning these two corps of the Army that the sections of the act of February 2, 1901, which are general legislation, embodied in the United States Statutes, are thereby changed. I make the point of order that the amendment proposes general legislation.

I do not say anything about the remarkable proceeding of putting provisions of this kind on the West Point appropriation bill. I have never known anything of that kind to be done before.

The Military Academy appropriation bill has always been a small one, relating to the subjects-matter that pertain to the administration of the United States Military Academy. It has been a small appropriation, and now upon this bill are put subjects-matter having nothing whatever to do with the bill. But I rest the point of order on the ground that the amendment is general legislation.

Mr. WARREN. I do not suppose the Senator from Maine and I would differ as to the statute to which he refers. We shall perhaps differ upon some other propositions.

If he will look at previous West Point appropriation bills, he will find in them what he has termed "general legislation," just the same as about every other appropriation bill we have passed at this session has carried general legislation. It has been my duty in making research of the statutes, preparing indices, etc., to go back through the regular appropriation acts, not alone referring to this subject, but to other subjects and conditions, and I find that for many years a large percentage of the legislation that is applicable from day to day to the business of the country, and which is referred to oftenest, was carried on the different appropriation bills.

Mr. HALE. There has been a great deal of legislation upon appropriation bills that has passed nem. con., nobody objecting to it. Some of it has been good and some has not been so good; but whenever a point of order has been raised upon a clear proposition of general legislation, it has always gone out.

Mr. WARREN. Well, Mr. President, as there are only a few moments before the special order is reached, I would suggest that the ruling on the point of order may be deferred until the bill is taken up to-morrow morning.

The PRESIDENT pro tempore. The Chair will hear what the Senator from Wyoming has to say in relation to the point of order either now or to-morrow morning.

Mr. WARREN. I want to say that I think there are reasons which the Senator from Maine may consider sufficient to induce him to withdraw the point of order because of the necessity for this legislation.

Mr. HALE. It is a very remarkable thing, Mr. President. This is the expiration of a long session of Congress. There has been a military appropriation bill, which deals with the Army and the corps of the Army, with all opportunity for a general bill. This proposition has never been embodied in any bill; and for the Senator now, in the waning hours of the session, to ask me to withdraw a point of order because this legislation reorganizing two corps of the Army, which are fixed by general legislation, is necessary, although it is put upon this little appropriation bill, seems to me rather a remarkable request.

I can not, of course, withdraw the point of order, because I deprecate this growing tendency of incorporating upon general appropriation bills matters that have nothing whatever to do with the bills themselves or their substance. I must insist upon the point of order.

Mr. WARREN. I can hardly grant that they do not have reference to this bill. So far as the portion of the amendment which refers to the Ordnance Department is concerned, we find it is difficult, if not impossible, to get proper ordnance officers for instruction duty at the Military Academy on account of the condition of that corps.

I may say to the Senator, so far as the question of expense is concerned, that the first proposition in this amendment is to save a large sum of money every year for at least the first three or four years; and that, at most, even after the five years, at which time the system is to be entirely in working order, the expenses can not exceed between forty and fifty thousand dollars more per annum than under the present condition; so that the amendment is in the interest of economy.

Now, as a matter of time. We have considered these subjects. The Senator will recall that we have had a change in the office of the Secretary of War, a change in the office of Lieutenant-General, and a number of changes in the chief and other high officials of the staff.

It has been the opinion of the military committee having these matters in charge that it was best not only to have the judgment—which was in favor of this legislation—of the outgoing officers, but after the incoming officers had sufficiently examined the subject that we might also have their recommendations and indorsements as to the necessity for this legislation, how far it should go. All this has caused delay.

As to the Medical Corps, conditions are such that it is rapidly being depleted for the reason that there are not sufficient inducements offered, as compared with those in civil life or in army service in other countries, or as compared with the Navy of this country, to induce physicians to enter or remain in service. The consequence is that we are now employing 195 contract surgeons, and we have appropriated for next year, in a bill which has already passed this Congress, for 250 such surgeons. I presume the Senator will accept my statement that it is a bad condition of affairs when our Medical Corps is made up largely of contract surgeons, here to-day and there to-morrow, neither educated especially for army duties nor with the experience and authority that they should have to be in charge of hospitals, of accounts, of property, and things of that sort. In the Ordnance Corps matters are still worse.

Mr. HALE. Then the Senator will bring in a general bill covering the subject.

Mr. WARREN. That has already been done.

Mr. HALE. Yes; but we should enact a general law.

Mr. WARREN. And that will not be done because of the haste of the Senator from Maine and others to close the session.

Mr. HALE. I am not any more in favor of closing the session than other Senators. The session will not be closed unless a majority of the Senate want it closed.

Suppose that I and a few others were hurrying up adjournment, I and a few others can not adjourn the Senate unless the Senate itself wants to adjourn. There is a general feeling in favor of an adjournment. That is indicated by Senators upon both sides. One reason why careful, conservative men want the Senate adjourned is that they do not believe much good will come out of continuing longer, and that, instead of decreased appropriations, the appropriations will be increased with every week that we sit here.

I wish to state that the same projects for reorganizing the different corps of the Navy, named before the Committee on Naval Affairs, were urged as very important, but the Naval Committee said that is not a subject-matter for an appropriation bill. They are all fixed by the law as we established it five years ago, and whenever that subject is brought before the committee we will take it up and report a general measure of legislation touching the corps of the Navy and ask to have it put through, just as we did the personnel bill five or six years ago.

Mr. MCCREARY. I wish to ask the Senator from Maine a question. Did he make a point of order against that part of the bill which proposes to establish four permanent camp grounds for the instruction and maneuvering of troops of the Regular Army and National Guard? Did the Senator's point of order embrace that part of the bill?

Mr. HALE. I am making a point of order now on this provision for the reorganization of the Ordnance and Medical Board. I presume a point of order will be made by some Senator against that amendment.

Mr. McCREARY. The Senator's point of order did not reach what I refer to.

Mr. HALE. That we have not reached.

The PRESIDENT pro tempore. That amendment has not been reached.

Mr. McCREARY. There will be a point of order made against that part of the bill.

Mr. WARREN. I agree with the Senator from Maine in his general view as to final adjournment, but I must say that I am one of those who will object to adjournment until after a few hours can be given to the consideration of bills covering unobjected cases on the Calendar.

I now ask that the bill with the pending matter may go over, and I shall undertake to call it up to-morrow, immediately after the routine morning business.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE THOMPSON.

Mr. MORGAN. Mr. President, understanding that the bill has gone over, I call attention to the notice I gave this morning that I would at this hour call up the resolutions of the House of Representatives commemorative of the life and career of the late Hon. CHARLES W. THOMPSON.

The PRESIDENT pro tempore. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES, *April 24, 1904.*

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. CHARLES W. THOMPSON, late a Member of this House from the State of Alabama.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

Mr. MORGAN. Mr. President, I offer the resolutions which I send to the desk.

The PRESIDENT pro tempore. The resolutions submitted by the Senator from Alabama will be read.

The resolutions were read, as follows:

Resolved, That the business of the Senate be now suspended, that opportunity may be given for tributes to the memory of Hon. CHARLES W. THOMPSON, late a Member of the House of Representatives from the State of Alabama.

Resolved, That as a mark of respect to the memory of the deceased and in recognition of his able and faithful public services the Senate, at the conclusion of these exercises, will stand adjourned.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Resolved, That the Secretary send a copy of these resolutions to the family of the deceased.

Mr. MORGAN. Mr. President, the resolution of the House of Representatives, in which the Senate is asked to concur, will convey to the people of Alabama a gratifying expression of the regret of Congress at the loss of their young Representative, who was esteemed as an honorable and useful man and was sincerely beloved by them. They will thank Congress for this expression of their sympathy for the loss Alabama has sustained in the early death of CHARLES WINSTON THOMPSON. They will associate the honors bestowed on him in these obsequies with those that come with responsive grief from their own hearts, and they will cherish them as an honorable and sacred memorial.

Congress honors Mr. THOMPSON because he was a faithful public servant, and the people of Alabama honor him for that cause and because they loved him.

He was not peculiar among his fellows and associates for distinguished abilities and achievements, but his life was an example of manly worth and moral integrity that reflects honor upon his people and entitles him to their affectionate remembrance. He was a true example of their religious, social, and industrial life, and a representative of the convictions and principles they adopt as their guides in their participation in the affairs of State and National Government.

He attained to this representative character, which he won without the aid of favoring circumstances, by his strong traits of personal character, his own courageous spirit, and his upright manner of living.

The young people of the white race of the South at the period of his childhood had an environment of difficulties in all that surrounded them that has had no parallel in history. I mention this to illustrate his success in life, as being due to Mr. THOMPSON's strength of character and to the approval of the scrutinizing judgment of the people who knew his course of conduct and rewarded him with distinguished marks of their confidence.

Great numbers of the young men and women of the South have endured the same tests with like results, but not with like distinction in public affairs, for few have sought such opportunities; but they comprise constituencies that are not excelled for good sense, useful knowledge, and true excellence of character by any of the communities in this great Republic, which means by any in the world. At the time when this youth entered upon the work of his life the new era had supplanted the old and had nearly extinguished all that had been created and established by the labors of man in the South, until only the soil and the skeleton of civil government and the ashes of movable property remained.

The white people, unused to labor, and their former African slaves were brought into unequal competition in physical toil and endurance, and were rated as equal participants in the inheritance of civil power in the governments that were established alone by the white race. The real struggle of their children was for existence, and there was little hope that they could successfully aspire to the enjoyment of the honorable influence that their fathers had possessed.

This was a desperate outlook for boys and girls born in that era. Yet wonderful success has been accomplished by them, which is only the precursor of greater achievements, and an applauding world looks on with pleasure and seeks to know the cause of the triumphant restoration of the white race in the South that now seems to be assured. The first answer to the inquiry is that it is in the blood of the race; but the supreme answer is that the All-Wise Creator, having assigned to the white race the leadership in Christian civilization, has qualified his people thus chosen for the task with the power to overcome opposition, to remove obstructions from the path of duty, and to defy all forms of oppression and antagonism that may impede their progress.

These traits we call "virtues," and it is a true name for the fruits of a gift that is really divine.

In no place are these blessed fruits richer or more abundant than in the homes of the southern farmers. The matrons and the daughters who minister in these domestic sanctuaries keep the sacred fires of liberty and of pure and philanthropic affection forever aflame on their simple altars, whose incense ascends to heaven and pleads for truth, justice, sincerity, courage, charity, and peace. Their prayers are not without answer, and the whole country smiles under the benediction.

It was in such a household that CHARLES W. THOMPSON was born and reared.

The modest fortune of the family had vanished in the conflicts of civil war; but his heart did not fail him, and he did not shrink from toil. He put forth the strength and courage that have the simple name of "duty" in the ritual of the domestic fireside—first, duty to God, and then to the family, and then to the country—and he measured the whole meaning of that injunction, and fearlessly he took up his task.

There is one yet living who remembers how she almost despaired when her boy first bent his shoulders to the task whose burden she had borne through so many trials.

That one is his mother. But she also knows that he had help that came not from human hands, and that she had begged it from One who never closes His ear to a faithful mother's plea. In such homes, with such family surroundings, men are born and nurtured upon whom the State can always lean with confidence in peace or war, at the voting booth, in legislative assemblies, on the bench, or in the executive offices.

They are the men whose public official servants create and administer the laws by their authority, and their test of civic virtue has always been that obedience to law is the highest duty of citizenship, and that he who refuses to obey the laws is not fit to be intrusted with their enactment.

It is such a constituency that Mr. THOMPSON represented.

It has been my good fortune to represent that constituency, in part, for nearly thirty years in the Senate. In that time I have enjoyed the honor of a near association with those who are not inferior to the men of any assemblage in the world, and no honor could be greater than a kindly welcome by them. But, even in the Senate, I have not found any whose respect and approbation I value above that of this splendid constituency.

To have the approval of such people while living and their affectionate remembrance after death is the high reward that Mr. THOMPSON has earned by a modest, simple, and true life devoted to duty.

I need not recount the history of his youth and early manhood. It was uneventful, in the sense that it attracted little attention from those who attach small importance to a career that is not accentuated by unusual adventures or extraordinary success or failure.

The southern pine that finally lifts its plumes high above the hills and plains is not less grand because it is not conspicuous among the millions that surround it in the great forests. Mr. THOMPSON grew up among men like himself, and he felt that it

was honor enough to be their equal and to enjoy their confidence and approbation.

In their service and with their encouragement it was natural that he should be proud of the public trusts they confided to his care, and that he should hereafter aspire to official station, in which he felt that he could render a service to the people which would draw him into closer relations to their domestic welfare than he would hold to them as their Representative in Congress.

Some incidents attending the week of the fatal illness of Mr. THOMPSON point to the plan of public life which he preferred and illustrate the strongest motives that controlled his conduct as a man in his social and political relations.

On the last Sabbath of his life he worshiped, in the morning and evening services, at the Mount Vernon Methodist Church in Washington, and was found to be violently ill with pneumonia on his return to his hotel at night. He suffered severely, but patiently. His thoughts were busy with the sudden change that was about to occur, as to which he had no doubt. He had no distressing fears of the presence of death in respect of his future being. He had no sudden preparation to make, for he had "cast an anchor within the veil" in early life, and he had no dread of shipwreck on the ocean of eternity.

He had cherished the desire to lead a life of usefulness and the aspiration that it might be a life of service to his State, as the great embodiment of the sovereignty of the people of Alabama, for whom he had profound reverence and the strongest sense of loyalty.

He had served the people faithfully, according to his opportunity, in the Congress of the United States, and had, in an unusual degree, gained the confidence and the admiration of the Representatives from other States and the high regard and esteem of his colleagues from Alabama.

Having a substantial fortune, which he had earned laboriously and honestly in useful business pursuits, he was not tempted by any mercenary motives to pursue a political career, but his success in Congress had been honorable and, doubtless, it incited him to further effort to become prominent and influential in the councils of the United States. But when he thought of the disappointment that his early death was about to bring to his most cherished earthly hopes and aspirations he spoke to his nurse about the chiefest of these, the one fond expectation that had its strongest hold upon his heart. He said, "I had hoped to live to become the governor of Alabama."

Turning from the hopes of prominence in the national service and putting aside its allurements, he followed the guidance of his sound judgment and true heart and found in their teachings that in his love of Alabama and in his devotion to the service of the State he would, in return, gain the warmer affections of a noble and generous people, and in their service he would find the reward that he coveted.

I am deeply gratified that in his last hours the heart of this young Alabamian turned to the sovereign State to which his first and highest allegiance was due with yearning for longer life, that he might labor more effectively in the service of our people. This is the instinct and the worthy ambition of every true son of Alabama.

Mr. THOMPSON was born in Macon County, Ala., December 30, 1860, where he resided during his life. In the forty years following the organization and establishment of State government in Alabama, Macon County was a center of the highest and best social influences, and it contributed powerful and noble men and women to the service of a true Christian civilization. Not many were very rich and none were very poor or even so deficient in the comforts of an independent living as to create a line of social distinction relating to the ownership of property.

Such a just and happy balance of social conditions always insures the contentment of the people and their development on the basis of personal merit. This social condition in the South has afforded room and sustentation for the growth of many of its noblest men and women.

The standard of merit and social distinction there has not been the possession of wealth or the inheritance of ancestral fame. It has been adjusted by personal worth and uprightness of character.

The county of Macon and the neighboring country was settled by enterprising immigrants from all of the old thirteen States, and their children are Americans in the best sense of that high calling. Mr. THOMPSON was born of a parentage that had no special claims to distinctions in talents or letters or in public service, and no property that had not been earned by honest industry, and no accomplishments that were not the simple but beautiful decorations of pure and virtuous lives, and no religion that could not have an altar in every respectable home and a controlling influence for good in every action and emotion.

The time of his birth was in the period of the great civil war. At its close he and all the children of the South who still had the spirit of their fathers and mothers had to look through the smoke of battle and conflagration to catch a glimpse of the star of hope that still shone dimly and with uncertain light on the dark horizon of the future. But that generation has not failed to heed its light or to follow its leading. "The resurrection and the life" are given to all men that die, but the children of the South were compelled to fight different and, in the sense of suffering, harder battles than their fathers had won or lost for the chance of a new life that would carry in its horoscope the future liberties and the prestige of the race to which they and their fathers belonged.

Mr. THOMPSON was of that great number and, as many thousands have done, he searched among the ruins for the material and the tools with which to rebuild wrecked fortunes and the places of habitation. Through dint of the blood and spirit they inherited, and through faith in God, whose service they love, they have surmounted almost the last obstacle to their restoration.

The deliverance of the South from the curse entailed upon us by the covetousness of people foreign to us, which for centuries has brooded over the fairest land in the world, will not be long delayed, and his comrades and contemporaries lament that he passed away without having witnessed the opening triumph of the movement in which he labored so earnestly.

His greatest honors will not be written on historical pages or on monuments dedicated to his memory. They live, and will continue to live, in the hearts of those who knew him best—his neighbors and associates.

He died in the Lenten season, on the 20th of March, 1904, when the Christian world contemplates suffering and death—the winter season of penitence, the season when faith looks forward to the springtime of a new life. He died in the budding season of hope, when, seeking a new life freed from the decay of the old life and the moldering cerements of the tomb, the souls of men begin to take courage and even to rejoice in the hope of life everlasting.

It was in the quickening power of this season that a daughter of Alabama perceived and declared, through the single sense of touch, which was the only means of communication with the outer world that was left to her, the truth of the divine promise of the resurrection and the new life, and gave her conception of the "Easter season" to the world.

Her exquisite delineation of immortality could not have been the result of teaching, but of inward thought. It is so clear that it demonstrates its truth. It is the inward thought of a pure soul that had no possible guide but that of her own conception of the truth that could lead her thoughts to its discovery through the processes of reasoning. It requires more than all the senses to comprehend a life after death, and Helen Keller had only the sense of touch, yet she comprehends this mystery. Her inspiration is the true work of faith, aside from revelation.

Helen Keller's knowledge of death is as certain as if she had seen others die, and her knowledge of the life to come is an act of faith no less convincing to her inward consciousness. This knowledge may not be an inspiration given to this wonderful girl. It is, however, an inward consciousness—an act of faith—that, in some form and at some time, convinces every sentient human being.

This young woman was born and nurtured in the circle I have described as being neither rich nor poor, nor great, nor yet unknown. Her kindred are among the pillars of society in Alabama—the heads of good families, of which the strength and distribution resembles that of the sturdy oaks of the forests of the South. It is only a fitting tribute to one who appreciated the grand and beautiful sermon of Helen Keller's life, and who revered her almost as if she was an angel of light, to quote from her "Spirit of Easter" these lines of thought expressed by her touch, that recall the tongues of pentecostal flame. They are words of appropriate farewell from Alabama to her worthy son:

> Belief in eternal life compels us to believe in good deeds and honest thoughts.
>
> The good man toils not for to-day, not for to-morrow alone, but because he knows that his labor shall survive long after his hand has fallen from the plow.
>
> The good man pours himself into the world and makes it new. He is among the blessed who win sight out of blindness, order out of chaos, and life out of death.

These thoughts, I believe, define the purpose of the life work of the worthy son of Alabama whose obsequies the Senate is now celebrating, and I quote them as a legend appropriate for his tomb.

Let the people of Alabama feel in this hour of sad reflection the safe assurance of restoration to their former dignity and power that must come and will come through the virtues and labors of their sons and daughters.

Let them read and understand their future in the light of these prophetic words of the beloved daughter, Helen Keller:

> Since the first Easter morning the soul of man has shone with unwasting light; for then he looked into the radiant face of the risen Christ and knew that God's universe shapes itself not to destruction, but to a yet more glorious genesis.
>
> Out of night He bringeth day and out of death life everlasting.

Alabama has passed the darkness of the night. "The bars of night are broken." "The bird is on the wing," and the breaking of the dawn heralds the returning sun that cheered our fathers in the days when they met dangers on the halfway ground and accepted distress as a sacrifice due to their convictions of duty.

I find pleasure and, I hope, profit to the young men of Alabama in stating the grounds—the basis on which the people of that State placed their sincere affection for CHARLES W. THOMPSON.

It was not that he was considered a "model man," in whose life and example there was no flaw or occasion for criticism. He did not so regard himself, nor did he believe or aspire to the hope in respect of which personal vanity so often misleads excellent young men—the hope of being able, without divine help, to fashion character into the full stature and perfect development of a model man.

He has left a good example, well established by a modest, sincere, useful, and honorable career.

He has done as much at 44 years of age to gain the confidence of his neighbors and the admiration and applause of the people of a great State as very able men of greater age have accomplished.

Measured by such a standard, which, after all, is very high, CHARLES W. THOMPSON must be ranked with the men to whom the people attribute greatness and goodness as their grateful reward for faithful public service. He was not conspicuous for the brilliancy of such intellectual powers as captivate audiences by special gifts of oratory, or for the wisdom of utterances that will become standards of thought for coming generations; but, better than this, he taught by his example and his words of good counsel through which his influence for good is a permanent and enduring work.

His life was a steady, reliable light, that did not flame out at times with extraordinary brightness, but, in its uniform glow, guided many into the better ways of life and the people in safe roads to prosperity. It was not a false light, that allured his associates into evil, but a true light that all could follow without respect to their condition in life.

Men who have reached the period of longevity and experience where the present is the point of retrospection and the future is admeasured by the past realize that a good life, though it may be brief, is the most precious gift that a man can bequeath to his successors.

The life of Mr. THOMPSON is such a gift to his associates and to his constituents, and, lamenting its early close, they cherish the value of his excellent work and feel that his loss is a public bereavement.

Mr. DOLLIVER. Mr. President, I have often reflected upon that limitation on our lives here which, notwithstanding the opportunities for personal acquaintance, narrows our opportunities for that intimate knowledge of other men which is essential to a just estimate of their character and of their services.

I count it one of the fortunate things of my public life here that I had the means in an unusual measure to learn of the ideals and achievements of the Member of the House of Representatives to whose memory we are now paying our tribute. I sought his acquaintance, because, upon meeting him by chance, I found in him the type of what appeared to me to be a very large and broad public service. I found that he was thinking and dealing with those questions that lie nearest to our national life.

He had been born, as I myself had been, in a Southern State, at the very time of the outbreak of the civil war, in the midst of which so many of the institutions of our people either perished or were so transformed as to be hardly recognizable; and I think by that circumstance I was drawn near to this man. I found him thinking and talking and working for a better understanding between the sections of our common country. He had not shared the passions of the period of civil strife, and as he came to manhood he recognized that the welfare of the Republic, North and South, required a more perfect unity in thought and in feeling.

So, among the first things to which he devoted himself on coming to the national capital was to contribute to that better understanding between his own people and the people of the North. He understood that the old questions were all gone, and that nothing remained to fortify the old prejudices except the want of knowledge which usually lies at the basis of all prejudice.

Among the first things he did as a Member of the House of Representatives was to invite his colleagues from other sections of the country to go with him upon a journey to his own home and partake of the hospitality of the community in the midst of which he had been reared. More than two score of his friends and acquaintances in both Houses of Congress went with him to Alabama, and the most beautiful thing about the man appeared to be the modest pride and dignity with which he took these strangers into the hearts and homes of the neighborhood in which he had lived all his life.

He was proud of the old State, proud of her people, proud of her progress, and anxious that others should know and appreciate them as he appreciated them.

I can imagine no better service that could be rendered to the people of the United States than a systematic effort to introduce every section of our country to every other section. I know of nothing that would more swiftly and more perfectly extinguish the prejudices and misunderstandings which may linger even for generations in a country with such scattered interests as ours.

He was not only anxious that the people of the North should know and appreciate the people of his own State, but he had special interest in bringing strangers from other sections of the country into contact with the really great and troublesome questions with which his people had to deal.

I have met no man, either in public or private life, who recognized more clearly that the great question with which the American people have to do in the next century is the question arising from the presence among us of 10,000,000 people once slaves, now free men, and standing in the midst of a republic, looking for their opening and prospect in life.

We have had in the last few years a good deal of discussion, much of it helpful, but much of it, I regret to say, harmful, as to what to do with these 10,000,000 people. From an intimate acquaintance with Mr. THOMPSON, I believe he comprehended that problem more perfectly than any of his contemporaries, or at least his comprehension of it was so simple and so effective as to be intelligible to those with whom he expressed his views and opinions.

He was a believer in the education of the South. He had secured what intellectual training he had in the common schools and academies and business colleges of the community in which he was brought up. He began his career in early manhood as a teacher and as a superintendent of public instruction in the community in which he lived. He knew, and lost no opportunity to emphasize the fact, that the salvation of the community in which he lived and the salvation of the whole country lies in that form of education which qualifies the ignorant and illiterate for the larger responsibilities that belong to citizenship in the United States.

So he devoted himself in all those years to a study of the question of bringing to the black race in the South that kind of education which would enable them to master their situation, to acquire property, and attain a substantial relation to the business community. With the best interests of both races in his heart, he saw that the task before him was to prepare the black people for the everyday duties of life, so that at length they might come naturally to the exercise of those rights which can not be permanently withheld under our form of government.

His heart was enlisted in the cause of industrial education for the white people of the South because he saw what has been so graphically described by the Senator from Alabama [Mr. MORGAN], that the civil war left the South prostrate, its occupations suspended, and the savings of generations wasted.

But he did not confine his activities or his sympathies to the white race. He had a glimpse of the larger philosophy of this world which recognizes that there can not be permanently in a country like ours two levels of civilization; that ultimately there will be one level, and that the lowest. And so he bent himself to the task of lifting an outcast and backward race from the degradation in which the civil war left it, by means of such a training as would fit it for the active duties of life.

He gave his sympathy and counsel and his money to the great experiment which is going on in the town in which he lived which is intended to fit the leaders, at least, of the colored race in the South for that guidance of their people without which all their proper rights under our institutions are vain and insubstantial.

He not only gave that far-reaching enterprise his good will, but out of the abundance with which the Lord had prospered him he gave his money and his constant support.

I believe that he better than anybody else, certainly better than anybody whom I have come in contact with, comprehended his problem; and while others who have studied it with less sympathy and less insight have been prone to disparage the work to which he gave his countenance and assistance, the time is coming when the benign work in which the Tuskegee Institute is engaged will be recognized all over the United States as the real emancipation of a race, the final deliverance of a people.

It has been a good many years since I have cherished even a passing animosity left over from the period of the civil war. It has been a good many years since I have felt in my heart any unkindness toward the people of the South. I recognize the fact that while the problem is not altogether theirs, but a problem of our whole civilization, the work of solving it in the nature of the case must be largely theirs. I take this opportunity of paying my tribute to Representative THOMPSON as the foremost man of the South in his leadership in the right direction where the interest of the negro race is involved.

His public service was brief, I think all too brief for his fame and for the fruition of the plans which he had in contemplation for the good of his people. They loved him and trusted him as few public men have been loved and trusted by any constituency. It was the unanimous testimony of those who went down to his home to stand with his neighbors by his grave that in all their experience they had never attended a funeral ceremony in which the hearts of all were touched by an affliction so evident and so grievous.

He was a man of wealth, a successful merchant, banker, and planter in that old community in which his ancestors had lived. Yet about his grave gathered the poor, the humble, black as well as white, and the universal sorrow of all attested the hold which his life had given him upon the affections of his people.

Such a career, even if it be brief, even if its conspicuous service be for only a few months, has no real ending in this world. Its final account can not be rendered until the good influences which he set on foot shall have fulfilled their errand, until the works of philanthropy and charity to which he gave his sympathy and his support have finished their ministry among the people whom they were intended to help. While his public life was cut short by death, the usefulness of the man has no end in this world, though his reward, as the reward of all faithful living, has come after the brief labors and trials of this strange life are over.

Mr. BERRY. Mr. President, Mr. THOMPSON was serving his second term in Congress at the time of his death. While I had met him in a casual way during his first term, I never knew him until the beginning of this session, when he came to live in the hotel where I have boarded for a number of years. During the entire winter I came in daily contact with him. We had frequent conversations on various subjects. There was scarcely a day passed in which I did not learn to know him better and to have a higher regard and a greater respect each day as the relations continued.

I think because I was a native of the State in which he lived we were thrown together more frequently, with a few exceptions, than I have been with any Member who does not live in my own State. As I learned to know him he impressed me as being earnest, kindly, considerate of the feelings of every human being with whom he came in contact, as a man who sought to contribute to the happiness of all those who surrounded him.

I learned in the conversations I had with him that his whole mind was devoted to the building up of the Southern States, and especially of the State of Alabama. He belonged to that progressive school which sought to bring immigration from every quarter, who earnestly sought to develop every resource within the great State in which he lived; and, as the Senator from Iowa [Mr. DOLLIVER] has just said, one of the great purposes he had in life was to bring about a more kindly feeling among all sections of the Union.

It may be that his mind did not so often revert and he did not so often speak of the suffering days of the past as some others who participated in that great strife, and yet I learned from him that whatever was honorable and whatever was glorious in the record of his State, either in peace or in war, was a source of pride and gratification to him; and he often spoke of the great men who had represented Alabama in this and the other House. But that which impressed me most about him was his universally kindly disposition, his high moral character, and his constant habit of trying to contribute to the happiness and to the good feeling which might exist between those with whom he came in contact.

It was a great shock to those of us living in that hotel when on that Sabbath evening the word went forth that CHARLEY THOMPSON was dying. We could scarcely realize that the man with whom we had come in daily contact for so many months, whom we had seen on the previous Sabbath as he attended church, and whom we had met in the parlor in the evening after his return—that in one short week, on the following Sabbath, his life was passing away.

When his friends were gathered about him on that Sunday evening; when his youngest boy, a mere lad, stood weeping by the bedside; and when the father had passed away, there came from the youth heartbroken sobs, and he asked the question: "Why has my father died?" The thought came to me that the same question for ages past has been asked, and asked in vain. The widowed wife, the devoted mother, the loving daughter, the faithful son, had often, as they stood at the deathbed of a loved one, asked: "Why has he died?" But no answer has ever come.

We only know that sooner or later death will come to us all, but where and when and why none can tell. There is no answer to the question. But if a man has so lived that he has faithfully discharged all his duties, he leaves to his children the inheritance of a good name, which far surpasses all the accumulated wealth of this world.

As the years go on, and those two boys who are left behind remember the high and lofty character of their father, the splendid life he lived, his freedom from all that was evil, and his attempt to promote all that was good, I think it will be a gratification to them to know that that father was honored and respected by every man who ever came in contact with him.

I think, too, Mr. President, it will be a comfort and consolation to them also to remember that in his dying hours, so long as his mind remained clear, his faith never faltered, his hope was never shaken, but that he believed in his death, as he believed in his life, in the truths of the Christian religion which he had learned from his mother and which he had taught to the two boys he left behind.

Mr. HOPKINS. Mr. President, I was a Member of the House of Representatives in the Fifty-seventh Congress. It was my last service in that body. Mr. THOMPSON was first elected to that Congress, and I knew him only as one of the new Members. During my service in the House in the Congress in which he was a Member there was but little opportunity for him to show the qualities of statesmanship that he undoubtedly possessed. His relations with the Members, however, on both sides of the Chamber were such as to early make him one of the marked men among the new Members.

That he achieved a good standing is evidenced from the fact that in the committee assignments of the Fifty-eighth Congress Speaker CANNON placed him upon the important Committee of Banking and Currency.

Mr. THOMPSON had not yet reached his forty-fourth year when death claimed him. He had not yet reached the maturity of his intellectual powers, but his service in Congress had already given earnest of a very useful and distinguished public career.

Alabama has long been fortunate in the choice of her representatives in both branches of Congress. In the Senate, Senators MORGAN and PETTUS are both men not only of distinguished ability and ripe experience in the affairs of life as well as legislation, but men of great learning, who maintain the high character of the service in this Chamber which that great State has always exacted of her Senators.

The people in a number of the districts in that State have appreciated the advantages that come from long service of their Representatives and have been amply repaid by the distinguished ability and fidelity to them which has been shown by such Representatives as Messrs. BANKHEAD, CLAYTON, BURNETT, RICHARDSON, and UNDERWOOD. The long service that these men have had in the House of Representatives has given them favorable committee assignments and has enabled them to accomplish more for their districts and their State than could be accomplished by rotation in the membership of the House from that State regardless of the distinguished abilities that any new Member might possess.

The Members whom I have named have not only been loyal to their several districts, but have been keenly alive to the interests of Alabama and the entire Southland on all questions affecting that section, and have been thoroughly patriotic in their support of the General Government. Mr. THOMPSON gave promise of taking rank with these Members in the House on all questions of general legislation, and especially on all questions that affected his district and State.

His life and career illustrate the possibilities of American citizenship. He first saw the light of day on a plantation in Macon County, near Tuskegee, Ala. His childhood years were filled with incidents that are common to the life of the average American boy. He early developed an ambition to gain an education and to improve his condition in life. After acquiring all the education that could be secured in the common schools of the county in which he was born he went to Tuskegee and there attended the Park High School, studying many of the higher branches of education and qualifying himself for the work which fortune had destined him to undertake in after life.

He was successful in all of his undertakings. He was a large owner of real estate and took an earnest interest in improving the condition of farm life in Alabama. He was also a business man of rare ability, and at the time of his decease was the president of the bank at Tuskegee. Like most American citizens, he early took an interest in politics. The first political office that he ever held was that of county superintendent of education of Macon County, his native county. He was elected to this position when he was only 26 years of age and held it for two years, discharging his duties in a manner that was not only satisfactory to his constituency, but creditable to himself.

For the next ten years he devoted his attention to his plantations and to his business, in which he was eminently successful. When he again essayed to enter political life, it was to represent the twenty-sixth senatorial district in the senate of Alabama. His service there was of such a character that his constituency determined that he was a fit man to represent them in the National House of Representatives, and they accordingly, at the expiration of his term of service as State senator, elected him as

a Member from the district in which he was born to the Fifty-seventh Congress.

No higher tribute could be paid to his worth than this. The people who thus honored him were many of them those who had known him from his earliest childhood, and who had noted his advancement from one position to another, and with satisfaction had marked the fact that with each succeeding honor that had been thrust upon him he had shown the qualities of heart and head that not only justified the confidence of his constituents, but gave promise of a splendid future.

He was taken away, Mr. President, at a time when he was most useful to his old neighbors, friends, and constituents, and at a time, too, to which he had confidently looked forward as enabling him to not only work out the dreams of his boyhood ambitions, but to render a service to his people and State that would be of an enduring character.

His death is not only an irreparable loss to his family and kindred, but one that will be long felt by the people of his district and State. In the strenuous life that he passed in carrying on his various business enterprises and mingling in politics as actively as he did, he did not forget the teaching of the Savior of Mankind and his obligation to his God. He exemplified in his life the teaching of the Christian religion, and died in the faith of the Methodist Church.

Mr. PETTUS. Mr. President, the character and work of the dead Representative from Alabama have been portrayed to the Senate with more force and with more eloquent language than I can command.

I will only tell you of his burial at his home. I was one of the Senate committee sent to Alabama to attend the funeral ceremonies.

Our dead friend was born and reared in Tuskegee, in Macon County, Ala., where he lived at the time of his death.

Tuskegee is the county seat. It is a village in the east central part of the State, and it has long been the home of an educated, orderly, and honorable population. It has been the location of useful schools for many years.

The train conveying the body of Mr. THOMPSON and the official escort arrived at Tuskegee about 10 o'clock at night; and it was met at the depot by a great concourse of the people, white and black, ready to do all in their power to show their respect and affection for their dead friend. It was a solemn and sorrowing gathering of the whole population.

Next day the people from the county came from every part and in great numbers; and many came from other parts of the State to pay a last tribute to the dead.

The funeral services were conducted in the Methodist Church, of which our dead friend had long been a member.

Mr. THOMPSON was a prosperous business man, full of business energy and work, and he had the power and the disposition to do many acts of kindness to others. His manner was bright, cheerful, and gracious. So his work and his charity, though not ostentatious, became well known.

The poet has well said:

> The world, which credits what is done,
> Is cold to all that might have been.

Such a burial by that people could never come to any man unless they could say of him, "Well done, good and faithful man."

Mr. President, I ask for the adoption of the resolutions.

The resolutions were unanimously agreed to; and accordingly (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, April 26, 1904, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *April 25, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

MARY H. CORNELL.

The SPEAKER laid before the House the bill (S. 76) granting a pension to Mary H. Cornell, with House amendment disagreed to by the Senate.

Mr. LOUDENSLAGER. Mr. Speaker, I move that the House insist on its amendment and agree to the conference asked by the Senate.

The motion was agreed to.

The SPEAKER. The Chair appoints Mr. LOUDENSLAGER, Mr. PATTERSON of Pennsylvania, and Mr. RICHARDSON of Alabama as conferees on the part of the House.

ANNIE COLT M'COOK.

The SPEAKER also laid before the House the bill (S. 3489) granting a pension to Annie Colt McCook, with House amendment disagreed to by the Senate.

Mr. LOUDENSLAGER. Mr. Speaker, I move that the House further insist on its amendment and agree to the conference requested by the Senate.

The motion was agreed to.

The SPEAKER. The Chair appoints Mr. LOUDENSLAGER, Mr. PATTERSON of Pennsylvania, and Mr. RICHARDSON of Alabama as conferees on the part of the House.

MARTHA W. CUSHING.

The SPEAKER also laid before the House the bill (S. 3734) granting an increase of pension to Martha W. Cushing, with House amendment disagreed to by the Senate.

Mr. LOUDENSLAGER. Mr. Speaker, I move that the House further insist on its amendment and agree to the conference requested by the Senate.

The motion was agreed to.

The SPEAKER. The Chair appoints Mr. LOUDENSLAGER, Mr. PATTERSON of Pennsylvania, and Mr. RICHARDSON of Alabama as conferees on the part of the House.

CLARA M. GIHON.

The SPEAKER laid before the House the bill (S. 128) granting an increase of pension to Clara M. Gihon, with House amendment disagreed to by the Senate.

Mr. LOUDENSLAGER. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendment and agree to the conference requested by the Senate.

The motion was agreed to.

The SPEAKER. The Chair appoints Mr. LOUDENSLAGER, Mr. PATTERSON of Pennsylvania, and Mr. RICHARDSON of Alabama as conferees on the part of the House.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 2893. An act granting an increase of pension to Emanuel Morter;

S. 3329. An act granting a pension to Mary E. Strong;

S. 5184. An act granting a pension to Ethel Talley;

S. 5484. An act granting a pension to Burnetta B. Lehmann;

S. 1576. An act granting an increase of pension to Emily M. J. Cooley;

S. 1994. An act granting an increase of pension to Isabella Chivington;

S. 5416. An act granting an increase of pension to James A. Hopson;

S. 5492. An act granting an increase of pension to Mary T. Holden;

S. 5263. An act granting a pension to Anne M. Espolucci;

S. 922. An act granting an increase of pension to William S. Devlan;

S. 183. An act granting an increase of pension to John W. Currier;

S. 3791. An act granting an increase of pension to Edwin J. Tenney;

S. 3640. An act granting an increase of pension to John S. Stevens;

S. 3033. An act granting an increase of pension to Charles B. Williams;

S. 5556. An act granting an increase of pension to Sarah A. Hoback;

S. 216. An act granting an increase of pension to Nelson Wells;

S. 3502. An act granting an increase of pension to Joseph W. Willis;

S. 3414. An act granting an increase of pension to Henry Wheeler;

S. 1421. An act granting an increase of pension to Charles L. Houghton;

S. 2578. An act granting an increase of pension to Sylvester Beezley;

S. 5423. An act granting an increase of pension to Ellen J. Morton;

S. 3175. An act granting an increase of pension to Rachael H. Coleman;

S. 2414. An act granting an increase of pension to Elise Habercomb; and

S. 2745. An act granting an increase of pension to Thomas Howard.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 11063. An act granting an increase of pension to Robert L. McMurtry;

H. R. 10182. An act granting an increase of pension to Isaac Innis;

H. R. 10062. An act granting an increase of pension to Oscar Murray;

H. R. 9963. An act granting a pension to Grace Miller;
H. R. 8921. An act granting an increase of pension to John McCollister;
H. R. 8822. An act granting a pension to Bird L. Francis;
H. R. 13364. An act granting an increase of pension to John Cook;
H. R. 10544. An act granting an increase of pension to Henry H. Rhoads;
H. R. 10270. An act granting a pension to Mary F. Kenaday;
H. R. 13527. An act granting an increase of pension to William Odenheimer;
H. R. 13518. An act granting an increase of pension to Chester R. Heath;
H. R. 13494. An act granting a pension to Cader B. Brent;
H. R. 13869. An act granting a pension to Sarah M. Greer;
H. R. 13371. An act granting an increase of pension to James T. Thompson;
H. R. 13363. An act granting an increase of pension to Benjamin L. Commons;
H. R. 14270. An act granting an increase of pension to Loucinda M. Thompson;
H. R. 12194. An act granting an increase of pension to Nathaniel Warren;
H. R. 13115. An act granting a pension to Sarah Jane Van Alstine;
H. R. 12727. An act granting an increase of pension to Theodore Coonley;
H. R. 14017. An act granting an increase of pension to Lotis Voll;
H. R. 12164. An act granting an increase of pension to Joseph Davis;
H. R. 14658. An act granting an increase of pension to Juliana H. Barry;
H. R. 11293. An act granting an increase of pension to Frank Fuchs;
H. R. 10288. An act granting an increase of pension to Anna E. Harman;
H. R. 10286. An act granting a pension to Ellen M. Malloy;
H. R. 9788. An act granting an increase of pension to George W. Blanchard;
H. R. 9393. An act granting an increase of pension to Thomas P. Ryan;
H. R. 6343. An act granting a pension to Harry Hirschensohn;
H. R. 12400. An act granting a pension to Ellen Cain;
H. R. 13687. An act granting an increase of pension to Henry A. Davies;
H. R. 14145. An act granting an increase of pension to Abel D. Brooks;
H. R. 13071. An act granting an increase of pension to John S. Whitmore;
H. R. 13743. An act granting an increase of pension to David C. Welch;
H. R. 13543. An act granting an increase of pension to Henry Clay Hall;
H. R. 11843. An act granting an increase of pension to William Hall;
H. R. 12966. An act granting an increase of pension to Charles H. Lakey;
H. R. 5033. An act granting an increase of pension to Rowland J. Roberts;
H. R. 3805. An act granting an increase of pension to Mary A. Disbrow;
H. R. 1339. An act granting an increase of pension to Joseph P. Scott;
H. R. 3265. An act granting an increase of pension to Catharine Cook;
H. R. 13328. An act granting a pension to Martin R. Gentry;
H. R. 14579. An act granting an increase of pension to Elizabeth J. Moore;
H. R. 14518. An act granting a pension to Henderson Evins;
H. R. 12652. An act granting an increase of pension to Mary L. Johnson;
H. R. 12529. An act granting a pension to Sarah Greene;
H. R. 14517. An act granting a pension to Lillie A. Schoppaul;
H. R. 14363. An act granting an increase of pension to Pocahontas C. Monteiro;
H. R. 14179. An act granting an increase of pension to Jesse Stinnett;
H. R. 12553. An act granting an increase of pension to Amaziah Havey;
H. R. 8496. An act granting an increase of pension to Joseph Howard;
H. R. 11193. An act granting an increase of pension to Abbie W. Griffin;
H. R. 2183. An act granting an increase of pension to Joseph A. Soule;
H. R. 13299. An act granting a pension to Edah A. Kittridge;
H. R. 10708. An act granting an increase of pension to Alfred A. Burrell;
H. R. 11315. An act granting an increase of pension to Christian Mott;
H. R. 9832. An act granting an increase of pension to Edwin M. Alden;
H. R. 9516. An act granting an increase of pension to Henry Johnson;
H. R. 9388. An act granting an increase of pension to Lineus V. Vance;
H. R. 8915. An act granting an increase of pension to Warren McCracken;
H. R. 737. An act granting an increase of pension to Albert Hemenway;
H. R. 747. An act granting an increase of pension to George D. Totman;
H. R. 748. An act granting an increase of pension to Eben H. Meader;
H. R. 6697. An act granting an increase of pension to Luther F. Palmer;
H. R. 4583. An act granting a pension to Ella C. Baker;
H. R. 13744. An act granting an increase of pension to Frederick C. Abel;
H. R. 12804. An act granting an increase of pension to Smith B. Mills;
H. R. 8787. An act granting an increase of pension to Robert W. Brasher;
H. R. 13937. An act granting an increase of pension to George W. Litherland;
H. R. 13650. An act granting an increase of pension to William J. Caldwell;
H. R. 14306. An act granting an increase of pension to Martha Taylor;
H. R. 9257. An act granting an increase of pension to John Ogden;
H. R. 8783. An act granting an increase of pension to Mary Ann Phipps;
H. R. 8469. An act granting a pension to Silas R. Harris;
H. R. 7471. An act granting an increase of pension to John Schade, sr.;
H. R. 13623. An act granting an increase of pension to Marion A. Carlile;
H. R. 8464. An act granting a pension to Susan T. Bunch;
H. R. 12676. An act granting an increase of pension to James A. Barber;
H. R. 13190. An act granting a pension to Eveline Crouch Dunbar;
H. R. 3829. An act granting an increase of pension to Eben Fuller;
H. R. 12105. An act granting an increase of pension to James A. Lowe;
H. R. 1045. An act granting a pension to Matilda Witt;
H. R. 12480. An act granting an increase of pension to Henry J. Arnold;
H. R. 12413. An act granting an increase of pension to Timothy Haley;
H. R. 8480. An act granting an increase of pension to Elijah Renrick;
H. R. 9387. An act granting an increase of pension to Alexander S. Hempstead;
H. R. 11776. An act granting a pension to Hugh Mooney;
H. R. 11748. An act granting an increase of pension to Edward E. Curran;
H. R. 11487. An act granting an increase of pension to John Wybrant;
H. R. 11468. An act granting an increase of pension to Edson G. Holcomb;
H. R. 11058. An act granting a pension to Mary Apple;
H. R. 12440. An act granting an increase of pension to Edward M. Shepard;
H. R. 9797. An act granting an increase of pension to Thomas Langridge
H. R. 8309. An act granting an increase of pension to William H. Broadwell;
H. R. 13196. An act granting an increase of pension to Fanny A. Hutchason;
H. R. 14278. An act granting an increase of pension to Byron Bowers;
H. R. 12591. An act granting an increase of pension to Thomas Haydock;
H. R. 13907. An act granting an increase of pension to John W. Hilton;
H. R. 9585. An act granting an increase of pension to Nelson McIntosh;
H. R. 7502. An act granting an increase of pension to John W. Moore;
H. R. 13879. An act granting an increase of pension to Abraham S. Van Fleet;

H. R. 13458. An act granting an increase of pension to Ezekiel Steel;
H. R. 5600. An act granting a pension to David Kimball;
H. R. 14149. An act granting an increase of pension to David Wills;
H. R. 14005. An act granting an increase of pension to George W. Jaques;
H. R. 14397. An act granting a pension to Mary E. Vanzant;
H. R. 14286. An act granting an increase of pension to Jennie L. Cardwell;
H. R. 2948. An act granting an increase of pension to John Wilson;
H. R. 13531. An act granting an increase of pension to Leyman L. Jones;
H. R. 14354. An act granting a pension to Peter Bunn;
H. R. 11536. An act granting an increase of pension to Mattie Graziani;
H. R. 9496. An act granting an increase of pension to Hester E. Bloor;
H. R. 8961. An act granting a pension to Francis E. Grisson;
H. R. 9839. An act granting an increase of pension to James A. Kemp;
H. R. 187. An act granting a pension to Clarissa Wolcott;
H. R. 4044. An act granting a pension to William H. Slough;
H. R. 186. An act granting an increase of pension to Amalia C. Young;
H. R. 11308. An act granting an increase of pension to Silas T. Overstreet;
H. R. 10642. An act granting an increase of pension to Garrett Stanley;
H. R. 14307. An act granting an increase of pension to Devernia White;
H. R. 13421. An act granting an increase of pension to Micajah Hill;
H. R. 13345. An act granting an increase of pension to Jeremiah Gill;
H. R. 13142. An act granting an increase of pension to William M. Lang;
H. R. 13792. An act granting an increase of pension to Ellenora Clavier;
H. R. 12253. An act granting an increase of pension to Margaret Dilley;
H. R. 13321. An act granting an increase of pension to John B. Mitchell;
H. R. 12993. An act granting an increase of pension to John Hotchkiss;
H. R. 12617. An act granting an increase of pension to Ezra V. Felton;
H. R. 12277. An act granting an increase of pension to James A. Rapp;
H. R. 13178. An act granting a pension to Julius H. Rogge;
H. R. 12992. An act granting an increase of pension to Henry Hiete;
H. R. 12783. An act granting a pension to Harlan Scarlett;
H. R. 8498. An act granting an increase of pension to Jonathan Klingenfus;
H. R. 12062. An act granting a pension to Edward H. Bennett;
H. R. 11576. An act granting an increase of pension to James E. Stalker;
H. R. 8386. An act granting an increase of pension to Andrew Esdell;
H. R. 14000. An act granting an increase of pension to Bradford A. Gehr;
H. R. 10555. An act granting an increase of pension to William L. Gerard;
H. R. 11150. An act granting an increase of pension to Marvin A. Wixson;
H. R. 12323. An act granting an increase of pension to Josiah Wood;
H. R. 12398. An act granting an increase of pension to Samuel N. Johnson.
H. R. 11259. An act granting an increase of pension to George W. Stennett;
H. R. 10699. An act granting an increase of pension to Henry J. Brockway;
H. R. 10169. An act granting an increase of pension to Isaac N. Flanagan;
H. R. 13110. An act granting an increase of pension to George C. Birch;
H. R. 10126. An act granting an increase of pension to Job Throckmorton;
H. R. 9978. An act granting an increase of pension to Samuel Iverson;
H. R. 905. An act granting an increase of pension to Franklin Webb;
H. R. 9740. An act granting an increase of pension to William W. Newton;
H. R. 9575. An act granting an increase of pension to John Donahoe;
H. R. 9427. An act granting an increase of pension to Chester H. Buck;
H. R. 12613. An act granting an increase of pension to Edward L. Haney;
H. R. 4907. An act granting a pension to Henry A. Hartley;
H. R. 12248. An act granting an increase of pension to Hezekiah Bruce;
H. R. 8709. An act granting an increase of pension to James A. Porter;
H. R. 13485. An act granting an increase of pension to William Glasgow;
H. R. 13767. An act granting an increase of pension to Daniel Pew;
H. R. 13409. An act granting an increase of pension to Alfred Small;
H. R. 5737. An act granting a pension to John Whitehead;
H. R. 13381. An act granting an increase of pension to John Calloway;
H. R. 14409. An act granting an increase of pension to William F. McMillan;
H. R. 14510. An act granting an increase of pension to Daniel M. Graves;
H. R. 12276. An act granting an increase of pension to Isaac W. Acker;
H. R. 12174. An act granting an increase of pension to John Smith;
H. R. 902. An act granting an increase of pension to Isaac C. B. Suman;
H. R. 4201. An act granting an increase of pension to Walker Wilson;
H. R. 2940. An act granting an increase of pension to Hester A. Hanback;
H. R. 1903. An act granting an increase of pension to Claudius Tifft;
H. R. 13643. An act granting an increase of pension to Joseph Welsh;
H. R. 14693. An act granting an increase of pension to Susan A. Schell;
H. R. 14102. An act granting an increase of pension to Robert W. Foster;
H. R. 1480. An act granting an increase of pension to Edgar W. Thornton;
H. R. 2462. An act granting a pension to Martha Briscoe;
H. R. 2994. An act granting an increase of pension to Minnie H. Eaton;
H. R. 5361. An act granting an increase of pension to Lucilius C. Moss;
H. R. 7985. An act granting a pension to Alice Jenifer;
H. R. 14155. An act granting an increase of pension to George W. Kinsey;
H. R. 13958. An act granting an increase of pension to Eliza A. Moss;
H. R. 13461. An act granting an increase of pension to William Curtis;
H. R. 6610. An act granting an increase of pension to Samuel Hendrickson;
H. R. 11989. An act granting a pension to Emma C. Dougal;
H. R. 12199. An act granting an increase of pension to James Bramble;
H. R. 9969. An act granting an increase of pension to James Frederic;
H. R. 13729. An act granting a pension to Margaret W. Goodwin;
H. R. 13669. An act granting an increase of pension to Mary E. Wyse;
H. R. 7245. An act granting an increase of pension to Prescilla C. Dodd;
H. R. 13712. An act granting an increase of pension to Urbanus Hubbs;
H. R. 14598. An act granting a pension to Joseph Otis;
H. R. 14016. An act granting an increase of pension to William Whealton;
H. R. 2367. An act granting a pension to Merton C. Sanborn;
H. R. 13405. An act granting an increase of pension to Harriet S. Gilbert;
H. R. 13728. An act granting a pension to Isabella McDowell;
H. R. 12526. An act granting an increase of pension to Henry Ford;
H. R. 784. An act granting an increase of pension to Joseph Vactor;
H. R. 785. An act granting an increase of pension to Henry C. Bobst;

H. R. 683. An act granting an increase of pension to Thomas A. Strohecker;

H. R. 8421. An act for the relief of Russell A. McKinley; and

H. R. 614. An act granting a pension to Michael O'Brien, alias Michael Clifford.

The message also announced that the Senate had passed with amendments bills of the following titles; in which the concurrence of the House of Representatives was requested:

H. R. 12666. An act granting an increase of pension to Henry E. W. Campbell;

H. R. 8790. An act granting a pension to C. Annette Buckel;

H. R. 14700. An act granting an increase of pension to H. C. Washburn;

H. R. 8285. An act granting an increase of pension to William S. Peck;

H. R. 14491. An act granting an increase of pension to Eli Prebble;

H. R. 13936. An act granting an increase of pension to John W. Thomas; and

H. R. 15054. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 2893. An act granting an increase of pension to Emanuel Morter—to the Committee on Invalid Pensions.

S. 3329. An act granting a pension to Mary E. Strong—to the Committee on Invalid Pensions.

S. 5184. An act granting a pension to Ethel Talley—to the Committee on Invalid Pensions.

S. 5484. An act granting a pension to Burnetta B. Lehmann—to the Committee on Invalid Pensions.

S. 1576. An act granting an increase of pension to Emily M. J. Cooley—to the Committee on Invalid Pensions.

S. 1994. An act granting an increase of pension to Isabella Chivington—to the Committee on Invalid Pensions.

S. 5416. An act granting an increase of pension to James A. Hopson—to the Committee on Invalid Pensions.

S. 5492. An act granting an increase of pension to Mary T. Holden—to the Committee on Invalid Pensions.

S. 5263. An act granting a pension to Anna M. Espolucci—to the Committee on Invalid Pensions.

S. 922. An act granting an increase of pension to William S. Devlan—to the Committee on Invalid Pensions.

S. 183. An act granting an increase of pension to John W. Currier—to the Committee on Invalid Pensions.

S. 3791. An act granting an increase of pension to Edwin J. Tenney—to the Committee on Invalid Pensions.

S. 3640. An act granting an increase of pension to John S. Stevens—to the Committee on Invalid pensions.

S. 3033. An act granting an increase of pension to Charles B. Williams—to the Committee on Invalid Pensions.

S. 5556. An act granting an increase of pension to Sarah A. Hoback—to the Committee on Invalid Pensions.

S. 216. An act granting an increase of pension to Nelson Wells—to the Committee on Invalid Pensions.

S. 3502. An act granting an increase of pension to Joseph W. Willis—to the Committee on Invalid Pensions.

S. 3414. An act granting an increase of pension to Henry Wheeler—to the Committee on Invalid Pensions.

S. 1421. An act granting an increase of pension to Charles L. Houghton—to the Committee on Invalid Pensions.

S. 2578. An act granting an increase of pension to Sylvester Beezley—to the Committee on Invalid Pensions.

S. 5423. An act granting an increase of pension to Ellen J. Morton—to the Committee on Invalid Pensions.

S. 3175. An act granting an increase of pension to Rachael H. Coleman—to the Committee on Pensions.

S. 2414. An act granting an increase of pension to Elise Habercomb—to the Committee on Invalid Pensions.

S. 2745. An act granting an increase of pension to Thomas Howard—to the Committee on Invalid Pensions.

EXECUTORS OF MARTIN DOWLING.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent for the present consideration of the following bill, reported unanimously from the Committee on Ways and Means.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the following bill, reported from the Committee on Ways and Means.

The Clerk read as follows:

A bill (S. 4651) for the relief of James T. Barry and Richard Cushion, executors of the last will and testament of Martin Dowling, deceased.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to abate the inheritance tax assessed against James T. Barry and Richard Cushion, executors of the last will and testament of Martin Dowling, of Rye, N. Y., as to so much of said estate as shall be established to his satisfaction to have been given to and vested in charitable or other institutions by said James T. Barry and Richard Cushion which under the war-revenue act of June 13, 1898, as amended by the acts of March 2, 1901, and June 22, 1902, would have been exempt from inheritance tax had the property been bequeathed by Martin Dowling direct to said institutions; and the said Secretary is further authorized to proportionately abate any of said assessment from time to time within the period of two years after the passage of this act, upon satisfactory proof of the further gift by said James T. Barry and Richard Cushion of any portion of said estate to any institution or institutions so exempt from inheritance tax as aforesaid. So far as such tax shall be abated under the provisions of this act, no inheritance tax shall be collected by reason of the passing of the legal title of said property to the said James T. Barry and Richard Cushion, and the said executors shall be, and are hereby, relieved from the payment of any such tax which may have attached to said property by reason of the said act of June 13, 1898.

The SPEAKER. Is there objection?

Mr. GILBERT. I reserve the right of objection for an explanation of the bill.

Mr. PAYNE. I can state the object of the bill in a little time, if the gentleman will give me his attention. The Rev. Martin Dowling, a Catholic priest, was about to die, and desired to give all his property to benevolent institutions of the Catholic Church. He lived at Rye, in the State of New York—not in my district, but in another district—and he called his brother priest to him and told him what he wanted, in the presence of witnesses. He told his brother priest the way he wanted it to go, but under the law of New York any will made giving direction of property to a benevolent institution is invalid unless made more than three months before the testator dies This man was about to die, so he made his desire known as to how this money should be disposed of, making a direct gift to his fellow-priest and made him the executor, and asked him to carry out his wishes in regard to benevolent institutions. A large part of the property has already been given up as he desired it to be done. This bill is simply to relieve the estate from the internal-revenue Spanish-war tax as to the actual amount that was given for benevolent purposes on satisfactory evidence presented to the Secretary of the Treasury, and is, of course, in accordance with our policy of exempting all of these benevolent institutions from that taxation.

Mr. GILBERT. I understand that this is from the Committee on Claims. Is that true?

The SPEAKER. No; it is from the Committee on Ways and Means.

Mr. PAYNE. It is a unanimous report from the Committee on Ways and Means.

Mr. GILBERT. It seems to be a meritorious bill.

The SPEAKER. The Chair hears no objection.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. PAYNE, a motion to reconsider the vote by which the bill was passed was laid on the table.

PAYMENT OF CHOCTAW AND CHICKASAW TOWN-SITE FUND.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 12382.

The bill was read, as follows:

A bill (H. R. 12382) authorizing the payment of the Choctaw and Chickasaw town-site fund, and for other purposes.

Be it enacted, etc., That the money now accumulated and which may be hereafter accumulated in the United States Treasury to the credit of the Choctaw and Chickasaw nations, derived from the sale of town lots in the said Choctaw and Chickasaw nations, shall be paid to the members of the Choctaw and Chickasaw tribes (freedmen excepted) in the manner following: That, beginning the 1st day of May, 1904, the said town-site money so accumulated shall be divided and paid to the Choctaws and Chickasaws (freedmen excepted), each member to receive an equal portion thereof.

SEC. 2. That no person claiming to be a member of the Choctaw or Chickasaw tribes shall be paid any portion of this fund until he or she has been enrolled as such member and the enrollment has been approved by the Secretary of the Interior: *Provided*, That there shall be reserved from payment of the town-site fund an amount equal to the sum of the pro rata shares of all persons claiming to be members of the Choctaw or Chickasaw tribes, entitled to share in this fund, whose claims are pending at the time said fund is divided for payment; and the money reserved shall be paid to such persons, if they be finally enrolled and their enrollment approved, in the same manner as other payments of town-site fund are made hereunder. That if the fund thus reserved, or any part of it, should not become payable by reason of the failure of the persons claiming citizenship to be enrolled or of their enrollment to be approved as herein provided, said reserved funds shall go back to the general town-site fund, to be divided and paid to the members of said tribes of approved enrollment as other town-site funds.

SEC. 3. That if any person whose name appears upon the rolls as herein provided shall have died subsequent to the 25th day of September, 1902, and before receiving his pro rata share of the accumulated town-site fund, the money to which such person would have been entitled if living shall be paid in his name to his legal representative.

SEC. 4. That following the payment to be made beginning the 1st day of May, 1904, as provided in this act, payments shall be made each year thereafter in like manner to the members of the Choctaw and Chickasaw tribes of approved enrollment of the fund accumulated from the sale of town lots in the Choctaw and Chickasaw nations, as aforesaid.

SEC. 5. That the payment of the town-site fund shall be under the direction of the Secretary of the Interior, as provided in section 19 of an act approved June 28, 1898, being "An act for the protection of the people of the Indian Territory, and for other purposes."

SEC. 6. That the Secretary of the Treasury be, and he is hereby, authorized, upon the request of the Secretary of the Interior, to deposit in the United States subtreasury at St. Louis, Mo., to the credit of the proper officer or person, to be designated by the Secretary of the Interior and

charged with the duty of paying out the town-site fund as herein provided, the accumulated town-site funds belonging to the Choctaw and Chickasaw nations at that time on deposit in the United States Treasury, or a sufficient amount thereof to carry out the purposes of this act.

SEC. 7. That all acts or parts of acts in conflict herewith are hereby repealed, and this act shall be in force from and after its passage.

The amendment recommended by the committee was read, as follows:

On page 1, line 10, after the word "four," add the following: "or as soon as practicable thereafter."

The SPEAKER. Is there objection?

Mr. PAYNE. Mr. Speaker, I would like to ask the gentleman if this bill has been unanimously reported from the Committee on Indian Affairs?

Mr. LITTLE. I will state to the gentleman from New York that the bill has been unanimously reported from the Committee on Indian Affairs, has the approval of the Secretary of the Interior, and is simply to carry out the treaty provisions made with these tribes, and pay them per capita this money.

Mr. PAYNE. I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears no objection.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was read the third time, and passed.

On motion of Mr. LITTLE, a motion to reconsider the vote by which the bill was passed was laid on the table.

LAWS RELATING TO MUNICIPAL CORPORATIONS IN ALASKA.

Mr. SPALDING. Mr. Speaker, by direction of the Committee on Territories I ask unanimous consent for the present consideration of the bill S. 3338.

The SPEAKER. The gentleman asks unanimous consent for the consideration of the following bill, which the Clerk will report.

The Clerk read as follows:

A bill (S. 3338) to amend and codify the laws relating to municipal corporations in the district of Alaska.

Be it enacted, etc., That any community in the district of Alaska having 300 or more permanent inhabitants may incorporate as a municipal corporation termed a "town" in the manner hereinafter provided. A petition praying for such incorporation shall first be presented to the judge of the United States district court presiding over the court in the judicial division in which the community seeking incorporation is located, which petition shall be signed by at least sixty male adults, bona fide residents of such community, and shall specify the boundaries and the number of inhabitants of the proposed corporation, and shall also specify the name by which it is to be known, and such other facts as may tend to show good grounds for such incorporation. The judge shall thereupon, by an order, fix the time and place for considering said petition, which time shall not be less than thirty days after the date of such order. A printed or typewritten copy of said order shall be posted in three of the most public places within the limits of the territory proposed to be incorporated at least thirty days prior to the time fixed for considering said petition.

At the time and place fixed for considering said petition the judge shall give a reasonable hearing to those who are in favor of and to those who are opposed to the same; and if he is satisfied that it is for the best interest and welfare of the community to be incorporated as a town he shall, by an order, so adjudge; and he may, by the order, change or modify the proposed boundaries. He shall also, by said order, designate the name and the boundaries of the corporation, and the time and place when and where an election shall be held to determine whether the people of the community desire to be incorporated; and he shall also, by said order, appoint three qualified voters to act as judges of such election. A printed or typewritten copy of said order shall be posted at three of the most public places within the limit of the proposed corporation at least thirty days prior to the day of election, and such posting shall be deemed a sufficient notice of such election.

SEC. 2. That every male person 21 years of age who is a citizen of the United States or has declared his intention to become such, and who has resided continuously one year next preceding the election in the district of Alaska, and six months next preceding the election within the limits of the proposed corporation, shall be qualified to vote at said or any subsequent municipal election. Said election shall be by printed or written ballot in the following form, to wit: "For incorporation of the town of (name of proposed corporation)," or "against incorporation of the town of (name of proposed corporation)."

The qualified electors of the community proposed to be incorporated may also at said election by a separate ballot choose a common council of seven members who shall be qualified electors of the community. The said judges of election shall before entering upon the duties of their office take an oath in writing to faithfully and impartially discharge the duties of their trust, and they shall duly canvass and compile the vote cast and issue under their hands and seals a certificate in triplicate showing the number of votes cast in favor of incorporation and the number of votes cast against incorporation. One of said triplicate certificates, together with all the ballots cast and the oaths of the judges of elections, shall immediately be filed with the clerk of the district court in the division in which the community proposed to be incorporated is situate, another of said certificates shall be filed with the secretary of the district of Alaska, and the third of said certificates shall be filed with the commissioner of the precinct in which said community is located. If it shall appear from the said triplicate certificate of election filed with the clerk of the district court as aforesaid that two-thirds or more of the votes cast at said election were in favor of incorporation and that the provisions of law relating to incorporation have been substantially complied with then the district judge shall, by an order in writing entered in the records of the court, duly adjudge and declare that the community in which such election has been held is, and shall be deemed to be, a municipal corporation under the name of "The town of (here insert name) in the district of Alaska," and the same shall from thenceforth be deemed a municipal corporation possessed of the powers and privileges hereinafter prescribed, and such other powers as may be given by law.

SEC. 3. That the said judges of election shall also canvass the votes given at said election for members of the common council, and shall declare the seven candidates who have received the greatest number of votes for such office duly elected, and shall issue and deliver to them certificates of their election. In case the community in which said election has been held becomes incorporated as aforesaid, the members of the common council chosen as aforesaid, as well as the members of such council chosen at subsequent elections, shall, before entering upon the duties of their office, severally take an oath in writing to honestly and faithfully discharge the duties of their trust, which oaths shall be filed with the clerk of the town. An annual election shall be held each and every year, on the first Tuesday of April, in every incorporated town in the district of Alaska for the election of members of the common council. The members of the council chosen at the first election shall hold their office until the next annual election and until their successors are elected and qualified, and the members of the council chosen at subsequent elections shall hold their office for the term of one year and until their successors are elected and qualified.

SEC. 4. That the said common council shall have and exercise the following powers:

First. To adopt rules and by-laws for their proceedings, and to elect one of their number president of the council, who shall also be ex officio mayor of the town and who when chosen shall continue to hold the position of president and ex officio mayor during the term for which the council was elected, and who shall take care that the ordinances and resolves of the council be faithfully executed.

Second. To appoint a clerk, a treasurer, an assessor, a municipal magistrate, a municipal attorney, a chief of police, and such other officials or employees as may be necessary, but none of such officers or employees shall be appointed for a longer term than one year.

Third. To make suitable provision for municipal and other elections, and to appoint three judges and two clerks of election for each polling place in the town.

Fourth. To provide for the location, construction, and maintenance of the necessary streets, alleys, crossings, sidewalks, sewers, and wharves. If such street, alley, sidewalk, or sewer, or parts thereof, is located and constructed upon the petition of the owners of two-thirds in value of the property abutting upon and affected by such improvement, then two-thirds of the cost of the same may, in the discretion of the council, be collected by the assessment and levy of a tax against the abutting property, and such tax shall be a lien upon the same and may be collected as other real estate taxes are collected.

Fifth. To provide for the location and construction, for a limited distance and to a limited extent, of trails and wagon roads outside of the limits of the town, but leading to and from the same, where such roads and trails are necessary for promoting the welfare and prosperity of the town, but no money shall be expended for such purpose except upon the unanimous vote of the entire council unless the qualified voters of the town have at an annual election by ballot, by a two-thirds vote, voted in favor of such expenditure.

Sixth. To provide for fire protection, water supply, lights, wharfage, public health, and police protection, and the relief of the destitute and indigent.

Seventh. To assess, levy, and collect a poll tax of not less than $2 nor more than $4 per year on all male residents over 21 and under 50 years of age who are not active members, serving without pay, of a volunteer fire company in the town. Such tax shall be a lien upon and may be collected from any real or personal property of the person against whom the tax is levied except wearing apparel and household furniture less than $300 in value.

Eighth. To levy a tax of not more than $2 per year upon each dog against the person who keeps the same, and to provide for the impounding or killing of the dog in case the tax is not paid or in case the dog is vicious or dangerous to life or health.

Ninth. To assess, levy, and collect a general tax for school and municipal purposes, not to exceed 2 per cent of the assessed valuation, upon all real and personal property, and to declare the same a lien upon such property and to enforce the collection of such lien by foreclosure, levy, distress, and sale: *Provided, however*, That all property belonging to the municipality, all property used exclusively for religious, educational, and charitable purposes, and the household furniture of the head of a family or a householder not exceeding $200 in value, shall be exempt from such tax: *Provided further*, That the laws exempting certain property from levy and sale on execution shall not apply to said taxes or the collection of the same.

Tenth. To prohibit drunkenness, gambling, houses or places of ill-fame, disorderly conduct, or conduct endangering the public peace, public health, or public safety, to define such offenses, and to prescribe the punishment therefor, but such punishment shall not exceed in any case a fine of $100 or imprisonment in the municipal jail not exceeding ninety days, or both, in the discretion of the court, together with the costs of prosecution. The costs of such imprisonment shall be borne by the municipality and not by the United States. All fines and costs imposed and collected for violation of municipal ordinances shall belong to the municipality and be paid over to its treasurer. The municipal magistrate shall have jurisdiction of all actions for violation of municipal ordinances, and appeals shall lie from his judgments to the district court in the same manner as appeals from the judgments of ex officio justices of the peace.

Eleventh. To make due provision for the maintenance of a municipal jail and to provide the same with a keeper.

Twelfth. To establish one or more school districts, to provide the same with suitable schoolhouses, and to provide the necessary funds for the maintenance of schools, but such school districts and schools, when established, shall be under the supervision and control of a school board of three members, consisting of a director, a treasurer, and a clerk, to be elected annually by the vote of all adults who are citizens of the United States or who have declared their intention to become such and who are residents of the school district. The members of said board shall hold their office for the term of one year and until their successors are elected and qualified, and they shall each, before entering upon the duties of their office, take an oath, in writing, to honestly and faithfully discharge the duties of their trust. All money available for school purposes, except for the construction and equipment of schoolhouses and the acquisition of sites for the same, shall be transferred to the treasurer of said board, shall be expended under the direction of said board, and the treasurer of said board shall be the custodian of said money, and he shall, before entering upon the duties of his office, give his bond, with sufficient sureties, to the school district, in such sum as the common council may direct and subject to its approval, but not less than twice the amount that may come into his hands as treasurer, conditioned that he will honestly and faithfully disburse and account for all money that may come into his hands as such treasurer. The said board shall have the power to hire and employ the necessary teachers, to provide for heating and lighting the schoolhouse, and in general to do and perform everything necessary for the due maintenance of a proper school.

Thirteenth. To take such action by ordinance, resolution, or otherwise as may be necessary to protect and preserve the lives, the health, the safety, and the well-being of the people in the town and to publish all ordinances.

SEC. 5. That the common council may exercise their powers by ordinance or resolution, but no ordinance or resolution shall be valid unless adopted by a vote of four members of the council, at a meeting where not less than five members are present. The council shall have no authority to issue bonds or incur any bonded indebtedness, nor shall they have authority to incur a greater indebtedness or liability of any kind in any year than the current revenues of the municipality for that year.

SEC. 6. That the clerk appointed by the council shall attend its meetings, keep a full record of all its proceedings and of all disbursements of public money, and he shall also file and duly keep all the records and public papers of the town, and he shall to all intents and purposes be deemed to be the clerk and bookkeeper of the town and shall officiate as such.

The treasurer appointed by the council shall be the custodian of all the moneys of the town: *Provided*, That said treasurer shall pay over to the treasurer of the school district all moneys available for the maintenance of schools. He shall keep an itemized, full, and correct account of all moneys received and disbursed, and he shall pay out no money except upon an order signed by the ex officio mayor and countersigned by the clerk and specifying the object and purpose of the payment, and no such order shall be issued except upon vote of four members of the council at a meeting in which five members are present. He shall before entering upon the duties of his office give his bond to the town, with sufficient sureties to be approved by the council, in such sum as the council may direct, not less, however, than twice the amount of the public money that may come into his hands as treasurer during his term, which bond shall be conditioned that he will faithfully and honestly collect, keep, and disburse all the moneys belonging to the town, which bond shall be filed with and kept by the clerk of the town. The assessor appointed by the council shall once each year, at such time as the council may direct, duly list and assess all the taxable property of the town at its just and fair value. He shall file such list and assessment as soon as completed with the clerk of the town, and shall serve a notice of the filing of the same upon each person residing in the town whose property has been assessed. The council may review and revise the assessment, and may, upon proper evidence and conformable to justice, increase or diminish the same in individual cases, and when so revised and reviewed, and finally approved by the council, the same shall be deemed to be the true basis for the levy and assessment of taxes. The municipal attorney shall be the legal adviser of the council and the other town officials in reference to their official duties, and he shall represent the town as attorney in all civil and criminal prosecutions in which the town is interested.

All officers appointed by the council shall, before entering upon the duties of their office, severally take an oath, in writing, to honestly, faithfully, and impartially perform the duties of their office, which oath shall be filed with the clerk of the town. The council shall, at the beginning of the term of each officer appointed by them, by ordinance fix his compensation for the term, which compensation when so fixed shall be neither increased nor diminished during the term, nor shall said officers be entitled to receive, in any form or shape, any other or additional compensation. Any officer of the town, whether elective or appointive, may be removed from office for malfeasance, misfeasance, or nonfeasance in office, by the district court, in proceedings initiated upon the complaint of a taxpayer, and in which the officer complained of shall have full opportunity to appear and defend himself.

SEC. 7. That all license moneys collected by the clerk of the district court from any person for any business, trade, or occupation carried on within the limits of any incorporated town in the district of Alaska pursuant to the provisions of an act entitled "An act to define and punish crimes in the district of Alaska and to provide a code of criminal procedure for said district," approved March 3, 1899, and all acts or parts of acts amendatory thereof, shall by said clerk be paid over to the treasurer of such town, to be used for school and municipal purposes within the town. The clerk shall take a receipt for such money in triplicate, one of which receipts shall be filed with the Secretary of the Treasury, one with the Attorney-General of the United States, and one shall be retained by the clerk.

SEC. 8. That all acts and parts of acts inconsistent with this act are, to the extent of such inconsistency, hereby repealed; and the provisions of this act shall apply to and govern all municipal corporations heretofore created in the district of Alaska.

The SPEAKER. Is there objection?

Mr. MADDOX. Mr. Speaker, I object.

Mr. ROBINSON of Indiana. Mr. Speaker, will the gentleman withhold his objection for a brief explanation?

Mr. MADDOX. I will say, Mr. Speaker, if we had had order here, so we could have heard anything or known anything about what has been asked for I would not have objected; but I do not know anything about it, and nobody else could know, as they could not hear.

The SPEAKER. Does the gentleman withhold his objection for a statement from the gentleman from Indiana or the gentleman from North Dakota?

Mr. ROBINSON of Indiana. There are some special reasons, I think, why this legislation should pass.

The SPEAKER. Does the gentleman from Georgia withhold his objection?

Mr. MADDOX. I think, Mr. Speaker, that this sort of a bill should be considered at some other time rather than now. The committee may agree upon it entirely while some of us may have an objection to it, and, as I understand it, when these bills especially are asked for by unanimous consent the responsibility is upon every man in the House, and it is the duty of every man in the House to hear it, whether he wants to or not——

Mr. ROBINSON of Indiana. I think it is right, but——

Mr. MADDOX. It is impossible to hear, and therefore I insist upon the objection.

CONTINUING RIVER AND HARBOR IMPROVEMENTS.

Mr. BURTON. Mr. Speaker, I ask unanimous consent that the House disagree to the Senate amendments to the bill (H. R. 14754) entitled "An act providing for the restoration or maintenance of channels, or of river and harbor improvements, and for other purposes."

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 14754) entitled "An act providing for the restoration or maintenance of channels, or of river and harbor improvements, and for other purposes," with Senate amendments.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the House disagree to the Senate amendments. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

GENERAL DEFICIENCY BILL.

Mr. HEMENWAY. Mr. Speaker, I ask unanimous consent that the House nonconcur in the amendment to the bill H. R. 15054, the general deficiency bill, and request a conference.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 15054) entitled "An act making appropriation to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes," with sundry Senate amendments.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the House disagree to the Senate amendments and ask for a conference. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The SPEAKER announced the following conferees: Mr. HEMENWAY, Mr. VAN VOORHIS, and Mr. LIVINGSTON.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to a bill of the following title:

H. R. 12220. Making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12833) making appropriation to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes, had further insisted upon its amendments numbered 50, 51, 52, and 174, disagreed to by the House of Representatives, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALLISON, Mr. GALLINGER, and Mr. COCKRELL as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 875. An act for the relief of Harry C. Mix;

H. R. 14533. An act to change and fix the time for holding the district and circuit courts for the northern division of the eastern district of Tennessee; and

H. R. 14673. An act to create a new division of the southern judicial district of Iowa, and to provide for terms of court at Davenport, Iowa, and for a clerk for said court, and for other purposes.

AUTHORIZATION TO CANCEL A CERTAIN BOND OF KLAW & ERLANGER.

Mr. COCKRAN of New York. Mr. Speaker, I ask unanimous consent for the present consideration of a bill to authorize the Secretary of the Treasury, in his discretion, to cancel a bond given for the reexportation of some theatrical scenery, brought into this country under a bond, which was consumed in the great fire at the Iroquois Theater, Chicago.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 15128) to authorize the Secretary of the Treasury to cancel a certain bond of Klaw & Erlanger.

Be it enacted, etc., That, upon the production of satisfactory evidence to him of the destruction by fire at the port of Chicago on or about December 30, 1903, and March 8, 1904, of certain theatrical scenery, property, and apparel imported under the provisions of paragraph 645 of the tariff act of July 24, 1897, the Secretary of the Treasury be, and he is hereby, authorized to cancel a certain bond, No. 100, executed by the firm of Klaw & Erlanger as principals and George Bleistein and John R. Stirling as sureties, in accordance with the provisions of said paragraph 645 of the tariff act of July 24, 1897, and filed with the collector of customs at the port of Buffalo, N. Y., on September 25, 1903.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

On motion of Mr. COCKRAN of New York, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 14754) providing for the restoration or maintenance of channels, or of river and harbor improvements, and for other purposes, disagreed to by the House of Representatives, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ELKINS, Mr. NELSON, and Mr. BERRY as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendment bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 15228. An act establishing a regular term of the United States circuit and district courts at East St. Louis, Ill.

The message also announced that the Senate had insisted upon

its amendments to the bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. ALLISON, and Mr. TELLER as the conferees on the part of the Senate.

The message also announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 1320. An act to provide for the purchase of a site and the erection of a building thereon at Auburn, in the State of Maine.

The message also announced that the Senate had passed with amendment bills of the following titles; in which the concurrence of the House of Representatives was requested:

H. R. 14944. An act establishing a regular term of the United States circuit and district courts at Lewisburg, W. Va.; and

H. R. 1953. An act to provide for an additional associate justice of the supreme court of the Territory of New Mexico.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles; when the Speaker signed the same:

H. R. 14588. An act to revive and amend an act entitled "An act to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River, in the State of Louisiana, at or near Shreveport;"

H. R. 14590. An act to authorize the courts of county commissioners of Houston and Dale counties, Ala., to construct a bridge across the Choctawhatchee River, between Houston and Dale counties, Ala.;

H. R. 15165. An act to authorize the construction of a bridge across the navigable waters of St. Andrews Bay;

H. R. 12044. An act to authorize the establishment of a life-saving station at or near Eagle Harbor, Keweenaw Point, Mich.;

H. R. 2866. An act to amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.," approved April 24, 1888;

H. J. Res. 103. Joint resolution providing for printing annually the report of the Director of the Office of Experiment Stations, Department of Agriculture;

H. R. 13014. An act to authorize the appointment of road overseers and to create road districts in the district of Alaska, and for other purposes;

H. R. 6758. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1905, and for other purposes;

H. R. 13262. An act to confirm the title to lots 2, 3, 4, and 5, in square No. 979, in Washington, in the District of Columbia;

H. R. 4483. An act declaring each of the tunnels under the Chicago River an obstruction to navigation, and for other purposes; and

H. R. 15014. An act to enable the Secretary of War to permit the erection of a lock and dam in aid of navigation in the Tennessee River near Chattanooga, Tenn., and for other purposes.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 5210. An act granting an increase of pension to William L. Beach;

S. 5213. An act granting an increase of pension to Theodore J. Widney;

S. 5349. An act granting an increase of pension to Rebecca Aumen;

S. 5289. An act granting an increase of pension to Peter Baker;

S. 5282. An act granting an increase of pension to William P. Vohn;

S. 5270. An act granting an increase of pension to Ellen R. Ostrander;

S. 5265. An act granting an increase of pension to James Stout;

S. 5244. An act granting an increase of pension to John K. Whited;

S. 5230. An act granting an increase of pension to John D. Inger;

S. 4187. An act granting an increase of pension to William G. Thompkins;

S. 4171. An act granting an increase of pension to Thaddeus K. Miller;

S. 4086. An act granting an increase of pension to Ralph Van Brunt;

S. 4018. An act granting an increase of pension to James Gunn;

S. 3989. An act granting an increase of pension to Eugene Schilling;

S. 1343. An act to amend an act approved March 3, 1899, entitled "An act to amend an act entitled 'An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the volunteer army of the United States in the existing war with Spain,' approved July 8, 1898," etc., and for other purposes;

S. 5372. An act granting an increase of pension to Jesse W. McGahan;

S. 5076. An act granting an increase of pension to Stacey Williams;

S. 5034. An act granting an increase of pension to George A. Miller;

S. 4899. An act granting an increase of pension to Laura M. Gillmore;

S. 4679. An act granting an increase of pension to Samuel R. Shankland;

S. 4606. An act granting an increase of pension to Edward G. Horne;

S. 4341. An act granting an increase of pension to Henry Armstrong;

S. 4353. An act granting an increase of pension to Edward M. McCook;

S. 4340. An act granting an increase of pension to Rose MacFarlande;

S. 4337. An act granting an increase of pension to William H. Hess;

S. 4223. An act granting an increase of pension to William P. Jackson;

S. 3036. An act for the protection of the Bull Run Forest Reserve and the sources of the water supply of the city of Portland, State of Oregon;

S. 2268. An act to authorize the Absentee Wyandotte Indians to select certain lands, and for other purposes;

S. 5205. An act granting an increase of pension to Joseph Dickinson;

S. 5194. An act granting an increase of pension to Charles L. Overley;

S. 5191. An act granting an increase of pension to Elizabeth C. Way;

S. 5180. An act granting a pension to Thomas Smith;

S. 5179. An act granting an increase of pension to Alonzo Gardner;

S. 5161. An act granting an increase of pension to William H. Seip;

S. 5125. An act granting an increase of pension to William O. White;

S. 5111. An act granting an increase of pension to Charles W. Barrett;

S. 5101. An act granting an increase of pension to Lewis Y. Foster;

S. 5096. An act granting an increase of pension to Edmond G. Pugsley;

S. 5078. An act granting an increase of pension to Asa Smith;

S. 1687. An act granting an increase of pension to Harvey R. Backus;

S. 1564. An act granting an increase of pension to Daniel W. Working;

S. 1494. An act granting an increase of pension to Edward Colvin;

S. 1244. An act granting an increase of pension to Sue Stevens Eskridge;

S. 741. An act granting an increase of pension to William D. Woodward;

S. 682. An act granting an increase of pension to Jacob S. Grimes;

S. 538. An act granting an increase of pension to Alic W. Stoodley;

S. 493. An act granting an increase of pension to Richard E. Bouldin;

S. 433. An act granting an increase of pension to William L. Johnson;

S. 423. An act granting an increase of pension to Louisa Weaver;

S. 405. An act granting an increase of pension to Darius W. Owens;

S. 103. An act granting an increase of pension to Alexander D. Tanyer;

S. 73. An act granting an increase of pension to William H. Colwell;

S. 3054. An act granting an increase of pension to Kate M. Strange;

S. 3008. An act granting an increase of pension to John R. McMannomy;

S. 2803. An act granting an increase of pension to William H. Ijams;

S. 2730. An act granting an increase of pension to Jasper N. Jennings;

S. 2399. An act granting an increase of pension to Michael Nelligan;

S. 2396. An act granting an increase of pension to Clarissa Ann Lapoint;

S. 2367. An act granting an increase of pension to Ferdinand Mergel;
S. 2183. An act granting an increase of pension to David L. Miller;
S. 2116. An act granting an increase of pension to Edna Stevens;
S. 2011. An act granting a pension to Maggie E. Bamford;
S. 1909. An act granting an increase of pension to William Halliday;
S. 1808. An act granting a pension to James L. Dyer;
S. 1788. An act granting an increase of pension to Sarah E. Nichols;
S. 3915. An act granting an increase of pension to Benjamin F. Bollenger, alias Benjamin Bell;
S. 3890. An act granting an increase of pension to James N. Coulton;
S. 3666. An act granting an increase of pension to James W. Carrier;
S. 3665. An act granting an increase of pension to Ellen M. O'Connor;
S. 3616. An act granting an increase of pension to Frances E. Plummer;
S. 3432. An act granting an increase of pension to Rosaline V. Campbell;
S. 3335. An act granting an increase of pension to John Waldo;
S. 3334. An act granting an increase of pension to Frances G. Belknap;
S. 3245. An act granting an increase of pension to Oscar F. Bartlett;
S. 3304. An act granting an increase of pension to Andrew A. Kelley;
S. 3203. An act granting an increase of pension to George W. Foster;
S. 3151. An act granting an increase of pension to Hayden M. Thompson; and
S. 3119. An act granting an increase of pension to Raynor H. Newton.

CONSTRUCTION OF SMELTER ON COLVILLE INDIAN RESERVATION.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11586) to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to permit the Kellar and Indiana Consolidated Smelting Company, a corporation organized under the laws of the State of Washington, to construct a smelter in the immediate vicinity of the San Poil River, in the south half of the Colville Indian Reservation; that the smelter shall be located on the San Poil River, and that permission be granted to construct a flume from the site of the smelter to a point on the San Poil River where a water supply can be made available; that 6 acres of land be set aside for the site of the smelter, and a strip of land of sufficient width allowed for the erection and construction of the flume; that permission shall be given to the Kellar and Indiana Consolidated Smelting Company to purchase timber and stone necessary for the work of construction; that the Secretary of the Interior shall permit the work to be done under such rules and regulations as he may prescribe, and he shall also prescribe the prices the said Kellar and Indiana Consolidated Smelting Company shall pay for the land, the stone, and the timber used in the construction work.

The Clerk read the following committee amendment:

On page 2, line 10, after the word "work," insert: "*Provided*, That the laws regulating intercourse with Indians shall be applicable to the lands set aside under this act so long as the south half of the Colville Reservation remains as an Indian reservation."

The SPEAKER. Is there objection?

Mr. GAINES of Tennessee. Mr. Speaker, reserving the point of order, I would like to have an explanation of this bill.

Mr. CURTIS. Mr. Speaker, this bill authorizes the smelter company to purchase 6 acres of land upon which to build a smelter. The bill is recommended by the Secretary of the Interior and the Commissioner of Indian Affairs, and a petition is filed with the Commissioner of Indian Affairs, signed by every adult member of the tribe, asking for the passage of this bill.

Mr. GAINES of Tennessee. Has it the approval of the committee?

Mr. CURTIS. It has the unanimous report of the committee.

Mr. GAINES of Tennessee. Did the majority of the committee report it unanimously or all of the committee?

Mr. CURTIS. All of the committee. There was no vote against it at all. It is something that was asked for by the Indians and recommended by the Department.

Mr. GAINES of Tenneesee. Do the Indians ask that this smelter be erected?

Mr. CURTIS. No; they asked that the land be sold for the purpose of erecting a smelter.

Mr. GAINES of Tennessee. How are the Indians protected?

Mr. CURTIS. The Secretary of the Interior provides rules and regulations for the disposition of the land and for the sale of the timber and the stone.

Mr. GAINES of Tennessee. Well, Mr. Speaker, I understand that; but rules and regulations can be made and unmade before breakfast. I want to know what law protects the Indians against the invasions of this smelter company.

Mr. CURTIS. There is a proviso in the bill taking care of that, and if the laws are violated in any shape or form, the smelter company may be prosecuted in the United States courts.

Mr. GAINES of Tennessee. How does the law protect the Indians in that respect?

Mr. CURTIS. The United States district attorney shall prosecute in case any of the laws are violated.

The SPEAKER. Is there objection?

Mr. FINLEY. Mr. Speaker, I would like to ask the gentleman to what extent this company will necessarily purchase timber and stone?

Mr. CURTIS. Just enough to build the smelter. The smelter company is simply permitted to buy enough timber and stone to erect the smelter.

Mr. FINLEY. After the smelter is erected, I understand that they will not need any more timber.

Mr. CURTIS. No more; and none is authorized—the sale of no more is authorized.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, read the third time, and passed.

On motion of Mr. CURTIS, a motion to reconsider the last vote was laid on the table.

ISSUANCE OF LETTERS ROGATORY.

Mr. LEGARE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11582) authorizing the issuance of letters rogatory by the Commissioner of Patents and providing for the execution of letters rogatory issued from foreign patent offices; which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That section 875 of the Revised Statutes is amended by adding thereto the following sentence: "The Commissioner of Patents may issue letters rogatory to take the testimony of any witness in a foreign country to be used in a cause pending in his Office;" so that the section as amended shall read as follows:

"SEC. 875. When any commission or letter rogatory, issued to take the testimony of any witness in a foreign country in any suit in which the United States are parties or have an interest, is executed by the court or the commissioner to whom it is directed, it shall be returned by such court or commissioner to the minister or consul of the United States nearest the place where it is executed. On receiving the same, the said minister or consul shall indorse thereon a certificate, stating when and where the same was received, and that the said deposition is in the same condition as when he received it, and he shall thereupon transmit the said letter or commission so executed and certified, by mail, to the clerk of the court from which the same issued, in the manner in which his official dispatches are transmitted to the Government. And the testimony of witnesses so taken and returned shall be read as evidence on the trial of the suit in which it was taken, without objection as to the method of returning the same. [When letters rogatory are addressed from any court of a foreign country to any circuit court of the United States a commissioner of such circuit court designated by said court to make the examination of the witnesses mentioned in said letters shall have power to compel the witnesses to appear and depose in the same manner as witnesses may be compelled to appear and testify in courts.] The Commissioner of Patents may issue letters rogatory to take the testimony of any witness in a foreign country to be used in a cause pending in his Office."

SEC. 2. That section 4071 of the Revised Statutes is amended by adding thereto the following sentence: "Letters rogatory issued from patent offices which possess and exercise judicial functions, of foreign powers which require and permit similar procedure within their respective territories, containing interrogatories addressed to a witness or witnesses residing within the United States, to be used in a cause pending in such foreign patent office, shall be required and permitted to be executed by a district judge of the district within which the witness resides or shall be found, in the same manner as in the case of letters rogatory issued from a foreign court;" so that the section as amended shall read as follows:

"SEC. 4071. The testimony of any witness residing within the United States, to be used in any suit for the recovery of money or property depending in any court in any foreign country with which the United States are at peace and in which the government of such foreign country shall be a party or shall have an interest, may be obtained to be used in such suit. If a commission or letters rogatory to take such testimony, together with specific written interrogatories accompanying the same and addressed to such witness, shall have been issued from the court in which such suit is pending, on producing the same before the district judge of any district where the witness resides or shall be found, and on due proof being made to such judge that the testimony of any witness is material to the party desiring the same, such judge shall issue a summons to such witness requiring him to appear before the officer or commissioner named in such commission or letters rogatory to testify in such suit. And no witness shall be compelled to appear or to testify under this section except for the purpose of answering such interrogatories so issued and accompanying such commission or letters: *Provided*, That when counsel for all the parties attend the examination they may consent that questions in addition to those accompanying the commission or letters rogatory may be put to the witness, unless the commission or letters rogatory exclude such additional interrogatories.

"The summons shall specify the time and place at which the witness is required to attend, which place shall be within 100 miles of the place where the witness resides or shall be served with such summons. Letters rogatory issued from patent offices which possess and exercise judicial functions, of foreign powers which require and permit similar procedure within their respective territories, containing interrogatories addressed to a witness or witnesses residing within the United States, to be used in a cause pending in such foreign patent office, shall be required and permitted to be executed by

a district judge of the district within which the witness resides or shall be found, in the same manner as in the case of letters rogatory issued from a foreign court."

The SPEAKER. Is there objection?

Mr. CLAYTON. Mr. Speaker, reserving the right to object, I would like to know from what committee this bill comes.

Mr. LEGARE. Mr. Speaker, it comes from the Committee on Patents, and has their unanimous indorsement.

Mr. CLAYTON. And has been considered by a full committee?

Mr. LEGARE. Yes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, read the third time, and passed.

On motion of Mr. LEGARE, a motion to reconsider the last vote was laid on the table.

REMOVAL OF PORT OF ENTRY FROM SITKA, ALASKA, TO JUNEAU, ALASKA.

Mr. DALZELL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 1925) providing for the removal of the port of entry in the customs collection district in Alaska from Sitka, Alaska, to Juneau, Alaska, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That section 2592 of the Revised Statutes of the United States, second edition, 1878, be amended by striking out the word "Sitka" in the last line of the section and inserting in lieu thereof the word "Juneau." The collector of customs for the customs collection district of Alaska shall reside at Juneau, which is hereby made and constituted the port of entry for said district instead of Sitka.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, read the third time, and passed.

On motion of Mr. DALZELL, a motion to reconsider the last vote was laid on the table.

POST-OFFICE APPROPRIATION BILL.

Mr. OVERSTREET. Mr. Speaker, I submit a conference report upon the post-office appropriation bill, and ask that it be printed under the rules.

The SPEAKER. It will be printed under the rules.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13521) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 6, 7, 9, 16, 17, 18, 19, 20, 21, 22, 23, 24, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 63, 64, 65, 67, and 70.

That the House recede from its disagreement to the amendments of the Senate numbered 10, 12, 13, 14, 15, 25, 26, 28, 29, 30, 31, 42, 43, 44, 58, 62, 69, 71, and agree to the same.

Amendments numbered 3 and 4: That the House recede from its disagreement to the amendments of the Senate numbered 3 and 4, and agree to the same with an amendment as follows: Page 11, line 6, strike out all after "post-offices" down to and including "the allotment of same" in line 18, and including amendment No. 4, and insert in lieu thereof the following: "and for separating mails at third and fourth class post-offices, one million dollars: *Provided*, No part of this appropriation shall be disbursed until the Postmaster-General shall publish the rules or regulations governing the Department in the allotment of same: *Provided further*, That of the said one million dollars no greater sum than fifty thousand dollars shall be used for unusual business accruing at third and fourth class post-offices, and no greater sum than seven hundred and fifty thousand dollars shall be used for separating mails at third and fourth class post-offices: *And provided further*, That of the said one million dollars the sum of two hundred thousand dollars shall be available for allowances to third-class post-offices to cover cost of clerical services in accordance with the provisions stated in the paragraph next succeeding and in addition to the five hundred thousand dollars therein appropriated. And the Postmaster-General shall report to Congress, prior to February first, nineteen hundred and five, the method of application of this sum, and all the circumstances under which the appropriation has been disbursed;" and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: Strike out all of the matter inserted by amendment numbered 5, and insert in lieu thereof the following: "For allowance to third-class post-offices to cover the cost of clerical services, five hundred thousand dollars in addition to the two hundred thousand dollars appropriated for this service in the next preceding paragraph: *Provided*, That no allowance in excess of two hundred dollars shall be made where the salary of the postmaster is one thousand dollars, one thousand one hundred dollars, and one thousand two hundred dollars; nor in excess of three hundred dollars where the salary of the postmaster is one thousand three hundred dollars, one thousand four hundred dollars, and one thousand five hundred dollars; nor in excess of four hundred dollars where the salary of the postmaster is one thousand six hundred dollars, one thousand seven hundred dollars, one thousand eight hundred dollars, and one thousand nine hundred dollars;" and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: Strike out all of the matter contained in said amendment, and insert in lieu thereof the following: "For the acquisition in fee by purchase from the Pennsylvania, New York and Long Island Railroad Company of a site for a post-office building in the city of New York, State of New York, of the lot of land bounded by Eighth avenue, Thirty-first street, Thirty-third street, and a line drawn parallel with Eighth avenue, and distant four hundred and fifteen feet westwardly from the westerly house line thereof, the westerly thirty feet of said lot, between Thirty-first and Thirty-third streets, to be used for a private street, or way, to be constructed by the Government for its purposes in connection with said post-office building, subject, however, to the rights of said railroad company, its successors and assigns, to be specifically defined in the contract of conveyance of said site, to retain, occupy, and use the subsurface of said lot for its railroad and station purposes, and to the necessary reservations for purposes of light and air, one million seven hundred thousand dollars, or so much thereof as may be necessary, to be paid out of any money in the Treasury not otherwise appropriated, and not from nor chargeable to the revenues of the postal service: *Provided*, That such appropriation shall not become available until the Postmaster-General shall have certified to the Secretary of the Treasury that the terms, conditions, and limitations of such purchase and conveyance meet with his approval;" and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: Page 13, line 9, strike out all after the word "General" down to and including the word "Company," in line 16; and also strike out the amendment of the Senate reading as follows: "*Provided further*, That no part of this appropriation shall be expended for the telephone service required in any post-office except in cases where the opportunity to furnish such service is afforded to all companies supplying the same in the city where said post-office is located, and then only to the company proposing to furnish the best service at the lowest rate of compensation;" and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: Strike out the matter contained in said amendment and insert in lieu thereof the following: "from which sum may be paid the amount necessary to fulfill the existing contract for service in Boston;" and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "fifty-three;" so that it will read: "two hundred and fifty-three clerks, class six;" and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "forty-one;" so that it will read: "one thousand two hundred and forty-one clerks, class five;" and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "twenty-eight;" so that it will read: "five hundred and twenty-eight clerks, class five;" and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the

matter stricken out by said amendment insert the following: "seven hundred and twenty-six;" so that it will read: "one thousand seven hundred and twenty-six clerks, class four;" and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "fifty;" so that it will read: "one thousand five hundred and fifty clerks, class four;" and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "two hundred and eighteen;" so that it will read: "four thousand two hundred and eighteen clerks, class three;" and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "two thousand and thirty-one;" so that it will read: "two thousand and thirty-one clerks, class two;" and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "eight hundred and five;" so that it will read: "eight hundred and five clerks, class one;" and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the matter stricken out in said amendment insert the following: "thirteen million two hundred and twenty-four thousand;" so that it will read: "thirteen million two hundred and twenty-four thousand dollars;" and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: Strike out the matter contained in said amendment and insert in lieu thereof the following: "and for their necessary official expenses not covered by their per diem allowance, not exceeding five thousand dollars;" and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: Restore the following: "For fees to special-delivery messengers, nine hundred thousand dollars;" and add after the word "dollars," page 25, line 9, the following: "*Provided*, That nothing in this act contained shall be construed to repeal or in any manner modify section one hundred and sixty-one of the Revised Statutes of the United States in its application to the Post-Office Department;" and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the matter contained in said amendment insert the following: "eighteen;" so that it will read: "eighteen rural agents, at one thousand five hundred dollars each;" and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the matter contained in said amendment insert the following: "eighteen;" so that it will read: "eighteen rural agents, at one thousand four hundred dollars each;" and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the matter contained in said amendment insert the following: "two hundred and twelve thousand seven hundred;" and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In lieu of the matter contained in said amendment insert the following: "eighty-six;" so that it will read: "eighty-six rural agents in the field;" and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the matter contained in said amendment insert the following: "One hundred and three thousand two hundred dollars;" and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: Of the matter contained in said amendment strike out the following portion: "It shall be the duty of the purchasing agent to report to Congress at the commencement of every regular session. This report shall contain a schedule embracing the bids by classes, including the name of the bidder and the prices named, indicating such as have been accepted;" and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: Restore the words "and their headquarters," and add after the word "headquarters" the following: "except in cases of post-office inspectors while temporarily located at any place on business away from home, or their designated domicile, for a period not exceeding twenty consecutive days at any one place, and the Postmaster-General shall designate an official domicile and headquarters within the division or territory to which such officer or employee is assigned;" and the Senate agree to the same.

JESSE OVERSTREET,
J. J. GARDNER,
Managers on the part of the House.

BOIES PENROSE,
J. P. DOLLIVER,
A. S. CLAY,
Managers on the part of the Senate.

I concur in this report except as to Nos. 42 and 43.

JOHN A. MOON.

The statement of the House conferees is as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13521) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1905, submit the following written statement in explanation of the effect of the action agreed upon in the accompanying conference report on each of the Senate amendments, namely:

The Senate made seventy-one amendments to the bill, involving an increase of $3,263,182.

By the action of the conferees, submitted in the accompanying report, the House recedes upon amendments involving an increase of $2,201,292. The Senate receded on amendments involving $1,061,890.

The bill as passed by the House carried $170,466,088.75.

As agreed to by conferees, the bill carries $172,667,380.75, of which sum $170,967,380.75 is chargeable to the postal revenues and $1,700,000 chargeable to the general fund.

Amendments Nos. 1 and 2: The effect of the action of the conferees is to leave the appropriations for compensation to substitutes and for temporary clerk hire in first and second class offices in separate items, in the same manner as the bill passed the House and as is now provided in current law.

Amendments Nos. 3, 4, and 5: The House appropriated $500,000 for unusual business at third and fourth class post-offices and $1,000,000 for separating service at those offices. The action of the Senate consolidated the items for separating service and unusual business, and allowed a sum therefor of $1,000,000. It also designated $500,000, by amendment No. 5, for clerical services in third-class offices. By the action of the conferees the sum of $50,000 is appropriated for unusual business at third and fourth class post-offices, $750,000 for separating service at those offices, and $700,000 for allowances to third-class post-offices, to be used for clerical service in conformity with a schedule which permits the allowance of not exceeding $200 to offices where the salary of the postmaster is $1,000, $1,100, and $1,200; not exceeding $300 to offices where the salary of the postmaster is $1,300, $1,400, and $1,500, and not exceeding $400 to offices where the salary of the postmaster is $1,600, $1,700, $1,800, and $1,900. The provisions which passed the House requiring the Postmaster-General to publish the rules or regulations governing the allotment of the various sums, and also requiring him to report to Congress prior to February 1, 1905, the method of application of the appropriations and the circumstances under which they have been disbursed, are retained.

Amendment No. 6: By the action of the conferees the House language permitting the lease of building in New York for a period of twenty-five years is retained. The amendment of the Senate would have reduced it to ten years.

Amendment No. 7: By the action of the conferees the amendment of the Senate No. 7, providing that the rental paid for post-office facilities in New York shall not exceed a certain percentage of the appraised value of the building occupied over the New York Central tracks, was stricken out.

Amendment No. 8: This amendment provided for the purchase of a post-office site in the city of New York from the Pennsyl-

vania, New York and Long Island Railroad Company, and an appropriation therefor of $2,000,000. By the action of the conferees an agreement has been reached whereby an appropriation of $1,700,000 is made for the purchase in fee of such site, containing 100,000 square feet of area, the boundaries of the property being stated, and such limitations and conditions placed upon the disbursement of the money as, it is believed, will amply protect the Government, secure adequate quarters for post-office facilities at the point designated, and prevent the money paid from being charged to the postal revenues.

Amendment No. 9: The action of the conferees on this amendment struck out the provision permitting the acquisition of a site in the city of Washington for an addition to the Post-Office building.

Amendment No. 10: This amendment increased the amount appropriated for miscellaneous and incidental items directly connected with first and second class offices $25,000; and the House conferees agreed to the same.

Amendment No. 11: The action of the Senate on amendment No. 11 was to strike out the House provision relative to expenditures for telephone service in post-offices, and insert another provision in lieu thereof. By the action of the conferees both provisions are stricken out.

Amendments Nos. 12 and 13: The action of the conferees upon these amendments is to permit the rental or purchase of canceling machines, and strikes out of the paragraph the words "and motors and power therefor," leaving the appropriation $200,000. The money necessary for the purchase, installation, and repairs of motors and power therefor will be available from the necessary miscellaneous and incidental items directly connected with first and second class post-offices, as at present.

Amendments Nos. 14 and 15: By the action of the conferees upon these amendments the provisions of the current law permitting the employment of seven assistant superintendents of salary and allowance division, together with the per diem therefor, are continued.

Amendments Nos. 16 to 24, inclusive: These amendments transfer the free-delivery service from one portion of the bill to another. By the action of the conferees this service is retained in the bill in the manner in which it left the House, the Senate receding.

Amendment No. 25: This amendment of the Senate increases the amount appropriated for steamboat service on inland routes from $700,000 to $750,000. The increase is agreed to.

Amendment No. 26. This amendment adds a proviso to the paragraph authorizing the Postmaster-General, after trial, to establish, in his discretion, underground electric service in the city of Chicago, which proviso allows any money saved in the utilization of this means of transportation by the discontinuance of screen-wagon service to be made available to cover part of the cost of introducing the underground electric service.

Amendment No. 27: This amendment, in the form of a proviso, allows the Department to pay an amount, said to be in the neighborhood of $21,000, out of the appropriation for pneumatic-tube service, to fulfill the provisions of the existing contract for that service in the city of Boston. The limit allowed by law for expenditure for this service in any one year is fixed at $800,000. The Department advertised for bids for extensive service in Boston, New York, Philadelphia, Chicago, and St. Louis. The lowest bids received from responsible parties, while within the limitation as to cost per mile, namely, $17,000, exceeded in the aggregate $800,000. The contracting parties now operating the service in Boston, having been awarded the contracts for the service in Chicago and St. Louis, were requested by the Department to reduce their bid to come within the limit allowed by law, and an agreement was made with them recognizing their contention that they were really entitled to the amount of their bid, and such agreement was made a part of their contract, subject to the approval of Congress. They are performing satisfactory service. Your conferees take the view that the Boston contractor is entitled to relief, and have agreed to the provision of the Senate in amended form, allowing the Department to pay the sum asked for by them.

Amendments Nos. 28 and 29: The action of the conferees upon these amendments is to permit the appropriation for mail bags, cord fasteners, etc., and for mail locks, keys, etc., to be available for incidental expenses pertaining to the two shops located in Washington making repairs to this equipment.

Amendment No. 30: By the action of the conferees on amendment No. 30 the amount available to pay freight on postal cards, stamped envelopes, stamped paper, mail equipment, and other supplies from the appropriation for railroad transportation is increased from $100,000 to $120,000.

Amendment No. 31: The effect of the action of the conferees upon this amendment is to strike out the House provision which prevented the railways using any railway mail cars that had been in service for a period of fifteen years or more.

Amendments Nos. 32, 33, 34, 35, 36, 37, 38, 39, and 40: The effect of the action of the conferees upon these amendments is to increase the number of railway mail clerks that may be employed during the fiscal year 1905 in the various grades by 254 men above the number allowed by the House and to provide for their compensation.

Amendment No. 41: The action of the conferees upon this amendment is to permit the Department to allow expenses to assistant superintendents Railway Mail Service in excess of that covered by their per diem allowance and to restrict the total of such expense for the twenty-eight officials involved to not over $5,000 during the year.

Amendments Nos. 42 and 43: The Senate inserted a provision in the item for foreign mail service appropriating $45,000 additional compensation to the Oceanic Steamship Company for carrying the mails between San Francisco and Tahiti. This provision was estimated for by the Department, but stricken out in the House. By the action of the conferees the appropriation is restored, the same as the current law.

Amendment No. 44: The effect of the action of the conferees upon this amendment is to increase the appropriation available for the manufacture of adhesive postage and special-delivery stamps by the amount of $22,000.

Amendments Nos. 45 and 46: The action of the conferees upon these amendments of the Senate is to leave the amount appropriated for the pay of agents and assistants to distribute stamps and stamped envelopes and the expenses of the agencies the same as passed by the House.

Amendments Nos. 47, 48, 49, 50, 51, 53, and 54, inclusive: These amendments struck out certain paragraphs in the bill in the free-delivery service with a view of transferring that service to another part of the bill. By the action of the conferees this service is retained in the bill as it passed the House.

Amendment No. 52: The Senate increased the amount appropriated for the marine postal service at Detroit from $4,500 to $12,000, providing that a contract should be entered into for five years at that rate per annum. By the action of the conferees the amount appropriated for this service is made $4,500, the same as for the current year, and the House provision restored.

Amendment No. 55: By the action of the conferees, a proviso passed by the Senate is added after the paragraph appropriating for fees for special-delivery messages, which stipulates that nothing in this act shall be construed to repeal or in any way modify section 161 of the Revised Statutes of the United States in its application to the Post-Office Department.

Amendments Nos. 56, 57, 58, 59, 60, and 61: The Senate increased the number of rural agents in the $1,500 grade ten, in the $1,400 grade ten, and in the $1,300 grade six. By the action of the conferees the number in the $1,500 grade is made eighteen, or three more than allowed by the House; in the $1,400 grade the number is made eighteen, or three more than contained in the House bill, and twenty-five in the $1,300 grade, six more than the number allowed by the House. Provision is also made by these amendments for compensation to these rural agents and their per diem. The additional sum appropriated by these amendments is $30,900.

Amendment No. 62: This amendment of the Senate increased the appropriation for incidental and necessary official expenses of division superintendents of the rural service, and rural agents, and livery hire, $10,000. The House conferees have agreed to the same.

Amendment No. 63: This amendment of the Senate authorized the Postmaster-General to take into consideration the condition of roads, etc., in the applications for establishment of rural routes and the fixing of salaries of carriers. By the action of the conferees the amendment is stricken out.

Amendment No. 64: This amendment of the Senate struck out the House provision relative to rural free-delivery carriers, that they could be permitted to carry merchandise for hire for and upon request of the patrons of their routes, and added additional matter giving certain privileges to newspapers, magazines, and periodicals with respect to receiving subscriptions therefor and delivery of same. By the action of the conferees the Senate provision is stricken out and the House language restored.

Amendment No. 65: The amendment of the Senate increased the salary of the purchasing agent for the Post-Office Department from $4,000 to $4,500 per annum. By the action of the conferees the salary of $4,000 is restored, the same as passed by the House.

Amendment No. 66: This amendment of the Senate legislates in a more or less minute manner with respect to the duties of the purchasing agent for the Post-Office Department. By the action of the conferees the majority of this legislation is agreed to, and that portion stricken out which authorized the purchasing agent to report direct to Congress.

Amendments Nos. 67 and 68: These amendments struck from the paragraph relative to allowances for per diem employees and officers of the Post-Office Department the words "and their head-

quarters." By the action of the conferees this language is restored and additional provision is inserted limiting the effect of the legislation in cases where post-office inspectors are temporarily located at any point for a period not exceeding twenty consecutive days.

Amendment No. 69: The Senate added a clause increasing the weight of first-class mail matter allowed under the franking privilege to Members of Congress to 4 ounces. This is agreed to.

Amendment No. 70 extended the free-registry privilege to the Librarian of Congress and was stricken out.

Amendment No. 71: This amendment provides that a postmaster shall reside within the delivery of his office or the town or city where the same is located. The clause was agreed to as inserted by the Senate.

JESSE OVERSTREET,
J. J. GARDNER,
JOHN A. MOON,
Conferees on the part of the House.

EXTENDING PRIVILEGES OF IMMEDIATE-TRANSPORTATION ACT TO PEORIA, ILL.

Mr. GRAFF. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 5369) to extend to Peoria, Ill., the privileges of the seventh section of the act of Congress approved June 10, 1880, governing the immediate transportation of merchandise without appraisement, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the privileges of the seventh section of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement, be, and are hereby, extended to Peoria, Ill., a port of delivery in the customs district of Indiana and Illinois.

The SPEAKER. Is there objection?

Mr. GAINES of Tennessee. Mr. Speaker, reserving the right to object, I would like to know what this bill is.

Mr. GRAFF. Mr. Speaker, the bill passed the Senate and came to the House and then was referred to the Committee on Ways and Means. It now comes back with the unanimous report of that committee. The bill simply extends to the city of Peoria, Ill., which is already a port of delivery, the privileges given by section 7 of the act of June 10, 1880.

Those privileges are already given, in the act as originally passed, to some five or six other cities in the State of Illinois which are much smaller than Peoria and which are entitled to them a great deal less. The privileges are these: It permits the imported goods, when they come into the seaport of entry, to be transported to this port of delivery in bond and the real appraisement made there and the duties paid there, so as to give the importer at Peoria, Ill., an opportunity to raise a question regarding the correctness of the appraisement at the point of delivery where he resides.

Mr. GAINES of Tennessee. This bill has passed the Senate?

Mr. GRAFF. Yes. It then went to the Committee on Ways and Means and now comes back with unanimous support from that committee.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, read the third time, and passed.

On motion of Mr. GRAFF, a motion to reconsider the last vote was laid on the table.

COAL CITY, ILL., A PORT OF DELIVERY.

Mr. BOUTELL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 12899) constituting Coal City, Grundy County, Ill., a port of delivery.

The bill was read, as follows:

Be it enacted, etc., That Coal City, Grundy County, Ill., be, and hereby is, constituted a port of delivery in the customs collection district of Chicago, Cook County, Ill., and that the privileges of immediate transportation of dutiable merchandise conferred by the seventh section of the act of June 10, 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," be, and the same are hereby, extended to said port.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. UNDERWOOD. Reserving the right to object, I will ask the gentleman from Illinois [Mr. BOUTELL] whether this bill comes from the Ways and Means Committee?

Mr. BOUTELL. It does, with a unanimous report.

Mr. UNDERWOOD. Does the bill create another port of entry?

Mr. BOUTELL. This is a subport.

Mr. UNDERWOOD. I should like to ask the gentleman whether the Ways and Means Committee, at this session of Congress, has taken any action to carry out the recommendation of the Secretary of the Treasury that the number of ports of entry be reduced in order to cut down the cost of raising revenue?

Mr. PAYNE (to Mr. BOUTELL). May I answer that question?

Mr. BOUTELL. I yield to the chairman of the Committee on Ways and Means [Mr. PAYNE].

Mr. PAYNE. The measure to which the gentleman from Alabama [Mr. UNDERWOOD] refers was brought before our committee; and the chairman was asked to make some investigation, which he did at the Treasury Department, to find out the ports which we might abolish. The idea was to draw a general bill; but we could not get the information desired from the Treasury Department, and have not yet received it.

There is no bill on the subject before the committee, except one leaving this matter in the discretion of the Secretary of the Treasury. We do not like that kind of legislation, but prefer to get at the bottom of the matter. I think a bill providing for this matter will be reported early next session.

Mr. UNDERWOOD. Then I understand from the gentleman from New York that this Congress is compelled to adjourn without some reform of this kind because the Administration of the Government refuses to give to Congress the information necessary to the framing of a bill to reduce, in this way, the cost of raising revenue.

Mr. PAYNE. This is the first time this question has come up. It is a very difficult matter to determine what ports ought to be abolished in the interest of the public service. This same thing occurred in the last session of the last Democratic Congress. It is not a new thing.

Mr. UNDERWOOD. I know it is not a new thing; and that is one reason why I think it requires action by the legislative branch of the Government. I merely asked my question to find out positively why this Congress is going to adjourn without following the recommendation made by the Secretary of the Treasury to take some legislative action for the reduction of the cost of raising the revenue.

Mr. PAYNE. Such a bill would necessarily cover several pages, referring possibly to every part of the United States, and from the examination I have been able to make I have not been able to draw a bill of that kind. I have asked the Treasury Department to do it, but it has not produced such a bill.

Mr. UNDERWOOD. I am glad that the gentleman from New York [Mr. PAYNE] promises some measure of this kind in the future and regrets that we have nothing of the sort to act upon at this term of Congress.

Mr. BOUTELL. I sincerely trust that Congress will not adjourn until it passes this bill. [Laughter.]

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. BOUTELL, a motion to reconsider the vote by which the bill was passed was laid on the table.

HOMESTEAD ENTRIES.

Mr. MARTIN. Mr. Speaker, I ask unanimous consent for the consideration of the bill (S. 3165) providing for second and additional homestead entries, and for other purposes.

The bill was read, as follows:

Be it enacted, etc., That any person who has heretofore made, or who may hereafter make, entry under the homestead laws, but who shall show to the satisfaction of the Commissioner of the General Land Office that he was unable to perfect the entry on account of some unavoidable complication of his personal or business affairs, or on account of an honest mistake as to the character of the land; that he made a bona-fide effort to comply with the homestead law and that he did not relinquish his entry or abandon his claim for a consideration, shall be entitled to the benefit of the homestead laws as though such former entry had not been made.

SEC. 2. That any homestead settler who has heretofore entered, or may hereafter enter, less than one-quarter section of land may enter other and additional land lying contiguous to the original entry which shall not, with the land first entered and occupied, exceed in the aggregate 160 acres, without proof of residence upon and cultivation of the additional entry; and if final proof of settlement and cultivation has been made for the original entry when the additional entry is made, then the patent shall issue without further proof: *Provided*, That this section shall not apply to or for the benefit of any person who does not own and occupy the lands covered by the original entry: *And provided*, That if the original entry should fail for any reason prior to patent, or should appear to be illegal or fraudulent, the additional entry shall not be permitted, or, if having been initiated, shall be canceled.

SEC. 3. That commutation under the provisions of section 2301 of the Revised Statutes shall not be allowed of an entry made under this act.

The amendment reported by the committee was read, as follows:

In lines 3 and 4, strike out "or who may hereafter make."

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. PAYNE. Reserving the right to object, I wish to make an inquiry. So far as I could gather from the reading, this bill is a measure of relief for those who have vested interests in homestead lands, accruing, perhaps, after the original entry.

Mr. MARTIN. The bill simply gives to homesteaders who, for any cause other than their own fault, have lost their homesteads and not obtained title, an opportunity still to make a homestead entry. Legislation of this character has been passed by Congress periodically about every five or six years, applying

simply to entries of a meritorious character theretofore made. This bill has been drafted by the Department for a similar purpose.

Mr. PAYNE. Does it apply only to those who have kept possession of the lands under their entry?

Mr. MARTIN. It applies to any homestead entryman who has made the first filing but has lost his right, whether he has been in possession or not—cases where the party has lost the land and is not able to obtain title.

Mr. PAYNE. Suppose that some one else has subsequently made entry of the same land?

Mr. MARTIN. It would apply to that case.

Mr. PAYNE. Would it apply to the first man also?

Mr. MARTIN. Oh, no; it would not give entry to the man who already had one, whether he filed in the first instance or the second.

Mr. STEPHENS of Texas. How long does it suspend the law?

Mr. MARTIN. It simply relates to entries made before the passage of this law. The bill as prepared by the Interior Department would apply to future entries also. Our committee considered it would be unwise to make a continuous law for fear it might be used improperly; and it is made to apply only to cases where the entries were made in good faith. We have simply made it apply to bona fide entries made prior to the passage of the act.

Mr. STEPHENS of Texas. Is it a unanimous report?

Mr. MARTIN. Yes, sir; and it was considered by the full committee.

Mr. SCOTT. I would like to ask the gentleman a question.

Mr. MARTIN. Certainly.

Mr. SCOTT. In regard to the provision of the second section, I could not hear very clearly, and it seemed to me to be a provision for the entry of an additional quarter of a section as a homestead.

Mr. MARTIN. No, sir.

The second section only applies to cases where the homesteader in the first instance made settlement on less than a quarter of a section, and when any other land contiguous subsequently might become available to settlement he might take part of that, so as to make it with his original entry amount to 160 acres.

Mr. FINLEY. The gentleman mentioned that this periodical legislation took place about every five or six years. I wish to know if the second section, providing for an additional entry, is included in this periodical legislation or not?

Mr. MARTIN. It has sometimes been in the legislation and sometimes not. It has been quite often adopted by Congress.

Mr. FINLEY. Does the gentleman not think that would give the right of homestead to a large number of people to acquire the land there?

Mr. MARTIN. Not at all. It only applies to cases where the original homesteader had less than 160 acres in his original filing. It often happens that when a man files upon his land there are lands that he can not take, and he will take less than 160 acres.

Subsequently there may be some change made by which additional land which is adjacent would be opened to entry, and this only enables him to complete such an entry as he would be entitled to if there had been a sufficient amount of land available in the original instance.

Mr. FINLEY. He can only take lands that were not opened when he took his homestead?

Mr. MARTIN. That is it.

Mr. HERMANN. This does not require settlement on the additional land?

Mr. MARTIN. It requires that the settler be still on the land he originally settled on at the time of the taking of the other land.

Mr. HERMANN. That is only the case where the original settler is in possession of the original claim?

Mr. MARTIN. This merely changes the original entry, so as to give the entryman 160 acres in all.

Mr. HERMANN. I think that is perfectly fair.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

DISTRICT APPROPRIATION BILL.

Mr. McCLEARY of Minnesota. Mr. Speaker, I submit the conference report on the appropriation bill for the District of Columbia, to be printed in the RECORD in accordance with the rule.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 12833) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes.

The report of the committee of conference is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12833) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 4, 5, 6, 7, 12, 13, 21, 24, 25, 27, 29, 34, 36, 37, 45, 49, 55, 62, 67, 68, 69, 72, 74, 78, 83, 92, 96, 97, 99, 104, 105, 106, 113, 121, 122, 128, 129, 130, 133, 135, 139, 143, 144, 146, 150, 152, 153, 159, 161, 162, 165, 171, 172, 173, 175, 178, 179, 181, 184, 189, 190, 193, 195, 196, 197, 201, and 202.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 8, 9, 10, 11, 16, 17, 18, 23, 31, 32, 33, 35, 38, 42, 43, 44, 46, 48, 63, 64, 65, 66, 70, 71, 75, 76, 77, 79, 80, 81, 82, 84, 85, 86, 88, 89, 91, 93, 94, 98, 102, 103, 108, 109, 110, 111, 112, 114, 115, 116, 117, 118, 119, 120, 123, 124, 125, 126, 127, 131, 134, 137, 138, 140, 141, 142, 145, 147, 154, 155, 156, 160, 168, 169, 170, 176, 177, 180, 185, 186, 187, 188, 192, 194, 198, 199, 203, 204, 205, 206, 207, and 208, and agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the matter inserted by the said amendment insert the following: "clerk, one thousand dollars; clerk, nine hundred dollars;" and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "twenty-three thousand seven hundred and fifty dollars;" and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "assistant morgue master and janitor, four hundred and eighty dollars;" and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "three thousand dollars;" and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lines 2 and 3 of said amendment strike out the words "render expert advice to or perform service for, or;" and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "sixty-five thousand six hundred and thirty-two dollars;" and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "three thousand dollars;" and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "seven thousand five hundred dollars;" and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment, and on page 11 of the bill, in line 11, after the word "each," insert the words ", one of whom shall act as a night watchman;" and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "twenty-one thousand three hundred and twenty dollars:" and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "forty thousand dollars;" and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "two thousand two hundred dollars;" and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In line 7 of said amendment, after the word "of," insert the words "not to exceed;" and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the word inserted by said amendment insert the words "or in;" and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "seventy-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "five thousand one hundred dollars;" and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "sixteen thousand two hundred dollars;" and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "seven thousand five hundred dollars;" and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "twenty-seven thousand four hundred and fifty dollars;" and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "eighteen thousand seven hundred and fifty dollars;" and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "two thousand dollars;" and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one hundred and six thousand seven hundred dollars;" and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: Restore the matter proposed to be stricken out by said amendment; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with amendments as follows:

In line 7 of the matter inserted by said amendment strike out the words "and reimbursed to this appropriation."

In line 12, after the word "seventy-eight," insert the following: "and paid into the Treasury one-half to the credit of the United States and one-half to the credit of the District of Columbia."

In line 24, after the word "railway," insert the following: ", and paid into the Treasury."

And after the word "above" in line 25, strike out all down to and including line 28 of said amendment.

And the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one hundred and ninety-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 101: That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "two thousand five hundred dollars;" and the Senate agree to the same.

Amendment numbered 107: That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with amendments as follows:

In line 7 of the matter inserted by said amendment strike out the words "except at the following rates" and insert in lieu thereof the words "at rates in excess of the following."

In line 25 of said amendment, after the word "one," insert the word "hundred."

And the Senate agree to the same.

Amendment numbered 132: That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows: Add after the word "dollars," at the end of the amended paragraph, the following: "; a detailed statement shall be submitted to Congress of the expenditure of the foregoing sum, and for the fiscal year nineteen hundred and six estimates shall be submitted in detail as to the particular school buildings requiring unusual repairs of and changes in plumbing;" and the Senate agree to the same.

Amendment numbered 136: That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "thirty-eight thousand dollars;" and the Senate agree to the same.

Amendment numbered 148: That the House recede from its disagreement to the amendment of the Senate numbered 148, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "seven hundred and sixty-nine thousand two hundred and forty dollars;" and the Senate agree to the same.

Amendment numbered 149: That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "thirty-two thousand five hundred dollars;" and the Senate agree to the same.

Amendment numbered 151: That the House recede from its disagreement to the amendment of the Senate numbered 151, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "forty-five thousand and five dollars;" and the Senate agree to the same.

Amendment numbered 157: That the House recede from its disagreement to the amendment of the Senate numbered 157, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "fifteen thousand dollars;" and the Senate agree to the same.

Amendment numbered 158: That the House recede from its disagreement to the amendment of the Senate numbered 158, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "eighty thousand three hundred and sixty dollars;" and the Senate agree to the same.

Amendment numbered 163: That the House recede from its disagreement to the amendment of the Senate numbered 163, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one hundred and one thousand three hundred dollars;" and the Senate agree to the same.

Amendment numbered 164: That the House recede from its disagreement to the amendment of the Senate numbered 164, and agree to the same with an amendment as follows: In lieu of the number proposed insert "thirteen;" and the Senate agree to the same.

Amendment numbered 166: That the House recede from its disagreement to the amendment of the Senate numbered 166, and agree to the same with an amendment as follows: In line 3 of said amendment strike out the words "two hundred;" and the Senate agree to the same.

Amendment numbered 167: That the House recede from its disagreement to the amendment of the Senate numbered 167, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "forty-seven thousand three hundred and sixty dollars;" and the Senate agree to the same.

Amendment numbered 182: That the House recede from its disagreement to the amendment of the Senate numbered 182, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one hundred and ten thousand dollars;" and the Senate agree to the same.

Amendment numbered 183: That the House recede from its disagreement to the amendment of the Senate numbered 183, and agree to the same with an amendment as follows: On page 56 of the bill, in line 12, after the word "almshouse," insert the words "consisting of one or more plain, substantial buildings;" and the Senate agree to the same.

Amendment numbered 191: That the House recede from its disagreement to the amendment of the Senate numbered 191, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "two thousand dollars;" and the Senate agree to the same.

Amendment numbered 200: That the House recede from its disagreement to the amendment of the Senate numbered 200, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "four thousand five hundred dollars;" and the Senate agree to the same.

On amendments numbered 50, 51, 52, and 174 the committee of conference have been unable to agree.

J. T. MCCLEARY,
E. J. BURKETT,
RICE A. PIERCE,
Managers on the part of the House.

W. B. ALLISON,
J. H. GALLINGER,
F. M. COCKRELL,
Managers on the part of the Senate.

The statement of the House conferees is as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12833) making appropriations for the government of the District of Columbia submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying report as to each of the Senate amendments, namely:

On amendment numbered 1: Inserts the provision in the enacting clause proposed by the Senate making all amounts appropriated in the bill for salaries in full for the fiscal year 1905.

On amendments numbered 2, 3, 4, 5, 6, and 7, relating to the executive office: Strikes out the appropriation of $1,200 for a permit clerk proposed by the Senate; appropriates for a property clerk and a deputy, as proposed by the House, and strikes out the increase of the salary of one clerk from $720 to $900 proposed by the Senate.

On amendments numbered 8, 9, and 10: Provides, as proposed by the Senate, $500 additional compensation for the assessor and increases the salary of one assistant assessor from $1,600 to $2,000.

On amendment numbered 11: Exempts from personal taxes, as proposed by the Senate, certain tapestries presented to the late Lieutenant-General Sheridan, and which are on exhibition in the National Museum.

On amendments numbered 12 and 13: Strikes out proposed increase in salary of the deputy collector of taxes from $1,800 to $2,000.

On amendments numbered 14 and 15: Provides for one additional clerk at $900 in the Auditor's office.

On amendments numbered 16, 17, and 18: Provides for a fourth assistant corporation counsel instead of a law clerk at the same salary and increases the salary of the stenographer from $720 to $900 in the office of the corporation counsel.

On amendments numbered 19 and 20: Provides for an assistant morgue master and janitor at $480.

On amendments numbered 21, 22, 23, 24, 25, and 26, relating to the Engineer's Office: Strikes out proposed increase in salary of superintendent of county roads; inserts provision proposed by the Senate prohibiting the inspector of asphalt and cements from receiving compensation from any person, firm, corporation, or municipality other than the District of Columbia; increases salary of assistant inspector of gas and meters from $720 to $840; strikes out provision for an additional clerk at $900, one draftsman at $1,200, and a stenographer and typewriter at $1,000, proposed by the Senate.

On amendment numbered 27: Strikes out the provision proposed by the Senate granting leave of absence to per diem employees of the District of Columbia.

On amendments numbered 28, 29, and 30: Fixes the salary of the superintendent of insurance at $3,000, and strikes out the provision for a laborer at $600 in his office.

On amendments numbered 31 and 32: Appropriates $18,200, as proposed by the Senate, instead of $15,200, as proposed by the House, for employees in the surveyor's office.

On amendments numbered 33 and 48: Transposes a paragraph of the bill.

On amendments numbered 34, 35, 36, 37, 38, 39, and 40, relating to the Free Public Library: Provides, in addition to the employees authorized in the bill as it passed the House, the following: One assistant, at $600; one attendant, at $360, and requires that one of the janitors shall act as a night watchman.

On amendment numbered 41: Appropriates $40,000, instead of $38,200 as proposed by the House and $40,500 as proposed by the Senate, for contingent and miscellaneous expenses.

On amendment numbered 42: Appropriates, as proposed by the Senate, $5,000 for postage.

On amendments numbered 43, 44, 45, 46, and 47: Appropriates $2,200, instead of $2,000 as proposed by the House and $2,500 as proposed by the Senate, for miscellaneous expenses, including livery of horse or horse hire, witness fees, and telephone service, for the coroner's office.

On amendment numbered 49: Strikes out the appropriation of $7,500 proposed by the Senate for the purchase of certain plats and field notes.

On amendment numbered 53: Appropriates $2,000, as proposed by the Senate, to carry out the provisions of the act to remove dangerous and unsafe buildings.

On amendments numbered 54 and 55: Makes a verbal correction in the text of the bill and strikes out the appropriation of $10,000 proposed by the Senate for paving roadways under the permit system.

On amendments numbered 56, 57, 58, 59, 60, 61, 62, 63, and 64: Appropriates $75,000, instead of $60,000 as proposed by the House and $100,000 as proposed by the Senate, for paving streets and avenues within the city limits; strikes out the appropriation of $4,500, proposed by the Senate, for repaving Fourteenth street between Pennsylvania avenue and F street NW.; appropriates $2,000, as proposed by the Senate, for repaving Tenth street between G and Water streets SW., and $24,000 for repaving Seventh street NW. from Pennsylvania avenue to E street and from G street to north side of New York avenue.

On amendments numbered 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, and 87: Appropriates $106,700, instead of $44,000 as proposed by the House and $161,200 as proposed by the Senate, for construction of county roads and suburban streets, including the following, which were inserted by the Senate: Columbia road between Fourteenth and Sixteenth streets, $5,200; Yale street between Thirteenth and Fourteenth streets, $6,000; Pennsylvania avenue extended, $5,000; California avenue from Phelps place to Massachusetts avenue, $6,500; Woodley road from Wisconsin avenue to Idaho avenue, $2,000; Twenty-second street from Decatur place to S street NW., $5,000; S street, North Capitol to First street west, $7,200; Quincy street from North Capitol street to Florida avenue, $6,300; Dover street, Brookland, from Twelfth to Thirteenth street, $2,000; Eighth street, Petworth, $4,000; Grant street NW. between Eighteenth and Nineteenth streets, $7,500; Q street between Twenty-second and Twenty-third streets NW., $5,000; Seventh street NE. from Bunker Hill road to Rhode Island avenue, $5,000.

On amendments numbered 88 and 89: Appropriates $20,000 and authorizes a contract for $59,000 for grading and macadamizing Fourteenth street from its present terminus to the junction near Brightwood with Piney Branch road, and appropriates $7,500 to enable the Commissioners to acquire necessary land for the extension of said street.

On amendment numbered 90: Appropriates $12,500, as proposed by the Senate, instead of $10,000, as proposed by the House, for replacing walks and curbs around public reservations and municipal buildings.

On amendment numbered 91: Appropriates $428,000, as proposed by the Senate, for continuing construction of a highway bridge across the Potomac River and extending the limit of cost of said bridge to $1,196,000.

On amendment numbered 92: Strikes out the appropriation of $20,000 and authority for a contract of $50,000, proposed by the Senate, for a bridge across Piney Branch on the line of Sixteenth street.

On amendments numbered 93, 94, and 95: Makes verbal corrections in the text of the provision for reconstructing the Anacostia bridge.

On amendments numbered 96 and 97: Strikes out the appropriation, proposed by the Senate, of $85,000 for the Arizona avenue sewer, and $25,000 for the Ivy City trunk sewer.

On amendments numbered 98, 99, and 100: Makes the appropriation for sprinkling, sweeping, and cleaning streets available for rent of stable; strikes out the provision proposed by the Senate making the appropriation available for contingent expenses, and appropriates $195,000, instead of $190,000 as proposed by the House and $200,000 as proposed by the Senate, for the service.

On amendment numbered 101: Appropriates $2,500, instead of $1,000 as proposed by the House and $5,000 as proposed by the Senate, for cleaning snow and ice from cross walks and gutters.

On amendment numbered 102: Appropriates $30,000, as proposed by the Senate, instead of $25,000, as proposed by the House, for the parking commission.

On amendment numbered 103: Appropriates $3,500, as proposed by the Senate, instead of $3,000, as proposed by the House, for the harbor and river front.

On amendments numbered 104 and 105: Strikes out provision proposed by the Senate for an additional repair man at $720 in the electrical department.

On amendment numbered 106: Appropriates $15,000, as proposed by the House, instead of $18,000, as proposed by the Senate, for general supplies in the electrical department.

On amendment numbered 107: Inserts the provision proposed by the Senate limiting telephone rates in the District of Columbia, with two verbal corrections thereto, namely, to the effect that the charges for telephones shall not be in excess of the rates prescribed and that the penalties for violation of the law shall be a fine not less than one hundred nor more than five hundred dollars.

On amendments numbered 108 and 109: Appropriates $219,000, as proposed by the Senate, instead of $209,000, as proposed by the House, for street gas lights and inserts the provision proposed by the Senate fixing the illuminating power of gas to be furnished in the District of Columbia at the equal of 22 candles.

On amendments numbered 110, 111, and 112: Appropriates $88,700, as proposed by the Senate, instead of $83,700, as proposed by the House, for street electric lights; fixes the rate to be paid per annum for each light at $85, as proposed by the Senate, and inserts the provision proposed by the Senate permitting the Potomac Electric Power Company to make connections between its conduits and the conduits of the Washington Railway and Electric Company.

On amendment numbered 113: Strike out the appropriation of $8,000 proposed by the Senate for survey for additional conduit for the water supply from the Great Falls.

On amendments numbered 114 and 115: Appropriates $15,000, as proposed by the Senate, instead of $12,000, as proposed by the House, for the Rock Creek Park, and inserts the provision proposed by the Senate authorizing the board of control to accept dedication of land for the purpose of adding to said park without expense.

On amendments numbered 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, and 145, all relating to the public schools: Increases the compensation of two teachers from $1,000 to $1,200, as proposed by the Senate; strikes out the age limit as to pupils in night schools; appropriates $500, as proposed by the House, instead of $750, as proposed by the Senate, for contingent expenses of night schools; appropriates $43,600, as proposed by the Senate, instead of $35,000, as proposed by the House, for kindergarten instruction; strikes out the provision proposed by the Senate appropriating specifically for janitors for certain school buildings at $96 each; strikes out the appropriation of $900, proposed by the Senate, for a cabinetmaker for repairing school furniture; appropriates $60,000, as proposed by the Senate, instead of $55,000, as proposed by the House, for repairs and improvements to school buildings; appropriates $35,000, as proposed by the Senate, instead of $25,000, as proposed by the House, for repairs to and changes in plumbing in school buildings; requires a detailed report as to the expenditure of this appropriation and detailed estimates for next year for similar work in school buildings; appropriates $38,000, instead of $35,000 as proposed by the House and $40,000 as proposed by the Senate, for contingent expenses; strikes out provision for expenses of lectures to teachers; appropriates $1,500, as proposed by the Senate, for free evening lectures in public school buildings; appropriates $2,500, as proposed by the House, instead of $3,500, as proposed by the Senate, for the purchase of pianos for school buildings; appropriates $30,000, with authority for a contract of $60,000, as proposed by the Senate, for a new school building in the first division; appropriates $9,713, as proposed by the Senate, for the purchase of two lots adjoining the McGruder School building; strikes out the appropriations of $5,000 for purchase of lot adjoining McKinley Manual Training School and $3,933 for purchase of lot adjoining the Armstrong Manual Training School; and inserts the provision proposed by the Senate authorizing the use of the unexpended balance of appropriation for Takoma School for the purchase of additional land for the site of said school.

On amendments numbered 146, 147, 148, 149, 150, and 151, all relating to the Metropolitan police: Strikes out the provision proposed by the Senate to increase the salaries of two clerks from $720 to $840 each; appropriates for five additional sergeants, as proposed by the Senate, at $1,140 each; appropriates $32,500, instead of $30,000 as proposed by the House and $35,000 as proposed by the Senate, for contingent expenses; and strikes out the appropriation of $705, proposed by the Senate, for converting the old morgue into a stable for horses.

On amendments numbered 152 and 153: Appropriates $9,000, as proposed by the House, instead of $11,500, as proposed by the Senate, for the house of detention.

On amendments numbered 154, 155, 156, 157, 158, 159, 160, 161, 162, and 163, relating to the fire department: Fixes the salary of the fire marshal at $1,600, as proposed by the Senate; appropriates $9,000, as proposed by the Senate, instead of $7,500, as proposed by the House, for repairs to apparatus; appropriates $15,000, instead of $14,000 as proposed by the House and $16,000 as proposed by the Senate, for contingent expenses; strikes out the appropriations proposed by the Senate of $23,000 for an engine house near Bennings, $5,200 for an additional fire engine, and $3,700 for an additional hook and ladder truck; and appropriates $63,000, as proposed by the Senate, for a fire boat.

On amendments numbered 164, 165, 166, 167, 168, 169, 170, and 171, all relating to the health department: Appropriates for seven additional sanitary and food inspectors instead of nine, as proposed by the Senate, at $1,200 each; strikes out the increase in salary from $1,800 to $2,000, proposed by the Senate, for a chemist; increases the compensation of four sanitary and food inspectors from $900 to $1,000 instead of $1,200, as proposed by the Senate; inserts the provision proposed by the Senate prohibiting any officer or employee of the health department serving in his private capacity for fee, gift, or reward any person licensed to keep or maintain a dairy or dairy farm and declaring that every place where milk is sold shall be deemed a dairy under the law for purposes of inspection; inserts the provisions proposed by the Senate authorizing rent of stables for the department, and appropriates $1,200, as proposed by the House, instead of $1,500, as proposed by the Senate, for traveling expenses of sanitary and food inspectors.

On amendments numbered 172 and 173: Appropriates for salaries of the police court judges at $3,000, as proposed by the House, instead of $3,500, as proposed by the Senate.

On amendment numbered 175: Appropriates $600, as proposed by the House, instead of $2,500, as proposed by the Senate, for expenses in lunacy proceedings.

On amendments numbered 176 and 177: Increases the salary of the stenographer for the board of charities from $840 to $900, as proposed by the Senate.

On amendments numbered 178 and 179: Strikes out proposed increase of $100 in the salary of the principal overseer at the Washington Asylum.

On amendments numbered 180 and 181: Appropriates $65,000, as proposed by the Senate, instead of $60,000, as proposed by the House, for general expenses of the Washington Asylum, and strikes out the appropriation of $150 proposed by the Senate for the uniforms and other expenses of the training school for nurses at the Washington Asylum.

On amendment numbered 182: Limits the cost of the addition to the workhouse to $110,000 instead of $100,000, as proposed by the House, and $115,000, as proposed by the Senate.

On amendment numbered 183: Limits the cost of the municipal almshouse to $125,000, as proposed by the Senate, instead of $100,000, as proposed by the House, and stipulates that the buildings therefor shall be of a plain and substantial character.

On amendment numbered 184: Strikes out the appropriation of $3,750 proposed by the Senate for laundry machinery for the Washington Asylum.

On amendments numbered 185, 186, 187, and 188, relating to the Reform School for Girls: Fixes the salary of the superintendent at $1,200 and of the five teachers of industries at $480 each, as proposed by the Senate.

On amendments numbered 189 and 190: Strikes out the appropriation of $4,000 proposed by the Senate for rent of the Freedman's Hospital building and grounds.

On amendment numbered 191: Appropriates $2,000 instead of $5,000, as proposed by the Senate, for repairs for the Columbia Hospital for Women.

On amendment numbered 193: Strikes out the appropriation of $25,000 and authority for a contract of $50,000 proposed by the Senate for the Homeopathic Hospital.

On amendment numbered 194: Appropriates $4,000, as proposed by the Senate, instead of $2,000, as proposed by the House, for the Washington Home for Incurables.

On amendments numbered 195, 196, and 197: Appropriates $10,000, as proposed by the House, instead of $11,700, as proposed by the Senate, for administrative expenses of the Board of Children's Guardians, and limits the amount that may be paid to sectarian institutions to $1,000, as proposed by the House, instead of $1,200, as proposed by the Senate.

On amendment numbered 198: Appropriates $12,000, as proposed by the Senate, for maintenance of wards at the Hart Farm School.

On amendment numbered 199: Appropriates $1,500, as proposed by the Senate, for a plan or plans for an industrial home school for colored children.

On amendment numbered 200: Appropriates $4,500, instead of $4,000 as proposed by the House and $5,000 as proposed by the Senate, for the municipal lodging house.

On amendment numbered 201: Strikes out the appropriation of $2,500 proposed by the Senate for the Columbia Polytechnic Institute for the Blind.

On amendments numbered 203 and 204: Inserts the provision proposed by the Senate authorizing the commanding general of the militia of the District of Columbia to make necessary contracts and leases and appropriates $1,250, as proposed by the Senate, instead of $750, as proposed by the House, for cleaning and repairing uniforms of the militia.

On amendment numbered 205: Inserts the provision proposed by the Senate requiring a report for a plan for the removal to the city of Washington of the remains of Pierre Charles L'Enfant and erecting of a proper monument over the same.

On amendments numbered 206, 207, and 208: Corrects the numbers of sections in the bill.

The committee of conference have been unable to agree on the following amendments, namely:

On amendment numbered 50, with reference to the uses of the new municipal building;

On amendment numbered 51, appropriating $10,000 for metal shelving, etc., for the office of the recorder of deeds;

On amendment numbered 52, appropriating $750 for metallic cases for card indexes in the office of the register of wills; and

On amendment numbered 174, appropriating $38,000 for additional ground for the site for a new police court building.

The Senate by its amendments added $1,188,427 to the bill.

By the action of the conference $361,224 of said sum is eliminated and $778,453 has been agreed to.

Of the latter sum, $428,000 is to meet contract requirements for constructing the highway bridge across the Potomac River, for which no estimate was submitted to the House.

The amendments upon which the committee of conference have been unable to agree involve in the aggregate $48,750.

J. T. McCLEARY,
E. J. BURKETT,
RICE A. PIERCE,
Managers on the part of the House.

DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF OREGON.

Mr. WILLIAMSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 3117.

The bill was read, as follows:

A bill (S. 3117) to expedite business in the district court of the United States for the district of Oregon.

Be it enacted, etc., That in case of the absence of the United States district judge for the district of Oregon from said district, or of his disability, a circuit judge of the United States of the circuit to which such district belongs may hold the district court and perform the duties of the district judge.

The SPEAKER. Is there objection?

Mr. MADDOX. Reserving the right to object, I would like to hear the gentleman explain the bill; and I hope that we can get order.

Mr. WILLIAMSON. What does the gentleman want to know?

Mr. MADDOX. I just want you to explain the bill.

Mr. WILLIAMSON. Mr. Speaker, this is a Senate bill, and was reported favorably by the Senate committee. It simply allows the circuit judge in the district comprising Oregon to hold the court in place of the district judge when the district judge is absent. It is asked for by both the judges in letters which are printed in the report.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to a third reading, read the third time, and passed.

On motion of Mr. WILLIAMSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

FORMATION OF MUNICIPALITIES IN ALASKA.

Mr. SPALDING. Mr. Speaker, I renew my request for unanimous consent for the consideration of the bill S. 3338, to which the gentleman from Georgia [Mr. MADDOX] objected.

The SPEAKER. The bill was reported a short time ago?

Mr. SPALDING. Yes, sir.

Mr. MADDOX. I ask the gentleman to explain one feature to the House.

Mr. SPALDING. Mr. Speaker, I will state that this bill has passed the Senate. It is a bill of the Senate Committee on Territories which visited Alaska, and is intended to perfect a system for the formation of municipal corporations there. The method there now is very inadequate and incomplete.

This bill provides that in communities of 300 or more inhabitants, upon the petition of 60 of them to the courts of Alaska, a hearing may be had after due notice, and the court then determines whether it is advisable and best for the people of the community to have a municipal corporation organized, and if the court determines that it is it fixes the boundaries and issues an order for an election on the question whether such a corporation shall be formed. At the same time they are permitted to elect a city council of seven members, and other details are carried out.

The measure also provides for the election of a school board. It gives this municipal corporation and the school board the fund derived from the occupation tax within the limits of the corporation and gives them power to levy taxes not exceeding 2 per cent upon the taxable property within the municipalities for the purpose of building streets, sewers, waterworks, trails, or roads for a limited distance outside of the corporation. It is hedged around very well, in the opinion of the Committee on Territories, and is guarded very carefully to protect the rights of the people. This, in brief, is what the bill provides for. It is much more complete for the purpose of carrying out its terms and protecting the rights of the people than the law as it now stands.

The SPEAKER. Is there objection?

Mr. SULZER. Just a moment, Mr. Speaker; I understand this bill is unanimously reported from the Committee on Territories?

Mr. SPALDING. It is.

Mr. SULZER. And I also understand the people of Alaska are all in favor of this bill, and to some extent it gives them home rule for municipal government. I hope the bill will be passed.

The SPEAKER. Is there objection?

Mr. BAKER. Will the gentleman yield?

Mr. SPALDING. Certainly.

Mr. BAKER. I understood my friend from New York to say the people of Alaska all favor the bill. Has there been any plebiscite of the people upon this bill? Has there been any vote upon this bill? How does anybody know that they favor it?

Mr. SPALDING. They held two conventions, and voted unanimously in those conventions in favor of it.

Mr. BAKER. Well, that is something near an expression of opinion.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; and being engrossed, was read the third time, and passed.

On motion of Mr. SPALDING, a motion to reconsider the vote by which the bill was passed was laid on the table.

INTEREST ON SCHOOL BONDS IN OKLAHOMA TERRITORY.

Mr. McGUIRE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill H. R. 11122, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent for the present consideration of the following bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 11122) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and for other purposes.

Be it enacted, etc., That the act of Congress approved July 13, 1886, and the act of Congress approved June 19, 1902, entitled "An act to prohibit the passage of local or special laws in the Territories of the United States, to limit Territorial indebtedness, and for other purposes," is hereby amended so as to authorize the issuance of bonds by school districts in Oklahoma Territory having a bona fide population of not less than 5,000 persons for erecting necessary school buildings and purchasing the ground for same. The limitations of said act of July 13, 1886, shall not apply to such school districts: *Provided*, That before any bond shall be issued the mayor and common council of the municipal corporation composing in whole or in part such school district shall cause an election to be held in such district, and said mayor and common council shall cause to be published in a newspaper of general circulation published in said district a notice of the time and place or places of holding such election. Such notice shall be given at least thirty days before such election. On the question of the issuance of said bonds no person shall be qualified to vote unless he be in all respects a qualified elector and owner of real or personal property subject to taxation within the school district. In case two-thirds of the qualified voters as above described shall vote affirmatively for the issuance of said bonds, then the mayor and common council shall certify the result to the board of education, and said board shall issue the same, and not otherwise. Said bonds shall contain all necessary provisions as to form, and such school district shall provide a proper sinking fund for the redemption of said bonds. Said bonds shall not bear a rate of interest exceeding 6 per cent, and the interest shall be paid semiannually, and none of the said bonds shall be sold at less than their par value: *Provided further*, That no school district under this act shall issue bonds in excess of 6 per cent of the valuation according to the last preceding assessment of the school district issuing the same.

The SPEAKER. Is there objection?

Mr. STEPHENS of Texas. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Oklahoma if there are now laws for the issuance of bonds for school purposes—for building schoolhouses, etc.?

Mr. McGUIRE. Yes, sir. We had a law passed in 1902 which provides that bonds of cities of 5,000 people or more shall draw interest not to exceed 4 per cent and can not be sold for less than par. They can not sell their bonds and can not build schoolhouses, and the only change from that law is that these bonds will draw 6 per cent interest and may be sold for par.

Mr. STEPHENS of Texas. Has the bill been favorably reported from the Committee on Territories?

Mr. McGUIRE. It has been favorably reported and unanimously reported.

Mr. STEPHENS of Texas. And there is no minority report?

Mr. McGUIRE. There is no minority report.

Mr. ROBINSON of Indiana. I will say to the gentleman from Texas that this matter is in a form similar to other bills which have been passed by Congress and only affects particular cities of a certain limitation in population and for the special purpose of facilitating the building of schools and the caring for school children.

Mr. McGUIRE. That is correct.

Mr. STEPHENS of Texas. I would like to ask this question also: Does it require a two-thirds vote or a majority?

Mr. McGUIRE. Two-thirds vote.

Mr. ROBINSON of Indiana. The bill is very specially guarded in that respect.

Mr. STEPHENS of Texas. Suppose there is a bonded debt of the city or county, will this be an addition to the other bonded debt upon the same citizen or is there a limitation on the amount? I understand it is 6 per cent here; but suppose there is another bonded indebtedness on the same people, is there a limitation here to prevent a great amount of taxes to be levied upon it? Is there any limitation?

Mr. McGUIRE. The only limitation is the general 4 per cent limitation.

Mr. ROBINSON of Indiana. And this bill does not change that?

Mr. McGUIRE. No; this bill does not change that.

Mr. ROBINSON of Indiana. This is to enable them to get a larger interest per cent on bonds.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; and being engrossed, was read the third time, and passed.

On motion of Mr. MCGUIRE, a motion to reconsider the vote by which the bill was passed was laid on the table.

ALLOTMENTS TO INDIANS ON WHITE EARTH RESERVATION, MINN.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 5255) to provide allotments to Indians on the White Earth Reservation, in Minnesota, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to allot to each Chippewa Indian now legally residing upon the White Earth Reservation under treaty or laws of the United States, in accordance with the express promise made to them by the commissioners appointed under the act of Congress entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889, and to those Indians who may remove to said reservation who are entitled to take an allotment under article 7 of the treaty of April 18, 1867, between the United States and the Chippewa Indians of the Mississippi, 160 acres of land; and said allotments shall be, and the patents issued therefor, in the manner and having the same effect as provided in the general allotment act, "An act to amend and further extend the benefits of the act approved February 8, 1887, entitled 'An act to provide for the allotment of land in severalty to Indians on the various reservations and extend the protection of the commissioners of the United States over the Indians, and for other purposes,'" approved February 28, 1891: *Provided*, That where any allotment of less than 160 acres has heretofore been made, the allottee shall be allowed to take an additional allotment, which, together with the land already allotted, shall not exceed 160 acres: *And provided further*, That if there is not sufficient land in said White Earth (diminished) Reservation subject to allotment each Indian entitled to allotments under the provisions of this act shall receive a pro rata allotment.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, read the third time, and passed.

On motion of Mr. STEENERSON, a motion to reconsider the last vote was laid on the table.

WESTERN ALASKA CONSTRUCTION COMPANY.

Mr. BRICK. Mr. Speaker, I ask unanimous consent that the committee be discharged from further consideration of the bill (S. 5088) to aid the Western Alaska Construction Company, and in connection therewith ask unanimous consent for its present consideration.

Mr. MADDOX. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if there has ever been any report on this bill?

Mr. BRICK. Mr. Speaker, I would inform the gentleman from Georgia [Mr. MADDOX] that the bill has been reported, and the report is House Report No. 2229, which I hold in my hand.

Mr. MADDOX. Favorably?

Mr. BRICK. Favorably reported.

Mr. MADDOX. I will ask the gentleman why he desires to have the committee discharged?

Mr. BRICK. Because it has passed the Senate, and in that way we can save this bill from going back to the Senate.

Mr. MADDOX. Is the Senate bill the same as the House bill?

Mr. BRICK. Exactly word for word.

The SPEAKER. The Clerk will report the bill.

The Clerk proceeded to read the bill, which is as follows:

Be it enacted, etc., That it shall be lawful for the Western Alaska Construction Company to hereafter operate its railroad in the district of Alaska for a period of five years after the passage of this act without the payment of the license fee of $100 per mile per annum on each mile operated, as provided in section 29, chapter 1, of the act entitled "An act for making further provisions for a civil government for Alaska, and for other purposes," approved June 6, 1900: *Provided, however*, That this exemption from said license fees is upon the condition that said company shall build at least 10 miles of railroad each year; but if more than 10 miles be built in any one year it shall be credited to the work of the succeeding year.

Mr. GILBERT (interrupting the reading of the bill). I object.

Mr. SULZER. Mr. Speaker, I hope the gentleman will not object to this bill.

Mr. GILBERT. Mr. Speaker, I do not want to be captious, but I understand this is a bill to exempt the railroads of Alaska from the payment of the tax imposed by the general law enacted two years ago. There was a general law requiring railroads in Alaska to pay a license tax of $100 per mile, and, as I understand it, this bill seeks to exempt this particular railroad from the payment of that tax. Is that right?

Mr. BRICK. Mr. Speaker, if the gentleman will reserve his objection until I can explain the bill, I think he will not object.

Mr. GILBERT. Very well; I will do that.

Mr. BRICK. I think the gentleman has been misinformed.

Mr. ROBINSON of Indiana. Mr. Speaker, if my colleague will permit me to interrupt him, I wish to state that I was at one time opposed to the passage of this bill, and rose at this time to reserve the right to object for the purpose of making an explanation.

Mr. BRICK. Mr. Speaker, I will inform the gentleman from Kentucky [Mr. GILBERT] that this is the only proposed broad-gauge railroad in Alaska, and that this bill is not for the purpose of exempting it from taxation except during the period of its construction.

Mr. GILBERT. Mr. Speaker, is there not a general law in Alaska requiring that railroads pay a license tax of $100 per mile?

Mr. BRICK. There is a general law requiring railroads to pay a license tax of $100 a mile, and the only reason for this bill is that during the period of its construction, which is fixed for five years, this railroad shall be exempt from the payment of that tax. There are completed now about 10 miles, and work can only be conducted about four months in the year.

Mr. GILBERT. Does the general law apply to other railroads in the process of construction?

Mr. BRICK. It will apply to other railroads, and it will apply to this railroad under this bill after it has been constructed. It is very advantageous to the Seward Peninsula, where they have no waterway for purposes of transportation and where transportation now costs from $300 to $500 per ton, that this railroad should be so encouraged that it may be built on that peninsula.

Mr. GILBERT. Mr. Speaker, there is no law exempting a private citizen from the payment of a tax while he is building his house, and I do not see why this is not a sop thrown out to the railroads.

Mr. BRICK. Mr. Speaker, I will say in explanation to the gentleman from Kentucky [Mr. GILBERT] that the great necessity of Alaska to-day is transportation, trails, and railroads. We have investigated the matter, and we find that the people of Alaska desire this railroad to be encouraged. They desire that it be built, and for the purpose of encouraging persons to invest their capital upon what seems to be and what appears to us to be a gambling transaction—one which would be liable to failure up in that country—we desire to encourage the completion of this railroad. After its completion the railroad will then pay, under the general law, the tax of $100 per mile.

Mr. GILBERT. Mr. Speaker, with a mental reservation, I shall withdraw the objection.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FINLEY. Mr. Speaker, I renew the objection.

The SPEAKER. The gentleman from South Carolina objects.

GRANTING CERTAIN LANDS TO THE STATE OF ALABAMA.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 8703) granting certain lands belonging to the United States and situated in the State of Alabama to the State of Alabama for the use and benefit of the common schools of that State, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That all the lands belonging to the United States and commonly called public lands or Government lands and situated in the State of Alabama, which are classified as coal and iron lands and which are withdrawn from homestead entry, mineral land entry, or other entry by act of Congress, approved March 3, 1883, United States Statutes at Large, volume 22, page 487, as shown by the lists on file in the General Land Office at Washington, D. C., are hereby granted and conveyed to the State of Alabama, in trust, nevertheless, for the use and benefit of the common schools of said State.

SEC. 2. That the said State, under such regulations as the general assembly thereof may provide, may lease or sell and convey any or all of said lands at any time, but the proceeds arising from the sale or lease of such lands shall be forever kept invested in interest-bearing bonds of the State or in interest-bearing bonds of the United States, or other security approved by the governor and the State superintendent of education, and the interest arising therefrom shall be expended for the use and benefit of the common schools of that State.

SEC. 3. That the Commissioner of the General Land Office, under the direction of the Secretary of the Interior, shall make, or cause to be made, a full, accurate, and complete list and description, as far as practicable, of the said lands, and shall deliver the same to the governor of Alabama within six months after the passage of this act.

SEC. 4. That all proceeds arising from said lands, whether from lease, sale, or rents, or from interest on bonds, shall be used and expended, per capita, without regard to race or color, among all the children taught in the common schools of the State.

SEC. 5. That this act shall in no wise interfere with or deprive any person who has heretofore made a homestead entry but who has not yet completed his final proof and received a patent of any right he has or may have under existing law, and any person who has filed an application to enter any of said lands classified as above stated, shall be permitted by the Secretary of the Interior to make his proof of residence and entry on said lands and shall receive his certificate of final proof, and on making final proof as now required by law in regard to lands subject to homestead entry, shall be entitled to his final-proof certificate and to his patent just as if said lands were subject to entry under the homestead laws.

The following committee amendments were read:

Page 3, line 1, insert, after the word "entry," the words "and who has resided continuously for at least five years before the approval of this act on the lands so homesteaded."

In line 7, page 3, after the word "stated," insert "and who has resided on

the same, as his homestead, continuously for at least five years before and up to the time of the approval of this act."

In line 13, page 3, after the word "entry," insert "and of continuous residence as above stated."

The SPEAKER. Is there objection?

Mr. PAYNE. Mr. Speaker, reserving the right to object, I would like to have some explanation of the bill. How many acres of land are there?

Mr. BURNETT. About 90,000 acres. I will state, Mr. Speaker, that these are lands that are subject to neither the homestead entry nor the timber and stone entry. They are lands that are held up by the act of Congress of March, 1883, and the purpose of this is to give them for the benefit of the public schools without regard to race, sex, or previous condition.

Mr. PAYNE. Why would it not be a good thing to open them up to homestead entry?

Mr. BURNETT. Well, we believe that those lands would most benefit the State of Alabama by being opened for the benefit of the public schools. There are a large number of acres of lands already open to homestead entry that are not mineral lands, and we think the public interests of Alabama can be best subserved by allowing these to go to the building up of the public schools.

Mr. PAYNE. Have those lands any mineral deposits?

Mr. BURNETT. They are classified as coal and iron lands.

Mr. PAYNE. How much land has Alabama already had for school purposes?

Mr. BURNETT. Nothing for the public schools, except the one-sixteenth of a section. Most of the Western States have a much larger amount. Under our new constitution we are applying almost half of the State taxes to the benefit of the public schools, and we believe that if these public mineral lands which are not subject to homestead nor to timber and stone entry are applied for the benefit of the public schools it will aid us very much in the development and improvement of our educational system.

Mr. PAYNE. Have these lands ever been thoroughly examined to ascertain what minerals are to be found there?

Mr. BURNETT. No, sir; there are 90,000 acres which have been classified by the Interior Department as being coal and iron lands. This matter has been twice before the Committee on Public Lands, and the bill has unanimously received a favorable report.

Mr. PAYNE. I always regret to disagree with the Committee on Public Lands; but I should like to know what the States are going to do that have not had any public lands—States that have no public lands within their boundaries, and other States that have received only single sections.

Mr. BARTLETT. That is their misfortune.

Mr. PAYNE. I think I shall have to object.

Mr. BURNETT. I hope the gentleman will not make objection.

The SPEAKER. The gentleman from New York [Mr. PAYNE] objects.

PENSION BILLS PASSED.

Pension bills of the following titles, returned from the Senate with amendments, were respectively taken from the Speaker's table, and, on motion of Mr. GIBSON, the amendments concurred in:

H. R. 14700. A bill granting an increase of pension to H. C. Washburn;

H. R. 8285. A bill granting an increase of pension to William S. Peck;

H. R. 12666. A bill granting an increase of pension to Henry E. W. Campbell;

H. R. 8790. A bill granting a pension to C. Annette Buckel;

H. R. 14491. A bill granting an increase of pension to Eli Preble; and

H. R. 13936. A bill granting an increase of pension to John W. Thomas.

DIAMOND SHOALS LIGHT-HOUSE, NORTH CAROLINA.

Mr. RICHARDSON of Alabama. Mr. Speaker, I rise to a privileged question. On the 15th of February last, by order of the House, the bill (H. R. 7264) to provide for the construction of a light-house and fog signal at Diamond Shoals, on the coast of North Carolina, at Cape Hatteras, was made privileged for consideration. I call that bill up now, and ask unanimous consent that it be considered in the House as in Committee of the Whole.

There was no objection.

The bill reported by the committee as a substitute was read, as follows:

Be it enacted, etc., That Albert F. Eells, of Boston, Mass., be, and he is hereby, authorized, with such others as may be associated with him, to construct, in the manner and on the conditions herein specified, a substantial and sufficient light-house and fog signal of the latest and most improved construction, together with such auxiliary works of the most modern character and such as will be necessary to maintain the same permanently, at the outer side of the outer Diamond Shoal, on the coast of North Carolina, at Cape Hatteras.

That the construction of said proposed light-house and fog signal shall be in good faith commenced within twelve months from the date of the approval of this act.

That the said light-house and fog signal shall be constructed and placed where the water is at least 30 feet in depth, mean high tide.

That the construction of the superstructure or tower of said light-house and fog signal above the line 30 feet above high-water mark shall conform to the specifications contained in the letter from D. W. Lockwood, lieutenant-colonel, Corps of Engineers, United States Army, secretary of the Light-House Board of the Department of Commerce and Labor, to the chairman of the Committee on Interstate and Foreign Commerce of the House of Representatives, dated February 3, 1904, except as to the brick lining specified, and in lieu thereof the floors shall be supported by metal framework designed by said Eells, and further, except as herein modified. Any changes or modifications in design or construction which may hereafter appear to be necessary by either the Light-House Board or the said Eells may be made by consent of both parties.

That there shall be erected above said structure, as aforesaid, a circular steel tower or mast of sufficient diameter to contain a spiral stairway, which shall extend a sufficient height so that the light to be placed thereon shall be at least 200 feet above mean high tide, all to be substantially and securely constructed and braced.

That the said Eells shall make his own plans for the construction below the line 30 feet above high-water mark herein provided for.

That detailed drawings and specifications of that part of the structure above a line 30 feet above mean high water and including the lantern, watch room, and service room, which must conform to the standards required in the Light-House Service, shall be submitted by the said Eells to the Secretary of Commerce and Labor for approval in advance of construction.

That the plans and specifications of that part of the structure from the base of the foundation up to a line 30 feet above mean high water shall be furnished to the Secretary of Commerce and Labor for the purpose of determining the stability of the completed structure.

That the lens and equipment for said light, light-house, and fog signal shall be furnished by the United States, under the direction of the Secretary of Commerce and Labor, upon demand, in New York, without expense to said Eells or his associates, when the said structure shall be sufficiently completed to permit of their installation. The said Eells or his associates shall transport the above to the site of the light-house and install same under the direction of the Secretary of Commerce and Labor.

That the Secretary of Commerce and Labor shall designate a suitable place for the site of the said proposed light-house and fog signal within sixty days after written request therefor from the said Eells or his associates. During the progress of the construction of said light-house the same will be inspected under the direction of the Secretary of Commerce and Labor, who will pass upon all materials and workmanship, and any part of either which is not in accordance with the usual specifications of the Light-House Board must be satisfactorily replaced by the said Eells or his associates, the expense of inspection to be paid from the general appropriation for the Light-House Service. The said Eells or his associates shall furnish suitable quarters and board for the inspector designated by the Secretary of Commerce and Labor when employed at the site of the light-house.

That the cost of the lens and equipment of the said light, light-house, and fog signal shall be paid for from appropriations to be hereafter made for that purpose by Congress.

That the Secretary of Commerce and Labor shall prescribe the color or colors of which the outer part of said structure shall be painted, and the class or kind of light and the manner in which the same shall be exhibited. That when the said light-house shall be placed in position, in accordance with the conditions herein specified, and ready to be lighted, that the said Eells and his associates are hereby authorized and required to maintain the said structure and operate the said light station, in accordance with the regulations of the Light-House Board, for a period of one year, and at the cost and expense of said Eells and his associates and successors. That at the expiration of said period of one year the said light station shall be delivered to the United States and shall be placed under the control of the Light-House Board, who shall be required, under the direction of the Secretary of Commerce and Labor, to maintain and operate the said light station in accordance with such regulations as may be prescribed by said Board and at the expense of the United States for a period of four years.

That at the expiration of five years after the date when the said light station shall have been completed and lighted, and which period shall embrace the one year during which the said light station shall have been maintained by said Eells, if the said light-house structure shall be in a substantial and secure condition and in all respects sufficient for the purpose of a light-house at the place where located, and such fact shall be so certified by the Secretary of Commerce and Labor, then and in such event the said Albert F. Eells, or his assigns or legal representatives, shall be authorized to demand from the United States the sum of $590,000.

Provided, That if the said Eells and his associates shall fail to construct the said light-house in accordance with the terms hereof, or shall fail to maintain and operate the same for one year, or if at the end of said five years the said structure shall not be in a substantial and satisfactory condition, as hereinbefore provided, then and in such event neither the said Eells or his associates, or their heirs or personal representatives or successors, shall be entitled to demand or receive from the United States any compensation whatever, in whole or in part, by reason of any act or acts done in pursuance hereof: *Provided further*, That if the said light-house shall not be accepted the same shall not be used by the United States.

Mr. STEVENS of Minnesota. Mr. Speaker, I rise to a parliamentary inquiry. How much time shall we who are opposed to the passage of this bill be allowed for its discussion?

Mr. RICHARDSON of Alabama. That has not yet been fixed. I am more than willing to hear any suggestion on that point from the gentleman from Minnesota.

Mr. STEVENS of Minnesota. I have several requests for time and would ask about an hour.

Mr. RICHARDSON of Alabama. An hour on each side?

Mr. STEVENS of Minnesota. Yes, sir.

Mr. RICHARDSON of Alabama. All right.

The SPEAKER pro tempore (Mr. VREELAND). The request is made that debate on this bill be limited to one hour on each side, the time in favor of the bill to be controlled by the gentleman from Alabama [Mr. RICHARDSON] and the time in opposition by the gentleman from Minnesota [Mr. STEVENS]. Is there objection?

There was no objection; and it was ordered accordingly.

Mr. RICHARDSON of Alabama. Mr. Speaker, the object of this bill is to authorize Albert F. Eells and his associates to con-

struct a light-house at Diamond Shoals, at Cape Hatteras, on the coast of North Carolina, which runs 8 miles out from the mainland into the sea. Before undertaking to enter into a thorough explanation of this bill, I will first explain the terms upon which this light-house is to be constructed. I read from the amended bill:

That when the said light-house shall be placed in position, in accordance with the conditions herein specified, and ready to be lighted, that the said Eells and his associates are hereby authorized and required to maintain the said structure and operate the said light station, in accordance with the regulations of the Light-House Board, for a period of one year, and at the cost and expense of said Eells and his associates and successors. That at the expiration of said period of one year, the said light station shall be delivered to the United States and shall be placed under the control of the Light-House Board, who shall be required, under the direction of the Secretary of Commerce and Labor, to maintain and operate the said light station in accordance with such regulations as may be prescribed by said Board and at the expense of the United States, for a period of four years.

That at the expiration of five years after the date when the said light station shall have been completed and lighted, and which period shall embrace the one year during which the said light station shall have been maintained by said Eells, if the said light-house structure shall be in a substantial and secure condition and in all respects sufficient for the purpose of a light-house at the place where located, and such fact shall be so certified by the Secretary of Commerce and Labor, then and in such event the said Albert F. Eels, or his assigns or legal representatives, shall be authorized to demand from the United States the sum of $590,000:

Provided, That if the said Eells and his associates shall fail to construct the said light-house in accordance with the terms hereof, or shall fail to maintain and operate the same for one year, or if at the end of said five years the said structure shall not be in a substantial and satisfactory condition, as hereinbefore provided, then and in such event neither the said Eells or his associates, or their heirs or personal representatives or successors, shall be entitled to demand or receive from the United States any compensation whatever, in whole or in part, by reason of any act or acts done in pursuance hereof: *Provided further*, That if the said light-house shall not be accepted the same shall not be used by the United States.

I confess, Mr. Speaker, that I think that that provision or, rather, the terms of the bill are very unusual. The man who proposes to construct this light-house denies himself the privilege of receiving one dollar for this work until after the expiration of the five years, when the light-house has been thoroughly tested, its capacity ascertained, and its efficiency established.

Then, at the end of that time, he can apply to the Government for the compensation of $590,000. I say, Mr. Speaker, that the Government can not possibly be better protected in any contract that it could make than under the terms proposed in this bill. The bill has been carefully prepared, having in view the full protection of the interests of the Government under all contingencies.

Now, why, is the natural inquiry, is it that such broad and liberal terms should be proposed by Mr. Eells and his associates, who propose to do this work? Does anyone question the fact, Mr. Speaker, that Diamond Shoals on the South Carolina Atlantic coast is one of the most dangerous places between ports on the North and South Atlantic coast in the matter of navigation? It has been shown, Mr. Speaker, in the evidence which has been taken in the hearings before the Interstate and Foreign Commerce Committee, to be one of the most dangerous points in the world. This is clearly shown by the testimony of experts.

I have statistics to the effect that within the last decade more than a million and a half dollars' worth of property has been lost and destroyed at that point by reason of the fact that there was no light there to guide the mariner. I am aware that a light-ship is anchored some 6 miles from where the light-house is to be constructed. But the hearings show that the maintenance of the light-ship is expensive, and it is insufficient for safe navigation.

Now, the minority of the committee and the majority agree upon what I think to be very substantial and material points in this case, and that is that there is an actual and an absolute necessity for the construction of a light-honse at that dangerous point. We agree upon another material fact—that it is one of the most dangerous points in the course of navigation, as I have said, between North Atlantic and South Atlantic ports. What else is there about it? I am just as little disposed to grasp at shadows or undertake to espouse chimerical enterprises as anyone on this floor.

The first point, Mr. Speaker, as a matter of business, is to convince this House that there is a necessity for a light-house at that point; second, that the Government is amply and fully protected in this contract. Well, now, Mr. Speaker, I want just to say a word further as to the necessity. The Light-House Board in 1888, under an act of Congress, was authorized to enter into and make a contract for the payment of $500,000 to construct a light-house at this very place. Plans and specifications were prepared by the Light-House Board and the contract to construct it made with Anderson & Barr, of Pittsburg. On that subject the Light-House Board said:

The board is satisfied that it is entirely practicable to erect the necessary structure at or near the outer shoals; and in view of the dangerous character of the shoals at Cape Hatteras and the great loss of life and property that occurs there annually and the urgent demand of commerce, the Light-House Board is of the opinion that provision should be made at once for the establishment of a light and fog signal at or near the outer shoal, Cape Hatteras, North Carolina, and the suggestion is therefore made for a proper recommendation to Congress that an adequate appropriation be made therefor.

These conditions described in the recommendation of the Light-House Board exist to-day, Mr. Speaker, just as much as they did, and even more so, than when the Light-House Board made this recommendation; and therefore there can be no question raised in the mind of any gentleman on this floor as to the necessity for such a light-house being constructed at that point. That it is feasible and practicable is demonstrated not only by the recommendation of the Light-House Board, but by the indorsement by the best engineering skill of this country.

In addition to that, since that time the Light-House Board has recommended a different kind of a project for the establishment of a light-house there, providing for a breakwater, and the establishment of a shore station at Hatteras Inlet—costing the Government $1,600,000. These are the undisputed facts in this case.

Mr. Speaker, this is no new bill. It was up in the Fifty-seventh Congress without having received a hearing before the House. It was my pleasure to serve in the Fifty-seventh Congress on the subcommittee appointed by the chairman of the Committee on Interstate and Foreign Commerce on this subject, and a favorable report was made. The majority of the committee indorsed this bill. The same thing was done in the Senate; but neither bill was brought to a final hearing in the Fifty-seventh Congress. Senator McMillan in the Senate, in the Fifty-seventh Congress, in the report of the committee, said this:

This bill has not the approval of the Light-House Board, as will be seen by the accompanying letters, but your committee, after a long and careful consideration, have come to the conclusion that a light-house at this point would be of very great benefit to navigation, and that the Government may well give Captain Eells and his associates an opportunity to attempt to place one there. The bill has been so amended as to amply protect the Government, and should the project fail the Government will lose nothing. Should it be successful, the Government will have secured a much-desired light-house at a reasonable cost, and the loss of property and life in this vicinity has been very great and has been largely due to the want of a proper light. To neglect the opportunity for such a valuable aid to navigation, with every reasonable prospect of success, would be reprehensible.

Mr. Speaker, it will be perhaps said that Mr. Eells has not established his engineering skill and ability to such an extent as to command the confidence of the House. Before addressing myself to this feature of the case I will briefly, for the information of the House, give the character of this work. It is to be sunken into the ground or sand in a depth of water not less than 30 feet, and the caisson is to be sunken not less than 15 feet, or a sufficient depth to secure a safe foundation.

The caisson is to be filled with masonry and concrete up to a point at least 20 feet above the mean water. This is to be solid masonry, except there shall be sufficient space in it to contain a storage of fresh water and supplies in part for the light-house. Above this goes the tubular steel structure. The bottom of the caisson is to be 70 feet in diameter and is to be bell-shaped and to go up gradually, decreasing in diameter, so that at 30 feet above the top of the water it will be 27 feet in diameter.

From that point is erected a circular steel structure, and that goes up 20 feet farther, and it is to be 25 feet in diameter at the top. On the top of that is to be constructed another tubular steel structure of sufficient diameter to contain a spiral stairway in order to reach the top, and the light is to be on the top, not less than 200 feet over mean low water. The light, it is stated, can be seen in ordinary weather the distance of 30 miles. I think Mr. Eells has established the fact by the testimony of disinterested persons that his plan is feasible—is practicable.

I will refer briefly, Mr. Speaker, to the gentlemen who came before the Interstate and Foreign Commerce Committee on these hearings and see what they say about it. First we have a statement of Capt. John C. Silva. He says:

I appear for the American Association of Masters and Pilots of Steam Vessels. Our organization is made up of 10,000 people. We cover a territory from Manila to Alaska and San Francisco; on the Great Lakes, from Thousand Islands to Duluth; and on the Atlantic coast, from Key West to Eastport, Me.; and we also have representation on the Gulf and the Mississippi River.

I believe that I probably represent more men who pass Hatteras on every trip made by our ships than any man employed in any other capacity that I know anything about. We have in our membership such able men as Capt. Robert Quick, of the Morgan Line of steamers, controlled by the Southern Pacific Railroad. I believe Captain Quick has made more passages to the southward passage and to the northward passage of Hatteras than any other man in America. We also have Captain Kimball.

The Mallory Line, the Ward Line, the Cromwell Line, and nearly all of the masters employed by the large corporations are members of our association.

Our association wishes to indorse this bill in the most hearty way we are able to do so, for this reason: Under present conditions no one is ever sure whether any signal is there to mark the spot. I know from personal experience that a light-ship is maintained there at present. I also know that that same light-ship was adrift last month.

Now, the next gentleman who came before the committee and gave elaborate testimony on this subject was Capt. Luther B. Dow. He says:

I wish to say, first, that in my travels past Cape Hatteras it was the custom that if we were not actually bound in there never to see the light. If we did, the changes come so quickly that we were in trouble absolutely, and we could not get off. I have come up past there in a northeast gale of wind in a sailing vessel hoved to, where we were making 4 miles leeway, and have ab-

solutely drifted to windward 2 or 3 miles an hour against a northeast gale of wind that was blowing from 50 to 75 miles an hour.

The changes come so quickly there that I have gone below to look at the glass and before I arrived on deck it was upon us. The changes are so sudden, more so than in any other part of the country I was ever in.

We have always considered it one of the worst places in the world, and at my office in New York the masters of the Morgan Line, the Mallory Line, the Clyde Line, all of those that belong to the association which I represent, come into my office and make these reports. They say, "If it is possible for you to do anything while in Washington to have a permanent fixture off Cape Hatteras, for God's sake do it for us."

And there are others. Mr. Speaker, I will refer to but one other gentleman in this connection. The majority report has the indorsement of many others alike distinguished in engineering and commercial lines:

NEW YORK, *March 3, 1900.*

DEAR SIR: I have examined with care your plans for foundations of light-houses or jetties and think favorably of them. With the suggestions I have made with a view to greater future security, I approve the designs and should be willing to trust them to accomplish the desired object. I think that a light-house built in accordance with these designs in 30 feet of water exposed to the action of the ocean would be permanent and safe.

Very respectfully,

L. L. BUCK.

Capt. A. F. EELLS, *44 Pearl Street, Manhattan, N. Y.*

I leave the indorsements to be read by other gentlemen who will take part in this discussion. Now, Mr. Speaker, the only objection that I understand is really made to this bill in the report of the minority is simply this: That if Captain Eells fails in this undertaking, as Webb & Anderson did—the first contractors, who contracted in 1888 with the Light-House Board for $500.000, recommended and indorsed by the Light-House Board—if Captain Eells fails in this, it is said he will come back and ask the House of Representatives or Congress to give him damages or recompense him in some way for his failure.

I say, Mr. Speaker, that that is based upon the supposition that the Members of this House, in the face of the plain, open contract that is made, will disregard its plain and binding terms so as to give Eells damages if he comes back and asks the same after he has failed to meet the conditions that he has voluntarily agreed to. I have no hesitancy in saying from my association with him, from the opinion that I have formed of his integrity and character, that he never will make such a request upon us here. He sincerely believes, just as Eads did in the construction of the Mississippi River jetties, when so many doubted whether it could be done or not, that he will make this a success.

He gives, Mr. Speaker, the highest and best evidence of his faith and confidence that a man can possibly give. He asks not a dollar of compensation. Not one cent of money is to be paid to him, his associates, or representatives under this contract until the light-house has been established there for five years and its entire sufficiency and capacity made satisfactory in every respect.

What greater evidence can a man give than this? Somehow or in some of his many interviews with me Mr. Eells has communicated to me the faith that is in himself, and I believe that time will show that the Light-House Board is mistaken in their judgment that his plans are not practicable and that his efforts will result in failure. So much am I convinced of his final success that I earnestly desire to see him authorized to make the trial.

Mr. Speaker, this bill has been drawn as carefully as a bill ever was drawn, and by reading it any gentleman will see that all of the specifications connected with this matter have been submitted to the Light-House Board and have been ingrafted on this bill. What objection can anyone have to allowing Mr. Eells to undertake this enterprise? The Government risks nothing; the Government is in no jeopardy.

Under the contract, as I said just now, surprising as it may be, entered into by a man possessed of an infatuation and a faith that surpasses understanding as to his ability to accomplish this great work at this dangerous point, what possible objection can anyone have to allowing him to make the experiment? It is to be under the control of the Secretary of the Department of Commerce and Labor, and all of the specifications provided for and entered into are to be under the direction of the Light-House Board. The material to be used must be inspected and approved by the Light-House Board authorities. Who is more interested than Eells in putting in good material?

As Senator McMillan said, the Light-House Board stands opposed to this project. Why? Mr. Speaker, these hearings disclose that reason. I read, for the information of the House, from the hearings, questions addressed by the distinguished chairman of the Interstate and Foreign Commerce Committee, Colonel HEPBURN, to Colonel Lockwood, chief of the Light-House Board:

The CHAIRMAN. In your judgment is there a disposition on the part of the board, in view of the fact that this is an experiment that is not to cost the Government anything, to cooperate and give us the benefit of your judgment and your aid, so as to get the best possible scheme for this work?

Colonel LOCKWOOD. Mr. Chairman, this is a proposition that the Light-House Board has nothing to do with, according to the bill, except to furnish the lens and equipment, and I do not think the bill is clear on that point; whether it means the board should put it up or whether Captain Eells should put it up is not clear.

The CHAIRMAN. Have you any objections to helping this committee to get that into a definite and proper shape, so as to get the best possible results for the Government out of this experiment?

Colonel LOCKWOOD. I am perfectly willing to give all the information that the board has with regard to what it considers to be necessary in a light-house in this locality; but so far as the foundation is concerned, the board, I think, has no suggestion to make about that. I certainly would have none.

Mr. LITTLEFIELD. You do not want to assume any responsibility?

Colonel LOCKWOOD. Not a bit.

Mr. RICHARDSON. You do not assume any responsibility in this bill at all, do you?

Colonel LOCKWOOD. No; except after it has been operated a year the Light-House Board takes hold of it and operates it for four years, and after the Light House Board has operated it for four years the Secretary of War certifies it is all right.

The CHAIRMAN. The reason for that was, it was believed the Light-House Board was hostile to this scheme?

Colonel LOCKWOOD. I do not think any member of the Light-House Board would be hostile to any—I would not use the word "scheme," but I will say any plan for any light-house in that locality that is regarded as feasible and possible of construction, and that would answer the purposes of a light-house when completed, when it has to take hold of it. You see, the board has got to operate this as it stands there. It is a light-house that is going to cost a good deal, and in the opinion of the board it ought to be one with the most modern of illuminating apparatus that can be put in.

The CHAIRMAN. Why is it not the part of wisdom on the part of the board to help us to get the proper description of what should be put in there? Suppose you were to provide new specifications as to what should be used for a perfect light-house, for the accommodation of the crew, and for the practical uses of this structure.

Colonel LOCKWOOD. That is already given.

The CHAIRMAN. Put that into the specifications.

And it was put into the specifications according to the directions of the Light-House Board, and everything was done to the extent, Mr. Speaker, it seems to me, of loading down this bill, as it were, with certain conditions and specifications that even threatened its success; but notwithstanding all of this, Captain Eells is ready and willing to go forward with this work. This, Mr. Speaker, is simply and purely a business proposition. I admit that I am not possessed of any engineering ability or skill, but I think I understand as plain and simple a proposition as this.

Here we all admit that there is an imperative necessity to protect this dangerous point with a light-house in the interest of both life and property. The Light-House Board has heretofore declared that the plans recommended by them to construct a light-house at the same point were practicable, and the board also declares, of course, that a light-house is absolutely needed at that point.

It is true that the plans indorsed by the Light-House Board were a dismal failure. But here comes a man—an odd genius, you may call him—and he says, "Give me a chance, and I will build you a light-house at the same point for about the same amount that the Light-House Board contracted for; and if I do not build a suitable and sufficient light-house, you need not pay me a dollar." That is all there is in it.

Mr. STEVENS of Minnesota. Mr. Speaker, it is always an ungrateful task to oppose the passage of a bill which does not interest one personally or one's constituents or one's particular section of the country. I feel also that it is an ungracious thing to oppose the will of a majority of a committee which I esteem so highly as I do the Committee on Interstate and Foreign Commerce, and if it were not that I believe this was thoroughly a vicious bill, entirely deserving defeat, I would not raise my voice in opposition to it.

The reason that some of us on the committee and others on the floor of the House oppose the passage of this bill is that we believe it thoroughly impracticable; that the light-house provided for can not be built; that it only involves every one connected with it, the contractor on the one side and the United States Government on the other, in a certain course of trouble and disaster throughout all attempts at such construction.

As I said, we believe this light-house can not be built under these specifications provided in this bill, that the conditions of the bottom of the sea where the light-house is designed to be located are such that a foundation can not be had. This belief of ours is based upon reports of engineers who actually know about the conditions of the sea bottom there. This is not a new and an untried proposition. This matter has been before this House for a number of years, and this proposition, almost identically, has been before the Light-House Board and this House for nearly ten years.

It was before the last Congress and the Congress before that, and there has been repeated opposition on this very ground, that it always has been an impracticable and a dangerous undertaking, and I will state the reasons for that.

Mr. LITTLEFIELD. Mr. Speaker, may I ask the gentleman a question?

The SPEAKER pro tempore. Does the gentleman yield?

Mr. STEVENS of Minnesota. Certainly.

Mr. LITTLEFIELD. Is it not a fact that the Light-House Board practically concedes its inability to build a structure at that place with any reasonable expenditure, and that they have exhausted their ingenuity?

Mr. STEVENS of Minnesota. Not at all. Mr. Speaker, the Light-House Board report this, that it is a desirable thing—re-

member, a desirable thing, not a necessary thing—to have a light-house at that point; that a light-house can be built there if a proper foundation be secured; that soundings have been made to the depth of more than 105 feet, and the deeper the borings the softer the mud and the sand are found to be.

The result is that no foundation can be built unless rock be sunk to an immense amount, thousands and thousands of tons, costing hundreds of thousands of dollars.

Mr. LITTLEFIELD. About a million and a half of dollars, is it not?

Mr. STEVENS of Minnesota. No; a million and a half of dollars would build the whole structure.

Mr. LITTLEFIELD. That is their proposition?

Mr. STEVENS of Minnesota. There would require to be built a breakwater 1,400 feet long, as I remember, and inside of that there would be a foundation, and upon that foundation there could be constructed a light-house. This whole proposition of a breakwater and the foundation and the light-house would cost a million and a half of dollars. Now, that is the best opinion of the Light-House Board after about fifteen years of careful, disinterested investigation.

Mr. LITTLEFIELD. That is according to the theory of the board.

Mr. STEVENS of Minnesota. Mr. Speaker, as I said, for that reason the board and the engineers of the board, examining this thing for a long period of years, believe that method is the only way to properly construct a light-house at that point and any other such as this would be entirely impracticable, impossible in producing any beneficial results. The water at that point is 30 feet deep at mean low tide. So far as they have bored that sea bottom at that depth lie these quicksands, which will not support a foundation except constructed at this enormous expense. Now, the board also reports that it is not absolutely necessary for the purpose of navigation that this light-house should be at that point.

Five and three-eighth miles off at sea from this point a light-ship is located, and the official investigations and reports for the last three years and more, almost four years, show that light-ship has been adrift only three days and seven hours; and the Light-House Board further insists strongly and without any conditions that even if this light-house be constructed successfully at the particular point designed for this one, yet these light-ships must be maintained just the same.

The construction of the light-house will not economize in the slightest in the use of light-ships.

It thus seems the enormous expense contemplated by this bill is not warranted by the actual conditions at that point. Since 1875, by the official reports of the Life-Saving Service, there have been only eighteen wrecks at Outer Diamond Shoal, and the main part of these were before the establishment of the light-ships, in 1897, and of the few since most have been caused by the carelessness and incompetence of the mariners.

Surely this condition does not warrant such a tremendously expensive undertaking as this. Exaggerations have been and will be made concerning conditions here. But such are the official, uncontroverted facts. Then, too, remember that light-ship has a duplicate. There are practically two light-ships there. One relieves the other, so that there is always a light which mariners can find at that point. And the apparatus for holding these ships in place are entirely capable of doing it. They do not drift or float away, but can be depended upon to a certainty to remain as marked upon the charts. Light-houses could do no more.

Remember also that this light-ship casts a light 5¾ miles beyond the radius of the light which would be cast by this light-house, if erected. These ships will reach the greatest distance, will accomplish the most good, and practically answer all necessary purposes. But repeated solicitations have wrought upon the patience of a majority of our committee.

Again, the minority of the committee believe that even if a light-house be constructed according to the plans provided in this bill, it will be quite impracticable to operate it.

The Light-House Board, in their testimony before the Committee on Interstate and Foreign Commerce, stated that many years ago—probably twenty years—under General Casey, when he was superintending engineer of the Light-House Board, a list of specifications was made for the construction of light-houses in the United States, and the most important specification was that there should be a brick lining for light-houses in situations like this.

This was insisted upon for many reasons: First, on account of healthfulness, it being believed that in places like this, exposed and damp and cold, it was necessary that this sort of a lining should be provided in order to protect the stores, the water, and the provision in the storehouse, and, more than all, the health and life of the inmates.

Remember, this light-house is to be constructed to a height of about eight stories, and each of these floors will be occupied by some sort of stores for the light-house—water and subsistence for a year, fuels and oil, boats, and various things.

This space is absolutely necessary; and on top of it, nearly 200 feet up in the air, it is necessary to place the fixtures and the lamps—weighing, I think, from 12 to 14 tons. Hence it is requisite that there should be this strong, stable, capable structure of brick. Now, all provision for a brick structure is eliminated from this bill, and instead it is left to a sort of new scheme, untried before, of a metal lining, which the Light-House Board reports is impractical, will be unhealthful, and inadequate for the necessary purposes of such a structure.

Remember that this brick structure has been provided for in all specifications for all the other light-houses on the coast except this, and this is the one light-house on the whole coast which ought especially to have this brick lining, not only for the healthfulness of the inmates, but for the purpose of affording additional weight and solidity for the light-house in connection with its foundation. Even conceding that it can be built, which the minority do not believe; even conceding that it would be practicable, which the minority do not believe, this light-house would, if built, be worthless to the Light-House Board for the reason that it would not have this brick lining.

As I said, the brick lining is necessary for two reasons: First, for the sake of the additional weight for the structure in order to balance and hold it firmly in place, and this additional weight means much right here: in the second place, to afford the space and protection and ventilation necessary for the health and comfort of the inmates. I think the House can not overestimate that point. Even if constructed according to the bill, this light-house would be almost worthless for practical purposes.

The gentleman from Alabama [Mr. RICHARDSON] states that there would be no liability on the part of the Government if this contractor should fail. The minority of the committee, including myself, differ with him on that point.

I realize that the majority of the committee have done the very best they could to prevent liability on the part of the Government if the contractors should fail. I know they have acted in the best of faith in trying to prevent any contingent liability on the part of the Government in the case of failure. But, Mr. Speaker, it is impossible to accomplish that result.

There always will be enough difference of opinion between the Light-House Board and the contractor as to construing and carrying out the provisions of a bill like this to base some kind of a claim against the Government to influence some committee of this, or more especially some other legislative body, to grant favorable consideration for a claim. Notwithstanding the provisions of this bill, notwithstanding a solemn agreement not to make any claim, claim agents have mysterious ways their wonders to perform. It was so under previous contractors.

In 1891 another concern—a Pittsburg concern—had a contract to construct a light-house at this very point. They were experienced contractors; they had experienced engineers. They went about the work in a practical way, but they made a failure at the very outstart in trying to sink a caisson at this very point, and the failure was caused by the very things which we believe will be equally fatal to this contractor—the shifting sands, lack of firm sea bottom, the strong tides and eddies, and storms.

In that former case there was a provision that the contractors should have no claim in case of failure—a provision just such as this. But it was not a year before those contractors were haunting Congress with their claim; and they did succeed in getting a a favorable report from the Committee on Claims of this House in the Fifty-fourth Congress upon their claim for $100,000.

Now, in the very report of the majority of the committee there is a foundation for a claim; there is a loophole, a condition, which gives the very opportunity which may nullify the very provision in the bill designed to prevent claims. It shows how honest men, good men, will differ about complicated and technical provisions of a bill like this. The majority of the committee state in their report that the bill provides that Captain Eells shall construct the base up to a point 30 feet above the surface of water—implying by that that he will have the absolute right in his own way to construct this base to that height—and on that base a superstructure shall be erected under the provisions of the bill.

This report represents, of course, the views of able, honest, and disinterested men. It of course would represent also the views of Captain Eells on this very proposition. But it is evident, if this contention and construction be allowed, that all power of supervision, all power of requiring the installation and erection of the qualifications necessary to a proper light-house will be taken away from the Light-House Board and Captain Eells can erect just such a foundation as he pleases, can scrimp and save as much as he pleases, and if it be insufficient and inadequate, as would be probable if these conditions be allowed, then the Light-House Board and the United States Government would be helpless to protect itself.

Whether suited or not, whether adequate or not, whether adapted to purposes of construction or not, the majority of the committee believe Captain Eells can force such a structure upon the Government within the terms of this bill.

Now, the minority of the committee do not believe the bill should bear that construction; we do not believe it ought to bear such a construction. We do not believe that this contractor should have any right to begin this foundation, to commence the construction, until the plan for the whole structure, all parts included, shall be approved by the Light-House Board.

There is a difference of opinion, and a most serious and fundamental difference of opinion, at the start. That very difference of opinion may be, in case of failure, the basis of a claim of $500,000 before some future Congress. Here is a basis for claim not covered by the bill, and it can not be covered by this or any other provision, because the contractor will claim he was wronged and prevented from a success by the action of the authorities of the Government and the Treasury should compensate him for such a wrong.

As I have said, I believe that this will be a failure. I believe it can not be a success, from the very condition of things, and in case of failure this very difference of opinion will bring this man or his assigns haunting the doors of Congress for years with a claim of half a million dollars against the United States, when the Government has not received one bit of benefit. It will be a detriment rather, because it will postpone the day when enough money will be appropriated to construct an adequate light-house, conceding the necessity to be such as to call for such an enormous expenditure of public money.

Now, Mr. Speaker, this contractor is probably a good man. He probably believes in his scheme. But it is to be remembered that he has had no experience in this kind of business. Not one single experienced engineer has gone upon the ground, has examined the conditions as they are there, and has approved the whole plan of this structure and foundation.

This man has obtained the opinion of able engineers as to the foundation alone. He has obtained opinions of able men and disinterested men in approving that method of sinking a foundation; but he has not obtained, and can not obtain, the opinion of one single able disinterested engineer of high standing that the whole plan, including all parts and specifications to make a complete and adequate and proper structure, is practicable, because the only engineers who have examined it, the only engineers of standing and experience who know, have unanimously declared it is impracticable and dangerous.

Mr. LITTLEFIELD. Just who are the engineers that you are now speaking of?

Mr. STEVENS of Minnesota. All the engineers who have served on the Light-House Board since the beginning of this project.

Mr. LITTLEFIELD. Precisely.

Mr. STEVENS of Minnesota. Recently General Mackenzie and General Haines and Colonel Lockwood, men in whom we are accustomed to place such confidence that millions of dollars are spent by them under direction of Congress.

Men who are spending from fifteen to twenty millions of dollars per annum, under the general authority conferred by Congress, on their own judgment and as they think wisest and best—this is the class of men who declare that this proposition is entirely impracticable, dangerous, and absurd. We trust them with other plans costing millions of dollars; we trust them in all those cases to perform the most skillful and dangerous and expensive tasks with the utmost confidence, and yet the gentleman from Maine has the hardihood to declare that this class of engineers have opinions based upon actual knowledge and experience and disinterestedness which are not worthy to be considered in a project like this. And in his turn he asks us to trust a man absolutely without any training or experience, who has shifted his plans from one method to another as rapidly as shift the sands which will cause his destruction, who does not know or realize conditions, and who seems ready to promise most anything to pass this bill.

Mr. MANN. Will the gentleman yield to me for a question?

Mr. RICHARDSON of Alabama. Will my colleague yield to me?

Mr. STEVENS of Minnesota. Certainly.

Mr. RICHARDSON of Alabama. Is it not true that if all you say is absolutely true and he should make a failure, the Government can not possibly lose anything by it?

Mr. STEVENS of Minnesota. That is just what I stated, Mr. Speaker. In this way, that there will inevitably be a difference of opinion between the Light-House Board and the contractor in construing the provisions of this bill. The report of the minority has pointed out at the very start a most serious difference of construction between the gentleman from Alabama and the minority of the committee, and this very difference of opinion between those gentlemen and myself may be the basis of a claim for half a million dollars against the United States Government.

Mr. RICHARDSON of Alabama. Now, does not my colleague admit we have guarded against that?

Mr. STEVENS of Minnesota. I state the fact that you have tried to guard that in placing a provision in the bill by which in case of failure no claim shall be made; but, Mr. Speaker, you can not guard against differences of opinion or the differences of construction that are bound to appear in a complicated proposition of this kind, and it is differences like those that will be the basis of the claim, because such will be regarded as a wrong by the contractor so great as to cause his failure. His claim will be the failure will be caused by the construction and action of the Light-House Board instead of by the necessary natural conditions.

Mr. RICHARDSON of Alabama. You admit that the Light-House Board said it was practical to put a light-house there?

Mr. STEVENS of Minnesota. Why, they said that if there was a proper foundation, if a break-water were built, if an immense mass of rock were dumped there, then it would be practicable. It is the only way that experienced engineers claim it can be done.

I reserve the balance of my time.

Mr. MANN. Mr. Speaker, my colleague and myself occupy very much the same position on this bill. I would like to ask him one or two questions, if he has time.

Mr. STEVENS of Minnesota. Certainly.

Mr. MANN. Is there any evidence showing that Captain Eells himself possesses any means or has the financial ability to complete this structure?

Mr. STEVENS of Minnesota. Well, Mr. Speaker, Captain Eells does not pretend he has, but claims——

Mr. MANN. I will ask the gentleman—no matter what Mr. Eells claims—does the gentleman think that anybody in the country with money will be so foolish as to give it to Captain Eells to carry out his harebrained scheme?

Mr. STEVENS of Minnesota. I do not believe it; but I can not answer for the rest of the country.

Mr. MANN. If it can not be done, there will be nothing for which to make a claim against the Government of the United States.

Mr. STEVENS of Minnesota. I rather differ from that proposition. He may have means sufficient to proceed with the undertaking, get into a hot quarrel with the Light-House Board, then make the expected failure, and claim continuously and persistently, as he has for the past ten years in getting this legislation, that he should be reimbursed on account of the conduct of the authorities of the Government.

I yield ten minutes to the gentleman from Iowa, the chairman of the Committee on Interstate and Foreign Commerce.

Mr. HEPBURN. Mr. Speaker, the committee on this bill were not unanimous. There were differences in the committee. I want to call the attention of the House to this fact. Diamond Shoals are said to be the most dangerous to navigators on our coast. It is a shoal 8 or 10 miles from the coast, without a possibility in very many instances of the navigator knowing of their presence or his proximity to the shoals until he is upon them.

It is so important, so dangerous to navigation, that the Light-House Board have two vessels that are practically devoted all the time to this particular dangerous part of the coast. The expense of these vessels is quite considerable. The expense to us is a much larger sum than the interest would be upon the appropriation that is suggested. Many attempts have been made to secure a permanent light-house at that point. Up to this time all efforts have resulted in failure.

An elaborate scheme was attempted a few years ago of building a great caisson, floating it to that point with the purpose of filling it with concrete and making a permanent basis for the superstructure, but that failed, owing to the washing underneath, which canted the caisson. The plan was abandoned, and then, as my friend has suggested, the men who agreed that except upon success they were to present no claim against the Government, did present a claim and did secure a favorable report from one of the accommodating committees of this House. We have tried to guard against that possibility in the preparation of this bill and had thought with a considerable degree of success, but if we have not we will be glad to entertain any suggestion from any gentleman that will put it entirely beyond the power of this contractor to make any claim except after complete success has crowned his efforts, and that success is certified by the acceptance of the structure by the Secretary of Commerce and Labor.

That is our idea. That is what we want to accomplish. That is the agreement of the contractor or the proposed contractor, and if we have failed we are willing to have the advice and counsel of our friends in making the bill absolutely secure upon that point, for the understanding, as repeated over and over again, is that there is to be no claim unless this structure is made in ac-

cordance with the plans proposed and that it has stood the test of time, namely, five years, and we have been assured by gentlemen familiar with the subject that during that period of five years we will almost certainly have one of those unusual and terrific storms that at intervals assail that coast.

Mr. MANN. Will the gentleman allow me to make this observation simply as one of the gentlemen who have not been favorable to the proposition, that, so far as guarding the interests of the Government is concerned, this bill is as admirably drawn as all the Philadelphia lawyers put together, with their familiar repute, could draw it. I do not think there is an addition that could be made to the bill as presented to better safeguard the interest of the Government. Of course that does not involve the other question necessarily.

Mr. HEPBURN. Now, Mr. Speaker, I think it is very doubtful whether by the use of masonry in that particular place it is possible within the limit of anything like reasonable cost to secure a masonry foundation for that structure. The constant agitation of the waves upon the shoals, the proximity to the Gulf Stream, the proximity to the Hatteras currents, make it almost certain that at every season of the year there is that constant agitation of the surface that prevents successful work of that kind. At least every one that has been attempted in the fifty or more years of effort up to this time has proven abortive. This contractor has a scheme that he thinks will be sufficient. He proposes an immense caisson supplied with valves and with other apparatus in the bottom by which he can extract the sand from underneath, sinking the structure to the depth of 50 or more feet, filling it with concrete and in this way securing a structure that will be durable even after the iron coating has rusted away, and upon that he expects to build the superstructure.

The bill differentiates between different parts. That part of the structure that reaches up to a point of 30 feet above mean tide the contractor is responsible for. There is to be no interference, as I understand it, under the bill with his schemes and plans with regard to that part of the entire structure. Above that the comforts of the employees, the sufficiency and security of the light, and all matters of that kind are to be provided in accordance with plans designed by the Light-House Board and are to meet with their approval in all respects except the one alluded to by the gentleman from Minnesota—namely, the brick lining.

That brick lining, as I understand, was not for the purpose of additional solidity, nor for the purpose of additional strength, but for the comfort of those who would live inside of this iron structure. It was thought that for the purposes of health it would be better that the brick absorbent should be here, but when it was suggested that our vessels were not lined with brick, and that men were reasonably healthy within such structures, I thought those gentlemen who had proposed this argumemt rather abandoned it and believed that some other substitute might be adopted which would secure the health and comfort of those who must live in it.

Now, Mr. Speaker, the question is just this: Here is a most dangerous point upon our coast that we are insufficiently guarding, because the storms will drive adrift the vessels we send there. We are trying to protect them by light-ships. These are inadequate and insufficient, and often at the very time when most needed, or sometimes at least when most needed, these vessels are not there. They are not so efficient as a light-house would be when they are in their best estate and in their proper place. They are expensive; they are constantly to be repaired; they are frequently to be renewed; they are all of the time to be maintained, and the expense of their maintenance is not an inconsiderable one.

Now, this man says that he can do what up to this time the Light-House Board has failed to do. He proposes to do it at his own expense. He proposes to run every risk. He proposes that no money shall be paid by the General Government until he has verified his success, until he has shown to the satisfaction of our own officers that that which we want to be accomplished has in fact been accomplished. He has the faith of his own convictions to such an extent as that he will invest all that he has saved during a life of labor. He has satisfied other men—men of capital—that it will be, that it may be, a success, and they are willing to attest their confidence in it by their subscriptions to the general fund.

Mr. BURTON. Mr. Speaker, I do not desire to stand in the way of any measure which will give guidance or light to the mariner and thereby save human life, but I believe this proposition to be a chimerical one and that if it should by chance prove successful it would be a most wasteful one. Let us consider the proposed location. For a depth of 105 feet there is the softest quality of sand, with nothing suitable for a foundation. It will show how little consideration had been given to the difficulties of the location to know that when this offer to build a light-house was first presented it was with a plan providing for a foundation only 15 feet deep.

That upon which it is sought to make this offer appeal to the House is the assertion that it is a sort of "no cure, no pay" proposition. It is said that if nothing is accomplished the Government is not indebted. Any Member of this House who has experience knows that it is impossible to foreclose the possibility of a claim being asserted here which has a basis of the nature which would be created by this proposed undertaking. You can not make language strong enough to shut out the claimant. As our respected Speaker at one time said, claimants may die, but claims never do. Before our Committee on Rivers and Harbors, on several occasions, we have had requests for payments for improvements where the language was much stronger and more unequivocal than in this case, and have found great difficulty in asserting the prerogative of the House against the insistence of the Senate that they should be paid. There is, as pointed out by the gentleman from Minnesota [Mr. STEVENS], in the provisions of the bill itself an ambiguity which might lead to the presentation of claims.

But if it should succeed it would be wasteful and extravagant. Five hundred and ninety thousand dollars is the amount proposed to be paid for this light-house, a part of the amount in two years, the balance in five years, I believe. Suppose we call the present worth of the amounts to be paid $500,000. Mr. Speaker, that is more than has been expended for any light-house in the United States. It is the most expensive proposition of this nature ever presented to Congress. An estimate was made that a suitable light-house could be erected in the same locality for $300,000; indeed there was one estimate of $150,000, and if this light-house is constructed let us see what the Light-House Board and other engineers have said on the subject. It is, however, regarded as necessary that the light-house on the shoal be protected by the construction of a breakwater partially inclosing it, and also that a shore station at Hatteras Inlet be provided. These are considered as essentials to the economical construction and certainty of maintenance.

Mention has been made by the advocates of this proposition of the very large estimate for a light-house there made by the engineers of the Light-House Board, but every one of these estimates included a breakwater and a shore station to cost over a million dollars. They joined with that estimate the assertion that in order to protect and utilize the light-house a breakwater and shore station would be necessary, so we must not only count the original cost, or $590,000, but we must consider the cost of the breakwater in addition to that. Now, suppose it is successful, suppose this plan succeeds, what does the Light-House Board say in regard to the utility of a light-house there?

It is not believed that a light-house on the shoal would be of as great advantage to navigation as is the light vessel moored about 6 miles beyond the shoal. The only disadvantage of the light vessel is the possibility of her being torn from her moorings in a storm, but with the improved system of mooring, as practiced now on this same light vessel, that danger is much less than it formerly was.

The probable cost of building a light-house on Hatteras Shoal, North Carolina, including a shore station at Hatteras Inlet and a protected area for the light-house behind a breakwater, is estimated at $1,588,000.

It thus appears that a light-house here would not only be unduly expensive, but also of doubtful utility—less advantageous than a light vessel 6 miles away.

It should also be noticed that the estimated cost of the improvement in that report was based upon an estimate of $300,000 for the light-house, instead of $590,000, the amount carried by this bill.

To pass this measure would be to disregard the recommendations of all the officials of the Light-House Board. Now, I have no absurd or overrated respect for the executive officers of the Government, but I do think before we enter upon a project which has the condemnation of such men as General Mackenzie, the present very able Chief of Engineers; of General Hains, recently retired, who was one of the ablest and most careful officers of this force, and of every other official who has examined it—all condemning it as a chimerical measure—that we should not only hesitate, but that we should vote down this proposition.

Mr. RICHARDSON of Alabama. I yield fifteen minutes to the gentleman from Maine [Mr. LITTLEFIELD].

Mr. LITTLEFIELD. Mr. Speaker, I certainly hope that this bill will be favorably acted upon by the House and will be allowed to pass. I come from a district that is bordered upon the seacoast, a large number of whose people go down to the sea in ships; and I want to say to the House that the people in my district, as well as the people all along the Atlantic and Pacific coasts, are interested in the demonstration of the feasibility of building a light-house structure which up to date has not been built by the exercise of the ingenuity of the Light-House Board.

We are interested in the maintenance of these lights upon the dangerous points of this coast in order to protect property and human life. The people who live in my section interested in maritime matters have their vessels moving up and down all this

coast. Petitions from hundreds of millions of capital are on file asking for this legislation. The people thus applying for this measure represent marine insurance companies, shipbuilding companies, steamship companies—persons interested in the coastwise trade, in the transportation of their property. These people all feel, from Quoddyhead to the Rio Grande, that it is important to have the feasibility of this project demonstrated, if it can be demonstrated, either at the expense and by the exercise of the intelligence and capacity of the officers of the United States, or, lacking that, by the intelligence and capacity and at the risk of the property of the people who do not happen to be officers of the United States Government.

Now, I know of no man on the floor of this House on either side that lives in a maritime district who does not heartily support this bill; and these men support the bill not because they have any personal interest in it, but because they desire to see this fact demonstrated, if it can be demonstrated.

The gentleman from Minnesota [Mr. STEVENS], when I simply rose in my place and asked him who the engineers were who undertook to express an opinion that this project was not feasible—and that is all I asked him—said that it was the engineers connected with the Light-House Board; and then he remarked that "the gentleman from Maine" had the hardihood to suggest that these engineers were not entitled to credit in this House.

Well, sir, in the first place, "the gentleman from Maine" did not make any such suggestion. It was the inner consciousness of the gentleman from Minnesota, with his knowledge of the members of this board and the attitude they have maintained toward this proposition, that led him to put into the mouth of "the gentleman from Maine" language that I never did use and that I do not now use. But I will tell the gentleman what I have the hardihood to say; and I will not edit it out of the RECORD. I have the hardihood to say that the members of this Light-House Board do not occupy, with regard to this projected improvement or this projected light-house, the attitude that they should.

I believe that the members of the Light-House Board, with Colonel Lockwood at their head, are actuated largely by a feeling that they do not care to have this project become a success unless it becomes such under the shadow and guidance of members of that board. I do not entertain that view and I do not sympathize with it. It is an instance of the provincialism that is absolutely characteristic of every single branch of the United States Government and every man in every bureau of it. It comes from the fact, perhaps, that they naturally and properly desire to aggrandize the positions that they now hold.

Now, let me have the attention of the distinguished gentleman who suggested that this proposition was chimerical, and if not chimerical, wasteful in the last degree. Assuming that those two propositions are well founded, that is the end of this proposition. What did the gentleman from Ohio say, after having demonstrated to his own satisfaction its chimerical character, basing his view upon the opinion of engineers who have a prejudice against allowing an outside individual—a common citizen, a seafaring man as I know Captain Eells to be, who has plowed the water himself for years and accumulated such little property as he has by reason of such plowing—to make this effort? It was upon the opinion of these gentlemen, who maintain this attitude, that the gentleman based his assumption that this is a chimerical proposition.

Why, sir, Captain Hutchins told me that he did not want a light-house if—what?—if it tended to interfere with the maintenance of a light-ship! And why? Because light-ships were under his particular jurisdiction; and light-ships must live, no matter who else may die, and no matter how much the public service might otherwise be benefited. Nothing should interfere with the light-ship! This was the expression of Captain Hutchins to me; and that is where I get in part my view of the sentiment that inspires the attitude of this board in connection with this question.

The gentleman from Ohio said that this project was wasteful, if not chimerical. Let me call attention to the fact that only $590,000 can be expended for this purpose, and that sum can not be expended until the efficiency and success of the project has been demonstrated after five years' exposure in that position. Not a dollar is to be paid until this has been demonstrated. And then the gentleman from Ohio suggested, when that had been demonstrated and its success had been established by experience, that you would have to build a breakwater, at an expense of a million dollars, in order to make successful a proposition already demonstrated a success, and therefore it was wasteful. Well, that does not make very much for the ingenuousness and candor of the gentleman, because it does not involve a breakwater.

Now, I want to call the attention of the House to this significant fact. This is not the first time that legislation with similar provisions has been presented to this House. We have to-day jetties in existence in sixteen of the great harbors and river mouths of this country that are known as the "Eads" jetties. How does the House suppose that the Eads jetties were first constructed? Who built them? The Board of Engineers of the United States? No. Was it through their ingenuity and their skill? No. Was it the result of their indorsement that the experiment to build them was made? No. Whose was it? Was it the result of bureau work of these men of great intelligence and capacity? No. Captain Eads himself, after years of effort, got the high privilege from the Congress of the United States of constructing the first jetty at his own expense.

Now, I do not know whether he had money, as it may be that Captain Eells may not have all the money necessary for this. But Captain Eads succeeded about twenty-five years ago in getting enough capital interested to build the first jetty, and it was built at his expense, and the Government did not pay a dollar for it until fifteen or twenty years afterwards, when it had demonstrated its success; and you would not have had a jetty to-day if we had waited for these distinguished gentlemen who represent these various boards, and had relied on their intelligence and ingenuity for the construction of these matters. It has proved of very great utility in connection with our merchant marine and has saved the River and Harbor Committee from increasing largely their appropriations.

There are sixteen different harbors in which these improvements have been made, upon the basis of the experiment of a private individual, precisely parallel to this. And I say this upon the authority of the distinguished chairman of the Committee on Rivers and Harbors, because I went to him five minutes ago and asked him what were the facts in connection with the construction of these jetties. Here is what the War Department says as to the practicability of maintaining jetties:

> In view of the experience at Humboldt Harbor, California, where an increase of depth of from 16 to 22 feet has been secured by nearly parallel jetties unaided by dredging, there would seem to be no question as to the utility of such means of improvement under suitable conditions.

Mr. GILLETT of California. And that has been increased to 31 feet.

Mr. LITTLEFIELD. And the gentleman from California tells me since this report was made on the operations of the jetties in that locality they have increased the depth to 31 feet. I do not intend and do not desire to make any reflection upon any department of the Government or upon any man who has faithfully discharged his duty. I have a great respect for these men who represent the Light-House Board. They are entitled to it. I am upon perfectly friendly terms individually with all of them. I have applied to them time and again in matters for the people among whom I live and whom I have the honor to represent. The fact is that here is an illustration that demonstrates the fact that individual enterprise has resulted in vast advantage to the United States Government. Now, I would like to say just a word here as to the utility of the light-ships that are now maintained on the shoals. The chairman put this question to Captain Hutchins:

> The CHAIRMAN. Do you know that he gave this opinion on the 21st of January, 1888?

He answered as follows:

> The matter of the establishment of a light-ship, as requested by the petitioners, was referred to the inspector of the fifth light-house district for report, and on January 9, 1883, that officer reported that to establish a light-ship as asked would simply cause a continued loss of life; that all gales from the southward and eastward, which are extremely severe there, would have a tendency to cause the light-ship to break adrift, and that no earthly power could prevent every soul on board from being lost on the shoals to leeward, as the sea is heavy at all times.

Now, it ought to be said in fairness that since 1888 the Light-House Board have improved the facilities in connection with light-ships so as to make them more safe now than ever, and yet the fact remains that during this very last winter, during one of the most severe gales that visited this coast, when that vessel was needed more than at any other time during the last twenty years in order to protect the mariner and warn him from the fatal shores—that this light-ship, secured as it is to-day by the best appliances known to engineering science, went adrift and was gone some two or three days even before anybody connected with the Light-House Board could locate it anywhere on the Atlantic coast.

Mr. STEVENS of Minnesota. Will the gentleman permit me?

Mr. LITTLEFIELD. Certainly.

Mr. STEVENS of Minnesota. Does not the gentleman know very well the Light-House Board says that is not true?

Mr. LITTLEFIELD. At that time they were not able to state.

Mr. STEVENS of Minnesota. But they stated positively that the man who made that statement made a mistake.

Mr. LITTLEFIELD. I heard Mr. Hutchins testify before the committee, and the impression created in my mind by the answers made by Mr. Hutchins was that he was not prepared then to state. He may have done so later. I do not know how that may be.

Mr. STEVENS of Minnesota. They did.

Mr. LITTLEFIELD. Well, if he did that later, I will with-

draw the suggestion so far as that is concerned; but while I was there Mr. Hutchins did not present to the Interstate Commerce Committee any definite evidence stating to that committee where that vessel was. As I understood, not only had this vessel gotten away from their control, but they were not able to give the committee definitely the information then as to where it was.

My friend from Minnesota says they did later, and I have no doubt he is correct, but they were not able then to give that committee the information whether or not, as a matter of fact, the rumor was or was not well founded. So that here you have this simple proposition: Here is Captain Eells. I do not think he is a man of large means, but I know a great many of the petitioners who are behind him in connection with this proposition, and I know the capitalists are behind them. Hundreds of millions of capital are represented upon these petitions, and I have not any question that he is able to gather the capital for the purpose of carrying out this enterprise.

Now, if he is successful the Government pays him $590,000. It would cost, according to the estimate of the board, $1,600,000 to build what they say would be a suitable structure. They do not deny that the interests of navigation absolutely demand the best appliances possible to make that dangerous point on our coast as safe as possible. Now, there is an expenditure, if the project proves a success, of only $590,000. I confess I am not so much disturbed with the suggestion of my friend from Minnesota, which is entitled to some weight, no doubt, and the suggestion of my friend from Ohio that this may lay the foundation, if the enterprise is not successful, for a perennial claim against the Treasury of the United States.

I hope this House has not yet reached a very profound degree of decadence. I think the present membership of this House has sufficient intelligence and moral courage to stand up against a proposition like that if it was presented, and I am going to assume, for the purposes of this argument and for the purposes of my support of this measure, that the gentlemen who will represent the American people for years to come on this floor will have the same intelligence, and the same common sense, and the same courage, and will be able to pass the same intelligent judgment, and if they have, that figment of the imagination should not disturb any man in reaching a favorable conclusion upon this measure. [Applause.]

Mr. STEVENS of Minnesota. Mr. Speaker, I yield ten minutes to the gentleman from Wisconsin [Mr. ESCH].

Mr. ESCH. Mr. Speaker, it may appear gratuitous for a Member coming from an inland State to oppose a measure which is of interest particularly to a coast State and to the entire coast traffic of the country. However, after a careful examination of the evidence presented before our committee, I can not bring myself to the support of a measure which, in my opinion, is already predestined to fail, and which, if a failure results, will establish another precedent which may possibly form the basis of a claim upon the Treasury of the United States.

Had this been an original project to construct a light-house on the Outer Diamond Shoals, and had no unfavorable experience been had with the construction of foundations for a light-house at this particularly dangerous spot, it might be that at this time we could give indorsement to the project; but the experience which we have had on the part of the Government in this particular locality is such as to render opposition to a repetition of this same experience entirely justifiable. Some ten years ago an effort was made to establish a light-house in this particular place. A contract was let to Messrs. Anderson & Barr, of Pittsburg. They constructed a caisson which they towed out to the place indicated and sank it there; but owing to the changing conditions of tide and wind and shoal that caisson sank of its own weight, so that the water floated over the top of it, and during a single night one side of it sank 7 feet lower than the other.

In other words, it was that much out of plumb, and before anything could be done to save the caisson a storm came, broke off the upper portion of it, so that it had to be abandoned, and the machinery thereon was wrecked. The project authorized, in this bill also contemplates the construction of a caisson. It also requires the floating of this caisson to a place where the water is at least 30 feet in depth. The Anderson & Barr caisson was to be located in water less deep and where the difficulties therefore were less than those to be encountered by Captain Eells under this bill.

The water must be at least 30 feet deep. It is his idea to construct a caisson with a diameter at the bottom of 70 feet. This is to be carried up 30 feet above the mean low tide, and the plans and method of construction are to be wholly within the control of the contractor. The Government assumes no responsibility with reference to the foundation or understructure, but as to the superstructure the Government prescribes the plans and specifications.

Therein, I think, lies the danger wherein this new project is predestined to failure. Captain Eells has obtained a patent upon his proposed construction. I sought and secured a copy of that patent. His idea is to sink this caisson into 15 feet or more of sand, then fill in with concrete, build it up 20 or 30 feet above the level of the water, and then for a superstructure he originally designed to build a tube of steel going down through the center of the concrete to the base of the caisson and extending upward 175 feet above water. Upon the top of this tube or mast was to be placed the lantern.

Midway between the base and lantern there was to be an enlargement of this tube or mast for the accommodation of the light-house keeper and for his supplies. This mast was to be strengthened by means of shrouds after the manner of masts in ships. These shrouds were to be anchored to the caisson and masonry below, giving the necessary rigidity to the superstructure. This bill wipes out all of that.

We say by the bill that Captain Eells shall put up a superstructure the same as Anderson & Barr were to put up in 1890. Such a superstructure contemplates several stories or rooms of diameter of at least 30 feet for the accommodation of at least three boats, the greatest of which shall be 28 feet in length, while storage room is to be provided for the accommodation of thousands of gallons of oil and thousands of gallons of fresh water and many tons of coal. Surmounting it all provision must be made for the proper mounting of a lantern weighing something like 14 tons.

If he can bank and lodge his caisson, as he thinks he can, in 15 feet or possibly more of shifting sand, he might possibly put up a successful light-house with a superstructure such as he originally contemplated, but we have handicapped him in requiring him to put up a superstructure there such as the Government contemplated, with sufficient accommodations for four men, with sufficient supplies, etc. To prove that he himself had some doubt as to his ability to comply with the regulations and requirements of this bill, I wish to read from the hearings:

The CHAIRMAN. Now, aside from that, are you willing that those specifications shall be part of your contract with the Government to put this structure in the condition that they require for the accommodation of the light and the light-house keepers, and so on?

Mr. EELLS. I am in your hands; you can arrange the matter, of course, as you think proper, but I understand what the requirements are at sea; I know how much the men want and how much they should have for their provisions, and I should like to be within bounds—that is, not to build a great structure that the sea is going to strike and the wind is going to strike, but I would like to make it as compact as possible. That is my point in the matter.

Now, the idea of luxury and comfort is a small item; the idea of safety is the important thing. If we are going to expand this thing and make a lot of boathouses, and story after story, it is going to be unsafe, and the probabilities are that it will be knocked over, and I do not want that old failure tacked on me. In the case of the Anderson & Barr enterprise, people from Pittsburg made the plans and they tried it and it was a failure. The start was a failure, and if they had gotten further with it it would have been a failure. So I say I don't want a failure tacked onto me. That is all there is about it.

We tack on the specifications required by the Light-House Board, and in this admission of Captain Eells he seems to create the impression that if these specifications are complied with the project will be a failure. Now, the Government does assume a risk. The contractor may take care of it for the first year, but the Government must take care of it for the next four years; and should the storms gather and the winds blow 90 to 95 miles an hour, as they do off Hatteras, dashing the spray of the sea on a lantern 200 feet above the level, there may be a failure, there may be a second Minot Ledge disaster, and with the possible loss of the men goes the loss of the lantern and the other appliances which under the bill are to be supplied at the cost of the Government.

Under the circumstances it seems to me, as one gentleman has said, the plan is chimerical. Captain Eells has never put into practical use his own patent, although some eight years have elapsed since he secured it. For these reasons I believe that the Government should not enter upon the project, nor should it give him the opportunity to even experiment with a thing predestined to fail. [Applause.]

Mr. STEVENS of Minnesota. I yield ten minutes to the gentleman from Michigan [Mr. TOWNSEND].

Mr. TOWNSEND. Mr. Speaker, I feel somewhat as did the gentlemen who have preceded me in speaking for the minority report, that possibly motives may be misconstrued. It would seem to the average person that any proposition with the idea of preserving life upon the sea ought to have the favorable consideration of this Congress.

But, gentlemen, we are obliged to act upon this case according to the evidence that has been presented and the circumstances known to us, and I can not go so far as the gentleman from Maine [Mr. LITTLEFIELD] even by innuendo to convey the impression that the gentlemen who have testified against this measure are not actuated by as high motives and as sincere in their desire for the welfare of "the men who go down to the sea in ships" as the gentlemen who have advocated the bill.

The proposition which came before us was presented by a gentleman who has confessed himself to have had no experience in

engineering, who has never had anything to do with the building of a light-house, and who, as has been so well stated by the gentleman from Wisconsin, had a plan originally which was undoubtedly provided by somebody else, but he was willing in the end to have tacked to it specifications which, if carried out, must, according to his previous testimony, make this scheme a failure.

The proposition is to go out upon the Diamond Shoals and upon the shifting sands and undertake to erect this light-house. I say "shifting sands" understandingly, because, as has been stated, borings have been made to the depth of 105 feet, and the conditions are the same or worse as you go down. It has been demonstrated that the caisson which was sunk near the proposed location in 1890 sank overnight and the whole structure was destroyed, and there is no other plan now except some patent scheme which this gentleman has for a caisson; and if gentlemen of the House would read the testimony they would discover that when this man was discussing what would be the effect of the currents, which are so intense at that particular point, he said that the first effect would be to wash away the sand, but that afterwards the counter currents, or something of that kind, would set up a contrary action and fill the gap that was made by the force of the waters as they came up against this structure which has been sunk in the sea, and a bank of sand would form around the base. Is that common sense? Is a skilled engineer to be censured for opposing such a scheme?

But, gentlemen, I am afraid we are losing sight of the fact that the advocates of this scheme are founding their most forceful arguments upon the basis that if it is not a success it will not cost the people anything. I submit, gentleman, that if this measure had been presented without that guaranty there is not a member of the committee who would have voted in favor of it, because he would have said it meant failure. Gentlemen, if it is a fact that in our most candid and unbiased judgment failure is to be the result, are we going to say that this man shall be allowed to undertake this enterprise and proceed with this work at his own expense, if he fails?

If we believe it is impractical and visionary, shall we become a party to the imposition of hardship and ruin upon this "seafaring man?" Mr. Speaker, if failure is the probable result after we have loaded down his original plans with specifications of our own, can we or our successors refuse him or his heirs relief when he or they come to Congress with a tale of misfortunes which we have made possible?

If we must undertake a scheme condemned by the men whose business it is to know, let us not put the burden upon an individual; neither allow him and his friends to speculate on the Government. In the end, success or failure, the people will pay this bill. You can not protect the Treasury with the armor of a contract, however impervious it may seem to be made. The part this Congress takes in this business to-day will preclude opposition when misfortune or ruin shall demand relief in the future.

Mr. SHACKLEFORD. Who besides himself would be injured if the scheme should result in failure?

Mr. TOWNSEND. If it is true that no claim would ever be presented on account of the work that had been done, nobody would be injured. But I ask the gentleman if, after we have put in this specification, and if, after this man has gone to all this expense, the loss of that light-house should occur in consequence of circumstances which may be developed, are there gentlemen on this floor, much less gentlemen on our committee, who would fail to vote to do this man justice after we have voted this foolish scheme upon him?

Mr. SHACKLEFORD. Is not this precisely parallel with the case where Captain Eads said that he could properly deepen the mouth of the Mississippi River by jetties which he would put in? But it took him ten years to get Congress to consent to the adoption of that system, because the engineers of the Government said that it was not feasible, just as they say the same thing of the present project.

Mr. TOWNSEND. The gentleman from Maine [Mr. LITTLEFIELD] has cited that case, but he failed to state that Mr. Eads was a practical engineer, who knew of his own knowledge just what the situation was down there at the mouth of the Mississippi.

But I come back to the proposition I was discussing. It is conceded by gentlemen here that without this guaranty nobody would have voted for the proposition.

Mr. LITTLEFIELD. With reference to Captain Eads, while, of course, he was an engineer—and I did not state in detail what his qualifications were—is it not true that for years he stood here trying to get authority to build that work at the mouth of the Mississippi, against the practically unanimous opinion and objection of the engineers of the Government?

Mr. TOWNSEND. I have so heard. I do not believe that that is a question that should govern this situation though. Furthermore, the Light-House Board have stated that a light-ship is located out there where the light is needed, and that it has been adrift but three days since April, 1900; they have stated, also, that during the period the light-ship was there most of the time it was simply a sailing vessel, and that they have incurred an expense for two steam light-ships aggregating in cost more than $170,000. Furthermore, these light-ships are now more securely anchored, and the board believes it has a plan of anchoring which is reliable and secure, and these ships are located out in the sea where they are needed. They are over 5 miles out from the outermost shoal.

Mr. WACHTER. Will the gentleman allow me to ask him a question?

Mr. TOWNSEND. I will yield to the gentleman, but I do not want to lose all of my time.

Mr. WACHTER. What is the report of the Light-House Board in regard to this project?

Mr. TOWNSEND. It is adverse.

Mr. WACHTER. Do they refer to the former attempt to build light-houses there?

Mr. TOWNSEND. They do.

Mr. WACHTER. Is this very much different from any of the attempts that have been made to establish a light-house there?

Mr. TOWNSEND. No, sir; the outward circumstances are practically the same. This gentleman has a patent whereby he is going to pump sand out of the bottom of the sea in order to maintain an equilibrium in this light-house, and thereby insure his scheme. Gentlemen claim that the Light-House Board have not maintained and never can maintain any ships out there. They speak without the record. It has already spent money for locating them at that point, and they ought to be tried. There is no reason why they ought not to be tried to the fullest extent.

I understand, as I have said, that this light-ship is 5 miles out from the farthest point of the Diamond Shoals. Vessels can go inside the light-ships and outside the outer shoals and still be secure. This light-house, built on the inshore, in a fog would be no protection to the mariner if he gets out of his course and out of the range of the light. Destruction would surely befall him. So that there can be no question, it seems to me, but what it is the part of business prudence for us to test the matters that are being tried by the Light-House Board in regard to their light-ships. Let them be tested as they ought to be tested, out in the sea, where they are needed, and then the best results will be secured. We have greater assurance of their success than we have of that of a light-house where this bill proposes to establish it.

Mr. LITTLEFIELD. I desire to ask the gentleman a question.

Mr. TOWNSEND. Certainly.

Mr. LITTLEFIELD. Does the gentleman mean to be understood that it is a fact, or that the testimony before the committee shows, that light-ships are preferable to light-houses? On the other hand, is it not absolutely true that wherever they can be maintained, and wherever they have been, even within a reasonable limit, the light-house is the thing to give protection on the coast?

Mr. TOWNSEND. There is no question on the same location. But it is probable that these light-ships can be maintained 5 miles off at sea, but a light-house could not be.

Mr. LITTLEFIELD. Does the gentleman state as a fact that a light-ship is preferable to a light-house, even if it can be maintained?

Mr. TOWNSEND. In that particular locality?

Mr. LITTLEFIELD. In that particular locality.

Mr. TOWNSEND. I believe the evidence warrants me in saying that a reliable light-ship at that place is preferable, and there was some evidence to the effect that both would be needed if a light-house were erected.

Mr. LITTLEFIELD. The Light-House Board considers that a light-house would be necessary?

Mr. TOWNSEND. They said it is most desirable to have a light-house; that there ought to be one there. And I believe, so far as they are concerned, if they could devise a scheme within reasonable limits of cost they would have no objection to building one, provided there was any hope of success.

The SPEAKER. The time of the gentleman has expired.

Mr. STEVENS of Minnesota. Does the gentleman desire any further time?

Mr. TOWNSEND. I wanted to say something in response to the gentleman from Iowa, in which he stated that the maintenance of these light-ships in this particular locality was at a great cost to the Government. The evidence on this question is this, that it costs about $13,500 to maintain these two light-ships. Now, if you appropriate $590,000 for a single light-house, you thereby possibly deny many points that ought to have light-houses, and I submit the expense of the light-house would greatly exceed that of the light-ship. If you spend $590,000, the interest on it at 3 per cent would be more than $17,000, and you have got to maintain it just the same.

The expense is therefore in favor of the light-ship, and inas-

much as the light-ships are already owned by the Government and have been recently equipped with new anchoring devices, approved as satisfactory by the Light-House Board, is it not more than foolish to vote $590,000 to build a house upon the sand which when the winds and waves beat upon it will fall, and while the sea will roll over it it will not bury the folly of the Congress which knew better but listened not to reason?

Mr. STEVENS of Minnesota. Mr. Speaker, I will ask the gentleman from Alabama to use some of his time.

Mr. RICHARDSON of Alabama. Mr. Speaker, I yield five minutes to the gentleman from North Carolina [Mr. KLUTTZ].

Mr. KLUTTZ. Mr. Speaker, I regret very much that there should be any opposition to this bill. It seems to me that this is a proposition which ought to commend itself at once to the business judgment and to the humanitarian interest of every Member of this House. This is no mere local question, and it ought to enlist an interest and a sympathy as broad as humanity.

Without having time to go into any technical detail, I want, in a few words, to place the situation as it is before this House. At Cape Hatteras, well known and named as "the graveyard of the seas," beneath whose stormy waters and surging whitecaps, where the god of storms hurls his mightiest winds upon the face of the sea, have gone down hundreds of ships, and thousands of lives, and millions of wealth, because of the want of some adequate light to flash over those stormy waves to give warning to the mariner before he is driven on that deadly coast.

The Light-House Department confesses itself practically, as it has done for all these years, unable to cope with the situation, and we have there only two light-ships, unstable, being drifted out of their course and not high enough to give light across the waves. Every effort heretofore to establish a light-house there has been a failure, and it is confessed by the Government engineers that it would cost millions and millions of dollars to build one according to any plan known to them. Here we have a proposition, simple on its face, made by an individual, that for $590,000, to be paid to him after this light-house shall have been built and successfully operated for five long years, and that fact certified by the Secretary of Commerce and Labor, and only then, the money paid to him; that he will build and maintain this light-house, and give security to the men who go down to the sea in ships.

Why should any man object to that proposition? The gentleman from Illinois [Mr. MANN] asks, "Would any man put up $500,000 on this hare-brained proposition?" Yet we are assured that the money will be put up, that the effort will be made, and that if not a success the Government will not be out one penny. How, then, can we lose? It seems to me, Mr. Speaker, that every man who votes against this proposition takes upon his hand and upon his head the blood and the life of every seaman who shall go down to death in those treacherous waters because of the failure to enact this law. [Applause.]

Ah, gentlemen say it is impossible. Impossible, gentlemen, is a word that ought to be, and soon will be, erased from the English vocabulary. Whatever American genius and American enterprise shall undertake is possible to American genius and American enterprise. [Applause.] In the glorious and growing light of daily invention and discovery there ought not to be any such word as "impossible" in the English language. [Applause.] Aye, it was impossible to build a light-house at Eddystone. Sapient scientists said it was impossible, and effort after effort failed, yet British genius and enterprise surmounted the obstacle, and from the top of the light-house at Eddystone flashes the light which saves lives and commerce.

We hear a great deal about the maritime commerce of this country. Do you know that Hatteras stretches out into the sea at a very dangerous angle, and that Diamond Shoal stretches out 7½ miles farther, surrounded by shoals and visited by storms as is no other portion of all our coasts; that it is directly in the way of the entire coastwise commerce of the United States from the North Atlantic to the South Atlantic and Gulf ports, and will be in the direct way of commerce which is to go through the Panama Canal when it is finished? Mr. Speaker, I belive that this project is possible; I believe that it is practicable; I believe at all events that, with no cost to the Government, in the interest of human life, in the interest of commerce, in the interest of the coastwise service, we ought at least to make an experiment which costs us not one dollar, and which may be fraught with so much good. [Great applause.]

Mr. WANGER. Mr. Speaker, as a considerable number of my constituents are interested in the coastwise and trans-Atlantic trade and, in common with all other persons connected with the shipping interests of the country, are also interested in the best possible safeguards for our mariners and shipping, I am very sorry that this measure comes to us in such form and with such infinitesimal reason to believe in its wisdom, that it seems to me it should not have our approbation, and my reason for reaching that conclusion can be comparatively briefly stated. I am not averse to this proposition simply because it has failed to obtain the approval of the engineers of the Light-House Board. I am against it because it does not have the approval of any engineering authority.

I am against it because it is contrary to the reasonable conclusions which any person may form who considers the conditions that attach to the situation and are involved in the project. Now, a few years ago it was proposed to erect a light-ship at the Pollok Rip, off the coast of New England. That course had a shifting channel, but it had a good, solid foundation after you got below the immediate surface. That proposition was submitted to those engaged in the coastwise trade and to eminent engineers, and they expressed the opinion that if you could anchor Captain Eells's caisson—and they saw no reason why you could not do it in that locality—you might construct a certain form of light-house above it. But no engineer has ventured the opinion that you may satisfactorily sink this caisson on the Hatteras Shoals to a certain required depth and there find any sort of suitable, enduring, and stable foundation and be able to build and maintain a great light-house upon it for any considerable period of time.

Considering what it is proposed to do—to sink this caisson to a depth of 15 feet or less in that soft and mayhap shifting sand, and then proceed to build a superstructure of 230 feet above the level of the sand as it now lies, and after you have several stories of living apartments built in the air, to put 14 tons of weight at the top of the light-house—it seems to me to be a foolhardy proposition. I want to ask whether the life of every man who would be engaged upon that enterprise would not be jeopardized by the enterprise itself? I want to ask if by any fortuitous circumstance that structure should stand in those soft, shifting sands for one year and we then manned it with the officers and employees of the United States Government, whether a most direct responsibility would not attach to us for any catastrophe which might subsequently ensue?

Now, bear in mind in connection with this that this excellent sailor, this excellent shipbuilder, as I understand him to be, who comes here with this project, disavows all knowledge of engineering problems. He has a caisson which he claims is different from the Anderson & Barr caisson. When attempted to be sunk, that caisson immediately began to veer; the current carried out the sands from under; it sank and assumed an angular position and could not be settled upon a level basis, and was a failure, as everybody, contractors included, agree.

Now, Captain Eells comes and proposes to load his particular structure to within 1 foot of the depth of the water at that point, to which it is to be floated from the place of construction, so that he will have only 1 foot additional in which to sink it, thereby hoping that he may have it land upon the bottom of the ocean when the vents are open so that it will rest equally throughout. Now, my colleague, the gentleman from Illinois, on the committee suggested that no man of means would invest in such a "hare-brained," I think he called it, enterprise as what this must be conceded to be. But I take it that Captain Eells has faith in this project.

I take it from what has been whispered around that he has accumulated sufficient means to probably construct this caisson; but suppose he gets it there, and puts it in place, and then his means fail? It will surely be an obstruction to navigation, and almost as dangerous as a derelict, certainly as dangerous as a rock. What are you going to do with it? How are you going to get rid of him? He has unlimited time in which to proceed to the completion of this structure. He must begin construction within a year, but has unlimited time thereafter. How are you going to convince him, unless peradventure this base is so soft that the structure sinks out of sight, that his caisson, especially if submerged, is a dangerous menace and an obstacle to navigation there? Remember that your light-ship is several miles farther out to sea, and it is for that reason, as I understood, that Captain Hutchins claimed that it was a better guard to warn sailors of their position than a light-house would be, being that much farther out, and being that much more capable of observation by the passing vessels, and that in fair weather they run inside the light-ship at times.

Therefore we are not getting something of great advantage entirely for nothing and without peril of great damage; and supposing that this good man devotes his entire fortune to the enterprise and then finds, as he himself suspects, that this plan of the Light-House Board for a superstructure is going to cause the enterprise to be a failure, would it not be a most hard-hearted proceeding to entirely turn down all claim for reimbursement, even though he had voluntarily engaged upon an enterprise in defiance of the direct declaration of Congress that unless entire success attended it no claim should ever be made by him, his heirs, or assigns, or any of the persons who engaged in the enterprise?

Now, consider the position in which he puts himself. He evidently had a design of his own which might have had a reasonable

basis and harmonious scheme. It is wiped out by the committee and the Light-House Board. He said, "I am at your service." He did not say, "Well, this is a project which has been carefully thought out, and when you change one part of it you must change everything else." He said, "I am entirely at your service." Without any regard to the additional cost which might be required to have a reasonably sensible venture entered upon, he expressed a readiness to accept any terms, any conditions which the committee or Congress might impose, and thereby showed his crude ideas of what is really involved. We want to do the best we can for the protection of that dangerous point, Mr. Speaker, but we want any venture which we license to be made there to be one which will help to secure and safeguard navigation, and not one which will put additional difficulties in the way of securing a safe and suitable light-house whenever a reasonable plan is submitted for the purpose. [Applause.]

Mr. STEVENS of Minnesota. I yield three minutes to the gentleman from North Carolina [Mr. THOMAS].

Mr. THOMAS of North Carolina. Mr. Speaker, I feel that I should not permit this opportunity to pass without saying at least a few words in my limited time in behalf of this exceedingly meritorious proposition to erect a light-house and fog signal on the outer portion of the shoals of Cape Hatteras, known as the "Diamond Shoal" on the North Carolina coast.

I represent, Mr. Speaker, in part, a coast district. This bill is asked for, as has been said by the gentleman from Maine [Mr. LITTLEFIELD], by the entire shipping interests of this country, and it is demanded generally by the seafaring people of the United States, whom I in part represent.

I do not think that any great stress should be laid upon the argument that heretofore there has been a failure to erect a light-house at this dangerous point on the Atlantic coast. Mr. Eells offers to try again this experiment, at no expense to the Government, and if after a period of five years it is a success, he is to be paid, otherwise he is not to receive a dollar.

Nothing can be more fair than this offer. The mere fact that heretofore an experiment has been tried to erect a light-house at the Diamond Shoal and failed should not affect the merits of this particular proposition.

There is not the least legal liability on the part of the Government. I would like to have the gentleman from Ohio or the gentleman from Minnesota, who oppose this bill, to point out what legal liability there is upon the part of the Government.

From my information and my reading of the committee report, there is absolutely not the slightest liability upon the part of the Government of the United States, unless at the end of five years the light-house is found to be in a permanent and satisfactory condition. At the end of this period, if satisfactory, Mr. Eells is to be paid $590,000; otherwise nothing. The Government can not hope to get a better proposition than that now made by Mr. Eells to erect a light-house at this point on Cape Hatteras, described by a former distinguished Senator from North Carolina, Matt W. Ransom, as "an ocean Blue Beard welcoming to the chambers of death the white-winged brides of the sea."

So far as light-ships are concerned, compared with the light-houses upon our coast, there can be no question that the light-house is by far the better proposition. A light-ship at this point, as has heretofore been stated in this debate, has drifted from its moorings, while the light-house, when erected, will be an enduring and permanent structure.

These two points have been clearly made in favor of this proposition: First, the absence of any liability upon the part of the Government; and second, the manifest superiority of the light-house over the light-ship.

Then Mr. Eells offers to construct this light-house without one penny of expenditure by the Government if there should be a failure; and besides the bill is demanded by the entire shipping interests of the country and by those who go down to the sea in ships.

I hope, therefore, that a decisive majority of this House will give their votes for this meritorious measure. [Loud applause.]

[Here the hammer fell.]

Mr. RICHARDSON of Alabama. Mr. Speaker, I yield the remainder of my time to the gentleman from North Carolina [Mr. SMALL].

Mr. SMALL. Mr. Speaker, I had the honor of introducing this bill in the Fifty-seventh Congress, and I have followed its course through the deliberations which the committee has given it up to the present time. I can, therefore, speak to some extent advisedly of its merits and the vicissitudes which it has undergone. I shall not, however, take up time now in any general discussion of this measure; but for those who desire to vote upon the question with information and advisedly, I shall address myself briefly to some of the arguments which have been made against it.

It has been said, in the first place, that the man with whom it is proposed to contract for the construction of this light station is lacking in professional experience and capacity, and that his personality does not commend itself to the consideration of Congress. As to the man's personal character, the estimation in which he is held by those who have his acquaintance, it is only necessary to refer to the report and the long list of names of gentlemen eminent in their respective avocations who testify to his reliability and his trustworthiness.

I shall ask leave to read only a brief citation from a letter of Mr. R. R. Fuller, of Boston, Mass., president of the Boston Marine Insurance Company and president of the Eastern Steamship Company:

> Having known the bearer, Captain Eells, for many years, I take pleasure in stating that I consider him well informed in matters pertaining to shipping and capable of accomplishing what he undertakes. I also consider him entirely trustworthy and reliable, and recommend him to the shipping interests as being thoroughly familiar with their needs.

As to the question of the professional skill of Captain Eells, it is proper to state that he has invented and has had patented a plan for constructing submarine foundations; that this patent has been submitted to certain eminent engineers throughout the country, and that they have given it their unqualified approval. Among those engineers are: L. L. Buck, of New York City; William D. H. Washington, president of the Hydraulic Construction Company, of New York City; Henry M. Robert, colonel, Corps of Engineers, United States Army; Theo. Cooper, an eminent engineer of New York City, and also Lewis Nixon, who has a wide reputation.

All of these men, well known in their respective positions, certify that they have examined the plans and specifications which have been patented by this man and that in their judgment they are eminently practicable and can be applied to the construction of submarine foundations at this dangerous place off Cape Hatteras on the coast of North Carolina, and that they believe the project is feasible. And, in addition, Capt. F. F. Wilde, United States Navy, and naval secretary of the Light-House Board in 1896, used this language concerning this project:

> There is no doubt in my mind of the eminent practicability of your scheme; to my mind it is not only far the best, but the only practical solution ever offered. The more I look into it the more I believe in it.

So that in the face of these testimonials it can not be successfully insisted upon this floor that this man does not commend himself in his personality and in his professional skill and capacity as able to construct this light station at this dangerous point.

The gentleman from Ohio [Mr. BURTON] did what I conceived to be an injustice to the majority members of the Committee on Interstate and Foreign Commerce, although I feel sure his expressions were inadvertent. He stated that this project was chimerical and that it might result in the willful waste and expenditure of money. The chairman of the committee [Mr. HEPBURN], both in the last Congress and during this session, was chairman of the subcommittee which for weeks—in fact, for months—had this matter under consideration.

They conferred freely with the officers of the Light-House Board. They sought information from every source where they deemed it available. They framed this bill with the utmost care, with a view to the protection of the Government, consistent with what was best in the construction of this station, and the result of their labors is embodied in the substitute bill which they have presented to the House.

In addition to the chairman of the committee, there were as members of that subcommittee the gentleman from Ohio [Mr. KYLE] and the gentleman from Alabama [Mr. RICHARDSON]. It can not be said that any one of those gentlemen would indulge in any chimerical scheme. They have given it their earnest consideration. They believe it is a practicable project. They believe that they have thoroughly protected the Government.

It has been said that if this bill were to pass and this man should make a failure in constructing the light-house, a claim would be presented to Congress in some future year which might become an obligation. That is simply a bugaboo which is intended to frighten some Members of this House, but which I do not believe will subserve its purpose. That same argument might be directed to every contract which is let by any Department of this Government; they let contracts; the War Department, the Navy Department, the Department of Commerce and Labor, and the other Departments; and in many instances the contractors fail in the obligations of their contract. Yet the same reason would apply to any other Department of the Government that enters into contracts as would apply in this case to Congress entering into a contract with this man.

The committee have protected the Government, to use the language of the gentleman from Minnesota [Mr. STEVENS], by inserting the strongest language which they could possibly adopt for the protection of the United States. That is all they could do.

If this man shall fail—and those who have examined this project believe that he will succeed—and he should present any claim to Congress, this proviso, which is as strong as language can ex-

press it, will be a sufficient answer, and it will receive no consideration at the hands of any committee of this House or in the other branch of Congress.

This is a bill which ought to pass, and I do not believe to-day there has been any substantial objection presented which should prevent any Member from giving it his favorable support. [Loud applause.]

The SPEAKER. The question is on the adoption of the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. STEVENS of Minnesota. Division!

The House divided; and there were—ayes 134, noes 35.

So the bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. RICHARDSON of Alabama, a motion to reconsider the vote by which the bill was passed was laid on the table.

MAINTENANCE OF RIVER AND HARBOR IMPROVEMENTS.

The SPEAKER laid before the House the bill H. R. 14754, with Senate amendments disagreed to by the House, and on which the Senate insists on its amendments.

Mr. BURTON. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendments and agree to the request of the Senate for a conference.

The motion was agreed to.

The SPEAKER appointed as conferees Mr. BURTON, Mr. DOVENER, and Mr. BANKHEAD.

UNITED STATES CIRCUIT AND DISTRICT COURTS, EAST ST. LOUIS, ILL.

The SPEAKER laid before the House the bill (H. R. 15228) establishing a regular term of the United States circuit and district courts at East St. Louis, Ill., with a Senate amendment, which was read.

Mr. RODENBERG. Mr. Speaker, I move that the House concur in the Senate amendment.

The SPEAKER. The gentleman from Illinois moves that the House concur in the Senate amendment.

The question was taken, and the amendment was concurred in.

ADDITIONAL ASSISTANT APPRAISER AT THE PORT OF BOSTON.

Mr. MCCALL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 4955.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent for the present consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (S. 4955) to provide for the appointment of an additional assistant appraiser at the port of Boston.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to appoint an additional assistant appraiser at the port of Boston, State of Massachusetts, to be paid out of any money in the Treasury not otherwise appropriated, at a salary not exceeding $2,500 per annum.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

On motion of Mr. MCCALL, a motion to reconsider the vote by which the bill was passed was laid on the table.

ALASKA DELEGATE BILL.

Mr. HAMILTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13356, and pending that motion I ask unanimous consent that general debate on that bill be closed in thirty minutes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The motion was agreed to; and accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13356, the Alaska Delegate bill, with Mr. PERKINS in the chair.

Mr. HAMILTON. Mr. Chairman, I yield to the gentleman from New Hampshire [Mr. CURRIER].

Mr. CURRIER. Mr. Chairman, at the first session of the Fifty-seventh Congress I introduced a bill providing for the erection of a statue to John Paul Jones. The bill was favorably reported from the Committee on the Library, but no action was had in the House. At the beginning of this session I introduced the same bill, which had been again reported favorably. A similar bill has passed the Senate.

John Paul Jones was the true founder of the American Navy, and few men in all our history have rendered more glorious and important services for the country than he, and the memory of none has been more neglected by our Government.

Statues are being erected at the expense of the Government in honor of men whose services were incomparably less valuable to the country than his, and the time has come when this bill should pass.

John Paul Jones was the youngest of four sons of John Paul, a Scottish peasant, born near the fishing hamlet of Arbigland, in the western lowlands. William Paul, the oldest son, was adopted in 1743 by William Jones, a Virginia planter and a distant relative, and by virtue of the adoption took the name of William Paul Jones. John Paul, jr., who was born in 1747, made his first voyage to America in 1759, when 12 years of age.

He was a sailor at the age of 13, a mate at the age of 17, and a captain of a full-rigged ship at the age of 21. Self-educated, he early mastered the French and Spanish languages, and by the time he reached the age of 27 no man in the British naval service of his age was better educated or more accomplished than he.

In 1773 William Paul Jones died without issue, and under the terms of the will of William Jones, John Paul became heir to a large Virginia estate and took the name of John Paul Jones. He gave up his ship and settled down to the life of a Virginia planter. His plantation contained some 3,000 acres and was situated on the Rappahannock River.

He soon made the acquaintance and became the friend of Thomas Jefferson and George Washington.

In January, 1775, he wrote Washington that war must soon break out between Great Britain and the colonies and that his services were at the disposal of the colonies, and in April of the same year he wrote Jefferson "that nothing now is or possibly can be in store except war to the knife or total submission to complete slavery" and that provisions for armament by land and by sea must be made at once.

Paul Jones was the true founder of the American Navy, as he was the first man to fly an American flag on a regular man-of-war, the first man to receive for the Stars and Stripes a foreign naval salute, and the first flying that flag to compel the surrender of a British man-of-war.

On June 10, 1775, the Continental Congress appointed a naval committee, and on June 24 the committee invited John Paul Jones, of Virginia, "to lay before the committee such information as may seem to him useful in assisting the committee to discharge its labors." In response to the invitation, Jones hurried to Philadelphia. He was called by the committee to give his ideas upon two subjects: First, "The proper qualifications of naval officers;" second, "The kind or kinds of armed vessels most desirable for the service of the United Colonies, keeping in view the limited resources of the Congress."

John Paul Jones was also asked by Congress to act as a member of a committee to survey and report upon the condition and the expediency of purchasing certain vessels then in the Delaware. Jones at once assumed the head of the commission, did a great amount of valuable work, had nearly all of his recommendations adopted, and, besides all this, directed and superintended the work of converting the purchased ships into war vessels and equipping them for sea. It was while doing all this work that he wrote his reports on naval personnel and matériel. These reports are among the ablest reports ever made to an American Congress, and rank with Hamilton's famous report on manufactures.

In his report upon the naval personnel he has said the last word on that subject that can be said, and the ideas therein expressed are as vital and fundamental to-day as when penned more than one hundred and twenty-eight years ago.

Washington read these reports before they were laid before the committee, and said:

Mr. Jones is clearly not only a master mariner within the scope of navigation, but he also holds a strong and profound sense of the political and military weight of command on the sea. His powers of usefulness are great and must be constantly kept in view.

Paul Jones was at this time about 28 years of age. As to his report on the naval matériel, it is enough to say that his reports were adopted, and the new Navy constructed in accordance with his views. Is it an exaggeration to say that he founded the American Navy?

He was promised the captaincy of one of the new ships, but the influence of John Adams was then paramount, and of the five places Adams secured four for New England, the other going to Pennsylvania. Paul Jones was made a lieutenant. It was expected that he would protest against this injustice, but he only said:

I am here to serve the cause of human rights, not to promote the fortunes of Paul Jones. If by devotion to the one I can secure the other, well and good; but if either must wait, let it be my fortune.

The captain of the ship *Alfred*, to which Jones was assigned as lieutenant, had not yet arrived from Boston, and John Hancock detailed Lieutenant Jones to take temporary command, and as acting captain he flung out the pine tree and rattlesnake flag—the first American flag ever shown on a man-of-war.

On May 10, 1776, Jones received his first independent command, that of the *Providence*, sloop of war, 14 guns and 107 men.

He made a daring and successful raid on English commerce, capturing and destroying sixteen vessels.

He then took command of the *Alfred*, and in thirty-three days captured seven ships. These prizes were of great value to the cause, since two were loaded with quartermaster's supplies for the English troops—among other things, 10,000 complete uniforms, including great coats, boots, socks, and woolen shirts; 7,000 pairs of blankets; 1,400 tents; 600 saddles and complete cavalry equipments; 1,700,000 rounds of fixed ammunition; medical stores and 40 cases of surgical instruments, "all priceless and unattainable by any other means." Another of the ships had 1,700 fur overcoats, 11,000 pairs of blankets, 1,000 muskets, and 2 complete batteries of horse artillery.

After this cruise Jones was ordered to Philadelphia for duty with the board of advice to the committee, and remained there until the summer of 1777.

Jones was all the time urging Congress to give him a ship or a squadron to show our flag and demonstrate our existence in European seas. A new sloop of war, to be called the *Ranger*, had just been launched at Portsmouth, N. H., and on June 17, 1777, Congress passed a resolution providing—

That the flag should be the Stars and Stripes, and that John Paul Jones be appointed to command the *Ranger*.

Jones used to say:

That flag and I are twins, born the same hour from the same womb of destiny; we can not be parted in life or in death.

At midnight, October 31, 1777, Jones on the *Ranger* sailed from Portsmouth for France, carrying the news that Burgoyne had surrendered. Leaving France with the *Ranger*, he sailed for the Irish Channel. At midnight, October 22, 1778, he was off the port of White Haven. Taking twenty sailors and three officers in boats he seized the two small forts, from which the coast guards fled. Fires were kindled on several ships, but as British troops were rallying from all directions it was necessary to make an immediate retreat. The amount of shipping actually destroyed was limited to one vessel, but the moral effect was great and far-reaching. The British were compelled to spend great sums to fortify harbors, and insurance rates were doubled. Senator HOAR has said that more than anything else high marine-insurance rates compelled England to grant our independence.

The next landing was at St. Marys Isle, at the castle of the Earl of Selkirk. It has often been alleged that Jones acted as a buccaneer on this occasion and looted the castle. The sailors did take away some silver plate, but Jones purchased it all of his sailors, paying out of his own pocket for it £140, and returned it uninjured to the earl.

On April 24 Jones fought the sloop of war *Drake*, twenty guns against the *Ranger's* eighteen, and after a furious fight the *Drake* surrendered. Not a great battle, perhaps, and yet Jones had done what no other man had done for a century—compelled an English man-of-war to surrender to a ship of equal, even inferior, force. Fifteen officers on the *Ranger* were from New Hampshire, and 30 per cent of the crew were from that State, a crew which Jones pronounced the best crew he had ever seen.

In 1779 Jones was given the command of the *Bon Homme Richard*, and on September 23 of that year he met the new and powerful English frigate *Serapis*, which he captured after the most remarkable naval duel ever yet fought.

There was no more gallant officer in the English navy than Richard Pearson, the captain of the *Serapis*. The fight began after dark, but the sky was clear, and there was a full moon. The surgeon of the *Serapis* said that Pearson examined the stranger through his night glass and said: "The stranger is probably Paul Jones, and if so there is work ahead." The vessels slowly drew together, and not a shot was fired until they were within 600 feet. The *Serapis* was one of the best new ships in the English navy, while the *Bon Homme Richard* was an old merchantman made over into a war ship. The armament of the *Serapis* was far better and heavier, and it soon became evident to Jones that the only way he could win was to foul and grapple the *Serapis* and board her. In spite of the utmost efforts of the Englishman, Jones succeeded in doing this. Jones had another ship with him, the *Alliance*, commanded by a cowardly and treacherous Frenchman, but he not only received no aid from her, but twice during the fight she drew up near enough to fire a broadside, not into the *Serapis*, but into the *Bon Homme Richard*, and then ran away.

When Jones finally grappled the *Serapis* the main batteries of the *Bon Homme Richard* had been silenced and she was beginning to sink. Jones with his own hands lashed the ships together. Quite a number of the sailors and all of the marines on the *Bon Homme Richard* were French. The marines lost heart, when, as one of them said, "Jones sprung among the shaking men like a tiger among calves." The undaunted and unconquerable spirit of the captain filled every soul, and everyone became as much of a hero as himself. Believing that the ship was sinking and the fight lost, the chief gunner cried for quarter.

Captain Pearson, of the *Serapis*, testified before the English court-martial. He said he hailed to ask Jones if he surrendered, and the reply was to the effect that he had only just begun to fight. Captain Pearson said:

At first I thought this was mere bravado, but I soon discovered that it was the defiance of a man desperate enough, if he could not conquer, to sink in his ship alongside.

Just at the time the gunner cried for quarter Burbank, the master-at-arms, released some 200 sailors whom Jones had as prisoners. Jones snapped his pistol in Burbank's face, but he missed fire, and he then felled the master-at-arms by a blow on the head, and with a few men held the prisoners in check and forced them to man the pumps. Jones's ship was now on fire and with 5 feet of water in the hold. The English batteries were blowing to pieces everything below deck, but Jones's marines with muskets swept the upper deck of the *Serapis*, and no Englishman could live there.

In an instant and by the act of one man an almost hopeless situation was changed into a complete victory. A common sailor serving as a volunteer—George Roberts, of Middletown, N. H.—with a handful of hand grenades ran out on the main yardarm of the *Bon Homme Richard* which projected over the deck of the *Serapis*. Under a rain of bullets he finally succeeded in dropping a hand grenade through the after-hatchway and upon the gun deck of the English vessel, where lay a quantity of ammunition. A frightful explosion followed, which killed and wounded many men, and in an instant Jones ordered his men to board the *Serapis*, fought the English to a finish in a hand-to-hand struggle, and Pearson surrendered.

The English commander found it impossible to haul down his colors. No Englishman would go aloft to take them down, as some musket shots were still being exchanged between the vessels. George Roberts jumped aboard the English ship, climbed the shrouds, and hacked down the flag, which, caught by a puff of wind as it fell, spread out at Jones's feet, covering the body of Lieutenant Grubb, who was lying dead upon the deck.

The most marvelous sea fight ever fought was won. Jones, in a sinking ship, transferred his men to the *Serapis* as his own ship went down. He left the flag—made by the girls of Portsmouth, N. H., from their silk dresses—flying on the ship, so as he said:

The last ever seen of the *Bon Homme Richard* was the defiant waving of her unconquered and unstricken flag.

I could not bear—

He afterwards said to Miss Langdon, of Portsmouth—

I could not bear to strip it from the old ship in her last agony, nor could I deny to my dead on her deck, who had given their lives to keep it flying, the glory of taking it with them.

On the *Bon Homme Richard*, of 323 men, 67 were killed and 106 badly wounded. On the *Serapis*, of 317 men, 87 were killed and 134 badly wounded, many fatally.

Jones took the captured ship to the port of Texel, in Holland, and Sir Joseph Yorke, the British minister, demanded the surrender of Jones and his men as pirates. Jones replied in a letter of remarkable power, and so good an authority as Horace Walpole thought that the advantage was clearly with Jones and that the British minister was overmatched in this diplomatic duel. There was no more talk of pirates or of a surrender of Jones and his men to the English.

The people of Holland at that time were divided into two political camps, one favoring the English and the other the Americans. Jones persisted in staying at Texel, in spite of the demand of the English minister that he should be ordered to depart, and by his presence and conduct inspired and strengthened the friends of America and strained the relations of England and Holland past mending.

On December 17, 1779, Jones wrote a friend that war would be declared between England and Holland within a year, and war was declared December 19, 1780, and the first charge brought against Holland in England's declarations was that Paul Jones had been permitted to remain for weeks in one of the ports. A fleet of seven English ships lay off the coast waiting to attack Jones when he should be forced out, but, a storm coming up, the fleet was driven off and Jones sailed out, regarding the storm, in the words of the British minister, only as a "fair sailing wind." As he flew down the English Channel he passed so close to the great channel fleet anchored off Spithead that he fired a shot into it.

It is impossible to follow in detail his all too brief career. On March 28, 1781, he received the thanks of Congress in a resolution couched in the most flattering words. He was decorated by Louis XVI and granted the title of chevalier. In December, 1787, Paul Jones again went back to Portsmouth, N. H., to take charge of the construction of a 74-gun ship, to be called the *America*, and remained there nearly a year.

In 1787, at the suggestion of Jefferson, he took service as rear-admiral in the Russian navy, stating that in so doing he would never renounce the glorious title of a citizen of the United States. He

rendered distinguished service in command of the Black Sea fleet in the war then raging between Russia and Turkey, but the service was unsatisfactory owing to the jealousy of Russian officers, and although promoted by Catherine to the position of vice-admiral, he resigned from her service in 1791 and returned to Paris.

The French Assembly had determined to reorganize the French navy on republican lines. Jones wrote and published a pamphlet on the French navy, which, after his death, was ordered reprinted by Napoleon. It was his hope to have high command in the new French navy. Horace Walpole, after reading the pamphlet, wrote Jones a congratulatory note, but begged him not to take service with France. Walpole advised him to go home to America and rest on his laurels, or "come to England, where, if you need more money than you have, your friends here will take pleasure in finding it for you, for the sake of your society and your table talk." "Great," wrote Walpole, "as you have shown yourself in war, those intimately acquainted with you know that you are equally masterful in affairs of commerce."

Jones's health had been failing for some years, and on July 18, 1792, he died, aged about 45 years. The French Assembly ordered a public funeral and paid all possible respect to his memory.

In 1805 Napoleon, speaking with Berthier after Trafalgar, asked, "How old was Paul Jones when he died?" Berthier said he thought he was about 45. "Then," said Napoleon, "he did not fulfill his destiny. Had he lived to this time France might have had an admiral." At another time Napoleon spoke of Paul Jones and Nelson, saying, "It is a pity they could not have been matched somewhere with fairly equal force."

After the close of the Revolutionary war Jones often visited England, and by none was he more cordially received, more admired and respected than by the officers of the British navy.

Many people seem to think that Paul Jones was a rough privateer. Nothing could be more untrue. He was a gentleman to his finger tips and a profound student. As to privateering, he would never have anything to do with it, although every possible pecuniary inducement was held out to him to engage in it.

No abler, braver, more patriotic, more brilliant, more successful, more modest, and unselfish man ever sailed or fought a ship. He was a man who took high rank on account of his attainments, his character, and his manner in the most aristocratic as well as the most polite courts in Europe. A man who was admitted to an intimacy with the best and greatest of France, such as has never been accorded an American since. [Loud applause.]

Mr. HAMILTON. I yield to the gentleman from Colorado [Mr. HOGG].

Mr. HOGG. Mr. Chairman, public attention having been called in so direct a manner, both by efforts in and out of Congress, as well as by the public press, to the administration of our laws touching the disposition of the public domain, and so much having been urged against the further continuance of our present policy with reference thereto, it has seemed well for me to ask your indulgence that I might, in as brief a manner as possible, meet at least some of the allegations so frequently made on the part of those who seek to overthrow the very salutary measures that have for so many years conduced in so marked a degree to the development of our western domain. One might well imagine that after such splendid results had been achieved under the influence of these laws none would be so rash or inconsiderate as to wish to amend or even in the slightest degree seek to modify or impair them.

When we contemplate the stupendous fact that within less than fifty years we have builded an empire in the West covering a territory of more than one and a half million square miles in extent, and containing a population of more than 8,000,000 people, with unbounded wealth and with natural resources as yet almost untouched, and when we further consider that one of the most potent factors in this great advancement has been the wise and generous provisions made by Congress in the past for the settlement of these then public lands, we may well hesitate before we shall be induced to repeal them. So far as the homestead act is concerned, there seems to be no disposition to change or modify its provisions save, perhaps, as to the commutation clause or the right to pay for the land held thereunder by the settler, thereby avoiding the necessity of continuous residence upon the land held by virtue of this provision.

Some objection is made to the right of commutation on the ground that it tends to lessen the number of home builders and is used as a means to acquire large tracts of land in the hands of the few. I think that the objection is more imaginary, however, than real. The ability of those of large means to become possessed of considerable areas of land has always been recognized, and will probably always exist so long as lands are alienable and the purchaser possesses the means to acquire them, and this will be the case whether the title to Government lands may be had in one or five years.

While it must be conceded that the purpose of the Government is and should be to provide homes for the homeless, and the acquirement of large tracts in the hands of the few should, as a rule, be discouraged, still it will be difficult to find, except possibly in a very few cases, any great harm experienced from this provision.

Indeed, in many instances it has been a means of very considerable benefit to the poor man, whose condition we must agree should be our particular care. It is not an imaginary case, but one of very frequent occurrence, that the settler, having acquired his homestead right, is unable to proceed with the improvement of his home for lack of funds. Money is needed for stock or buildings or other necessities, and so, with the provision for making cash entry, he is enabled frequently to raise sufficient funds by loan upon the land to tide him over and make it possible to improve his home, cultivate his land, and at once place his property in a condition of profitable production.

It will be admitted that frequently "the borrower becomes servant to the lender" as of old, but as a rule the man of industry and the usual amount of good sense, so essential to success, will soon discharge his indebtedness and will have been well repaid for his venture.

Again, it is a well-known fact that many persons avail themselves of the homestead right who, before the expiration of the five years, are desirous of engaging in other business, or for one reason or another find it desirable to dispose of their holdings. If this right did not exist they might be put to very considerable loss if they could not get immediate title to their lands and through this means dispose of the same.

I believe, therefore, that the objection is not well founded either in fact or in theory, and that this right having been exercised for so many years without any considerable abuse is sufficient guaranty that it may be continued without any great danger to the settlement of the public domain, nor lessen to any appreciable degree the number of home builders. One of the significant facts in connection with the enactment of our land laws is that they have been supplemented by additional provisions and enactments to suit the changing conditions, and more particularly as to the regions to be affected by them.

The homestead and preemption entries were generally sufficient to meet the requirements of the prairie regions, and so, with the exception of the timber-culture law, Kansas, Nebraska, and the Dakotas were settled under these provisions. As to the timber-culture law, it must be admitted, I think, that it was wholly visionary and utterly useless for the purposes intended. It is not the first, nor do I suppose it will be the last, time that the theories of well-meaning men have failed upon a practical test.

No one traveling over the plains of Kansas or Nebraska would ever dream that such a law had been in force in these regions. Yet great hopes were entertained that immense forests would grow upon these barren plains. In these later days the forest crank or dreamer has moved still farther west and is busily engaged in exploiting his theories upon an unsuspecting, though long suffering, people of the mountain region.

Another law passed to meet new conditions is the desert-land act. This law was primarily intended to apply in the arid region where irrigation is possible, and as an inducement to secure the settlement and reclamation of these lands at first 640 acres were allowed to each person, and later 320 acres. These lands are held by the payment of 25 cents per acre at the date of location, the expenditure of $1 per acre per year for three years in applying water upon the same for the irrigation of the entire tract, and the final payment of $1 per acre to the Government when title passes. Under the wise provisions of this act large areas have been brought under successful cultivation, but this, too, seems to meet the general censure of the gentlemen engaged in the task of making public lands difficult of acquisition.

The principal objection to this law seems to be that residence is not a requirement in obtaining title. Now, as to this objection, it must be borne in mind that one of the principal difficulties in the enforcement of the homestead laws is the lack of sufficient residence or cultivation of the land. Men will locate lands and, owing to poverty, sickness, and one thing or another, are unable to strictly comply with the law. Unfortunately there are many men with families desirous of obtaining homes upon the public domain who are compelled to work day by day for their sustenance. They have little or no money laid by, the use of which might afford them an opportunity to perform the necessary acts to secure a homestead right, either by residence or cultivation of their lands. Now, it must appear plain that to such the desert-land act affords a means to secure a home without residence thereon, and still continue their labors elsewhere. To such persons this provision is of more than ordinary value.

Again, there are men with the money to invest who are willing to venture somewhat in the enterprise of putting water upon this land. So the result frequently is that the poor man is able to get the water applied upon his land through the funds of another, and is then able with little cost to him to have a home of his own

by deeding a portion of his land to his more fortunate neighbor who has the necessary funds to enable him to comply with the law. I know of no provision of our laws governing the acquisition of public lands that may be more the means of so much benefit to the man of little or no means than this.

But it is claimed that because this means of acquiring lands exists it will work great harm to the project of reclaiming the arid regions by the Government. I would be the last person to knowingly advocate any measure that would in the least hinder the Government in the great purpose of reclaiming the arid lands of our country. I know of no other measure that, in my judgment, means so much for the people, that can be made so effective in developing the intermountain country as this. Still, I can see no good reason for repealing a law that has been found so fruitful of good in the past, or promises so much to the man who really should be the object of our care.

The Government is fully protected by the right of withdrawal from entry lands that may be irrigated by the Government, under such provisions as it may see fit to adopt. It must be remembered that ordinarily the Government does not seek to reclaim lands that may be reclaimed by private enterprise. So far it seems to be the purpose of the Government only to undertake such projects as are beyond the capacity of the people to accomplish. So in Colorado we find the Government engaged in tunneling a mountain to bring the Gunnison River into the Uncompahgre Valley, a wonderful undertaking, and, when accomplished, will be a perpetual monument to the wisdom of the Government as well as to the ability of its engineers in charge. The reclamation of the Salt River Valley in Arizona is another illustration of the great things we are doing along this line of developing a portion of our country and making it fit for the homes of thousands of our people. But these enterprises, great and beneficial as they are, in no wise conflict with the man who, with a few dollars, reclaims a portion of the public domain in places where the Government would not care to go. And so we say, let him alone. Give him a chance by his own efforts to make himself a home. You can get no better citizen than he who has energy, self-reliance, and pluck enough to cause him to go upon the desert and reclaim the land that the Government ought to give him. There being such an effort to repeal this very salutary law, let us see what has been done under it for the fiscal year ending June 30, 1903.

In the State of Colorado during that year there were 92,077.44 acres entered under the desert-land act to 516,210.11 acres under the homestead law, while there were for the same period 11,634.69 final entries for desert land as against 130,357.11 acres.

In Arizona there were 5,159.29 acres original entries under the desert-land act, and 66,639.37 acres original homestead entries; in New Mexico, 76,545.97 acres as against 516,831.31; in Wyoming, 136,896.74 as against 265,354.83, in Montana, 416,214.16 acres as against 388,554.94; in Oregon, 66,524.28 as against 832,473.29; in Washington, 56,509.57 as against 799,971.61; in Idaho, 74,239.83 as against 337,376.30, and in California, 77,570.21 as against 300,968.98 acres.

When we consider that in homestead entries the Government receives nothing unless there should be a commutation, and in the case of desert entries there must be paid the sum of $1.25 per acre in addition to the expenditure of $3 per acre in applying water for the purpose of irrigation, we can easily conclude what a wonderful impetus this class of settlement must give to the reclamation of our desert and arid regions and the consequent benefit that arises from the settlement and improvement of the same.

In the intermountain States and Territories another factor must be borne in mind, and one which it is hard to overestimate in arriving at a just conclusion touching the real conditions that embrace the prosperity and well-being of those regions, and that is the cattle and sheep industries that flourished for so many years. While the ranges were free for the grazing of cattle and sheep no especial hardship was encountered in those industries; but when through causes that I shall advert to hereafter these ranges became more and more restricted, it became absolutely necessary and essential that feed should be furnished by the ranches in the valleys; and so year by year there has come an ever-increasing demand for lands suitable for this purpose. During the year 1900 there were in Colorado exceeding a million and a quarter cattle and exceeding that number of sheep, all dependent more or less upon these ranges for their support. It is easy to see, therefore, the prime necessity for the increase in acreage of arable lands. To a large degree, we believe, the wise provision for the entry of desert lands has contributed and will continue to contribute to the maintenance, if not the further increase, of these great industries.

There is another method of acquiring title to Government lands that it appears is not satisfactory to some. I refer to the timber and stone act. It is alleged with possibly some degree of truth that this class of entry is subject to great fraud upon the Government, and so it is sought to repeal this act. The timber and stone act was not the result of caprice nor of misadventure. It was without question the result of necessity. The merest casual examination of the conditions which it was intended to meet and still meets will fully justify its enactment, and we insist still justifies its continuance.

In the settlement of a new country necessarily there is and must be a very considerable demand for lumber for building and other purposes. The settlement of the mountain regions presented and still presents a peculiar condition, one not existing in the settlement of the Plains country. Kansas, Nebraska, and the Dakotas had no supply of timber within their own territory, and so they were compelled to draw upon Chicago and other eastern and northern markets for their supply. Colorado and other mountain States were differently situated. They had timber at their doors ready to be turned into lumber for the supply of a rapidly increasing demand. The more rapidly these States became settled the greater the demand and the more urgent the necessity that some means should be devised that the great resources of timber at hand might be utilized for the upbuilding of these communities. Why should these natural resources not be utilized? Are there valuable mines of gold and silver, develop them. Are there great fields of coal, open them. Are there deposits of iron, work them. Bring forth by your labor and capital all these great natural resources as you would plant your fields and orchards.

And so we say of the timber; make it a source of wealth by your industry. Give employment to labor; make it possible for capital to expect at least a moderate profit. It is true a tree looks more beautiful standing in the forest than it does in a pile of lumber, but it is not so useful. Now, what of the result so much desired by those who wish the repeal of this law? It must of necessity mean that there will be less lumber manufactured, or else the repeal would be of no avail. With less production, the demand remaining, some other source of supply must be obtained. Take for illustration the State of Colorado. Lessen the possibility of supply from our own forests and we must go either to Chicago, San Francisco, or Texas, and in any event the price of lumber must be more than doubled to the consumer. And this, too, with a supply at hand. "Carrying coals to Newcastle" would be wise in comparison. So far as Colorado and like sections are concerned, no harm can come from this law. None has come, and we believe for years to come no harm can come. As to California, Oregon, and Washington, so far as these States are concerned, it may be possible that the price per acre is too small under the present law. But why place us under the ban because, perhaps, some wrong is done in these other States? We need our timber for our own use, and the price is sufficiently high, considering the difficulty of securing it in the mountains of Colorado and the expensive plants necessary for its manufacture. If there are inequalities in the working of the law, adjust these inequalities, but do not destroy the benefits accruing under the law to our people.

It becomes a matter of the very gravest concern as to the lumber supply the country over. In the northern pineries already we are beginning to anticipate a very considerable shortage. In the West—that is, the Pacific coast area—only a partial relief can be had owing to the fact of extremely high transportation charges, and the amount produced elsewhere is of such limited quantity that but little can be expected to meet the growing demand that must necessarily come from increased use all over the country. The demand, therefore, remaining the same, or, we may fairly conjecture, increased, production must keep an even pace or else a shortage must be occasioned requiring the importation of lumber from the outside. If the theories of these timber misers shall be followed we are to be confronted by a shortage of domestic lumber and a consequent increase of importation. Just what the result of this will be on the varied industries dependent directly or indirectly upon the use of lumber may readily be imagined.

As a remedy for the deforestation of our timbered areas we have at last a solution which may well challenge our attention. By an act of Congress of date March 3, 1891, the President of the United States was authorized from time to time to set apart and reserve certain lands as public timber reservations, which act was amended June 4, 1897, making provisions in a manner for the regulation of these reservations, and specifying somewhat how the same may be used by the settlers and others residing in the vicinity of such reservations. To these general provisions was added certain authority to the Secretary of the Interior to make such other rules and regulations as might be necessary for carrying out the general purposes of the act. Under the terms of these acts I imagine it was never dreamed that the President or his Secretary of the Interior would seek to practically overturn the public-land laws in the mountain States and Territories. That such has been the result I shall attempt to make plain. By the terms of the act under which these reservations are authorized

it is provided that "No public forest reservation shall be established except to improve and protect the forest within the reservation, or for the purpose of securing favorable conditions of water flows, and to furnish a continuous supply of timber for the use and necessities of citizens of the United States;" but it is not the purpose or intent of these provisions, or of the act providing for such reservations, to authorize the inclusion therein of lands more valuable for the mineral therein or for agricultural purposes than for forest purposes.

We see, then, that under the provisions of these acts the purpose was to secure the flow of water and the continuous supply of timber for the use and necessities of the citizens. Nor was it ever intended that any limitation should be placed upon the acquisition of mineral or agricultural lands so long as any portion of these reserves was valuable for such purposes. But what has been done under these enactments? In the State of Colorado more than 4,000,000 acres have been withdrawn from public settlement under the various acts relating thereto, and new and largely increased areas are rapidly being placed within the reserves. In the Western States and Territories more than 100,000 square miles have been placed within the forest reserves, an area but little short of the entire territory of all the New England States, New York included.

The area included in the reserves in the State of Colorado alone is about equal to the entire State of Massachusetts, and while it is no doubt true that very much of this area is unfitted for agriculture, yet a very considerable portion is valuable for such uses and is capable of furnishing homes for a great many people.

The experience of the past few years has shown that at altitudes as great as 8,500 feet ranches have been located that have paid the owners handsome returns and, as a matter of fact, are more profitable than like acreage in the lower valleys. Indeed, in somewhat favored localities good crops of hay and grain have been raised with little or no irrigation whatever. It becomes, therefore, a very grave and important question as to the exercise of this authority so unwisely placed in the hands of the Executive—unwise in this, that so much of the public domain intended for the use and occupation of the people should be administered by a Department that of necessity can and, as a matter of fact, does know so little of the situation surrounding any particular reservation. Can it be expected that the Secretary of the Interior, or even some subordinate sitting in his office in the city of Washington, can be correctly informed of the character of lands contained within a reservation situated two or three thousand miles away?

Of course we all know, at least those of us who have had dealings with this Department, that it is an extremely difficult undertaking to make any of these gentlemen admit that they don't know everything about the matter or even to admit that they may be mistaken. They look at their maps and they see a mountain range marked thereon and know beyond any question that that country is just the kind of country to put in a forest reserve. So it is done. They tell us temporarily until they can send out their inspectors and get a report. It makes little difference to the Department what harm they may do to enterprises within the territory in the meantime.

No difference to them if men have undertaken to reclaim portions of the public domain, are constructing systems of irrigation, building sawmills for the manufacture of lumber, so much needed in the various developments of the country; that men have embarked in the cattle or sheep business and have invested hundreds of thousands of dollars supposing that the public range would be open to them as it had been for years. All these enterprises involving so much, the capital and labor of the country, must come to a standstill until some inspector can make an examination of the area reserved, make his report, and possibly in the lapse of time have his report acted upon in Washington. I do not believe Congress ever contemplated that this great wrong should be done the people who are fast settling upon the Government domain. Nor do I believe it was ever the intention of Congress that the laws of the country should be held for naught, and that the public domain should be placed in the hands of one man or set of men to the great and apparently irremedial injury of the people.

Now, as to the purposes in establishing these reserves. It is claimed on the part of the so-called "experts" of the Government that the growth of timber causes the retention of the winter's snows and therefore results in a supply of water in the later months for irrigation, and that this is so at altitudes of even less than 6,000 feet. And it is largely for the purpose of supplying irrigation in the later months that the reserves are established. In reply to this I wish to suggest that in the mountain regions where these vast reserves are being established, ordinarily beginning in April, the streams begin to increase their flow and reach their maximum from the 1st to the 10th of June. After that period they gradually diminish, and ordinarily there is a shortage of water about the middle of July, the matter of shortage necessarily being measured by the ordinary water supply taken in connection with the acreage sought to be irrigated. Taking the large streams, such as the Grand and the Gunnison in western Colorado, there is never a shortage, for the reason that the supply is far in excess of the acreage capable of irrigation. It is largely in connection with the smaller streams that the question of supply becomes important. Now, I assert, what everyone who has actual experience in such matters knows, that at least three-fourths of all the water supply in the later months comes from the snows above the timber line, and in fact almost the entire supply.

The reason is apparent. The heaviest snowfall is about the mountain peaks. This causes vast bodies of snow to break away from their moorings and rush down into the gulches with terrific force, piling up the snow to great depths and causing it to solidify, becoming almost as hard as ice.

These vast masses remain in the gulches until late in the summer, and indeed some remain the year round, and furnish a constant flow of water. Then we find upon exposed places, where the wind can have full sway, great drifts of snow are piled up, and these furnish their proportion of the water supply. The mountains themselves are great reservoirs fed by melting snows through their crevices, and pouring out their garnered store through springs lower down their sides. When there is scant fall of snow high up in the mountains, or if the fall comes late, say in February and afterwards, there is always a diminished flow in the streams in the summer months, and almost always a shortage of water in the valleys for irrigation.

Now, what of the effect of forests in supplementing this supply? As a matter of fact, and I care not what the Government professors may say to the contrary, any forest below 8,000 feet can and does affect the later supply in no degree whatever.

Below this altitude the snow has entirely disappeared by the middle of May, and when the streams have begun to diminish, about the middle of June, there is no water flowing from these forest lands, the only water flowing through them coming from the snow masses lying above and through springs fed by them. Even in the forests above and extending to timber line in ordinary seasons the snow has disappeared before the period of shortage. These are facts known to every man who has lived in the mountain region any length of time, and still we find the Government blindly, foolishly reaching out and taking in vast areas for the futile purpose of conserving the water supply, embracing areas upon which there is not a stick of timber and, so far as we can tell, never has been. Rich agricultural lands, the finest of grazing lands, timber matured and valuable for commercial purposes, and even towns of more than 5,000 people have been included within these reservations. No one within sight of timber is safe from the hand of the forest-reserve department.

It would be apparently the part of wisdom to carefully examine the land before the Department interferes in so grave a matter with the rights of citizens to the public domain in establishing its reserves. But no, they evidently take their map and fix their reserves, or possibly they send out some inspector to spy out the land like Moses of old. What the ordinary Government inspector can see in the time allotted him, or what he really knows after seeing, is a matter that it might be well to pass by without comment. The excuse made by the Department in establishing these ill-advised temporary withdrawals seems remarkable to one who is at all conversant with the real situation. The Department alleges as its reason for this sort of action that if it became known that the Government was about to establish a forest reserve and some person found it out he might get in the way and locate some land.

Well, why not, if the land is of such character as to warrant location? Is it true that the men of the West, whose enterprise and courage and daring have made possible that great empire, are nothing but sc emers, if not thieves and rogues? Is it true that all of honesty and patriotism and virtue is to be found only in the Departments at Washington, and because a citizen seeks to avail himself of his rights and seeks to better his condition by making entry of public lands he must be treated as though he was doing some act that made him an object of suspicion? But there is another matter connected with these reserves that it seems to me merits some attention. It is said these reserves must be established to furnish a continuous supply of timber for the use and necessities of the citizens.

Now, the Department seems to have interpreted this to mean that in order to have this continuous supply you must not use the timber at all; that is to say, "We will let you cut timber from the reserves under certain rules and regulations that we shall adopt." And this brings me to the principal question, viz, the administration of the forest reserves.

If these reserves have been recklessly established, withdrawn without regard to the interests of the people and of but little avail for the purposes intended, it would seem that the administration of them has been even more remarkable. To such an extent have the rules governing this Department gone that it

has been deemed wise that some legislation be had removing some of the barriers raised by the Department to the entry of agricultural lands, and so we find the act of the present session providing for the entry of such lands under certain restrictions, and we think eventually there must be other and additional legislation to prevent, as far as possible, the hindrances to the fullest settlement of these reserves by the home seeker or other person who desires to use the reserves for some beneficial purpose.

Now, what of the effect of existing rulings with regard to the various industries of particularly the mountain regions? The present law recognizes the right to locate and operate mines within the reserve. To do this successfully the utmost liberty should be had to go upon the reserve with the necessary appliances, to fix a residence convenient for carrying on the work of prospecting, the use of timber for fuel, as well as the free use of water, and the right to graze at least some stock. This sort of work necessarily requires the passing over and exploration of considerable areas and the frequent moving and establishment of camps.

To say that these matters shall be under the supervision of the Secretary of the Interior, who through a misapprehension of the conditions or requirements of the business may render it impossible to carry on this enterprise, is to say that practically the business shall not be carried on at all. But the inconvenience and hardship that may be encountered in prospecting for mines is but small in comparison with the obstacles to be met with in the operation of mines. Nine times out of ten when valuable mineral has been discovered it is absolutely a matter of necessity that mills should be erected, mill sites located, roads built, tramways erected, water diverted, tailings taken care of, timber secured, buildings erected, fuel had, and any number of other things so essential to the business. All of these things only to be had under rules and regulations of the Secretary or some underling, possibly in some measure under the discretion of some forest ranger or inspector who cares more for his job than the inconvenience he may occasion some great enterprise that in the very nature of things must employ many hundreds of men. No road can be built until permission be had from Washington, and then under bond. No timber can be used until permission from Washington be had, and then only in limited quantities. No ditch can be dug or water used until a like permission is had. Even timber growing on one claim can not be used upon another unless contiguous. And all this optional with the Secretary of the Interior. Why, many of the very best mines are above timber line. And these great enterprises are to be dependent upon the option of one man, and he 3,000 miles away.

I say that, instead of hedging about this great industry with rules and regulations at the option of one man, it should be left the greatest liberty—not only the right to acquire the mineral itself, but the right to acquire all those accessories so essential to the proper enjoyment of the mineral lands discovered and developed. This must of necessity lead us to the only conclusion that can give any sort of security for investment, and that is that absolute title should pass, and not a mere permission to use, which permission may be granted by one and refused by another. No sane person would think for a moment of making any investment in mining claims situate upon lands encompassed by any such rules or regulation. Again, what must be the effect upon the cattle industry in such localities? Men have invested large sums in this business on the strength of having the use of ranges upon the public domain. As I have said, nearly a million and a half of cattle are in Colorado, a great portion of which are kept upon the public domain. What must be the effect upon this business in putting these vast areas in forest reserves? I know many cattlemen here advocated the establishment of these reservations, but, I think, with little information as to the effect upon the business. Once the range is put within a reservation, no stock can be grazed thereon without a permit. No permit, I believe, is for longer than one year. No right is granted to erect inclosures, so essential to the various uses of the business.

The number of cattle must be limited; permission must be first had to go upon the reserve and to take stock across it. Now, under these and other regulations, what sane man would care to invest in the cattle business where his grazing rights are so insecure and where, at the option of the Secretary, his rights might be revoked? And then consider the violations of regulations that might destroy the privileges so granted. I have already spoken of the effect upon the lumbering industry and the insecurity that would necessarily come from the repeal of the timber and stone act.

Placing all these large areas of timber within the reserves would undoubtedly largely lessen the production of lumber, while at the same time no saving would be had of the timber supply.

Any person at all conversant with the timber growth of Colorado knows that merchantable timber is largely matured, and hence ought to be disposed of to meet the demands of that new and growing country. I do not wish to be understood as claiming that abuses may not exist that ought to be rectified; but I insist that the way to rectify the evil is not to put the matter in the hands of the Secretary of the Interior, to be administered at his option or discretion.

Nor would I say that the Department has not striven honestly and fairly to execute the law in this regard, but I do insist that with all the various matters that come within the jurisdiction of the Secretary of the Interior it is impossible for him to give that attention to the administration of forest reserves which they demand. When we consider that the maximum number of those employed in this work is not to exceed 500 and that the territory is rather in excess of 100,000 square miles, it is apparent that some change ought to be made. Nor am I particularly impressed with the influences back of this movement to repeal our very satisfactory laws governing the acquisition of public lands. While I am aware that many well-meaning persons favor the repeal, I am also aware that a very powerful organization is in existence whose purposes can not be said to be purely philanthropic. At the hearings before the Committee on Irrigation and Arid Lands it was admitted that certain powerful railroad companies were contributing the sum of $39,000 per annum for the purpose of securing the repeal of these laws and the establishment of these forest reserves.

Mr. Maxwell, in his statement before this committee, admitted this fact. And while the use of this large sum by these powerful corporations is perhaps not sufficient to warrant a belief that their purposes are questionable, still the fact that these companies have immense tracts of timber lands is sufficient to warrant the presumption that they would be largely benefited by the repeal of these laws and the withdrawal of timber lands from entry.

I insist that the public domain should be disposed of, not so much for the benefit of the Government as for the benefit of the people who seek to better their condition by reclaiming it and by the development of its natural resources. And then those who have gone upon this domain and by their energy and industry have builded great States have the right to expect that all this vast territory shall be made to contribute to their comforts, if not to their wealth, and that in the erection of these States this land shall be made to bear its share of the burden of taxation for the common good. Colorado, blessed as she is with all that goes to make a splendid and prosperous Commonwealth, with her wealth of gold exceeding that of any other State, with an abundance of iron and coal, with agriculture exceeding in value even that of her mines, with her great herds of cattle and sheep, and with a people brave, just, courageous, and patriotic, has a right to ask that you lay no further burdens upon her industry nor destroy the possibilities of her glorious future.

In times past we have felt that the General Government has not always had in view the interests of this people, and some of our thriving settlements are become almost desolate through hostile legislation, which, even if wise, was indeed harmful to us. And more recently we have had the opportunity of witnessing the haste with which the Government has sought to benefit a foreign people at the expense of another great and growing industry. We have stood this all simply because we have been compelled to stand it, while paying tribute to all the industries of the East.

We are compelled still to witness the fervor with which our Government is reaching out and caring for other peoples of different race and with little knowledge and less regard for the institutions of our country, and in the midst of it all we are possibly to be subjected to the further wrong of having vast areas within our borders taken from us and governed by a Department whose knowledge of our conditions and necessities can at best be but partial, and under rules and regulations adopted at its will and pleasure.

We have heard much of government by injunction, but I doubt if this could be more harmful in its worst form than government by Executive order or departmental rules and regulations. Is the Government domain so valuable that the people must become trespassers when they go upon it? Then it should be surrounded and protected by positive law, and not by the option or discretion of a Secretary, however honest he may be. When all our desert land has been withdrawn for reclamation purposes and all our forests are under the control of an inspector, the ordinary man seeking a home in this great State had better "take to the woods," if the forest ranger will permit him.

Mr. HAMILTON. Mr. Chairman, I yield to the gentleman from Minnesota [Mr. STEENERSON].

Mr. STEENERSON. Mr. Chairman, there has been considerable uncertainty in the public mind about the position of the Democratic party upon the tariff question, but the uncertainty is now gradually disappearing as the coming campaign is drawing closer to hand. In the early days of this Congress it was claimed that it was not the purpose to remove all protective duties, that the necessity of the Government revenues were such that in order to

raise a sufficient amount such imposts were necessary as would afford a considerable degree of protection—incidental protection; that free trade was entirely out of the question and that Republicans who charged the opposition with being for free trade were making an unfounded and unfair charge. This was, if I understood them right, the position of the gentleman from Missouri [Mr. DE ARMOND], who represents the minority on the Committee on Rules, as well as of my colleague [Mr. LIND].

The gentleman from Mississippi [Mr. WILLIAMS], on the other hand, seemed to favor free trade as the ultimate object to be attained, but was willing to make the approach gradually; he would make no sudden changes, would not knock the scaffolding down all at once, but gradually. He would not administer the remedy in one dose, so to speak, for fear it would suddenly kill the patient, but would accustom him to the poison gradually until he got so accustomed to it as to be able to take it clear.

This is the underlying idea of his magazine article "What Democracy stands for," as well as of his numerous deliverances on the subject on this floor.

But even this scant hope held out to the friends of protection of a slow and lingering death has been dashed to pieces by the latest utterances of the leading orators and acknowledged spokesmen of the party upon this floor, for they have now come out for complete free trade and denounced protection as robbery, pure and simple. The eloquent gentleman from New York [Mr. COCKRAN] in no part of his speech of Saturday last received so unanimous and vociferous approval from his compatriots of the minority as when he denounced protection as "plunder" and "robbery," pure and simple. Now, why this marked difference between the reception of the earlier speeches upon the subject and last one?

Have we not the right to conclude that the earlier views were regarded as too timid, too weak, and did not go far enough, but that this last speech accurately and truly voices the real sentiment of Democracy in this House upon the tariff question? Of course the gentleman from New York did not say how soon the Democracy if intrusted with power would put a stop to this "plunder and robbery" of the many for the benefit of a few manufacturers, but judging from his just wrath over the outrage and his vehement denunciation one would hardly suppose he would wait even till "over night" to completely destroy it "root and branch" and tear down the custom-houses from "turret to foundation stone," so ardently advocated some time ago by the other gentleman from Missouri [Mr. CLARK].

He would no doubt destroy the system of plunder and robbery instantly. Delay to him would be not only dangerous, but criminal. Of course if the system of protection is to be destroyed, then reciprocity will also disappear, for the kind of reciprocity which has been advocated by the Democracy relates to competitive products only, and therefore as they will all come in free there is nothing left with which to reciprocate. We can not do more than let the foreign competitive products in free, and therefore we can ask no concessions in foreign markets. We could no more justify the return to robbery and plunder by protective duties for the sake of getting free access to foreign markets than we could for the sake of building up a few favored producers.

Reciprocity in competitive products is partial free trade, and it was because of this that the Democratic party, as represented in this House, claimed to be in favor of the Cuban treaty. They justified their vote on that measure because, they said, it was "a step in the right direction." In the same way and for the same reason they advocate the free interchange of natural products with Canada, which is the only "reciprocity" that Canada is willing to agree to. It is alleged that if we admit the natural products of the soil of Canada free, that it will extend our trade with that country in manufactures; that our goods would, in return for this favor, be admitted under the same preferential duties as those of Great Britain.

No one has more eloquently advocated this policy than my colleague from the Fifth district of Minnesota [Mr. LIND]. I have no doubt that he voices the sentiment of many of his constituents, the manufacturers and jobbers of the city of Minneapolis, who naturally desire to extend their trade across the border, but when he undertakes to do this in behalf of the interest of the farmers he is very much mistaken. It would seem to be almost too plain for argument that the letting into our markets free all the farm products of Canada would not be in the interest of the farmers of this country. In this behalf it may be admitted that wheat is not the important item, for the price of that commodity is to some extent fixed abroad, but the market for cheese, butter, eggs, poultry, oats, barley, hay, cattle, and other products of the farm is here, and Canadian competition would inevitably depress prices and injure our farmers.

To most advocates of reciprocity in natural products with Canada this is the main purpose. I quote, for instance, from the gentleman from Massachusetts [Mr. SULLIVAN], who, in his speech of January 19, said:

> Canada needs a market for her lumber, fish, and farm products, coal, and ores. Our manufacturers would be benefited by her lumber, coal, and ores, as they would afford relief from the exactions of our tariff-protected trusts, and our labor would receive the benefit of lower prices for food through the competition of Canada's fish, farm, and dairy products. On the other hand, Canada requires our agricultural implements, boots, shoes, and manufactures of cotton, rubber, iron, and steel. I do not believe reciprocity with Canada is an academic proposition. The shoe manufacturers of New England evidently regard it as a practical proposition and consider the theories of its opponents as academic. The benefits resulting from his consummation will be real, not fanciful. If we open our doors to Canada's products, the necessaries of industry will become cheaper; then our manufacturers will sell cheaper and their sales will increase.

My colleague [Mr. LIND] argued in his speech at the early days of this session that the quantity of these products was so small that the effect on our markets would be very slight. But Canada produces large quantities of these commodities and is capable of producing much more. The farmers of Minnesota have no objection to free trade with Canada in farm implements and machinery, or shoes, or lumber, but they strenuously object to free trade in farm products so long as we retain a protective tariff on manufactures. In other words, they are not willing to play the part of the lamb in this proposed sacrificial ceremony.

The gentleman from Minnesota [Mr. LIND] first shows that the Canadian Northwest has an agricultural area greater than the whole of our country and more fertile, and capable of soon outstripping us in productions of the farm; and then he goes on to say that the quantity they could send us would be so small that it would not affect our prices! It is as illogical as his strawberry argument. He stated that strawberries were selling in Winnipeg at 25 cents per box, and in Minneapolis at three boxes for a quarter, and they could not be shipped there because of the tariff. The American tariff is and was 2 cents per quart, and the Canadian 2 cents per pound. He could have bought a box for 8⅓ cents, paid 3 cents duty and express charges, and still have doubled his money.

In this instance it is the Canadian tariff that is high and not ours, and we are not to blame for that; and yet we find him pathetically crying out, "I believe it to be wicked in the sight of God to thus prevent the good people of Canada from enjoying the luscious products that we produce to the southward." This wickedness in the sight of God consists in our placing a duty of one-third less than the Canadians do on the same article, and thus preventing the export of it at a greater profit than 100 per cent. Horrible, is it not? The whole speech is a plea for free trade with Canada in natural products, because it will give us access to the Canadian markets for our manufacturers. In other words, the gentleman wants to trade off the farmer for the benefit of the manufacturer.

The American farmer is to pay protective prices for his machinery, and the Canadians are to have our markets free. But he says the Canadians are so few, only about 5,000,000 people, and we are 80,000,000. In other words, we are sixteen to one; and as that is the gentleman's favorite ratio in the matter of silver and gold coinage, it is but natural that he should want to maintain it. We are to trade off sixteen customers of the farmers in order that the agricultural implement and other manufacturers in our country may gain one. That is, as the gentleman says, to "Approach these great fiscal and economic questions in a spirit as broad and comprehensive as that of the elder statesmen and befitting the future and the potentialities of this nation." But the Republicans of Minnesota will not be deceived by such high-sounding phrases as these.

The Republican party of Minnesota, where the farmer influence is dominant, in its recent State convention spoke with no uncertain language on this question of reciprocity. The whole resolution on the subject of tariff and reciprocity is as follows:

> We iterate our faith in the historic principle of protection. Under its influence our country, foremost in the bounties of nature, has become foremost in production. It has enabled the laborer to successfully insist upon good wages and has induced capital to engage in production with a reasonable hope of a fair reward. Its vindication is found in the history of its success and the rapidity with which our national resources have been developed and our industrial independence secured, and we heartily renew our pledge to maintain it.
>
> We believe protection and reciprocity are twin measures of Republican policy and success, or, in other words, the correct application of reciprocity is protection. We demand enlarged markets for the products of our farms and factories. We demand admission of the necessaries of life which we do not produce from other countries under reciprocal agreements of mutual interests, which gain open markets for us with other nations, always keeping in view the fact that our home protection must not be impaired. We favor such modifications of tariff schedules as from time to time are required by changing conditions and insist that such changes shall be made in line with the fundamental principle of protection.

This resolution was adopted after the newspapers of St. Paul and Minneapolis had for the last two years carried on an aggressive propaganda in favor of Canadian reciprocity. I notice that the gentleman from Missouri [Mr. CLARK] in his recent speech in this House took occasion, in a very good-natured and humor-

ous way, to criticise the part of the above resolution relating to the tariff as inconsistent and an attempt to ride two horses going in opposite directions at the same time; and as it is expressed in such happy terms, I quote it, as follows:

On the 18th of this month the Republicans of Minnesota, in convention assembled, nominated a ticket and made a declaration of principles. In their platform they say—

"We favor such modifications of tariff schedules as from time to time are required by changing conditions, and insist that such changes shall be made in line with the fundamental principles of protection."

All Representatives are, of course, familiar with the Bible, and have read the twenty-seventh chapter of Genesis, in which is recorded that weird story describing the ingenious plan which Rebekah devised to enable her favorite son Jacob to secure from his father Isaac the blessing which was intended for his favorite son Esau. Isaac was old and his eyes were dim, so that he could not see, but his sense of feeling was still acute; and when Jacob presented himself to receive the blessing which did not belong to him, but to his hairy brother, Isaac, being somewhat suspicious, said unto Jacob:

"Come near, I pray thee, that I may feel thee, my son, whether thou be my very son Esau or not."

And Jacob went near unto Isaac, his father, and he felt him and said: "The voice is Jacob's voice, but the hands are the hands of Esau."

And he discerned him not, because his hands were hairy, as his brother Esau's hands; so he blessed him.

And he said, "Art thou my very son Esau?" And he said, "I am."

Governor Cummings and Brother Dalzell, representing the extreme factions in the Republican party, will have to exercise all their senses of seeing, smelling, tasting, hearing, and touch, to judge whether the Minnesota statesmen are Jacobs or Esaus, and will even then find themselves in gravest doubt.

But, pray, where is the inconsistency in the above declaration? Changes in schedules as required by changing conditions can certainly harmonize with revision in line with the "fundamental principle of protection." The fundamental principle of protection here referred to is that the measure of the impost shall only be sufficient to equalize the difference in the rate of wages of labor here and abroad. When a duty exceeds that amount it may be reduced to that figure and still be protective. That changed conditions may result in so cheapening production as to make the duty on an article higher than the above fundamental principle of protection requires is self-evident. When such a case arises we demand such a reduction. A duty in excess of what this principle requires has no justification.

The accurate adjustment of duties in harmony with the above rule is a delicate and difficult matter; but the Republican party can and will do this work efficiently and well by following the above principle, whereas, for the Democratic party, being controlled, imbued, and permeated by free trade and tariff for revenue ideas, to attempt to do so would be as disastrous now as it was in 1893. The Republicans of Minnesota meant to and did declare in favor of tariff revision and of a revision upon above lines.

We expect that the national convention at Chicago will also declare in favor of this kind of revision, and that in the next session of this Congress this work will actually begin. We "stand pat" on the principle of protection, but not on tariff schedules or rates of duty. We favor revision, but it must be revision in harmony with the fundamental principles and policies of the Republican party. We favor reciprocity, but it must be reciprocity that will extend our trade abroad without injuring our own people.

I can not understand the wisdom of the policy that advocates the building up and developing of another country in preference to our own. Let us rather, in the eloquent language of a Democratic orator, "declare that we will legislate for our own people upon every question, without waiting for the aid or consent of any other nation on earth." Take the great State of Minnesota, for example; we have a great State, with as moral, patriotic, intelligent, and prosperous people as can be found on the face of the earth. We have as fine, if not the finest, system of public schools extant; we have great charitable and philanthropic institutions richly endowed, and a system of laws and jurisprudence as perfect and benevolent as any State in the Union.

We have thousands of miles of the best equipped railways, carrying our freight and passenger traffic at reasonable rates, fixed by our State authorities, where monopolies are curbed, and even the latent power to oppress by the merger of competing lines of railway is not tolerated. We have only reached the threshold of our development.

Only the other day Congress passed an act which will add, by the opening to settlement a part of what is known as the Red Lake Reservation, a quarter of a million of the finest and richest agricultural land in the Northwest. I will insert in the RECORD an article descriptive of this land, written by W. C. Smiley, esq., of Thief River Falls, Minn., and recently published in the "Review" of that place.

We have in the State of Minnesota, in addition to the above land, vacant and unoccupied Government land subject to homestead entry, 5,168,585 acres. Most of this is in the northern part of the State and is mostly timbered lands, other than pine lands. About one-half is subject to free homesteads and the balance is ceded Chippewa land subject to homestead entry on the payment of $1.25 per acre. There is also included in the above area 175,000 acres of pine land, the timber on which was sold last December, and the land will be offered for homestead entry after the pine is removed. We invite the attention of the crowded cities of the East and of the whole world to these unrivaled opportunities.

Why should we not first of all strive for the upbuilding of our own country? Is not our duty here? If we do, not only the agricultural but all interests will prosper. If the mills of Minneapolis demand more hard wheat, northern Minnesata can furnish it. Our northern Minnesota lands above referred to being covered with hard-wood timber and brush, may require a little more labor to put under cultivation than the prairie of northwestern Canada, but our soil is fully as rich and "not quite so near the north pole," and not so liable to early frosts.

Railroad construction is now being pushed into every part of northern Minnesota, bringing the markets to the very doors of the settlers. There is room for at least 30,000 families, giving each a quarter section of land, making a population of from 150,000 to 2,000,000 souls. Let us direct our energies toward building up this empire of our own, and the reward of a golden harvest of genuine and lasting prosperity is sure to come. [Applause.]

THE "ELEVEN TOWNS" SOON TO BE SOLD BY UNCLE SAM.

[By W. C. Smiley, county surveyor, Red Lake County.]

That part of the diminished Red Lake Indian Reservation soon to be opened is all of it that lies west of the range line between ranges 38 and 39, and comprises a little more than a quarter of a million acres, to be exact, 256,152 acres, equal in area to about eleven townships, and is frequently called the "Eleven Towns," although as a matter of fact the land lies in nineteen townships, some of which are, however, only small fractions. It is also sometimes spoken of as "that part of the reservation within Red Lake County," for the major portion of the land is so situated. However, a strip one mile and one-half wide and twenty-six long on the north boundary is in Marshall County, and a small fraction in the southeast corner in Polk County.

The land is, in general, level prairie, with frequent groves of poplar and brush, giving fuel for man and shelter for stock. A belt of poplar, ash, oak, and elm, from one-half to three-quarters of a mile wide, is usually found along the river, and here the land is more rolling. Thief River forms the west boundary and Clearwater River the south boundary of the tract, while Red Lake River, which is navigated by several steamboats, flows through the center of it from east to west. No point on the reservation is more than 10 miles and very little of it over 4 miles from a river.

The soil in general is a rich deep loam, with a good clay subsoil characteristic of the Red River Valley, of which it is a part. Over one-half of the land lies ready for the breaking plow. Of the balance a portion must be cleared of brush and poplar, which in this country is not a very difficult matter, and the rest requires drainage.

Of course the land is absolutely wild, and some of it is too wet for immediate cultivation. If this were not the case in so flat a country, something would be wrong with the subsoil. However, the rivers have good high banks, except as hereafter noted, and the surface has a good general slope, so that drainage is an easy matter. There is much difference between easily drained wet spots of good quality and sour peaty land which will be difficult to make fit for agriculture. Both kinds of wet land are found on the reservation. Near the east end of this tract the banks of the Clearwater and Red Lake rivers are rather low and sometimes overflow during high water. This also must be taken into account in selecting land.

RED LAKE COUNTY.

The reservation forms one-third of Red Lake County. It is, taken altogether, a rather better tract of land than the settled portion. Nothing in the county can be bought for less than $10 per acre and some of it sells for $60. These are, however, extreme cases. The average price of land now runs from $16 to $35 per acre. The population of the county is 15,000. It has two cities, Thief River Falls of 3,000 and Red Lake Falls of 2,500 population, and the village of St. Hilaire, with 1,200 population. There are 3 sawmills, 3 flour mills, 14 elevators, 6 creameries, 6 cheese factories, and 2 skimming stations located in the county. It is exclusively an agricultural and stock-raising section. All of the timber for the sawmills comes down Red Lake River from the pineries, some 60 miles distant, except a few million shipped into Thief River Falls every winter by rail.

In the county are 78 schoolhouses, exclusive of city schools, and 17 postoffices. Churches are found in every township. The Great Northern Railroad reaches the three principal points in the county, and, in addition, Red Lake Falls is on the Northern Pacific Railway. The Winnipeg branch of the Soo line, now under construction, will reach Thief River Falls in 1904.

HISTORY OF THE OPENING.

The opening of the reservation has had a varied history. Three years ago the Indians ceded the lands to the Government for $1,000,000, but Congress refused to ratify the agreement, because it bound the United States for the money and left the purchaser a chance to escape payment. Later, Congress passed a law opening the lands, but the Indians refused to agree, owing to some minor details of the plan which seemed objectionable.

About this time, fall of 1903, the Land Office threw open for settlement a large number of isolated tracts on the old Red Lake Reservation—not the diminished Red Lake Reservation—which had been held out at the time of the opening eight years ago. These lands were north and east of Red Lake County, far from market and not particularly desirable, but many believed them to be the "Eleven Towns," and there was a great rush of people, who went home disgusted and disappointed.

MANNER OF SALE.

Finally the "Act of Congress approved February 20, 1904," which is the law under which the land will be opened, was passed.

Leaving out all matter referring to payment of the Indians, this law provides:

FIRST SALE.

That the Secretary of the Interior is empowered to sell this land, subject to such rules and regulations as he may order, at not less than $4 per acre, one-fifth down and the remainder in five equal annual installments without interest. That if any payment is not made within two months after it becomes due the purchaser shall forfeit all previous payments, and the land shall again be offered for sale. That no person shall be allowed to purchase more than 160 acres, and that the purchaser must be such a person as is entitled to file on a homestead under the laws of the United States, but it is especially provided that any person who has already used his homestead right is not thereby barred from becoming a purchaser.

It is further provided that the purchaser must comply with the homestead

laws as to settlement and improvements of the land for five years in order to secure the privilege of paying for it in installments, but the purchaser may prove up at the end of fourteen months, if he so desire, by paying down the full amount due on the land and the usual land office fees, amounting to about $15. The law also provides that where the reservation line cuts diagonally across a tract, if the owner of the part outside the reservation buys the adjoining fraction inside the line, his improvements and settlement on the portion outside shall count as settlement on the land purchased. These are all the provisions made for the first sale of the land. Any tracts of land not disposed of at this sale may be sold at any time thereafter, at the local land office, for $4 per acre, the purchaser being subject to the same rules as if he bought the land at the sale.

SECOND SALE.

At the end of five years all lands not disposed of at first sale shall be sold at not less than $4 per acre, with no restrictions except the payment of the cash, and lands remaining unsold after this second sale may be bought at any time thereafter by paying $4 per acre cash and with no other restriction whatever.

TIME OF SALE.

The above is all that is provided by law with regard to the sale. The time, place, and manner of sale are left entirely with the Secretary of the Interior, who will issue his instructions later. It is believed that the sale will take place at Thief River Falls, but possibly it may be at the local land office at Crookston.

At present it is thought that the time of sale will be about July, 1904. The Department can hardly complete the arrangement of details before that time, and should the sale be delayed later than September it might, for various reasons, better be postponed until next summer. Both public auction and sealed bids have been suggested as the proper method for disposing of the land. The public auction will probably be adopted, only one town being put up in one day, to avoid crowds.

THE HOMESTEAD LAW.

The free-homestead law, which, with the exceptions noted, is to govern the sale of this land, provides, briefly, that in order to secure a claim one must be a citizen of the United States, over the age of 21 years or the head of a family, and must not be the owner of over 160 acres of land at the time of filing. A married man or widow under 21 years may take a claim. An alien must before filing declare intention to become a citizen and must be fully naturalized before proving up, except that an alien who commutes, or proves up in fourteen months, as hereafter explained, may do so on his declaration of intention.

In the case of free homesteads, if the settler does not desire to wait five years before securing a title to the land, he may commute or prove up in fourteen months by the payment of $1.25 per acre or $200 on a quarter section, providing all other requirements of the law are observed. The law governing the sale of this reservation also allows the purchaser to prove up in fourteen months by paying down the full price bid for the land. It is thought that $1.25 per acre will not be required in addition to the purchase price.

The law requires that the settler, unless he commutes, must make the land his home for five years. He must not be absent at any one time from the land for a period of more than six months. He is allowed six months less one day from the time of filing to make actual settlement on the land. This six months is called constructive residence, and if followed by a proper period of actual residence it counts the same.

If, however, actual settlement is not made within the time designated, the five years is counted from the time of such actual settlement and not from time of filing.

Improvements on the land must be such as will clearly show the intention of the settler to make it his home. There is no hard and fast rule as to the amount and kind of improvements required. A house is, of course, necessary, but the other improvements required vary according to circumstances. On land that is only fit for stock raising the cutting of hay has been held to constitute good and sufficient evidence of the settler's intention to occupy and improve the land as his home.

WAYS AND MEANS.

It is just as well to say right here that the coming sale will be no place for a poor man. By this is meant that persons intending to bid should have the amount of first payment in hand and, in addition, not less than $100. Five hundred dollars is little enough. The cost of examining land, hiring locators, and of living expenses during the sale will be at least $100, and any one going on a piece of wild land, expecting to make expenses out of it from the start, is usually very badly disappointed. The buyer of modest means must plan as carefully for the coming years as if he were investing in land in any other part of the country. The coming sale will be an opportunity to secure a good piece of land at a cheap price, but hard and faithful work will be necessary to make it a self-supporting farm.

POINTERS.

There is hardly enough sandy or gravely bottom on the reservation to be worth mentioning, but that will not help you if it should happen to be under the land you buy. Look out for it, there is some of it there. Still, in some places, a thin layer of gravel lies between the loam and the clay. Such land is all right. The bad stuff is found usually on slight ridges.

There are no "alkali spots" on this land. This is mentioned because occasionally you will see places which look wonderfully like it. These are common throughout the county and do not bother when broken up. It is thought that they are all caused by the ashes from prairie fires collecting in low spots on the surface.

All over the reservation may be seen "hard heads." These are usually "prairie rocks," and do not indicate a stony soil. They are all on the surface, having been raised by frost. There are only about enough of them, in most places, for building purposes.

Much timber has been stolen—along the rivers—for fuel. See that you do not get a piece of stump land.

WATER.

Plenty of good water is found in the country about the reservation, except around Germantown, at a depth of 20 to 30 feet. It is supposed that the same conditions exist on the land to be sold.

Mr. HAMILTON. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. OLMSTED].

Mr. OLMSTED. Mr. Chairman, what further remarks I desire to make on the measure I ask unanimous consent to extend in the RECORD.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. WILLIAMS of Mississippi. What is the question?

Mr. HAMILTON. To extend his remarks in the RECORD.

Mr. WILLIAMS of Mississippi. Well, stop. Are those remarks upon the bill, or are they a general political speech?

Mr. HAMILTON. We have not been limited on either side in this respect.

Mr. WILLIAMS of Mississippi. I will object to any general leave to print or any leave to extend where gentlemen have not actually made remarks upon the floor or where they do not intend to confine themselves to the question under debate. In other words, I have no idea that the RECORD should be filled with campaign material in the last three days and——

Mr. MANN. Does the gentleman not think it is better to fill the RECORD with the speeches than the House?

Mr. WILLIAMS of Mississippi. I think it is better to have remarks of that sort stated where they can be heard.

Mr. MANN. Would it not be better to have them stated where they can not be heard?

Mr. KLUTTZ. Three leaves ought to be granted to print on this side before you interpose an objection, as three have been granted on that side.

Mr. HAMILTON. Will the gentleman from Missouri kindly proceed? Mr. Chairman, I ask for order.

Mr. WILLIAMS of Mississippi. Mr. Chairman, was unanimous consent given?

The CHAIRMAN. It was. The gentleman from Missouri will desist until the gentlemen in the aisles take their seats.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I rise for the purpose of making an inquiry. Was the consent given before I rose?

Mr. HAMILTON. It was.

The CHAIRMAN. Unanimous consent was given before the gentleman from Mississippi rose.

Mr. LLOYD. Mr. Chairman, I yield to the gentleman from Georgia [Mr. HARDWICK].

Mr. HARDWICK. Mr. Chairman, a few days ago the gentleman from Kansas [Mr. SCOTT] and the gentleman from Georgia, my colleague [Mr. BARTLETT], in the course of some remarks submitted to this House on the race question, took occasion to put in the RECORD two letters which had been written by ex-President Cleveland respecting a constituent of mine, Mr. Watson. Mr. Watson requests that this letter which I have in my hand, and which is a reply to those letters, be read from the Clerk's desk, and I now ask that the Clerk read it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

THOMSON, GA., *April 13, 1904.*

Hon. THOMAS W. HARDWICK, *Washington, D. C.*

MY DEAR SIR: From the Augusta (Ga.) Chronicle of this morning I learn that the Hon. CHARLES BARTLETT has caused to be read from the Clerk's desk the letter of Mr. Cleveland, dated March 14, 1904, in which Mr. Cleveland makes denial of statements made by me several weeks ago.

Mr. BARTLETT wishes Mr. Cleveland's letter to circulate by means of the CONGRESSIONAL RECORD.

In the name of fair play, as a matter of mere justice, I beg that you will have this letter of mine read in the same manner, in order that it shall be known upon what grounds I based the statements which Mr. Cleveland so insultingly denies.

First. I claimed that he favored mixed schools in New York. He says that he opposed them, and that the measure was defeated.

His signature will be found to the act of May 5, 1884, which changed colored schools into mixed schools. (See page 307 chapter 248, New York Laws.) He approved and signed the act. He did not veto it; although he was fond of vetoes.

Second. I stated that Fred Douglass and wife were guests at the wedding reception of Mr. Cleveland.

Anyone who will read the Washington Post of June 16, 1886, will see an elaborate account of that brilliant occasion, and they will see the names of Fred Douglass and wife in the list of guests.

This was the first reception Mr. Cleveland held after his wedding. The regular official "season" was over. It was not a state function, nor were the guests officials only. It was crowded with social leaders, distinguished foreigners, eminent civilians out of office, as well as by Supreme Court judges, Senators, naval officers, and generals of the Army. Coming first after the wedding and being so exceptionally brilliant, it came to be known as the "wedding reception."

When I said that he appointed a negro to be minister to one of the white republics of South America, I knew the proof would sustain that statement also. C. H. J. Taylor was the negro, and Bolivia was the country.

Very respectfully, yours,

THOS. E. WATSON.

Mr. LLOYD. Mr. Chairman, I yield two minutes to the gentleman from Georgia [Mr. BARTLETT].

Mr. BARTLETT. Mr. Chairman, I have no desire to prolong any dispute between Mr. Thomas Watson, the former Populist candidate for Vice-President, and Mr. Cleveland, former Democratic President. It is proper to state, however, that the paper from which Mr. Watson quotes, the Washington Post of the 16th of April, 1886, shows that the reception to which he refers was a public reception, and if he had been entirely fair he would have so stated. Now, Mr. Watson is not a Democrat, and I desire to put in the RECORD a letter from him which demonstrates this assertion, so that the people of my State may fully understand what his political status is, and that he stands ready to oppose the Democratic party and its nominees at the approaching election.

I ask unanimous consent to print this letter as part of my remarks.

The CHAIRMAN. The gentleman from Georgia asks leave to insert a certain letter in his remarks. Is there objection?

Mr. OLMSTED. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. OLMSTED. Do I understand that this is a request for unanimous consent to insert that article?

Mr. BARTLETT. Yes.

Mr. OLMSTED. I merely wish to inquire if the gentleman from Mississippi [Mr. WILLIAMS] was present?

Mr. WILLIAMS of Mississippi. The gentleman from Mississippi would have objected to it if his objections to the gentleman's request had been listened to.

Mr. BARTLETT. Mr. Chairman, I do not desire to inflict this upon the House by having it read now, but if objection is made to my request I will have it read in my time. I simply desire to put it in the RECORD. It is a letter taken from the Missouri World, and has been published in the Georgia papers.

Mr. MANN. Nobody objects to it.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The letter referred to is as follows:

TOM WATSON GIVES HIS VIEWS ON THE PRESENT POLITICAL SITUATION TO AN OLD FRIEND, IN WHICH CAMPAIGN AGAINST OLD PARTIES IS ENCOURAGED.

MY DEAR SIR: Yours received. The fusion policy has not been more disastrous than I anticipated. It destroyed the grandest reform movement this country has known since the civil war.

Had Mr. Bryan adopted your plan in 1896 he would have been President, and some legislation beneficial to the masses might have been enacted. At present we have the sorry spectacle of two great political parties with no issue whatever separating them.

Both are for tariffs, both are for national banks, both are for huge appropriations, both are committed to militarism.

Neither dares to attack the trusts, neither dares to declare against class legislation, neither dares to offend the money power.

The only thing the Republicans and Democrats really fight over is the spoils of office.

In all other things they are as alike as two peas.

They preserve their separate organizations for the sole purpose of deluding the people and preventing the organization of an actual party of opposition.

Even on the negro question there is no real difference.

Roosevelt dined Booker T. Washington and Cleveland had Fred Douglas as an invited guest at his marriage reception.

Cleveland put as many negroes in office as Roosevelt has done.

And if there was ever a rottener Administration than the second term of Cleveland it would puzzle the historian to name it.

There never was a time more favorable for a straight, fearless fight on both the old parties. By all means make the effort.

Personally, I can stand loyally to the faith and wield my pen. I have made too many enemies. My name would be a burden to any new movement.

Choose some younger man, who has made no enemies, and make an aggressive contest, and in my judgment the old parties will have cause to tremble for the results.

Yours, truly, THOS. E. WATSON.

FEBRUARY 29, 1904.

Mr. WILLIAMS of Mississippi. Now, Mr. Chairman, I desire to make a point of order and submit it to the Chair without remarks. The point of order is that the Committee of the Whole has no right to give leave to print or leave to extend.

Mr. TAWNEY. Except in individual cases.

Mr. PAYNE. Mr. Chairman, it has in individual cases the right to give leave to extend, but not the right to give a general leave to extend. It has always been so held.

The CHAIRMAN. The Chair so understands the rule.

Mr. WILLIAMS of Mississippi. The point of order I wish to make is that the Committee of the Whole has no right to give general leave to print or extend. It has the right to give leave to extend to a gentleman upon the subject-matter under consideration. The point of order I make is that under the leaves to extend no extension can be made except extension of remarks pertinent to the matter under consideration.

The CHAIRMAN. The Committee of the Whole have given the right to gentlemen speaking in debate to extend their remarks without limitation.

Mr. LUCKING. Mr. Chairman, representing in this House the city of Detroit, with its 325,000 people, located on the Canadian border, I desire to give voice to their almost unanimous demand for freer trade relations with the people of Canada. Our interests have been sacrificed for the last thirty-five years by the General Government through a policy which we firmly believe to be a mistake for the whole country.

The citizens of Detroit are convinced that the general welfare of all our people will be promoted by liberal trade on both sides, even though some slight or temporary inconvenience or injury might arise to some insignificant interest, and that therefore her demand is reasonable and should be voiced and heeded. The opposition to a general measure of advancement because of some disadvantage to an individual business is as unreasonable as that of the hand artisan to the introduction of machinery, or of the country grocer to the rural free delivery, or the small village to interurban electric lines. The smaller must give way to the general good for the time being, and in the long run all will share in the prosperity.

I assume in what I shall say that reciprocity with Canada will involve a freer market in Canada for our manufactured products as well as for our agricultural products. In exchange for reduced tariffs on her products, especially her lumber, logs, minerals, wheat, and fish, Canada will give our manufacturers much freer access to her rapidly growing population. Except on these terms I would not deem it worth while to attempt a negotiation. Some of her public men have been quoted against this, but they were speaking publicly, and we could not expect them in advance to "give away their case" or to state their best terms. Besides, they were speaking as individuals and not in any sense as authorized representatives of their government.

Detroit is vitally interested in this problem. She is so located on the border that nearly one-half of her natural tributary territory is cut off by this artificial wall. Across the river are the small cities, villages, and smiling productive fields, and the highly cultured population of Ontario. We are connected with all parts of the Dominion by four great systems of railway, which spread like a network over her entire expanse and reach every village and hamlet, while our steamboat lines ramify in all directions along her shores but scarcely ever touch because of this absurd barrier to trade.

Hundreds of thousands of Canadians visit us every year, but are forbidden to buy in our shops, as they would be glad to do, by the brass-buttoned customs officers who stand guard at every ferry on both sides of the lakes and rivers. Hundreds of thousands of Canadians have left their homes and settled on our side of the line from the Atlantic to the Pacific, and a large fraction of our population in all our thriving lake cities and States is made up of them and their children. They can not send even a Christmas gift home to mother, sister, or cousin, or receive one, without the most annoying and vexatious interference and delay. We have over 30,000 Canadian-born residents in Detroit, and with their children they make up about 60,000—nearly one-fifth of our population. In Chicago there are 35,000 Canadian-born; in Buffalo, 18,000; in Cleveland, 10,000, and in Boston, 50,000. We have free trade in sons and daughters. Let us have freer commercial relations all along the line.

The United States has 80,000,000 people, Canada has 6,000,000, both growing rapidly. Her territory equals or exceeds ours. Her habitable lands, capable of cultivation, will support 100,000,000 people. She has inexhaustible supplies of raw materials for manufacture. Her known resources are vast and alluring, and only suffice to give evidence of still greater stores beyond.

Our manufacturing interests are now developed beyond the needs of our own consumers in nearly all lines and we are seeking outside markets.

There is no field in the world so advantageous and promising, from any and all points of view, as Canada. Her vast empire stretches along our northern border from ocean to ocean, and is rapidly filling with a people homogeneous to our own, not simply an Anglo-Saxon population, but an American population, composed of the best of the white European races, living as we live, advancing as we advance along all lines of human achievement. Their standard of living and of civilization is like our own, and that makes them the greatest consumers, man for man, in the world, so that her six millions are equal as consumers to twelve millions of some other peoples and to eighteen or twenty-four millions of still others.

In spite of our contemptuous treatment of Canada commercially, she is the third largest customer for our goods in the world, Great Britain being the first and Germany the second, and Canada buys more of our manufactures than any other one country. We exported to Canada in 1903 $125,776,000, and we imported $55,649,000.

Our stand-pat friends, who oppose reciprocity, boast of this trade as if it were a result of their policy instead of its being in spite of it, as everybody knows. The natural results of their policy would be to stop all traffic, but because a goodly trade exists notwithstanding all obstructions they boast of it as if they were responsible for it.

They brag of our total foreign trade as if it were marvelous, but the figures of Canada's foreign trade show that ours is only small in proportion. Our total foreign trade in 1903 was two thousand four hundred and forty-five millions, while Canada's was four hundred and seventy-eight millions. Thus our trade was only $30.50 per capita, while hers was $79.66. While her population is less than one-thirteenth of ours, her trade was one-fifth as great; in other words, her foreign commerce without a Dingley tariff wall is more than two and one-half times as great in proportion to population.

More food for reflection for our stand-pat friends is that while our foreign trade increased 50 per cent from 1896 to 1903, viz,

from sixteen hundred millions in 1896 to twenty-four hundred millions in 1903, Canada's increased 100 per cent—from two hundred and thirty-nine millions in 1896 to four hundred and seventy-eight millions in 1903. Again, when we are boasting of the good times of 1903 as against the hard times of 1896, as if it were due to an increase of tariff, it is well to remember that Canada, without any such tariff changes and with an average tariff of only about one-third of ours, went through the same experience—from hard times in 1896 to good times in 1903.

Our farmers are hurrying in troops into the Dominion and settling on the limitless wheat fields of the new Northwest. They want to buy their supplies from home—the thousand and one articles of domestic comfort and necessity. For illustration, they want to buy their stoves from Detroit, the greatest stove-manufacturing center in the world. Why should they be forbidden? What inexpressible folly on our part to limit and curtail our own markets!

Detroit sends nearly one-fifth of all the exports of the United States to Canada, and it is the belief of our manufacturers and merchants that we could easily double and quadruple our trade with that great and growing country if it were not for the Chinese wall, invisible but substantial, which is built by the statutes of the United States.

While we constitute but one two hundred and fortieth part of the population of the United States, we are favorably situated for knowing the effect of this tariff wall upon our industries, and we desire the Representatives of the United States to know that we are substantially unanimous in favor of a decided change in our policy toward trade with the Dominion. Detroit is essentially a manufacturing and jobbing town. We have upward of 3,000 factories engaged in diversified forms of industry and employing upward of 75,000 operatives.

Our people have no selfish desire to increase and expand at the expense or to the injury of the remainder of the country, but, believing firmly that freer exchanges with Canada would be mutually beneficial to all the people of both countries, we desire to do everything in our power to bring it about, and we earnestly submit that a measure which promises on one side development of forest, field, and mine, and on the other new markets for manufactures, and on both sides profits to millions of people, ought not to be stayed because some trifling industry cries out in needless fear.

On January 19, 1904, the Detroit Board of Commerce, composed of nearly a thousand of our leading manufacturers, merchants, bankers, jobbers, and business men, unanimously adopted strong resolutions in favor of Canadian reciprocity. I personally, about a year ago, addressed a note of inquiry at random to a number of leading manufacturers, perhaps two-thirds of whom were Republicans and one-third Democrats, and received seventy-five replies. Of these, all but four expressed themselves enthusiastically in favor of reciprocity. Two of the four had already established branch factories in Canada, and for that reason alone opposed the measure, and one of the other two afterwards expressed his perfect willingness to abide by the wish of the great body of Detroit manufacturers.

Within the last few days I have received a letter from the Michigan Manufacturers' Association, the opening sentence of which is as follows:

> A vote taken by the Michigan Manufacturers' Association shows us substantially unanimous in favor of Canadian reciprocity; that is to say, the association is desirous of proper investigation of the question by the International Joint High Commission.

This association is composed of manufacturers located in forty cities throughout the State of Michigan. I think I may safely say, without fear of contradiction, that at least 99 per cent of our Detroit citizens are in favor of much freer trade relations with Canada.

A favorite saying of the opponents of reciprocity is, "We can not afford to throw open the markets of 80,000,000 people in exchange for the markets of 6,000,000." This appears plausible, but it is not sound. As well might the big city say the same thing to the small village near by, or New York to Albany, or Philadelphia or Detroit to its surrounding small towns. The villager no sooner sells to the city a dollar's worth than he is able to buy a dollar's worth, and so the ability of the 6,000,000 to sell and to influence our markets is limited by their numbers and is fully equaled by their purchasing power.

If the Canadians were great producers and nonconsumers, there would be force in the argument; but they are, like ourselves, free and generous livers, according to their capacity.

Our manufacturers see before them, across the border, a great and inviting field, from which they are largely barred by their own laws and the obstinacy of their own Government. For years to come Canada will be devoted largely to the development of her natural resources and to the production of raw materials. The American manufacturer is crying aloud for wider markets, and why not gratify the cry? Why go thousands of miles away from home, chasing oriental will-o'-the-wisps? If our practical Detroit manufacturers all unite in saying they would be largely benefited, that their sales would be increased, and that no harm would come to them, it is a pretty good test and good evidence for the rest of the country to accept. Foreign outlets are now essential to the permanent prosperity of our factories, and unless we strike for freer markets in Canada it is certain that even the present outlet into that great country will not continue as free as at present.

Our friends on the other side of this Chamber profess to desire an extension of our foreign trade. What field is so inviting or so promising in all the world? It is directly at our own doors, touching us along a great expanse. Why should we go warring around the world searching for trade with nontrading peoples when trade on profitable terms is at our own doors, knocking to enter. Our entire trade with the Philippines last year was $17,000,000, bringing a profit of perhaps four millions, at a cost in increased war and naval expenditures of perhaps one hundred millions, while our trade with Canada was one hundred and eighty millions, without a dollar of expense.

What statesmanship it is that goes hunting for trade with war ships and soldiers in remote corners of the world at incalculable loss in blood and treasure and at the same time slams the door in the face of gentle Miss Canada, who comes with arms filled with the golden sheaves of commerce and her face all aglow with peace, amity, and sisterly affection?

It is one thing to protect our industries against the pauper labor of Europe and the highly organized and capitalized manufactories of Europe, and an absolutely different thing to set up these same barriers against Canada. One may be wise and the other the height of folly.

Surely in manufacturing we can hold our own, but many opponents of reciprocity claim that it would be injurious to our farmers, an idea which seems to me to be without any just foundation.

If our factories are able to sell more goods in Canada, it follows that more men will be employed in those factories and our farmers will have just so many more mouths to feed—surely an offset to any importations likely to be made from Canada.

The effect upon farm prices in the United States would be trifling and, in fact, almost infinitesimal.

A careful comparison of the relative volume of American production and Canadian export in all principal lines of farm products shows that the volume of their exports is so small, compared to the total domestic production of the United States, that even if all Canada's exports were dumped into the United States they would not appreciably affect the American market. This is true in wheat, oats, barley, potatoes, hay, horses, cattle, sheep, eggs, flour, cheese, etc. What I mean may be illustrated by the statement that the total export of eggs from Canada to all countries in the world in 1903 was only about 1 per cent of the production of the United States, and less than two eggs in a whole year for each inhabitant of the United States.

The principal farm production to be imported would no doubt be wheat; but as the price of this, both in Canada and in the United States, is fixed by the price at Liverpool, it is absurd to suppose that even if all of Canada's production went by way of the United States, either as wheat or as flour, it would appreciably affect the American market. In 1903 the import of farm products into the United States from Canada was $9,200,000, while the export of the same to Canada was $21,601,000. This showing renders it probable that under reciprocal free exchange the Canadians would import fully as great a quantity of farm products as would we, while at the same time it would be an incalculable advantage to hundreds of thousands of farmers throughout the entire North, east of the Rocky Mountains, if Canadian lumber and timber and logs were admitted free into the United States, because the vast forests of Michigan and Wisconsin are now practically denuded, while millions of acres of the finest timber lands in the world remain untouched across the border, from which supplies at reasonable prices may be drawn for our people for many years to come.

It is fatuous for us to suppose the Canadians will continue the present arrangements very much longer. They admitted in 1903 about $70,000,000 worth of our goods absolutely free, and upon fifty-five millions more they levied an average duty of about 25 per cent, whereas we have raised a 50 per cent tariff wall against nearly all their productions. The result is that they took of us $125,000,000, while we only took of them $55,000,000. One of their great political parties is wholly committed to the doctrine of retaliation against us, while the other, which is the party in power, declares its purpose to wait a little longer, and if we still persist in our present course it will then fall into line with the doctrine of retaliation.

The time is now ripe for the display of a liberal policy upon our part, and if we have the wisdom we can effect arrangements

which will redound to our untold advantage for all time to come. A member of the Canadian government in November, 1903, declared:

> It will be a serious mistake to suppose that this state of matters will be allowed to continue. Either the tariff wall of the United States will be very materially lowered from the present scale of 50 per cent upon dutiable imports or the Canadian wall will be made much higher.

It is now a question of amity and reciprocity or of irritation and open commercial hostilities, a most deplorable thing from all points of view. Michigan had one severe lesson when Canada in retaliation for the Dingley high tariff on lumber prohibited the exportation of logs, the result of which was the shutting down of about thirty large sawmills on the Michigan Lake Huron shore, throwing out of employment thousands of men and the utter desolation of a number of thriving towns. This shows how narrow selfishness will often blind people to their own permanent good.

The manufacturers of Detroit appreciate that the markets of Canada are capable of indefinite and illimitable expansion, and that while the present market is of some importance it is of infinitely greater prospective value, provided our Government is wise and seizes its opportunities. The present policy of this Government tends to drive American capital into investment in Canadian raw materials and in Canadian manufactures. This is true even with the tariff walls of Canada very low, and if they are increased, as is now threatened, the result will be that in a very few years our markets in Canada will be destroyed, and we will not only lose what we have got but will lose a chance of the great increase which it is plain to any man of good, common sense can be readily obtained by reasonable concessions and without injury to ourselves.

Nothing has contributed so much to the marvelous advancement of our country as perfect freedom of intercourse and exchange between the States and the great facilities for it. If this is so, the extension of it between ourselves and Canada, the throwing down of all barriers and the building up of facilities of transportation and intercommunication, will build up, strengthen, and expand both lands.

The people of Detroit want to trade with the Canadians, and I will tell you why:

First, because they have got the stuff we want, exactly—lumber, timber, logs, minerals, raw materials; and we have got just what they want—the manufactured products—a thousand articles turned out by our busy factories.

Second, because they are the same kind of people as ourselves—the best in the world.

Third, because they are our next-door neighbors, our friends, our cousins, our brothers—blood of our blood and flesh of our flesh.

Fourth, because the line between us is largely imaginary. But for these artificial barriers we would, "like kindred drops, have melted into one."

Fifth, because the future is big with promise for the trade of both lands, if sane counsels prevail.

Sixth, because peace, commerce, and honest friendship are far more to be preferred than commercial war.

William McKinley, on the day before his assassination, standing on the borders of Canada, speaking of trade, proclaimed: "The period of exclusiveness is past;" and I can imagine him turning his face toward the beautiful and fertile and friendly shores of Canada as he gave utterance to that grand thought. For many years he had stood as the representative of certain favored interests in this land, but he was now lifted above all such considerations to the plane of pure and lofty statesmanship. Without further personal ambitions, intent only upon making a signal success of his last Administration, he admitted and declared that a change was necessary and pointed forward in the direction that he intended to lead his people.

How sorrowful and how unfortunate that he should have been cut down just as he reached the vantage ground of a second and last administration and his vision cleared. But where do we find his followers and successors? More firmly fixed and set than ever in the policy of exclusiveness. The stand-patters and the Chinamen are first cousins—they both would build a wall against outside intercourse. If their policy is a correct one, you ought to erect an absolutely impassable commercial barrier and allow no trade whatever. You should shut out Canada's products and Canada would shut out ours. But no, you say; you want reciprocity in noncompetitive articles.

This policy absolutely bars traffic with any nation in the world whose trade is worth having. You want to trade with a lot of savages and half-civilized tribes who have no trade worth while. If your doctrines are correct, it would be wise to build a tariff wall along the Mississippi River and cut off the East from the West, and in fact a good thing to build a commercial wall around each State. Have New England and the East profited by reason of free trade with the West? The answer to this question points the way, for Canada occupies the same general relation toward the United States as did the West to the East.

In my opinion, it is not possible for freedom of commerce with Canada to injure the United States in the slightest degree. Our industries along all lines are so thoroughly developed and intrenched that serious competition in any line is not to be feared; and as we believe that trade is a good thing and that commerce reasonably conducted enriches all who engage in it, we believe it would be to the great material advantage of both peoples for all time to come to enlarge and expand the liberties of trade, since it would develop and extend all the industries of both countries. And having in mind the assured wonderful future of this great country to our north, developing more remarkably today than ever before, and yet comparatively new in her industries, it is the part of highest statesmanship to cultivate her friendship commercially, socially, and politically.

Mr. LLOYD. Mr. Chairman, I yield to my colleague the gentleman from Missouri [Mr. DOUGHERTY].

Mr. DOUGHERTY. Mr. Chairman, to even the casual observer it must appear that in these latter days of Republican domination of national affairs we have departed far from those principles and policies of government which were taught and established by the framers of the American Constitution.

There is a manifest disregard for the principles and traditions upon which this Government was founded as the seat of justice, the homestead of liberty and equality, and which made it at once the friend of labor, the inspiration of youth, and the nursery of freemen.

Under Republican leadership we have entered a new era in the history of American politics. Those fixed stars by which the fathers were wont to guide the ship of state have faded from the sky. New and strange theories have come with Republican authority; doubt, discord, and discontent stalk amidst confusion, and nothing seems steadfast or secure.

Through favoritism and class legislation enormous wealth is being gathered into the hands of the favored few, while honest labor is deprived of the fair fruits of toil. Resulting from a system of legalized spoliation of the masses by the few, wealth streams in resplendent glory from the palaces of trust barons, while gaunt poverty lingers in the workman's humble home. Carried to its last analysis, the inevitable result of the continued policy of favoritism and discrimination must force the issue of the bread of charity or the blood of revolution. To the careless and unreflecting or the partisan of Republican politics these words may appear unfounded and absurd, but in fact they are not extravagant.

An honest investigation into the profligate expenditure of the people's money, a study of the policy of protection, which is the policy of plunder and the breeder of trusts and monopolies which find their special friend and protector in the Republican party, will suffice to awaken serious apprehension for the welfare of the people and the stability of our institutions. Upon this question it has been well said:

> For every self-governing people there can be no more momentous question than the question of taxation. It is the question around which all the great battles of freedom have been fought. It is the question out of which grow all the issues of government. Until we settle this question wisely, permanently, justly, we build all other reforms on a foundation of sand.

Passing for the time all other classes and other interests in our country, I take occasion now to express my wonder at the patient submission of the American agriculturists to the gross and unjust discriminations contained in the general policy of the Republican party, embracing the doctrine of protection, which is indirect taxation, and the trusts and monopolies that result therefrom.

The following opinion of Chief Justice Miller on this subject appeals to us with special force:

> To lay with one hand the power of the Government on the property of the citizen and with the other bestow it upon favored individuals to aid in private enterprise and to build up private fortunes is none the less robbery because it is done under forms of law and is called taxation.

Of all the people in this country, 10,438,000 of them are engaged in agricultural pursuits, while all other industries employ only 18,885,000. The total farm area in the United States is 841,000,000 acres, an area larger than Germany, England, Scotland, Wales, Austria, France, Japan, Spain, and the Transvaal. Yet the farmers are peculiarly oppressed by the protective tariff, and under it our manufacturers are able to sell farm machinery abroad much cheaper than our own farmers can buy it.

In his last annual report, Mr. Wilson, Secretary of Agriculture, reviews at length the production and exports of American agricultural products. The increase in the exports of farm products for the half century ending 1901 was from $147,000 to $952,000,000,000—550 per cent. The exports of farm products for the closing decade of the last century was over $700,000,000, and for 1903, over $878,000,000, an amount second only to that of 1901.

Although the consumption of cotton in this country is greater than that of any other country in the world, yet in addition to

supplying the home market the South exported last year three and a half billion pounds of cotton, worth $317,000,000.

Of grain and grain products the exports exceeded in value $221,000,000, and in the supply of animals, meats, and meat products the value of our exportations was $211,000,000.

Reviewing the magnitude of agricultural production, after giving the figures of the most important crops, Mr. Wilson states that the value of all farm products not fed to live stock for 1903 considerably exceeded their value in the census year, when it was given as $3,742,000,000.

According to the Department's inventory of farm animals for January, 1903, the value of horses was over $1,000,000,000 and of mules nearly $200,000,000. The value of cattle of all kinds considerably exceeded $1,300,000,000; of sheep, $168,000,000, and of hogs, $365,000,000.

Discussing the balance of trade, the Secretary shows that the favorable balance to the credit of this country is due entirely to the farmers. The balance of trade in favor of farm products during the last fourteen years, no year excepted, aggregated $4,806,000,000. In products other than those of the farm during the same period the balance of trade was adverse to this country to the extent of $865,000,000. Our farmers not only canceled this immense obligation, but placed $3,940,000,000 to the credit of the nation when the books of international exchange were balanced. He concludes that "it is the farmers who have paid the foreign bondholders."

These facts clearly demonstrate that the farmer is the most important and potential factor in American commerce, that the business prosperity of the nation is in no small degree dependent upon him; and yet it is also true that the farmer's interests are comparatively uncared for in the halls of legislation. He is without organization or special representative. He buys in a protected market, at the mercy of trusts, and sells in competition with the world. There is no article of necessity used in his household or upon his farm that is not seized and made the instrument for his plundering and upon which he is not made to pay tribute to trusts and monopolies.

The fact is that the farmer pays approximately 25 per cent more for goods manufactured in American mills, in many instances, than does the foreign consumer for the same article, and this in the face of the great expense of transportation to foreign markets. The tribute he pays to favored and protected industries has enabled at least four corporations to make profits to the amount of over $100,000,000 annually. The inequality and injustice of this policy has given to certain purely manufacturing States which are without material agricultural pursuits—such as Pennsylvania, Rhode Island, Michigan, and Massachusetts—a per capita wealth ranging from $559 to more than $1,400, while in the agricultural States—they being the real wealth-producing sections of our country—the per capita wealth does not exceed $300.

When the principle of equal and exact justice to all men and classes was the basic economic principle of this Government, as instituted by the fathers, farming was among the most honorable pursuits, and farmers were the most wealthy and influential class. But since the inauguration of the principle of protection, which is but another term for legalized plundering, a great part of the wealth that the farmer produces in the sweat of his face goes to fill the coffers of protected trusts and monopolies. Granting that the farmer now enjoys some measure of prosperity, yet would he not be infinitely more prosperous if he were treated fairly and on terms of equality with other industries?

It has come to the point that at the very suggestion of legislation affecting finance, stocks, and bonds, trust barons hold up their hands in horror and declare that the mere agitation of such questions threatens the prosperity of the country. But whence comes the voice in the halls of legislation championing the cause of the farmer? No subsidy is proposed for him when his crops wither with blight and drought and his fields yield no profit. No special legislation is sought or pressed, although misfortune and famine may threaten him.

Beginning with the war of the American Revolution and down through all the years of our history, for the purpose of securing and maintaining the rights of freemen, the patriotism of the farmers of the land led them among the first to lay their lives upon the altar of their country as a sacrifice to freedom.

As a class he is just and patriotic. He patiently bears an unjust proportion of the burdens of taxation, and constitutes the most stable if not the most highly cultured class of American citizenship.

At last the conscience of the American people has been awakened to this gross, dishonest, inequitable, and unreasonable discrimination against the farmer, and they are aroused to action.

To-day, from the Great Lakes on the north to the tepid waters that lave the shores of our Southland, from the Atlantic, with its marts of trade and commerce, westward through the plains that lie in measureless sublimity between the great mountains, on to the Golden Gate that guards the Pacific coast, even throughout the length and breadth of our land, wherever honest toil bends above its daily task, the yeomanry of the land are gathering their forces and marshalling their hosts to march against the forces of favoritism and class legislation. And the Democratic party, that came into existence when the morning stars of this Republic first sang together and will endure until oppression is overborne by justice, bears aloft and holds high above all other things—high as the bright star of Hope above the dismal confines of the tomb—the Constitution and the Flag, and emblazoned upon its banners in letters of living and imperishable light appears the slogan, "Equal and exact justice to all men and special privileges to none." By this sign we will conquer.

Mr. LLOYD. I yield to the gentleman from New York [Mr. BAKER].

Mr. BAKER. Mr. Chairman, there is no subject more important, there is none more deserving of the careful attention of the people, than that of the corruption prevalent in American legislative bodies—in our boards of aldermen and in our State legislatures. This corruption is largely due to the fact that the American people have permitted their representatives to barter away their most valuable privileges. The proceeds of the barter do not, however, go into the public treasury, but into the private pockets of the recreant representatives of the people. This corruption, which of late years has been so prevalent and which seems to be all-pervading, is caused in the main by the special-privilege corporations. The last twenty years has shown a tremendous increase, not merely in the amount of interurban transportation, but also in the consumption of gas and electricity, and in the nation in the increased use of the telegraph and telephone and interstate railroad transportation.

Coincident with this large increase in the volume of traffic, consumption of gas, electricity, and heat there has also, owing to the inventive genius of the country, been a marked reduction in the actual cost of these services. This reduction, however, has not inured to the benefit of the public, but has been almost entirely monopolized by those who have secured possession of franchises which give them exclusive right to supply transportation and other such services. As a result, the margin of profit has been largely increased, and this has suggested to the shrewd, able, and unscrupulous monopolizers of these franchises the process of what has come to be known as "stock watering." Instead of reducing the charges for the services to the public, they have year by year employed a larger number of printing presses to produce stock certificates, the larger part of the value of which is made up of the exclusive privilege to supply these services which the monopolists have obtained from legislative bodies.

As science and invention progresses, there is every reason to believe, and in fact it is almost assured, that the real cost of these services will be constantly reduced, unless there is some change brought about in the relations of the public to these corporations. This will simply result in the issuing, without any valuable consideration being paid therefor—i. e., without any real additional investment of capital—of millions of additional shares of stock upon which these companies will demand that they shall be permitted to pay a "reasonable" dividend.

No relief can come to the people from this condition of affairs until the people themselves shall have direct control over the legislation affecting these special-privilege corporations. That relation and that control can be obtained through what is known as the "direct legislation" system by the institution of the "initiative and referendum."

It is because this question is of such far-reaching importance and is fraught with such large possible benefits to the people; it is because students of municipal government view with alarm the increase of corruption by special-privilege corporations of our legislative bodies, believing that it must ultimately undermine the very existence of government unless it is soon checked, that I desire to incorporate as a part of this brief speech upon this very important subject an address delivered by Dr. William P. Hill, of St. Louis, on this very subject to the students of the State University at Columbia, Mo., and would commend its careful reading to every Member of this House.

APPENDIX.

DIRECT LEGISLATION—THE INITIATIVE AND REFERENDUM.

[Address of Dr. William P. Hill to the students of the State University, Columbia, Mo.]

LADIES AND GENTLEMEN: I am glad of this opportunity to address this audience of young men who will soon go forth from this alma mater to become the leading citizens of our Commonwealth of Missouri, to become the leaders of thought and action in their respective communities. I am always glad to meet young men who have had the ambition to leave their homes and firesides and go forth in search of new thoughts and broader impulses.

I am here, as you know, to speak in behalf of direct legislation and to answer the speech made against it before you last fall by Mr. Frederick N. Judson, a corporation lawyer of St. Louis. I take this occasion to pay a tribute to the learning and ability of Mr. Judson as a lawyer and to point out to you that only a man accustomed as he is by long training and practice to

grope into the intricate technicalities of corporation law could possibly have made even as plausible a speech as he did against so plain and just a proposition as direct legislation.

I also wish to point out to you that I have no intention whatever of casting any reflections on the personal integrity and motives of Mr. Judson; but I can not refrain from observing that his sympathies as a corporation lawyer are naturally with the clients that have habitually employed him, and that these clients, the franchise-holding corporations of this State, are precisely the ones who have benefited the most by the present era of corruption and bribery in our politics, and that they are most naturally opposed to any reform that will tend to change the present condition of affairs. Every man is naturally opposed to anything that will interfere with his business or occupation. The man engaged in selling liquor is naturally opposed to any prohibition law that will interfere with that business.

The man engaged in conducting a gambling establishment is naturally opposed to any law against gambling, and the corporation that has derived great benefit from the purchase by bribery of legislatures and municipal assemblies is naturally opposed to any system that will make bribery more difficult or impossible, and, furthermore, these franchise corporations, having grown enormously wealthy from the property obtained by them through bribery of the false representatives of the people, are able to employ not only our best legal talent to speak in their behalf, but also to subsidize portions of our press in their efforts to confuse the people on this great subject and to prevent the reform of these conditions.

JUDSON'S OMISSIONS.

Now, Mr. Judson told you in his speech that there has been a growing and persistent popular demand in this country among all classes of citizens and in all our great political parties to establish in our various governments a system known as "direct legislation" by means of the initiative and referendum. These rather formidable words express a very simple idea, and that is a system of government, invented in Switzerland many years ago, by which the people can have at all times a direct control over their government, to wit: A true government of the people, by the people, and for the people. And further, Mr. Judson told you that this agitation resulted in its adoption by the State of Oregon about two years ago. He might have added that it was also adopted several years ago by the States of South Dakota and Utah; that it has been adopted by many cities in our country, notably Boston, San Francisco, and Los Angeles, and others of minor importance; that it has been agitated in the legislatures of nearly every State of the Union, and that its adoption by at least a dozen States in the last two years has only been prevented by the powerful influence of corporate monopolies.

INDORSED BY DEMOCRATIC NATIONAL CONVENTION, 1900.

This great popular demand for this reform resulted in its being incorporated in the national Democratic platform of 1900, and later on, in our own State, the Democratic convention at St. Joseph, in 1902, pledged the Democratic party in the following emphatic resolution: "*Resolved*, That the Democratic party of Missouri, in convention assembled, hereby pledges its candidates to office to use their votes and influence, and to adopt all proper means to secure the submission to the people of this State of a constitutional amendment providing for the practical application of the principle of direct legislation through the initiative and referendum."

In fulfillment of this pledge to the voters of Missouri by the Democratic party, the last general assembly has submitted such an amendment incorporating this principle in our constitution, to be voted on by the people at the next general election, in November, 1904.

Mr. Judson also told you that the cause of this great popular demand was a growing distrust of our legislatures, and the suspicions and even the disclosures of bribery and corruption. Mr. Judson glides over this part of his subject, evidently realizing the weakness of his position thereon and intent on minimizing as much as possible its importance. He did not tell you that this growing distrust that the people have for our legislatures is fully justified by the awful disclosures of bribery and corruption that have come from every State of our Union and from every city in the country.

He is careful not to tell you that the people have mighty good reason to be suspicious of their legislatures and municipal assemblies; that the people have seen them bribed repeatedly by franchise corporations; that under the influence of this bribery and corruption their rights and their property have been given away to these greedy monopolists. Mr. Judson did not tell you that the people demand a remedy for this awful condition of affairs; that they are tired of being ruled by bribery and corruption; that they know that this condition can not continue without completely destroying the entire fabric of our popular government and converting it into a plutocracy of boodle, by boodle, and for boodle. They know full well, as Mr. Judson told you, that a crisis has been reached in our representative system of government.

But it is not the crisis that Mr. Judson imagines and seems to fear, to wit, that the people may gain a greater control over their Government. The real crisis is whether it shall be completely destroyed by a plutocracy of bribery and corruption. This is the crisis that the great mass of our people see and fear, and this is precisely what they are trying to prevent by finding a remedy, and this is the reason that they are clamoring for this reform, which is the only practical remedy yet offered for this condition.

THE PARAMOUNT ISSUE.

Prof. J. R. Commons, the well-known professor of political economy and sociology, said:

"One of the most important issues before the American people—in fact, the paramount issue to-day—is bribery. No reform movement, no citizens' union, or the like can fully cope with it.

"The referendum is the only complete and specific cure for this condition. It alone goes to the source of corruption. It deprives lawmakers and executives of their monopoly of legislation. After the adoption of the referendum they can no longer deliver the goods. The secret ballot, official primaries, civil-service reform, proportional representation, are all needful and good in their way, but they still leave to a few representatives the monopoly of government and the power to sell. If they could all be adopted, the immense interest dependent on legislation will not use less but more money and will still control. With the referendum, however, the use of money will be practically abolished."

Mr. Judson, in his speech, gave you a very concise and able presentation of the gradual development of democratic tendencies in the constitutional history of Missouri. I was much surprised that he did this and still more surprised at the conclusion that he drew therefrom. He told you "that the first constitution of 1820 was adopted by the convention called under the 'enabling act' of Congress, and was not submitted to the people at all for ratification."

In this constitution there was no provision for amendment by popular vote, but under its provisions amendments were authorized to be made by a two-thirds vote of both houses of the general assembly, ratified by a two-thirds vote of the next succeeding general assembly. The constitution of 1865 was formed by a convention called by the general assembly, although there was no authority in the constitution of 1820 providing for such a convention. This constitution was, however, submitted to a vote of the people, the constitution itself expressly providing that it should not go into effect until adopted by the people. This constitution of 1865, though greatly more democratic in its tendencies than the old constitution of 1820, still failed to keep abreast with the spirit of the times, and a new convention was called in 1875 to adopt a still more radical constitution, that should be more in harmony with the popular will.

This constitution of 1875 differs radically from the preceding, and forcibly illustrates the modern tendency of imposing detailed restraints upon the legislative power and upon the taxing and bond-issuing powers of municipalities. But the most significant development in these constitutions was the introduction for the first time in our State of the principle of the referendum; that is, the reference to the popular vote. Not only does it provide for amendments to the constitution itself by popular vote, but it empowers counties, municipalities, and school districts to increase by popular vote their tax rate, and to issue bonds.

An essentially new feature in American constitutional law was the authorization of cities to frame their own charters and adopt them by popular vote, which has now been exercised and is now enjoyed by St. Louis and Kansas City. Under section 26 of article 12, the principle of the referendum is directly applied in providing that no act of the general assembly creating any banks, except those of deposit or discount, should go into effect until submitted to the qualified voters at the next general election, and approved by a majority. The same principle is also applied to the removal of a county seat, changes in the county territory, and in the provisions for township organization.

IT IS EVOLUTIONARY.

Thus we see that the history of our State constitution shows a slow and gradual evolution toward this principle of popular control of the Government by means of the referendum, and I was very much surprised that after Mr. Judson had so carefully and ably pointed out to you this gradual evolution that he should tell you that the further development of this principle, which is sought to be established by the present amendment now before the people, was in its nature a revolution. The very definition of evolution is a gradual and slow change toward a more and more perfect condition. An organic, peaceful development taking place along well-established lines. A revolution, on the contrary, implies a complete upheaval, violent and sudden in its nature. I leave you and the people of Missouri to judge whether the adoption of this constitutional amendment is not simply one more step in the gradual unfolding or peaceful evolution of our constitutional government. Simply the extension to statutory law of a principle already successfully applied to our constitutional law.

But this argument that the proposed change is revolutionary is not new in our State. It has been heard before. Did my time permit, I would show you by ample quotations that men like Mr. Judson have used that same expression against every change that has ever taken place in our constitution of Missouri. The same arguments were used against our constitution of 1875, and against our constitution of 1865.

SPECIAL PRIVILEGED CORPORATIONS OF COURSE OPPOSE.

Holders of special privileges and monopoly are, by nature, opposed to change of any kind, and whenever the people have tried to introduce a reform and improvement in their government they have invariably found these same gentlemen standing opposed to them and saying this is dangerous, this is revolutionary. Mr. Judson and his clients are representatives of a class, the conservative class, the self-satisfied, contented class, the beneficiaries of conditions existing in their time. The creed of these gentlemen can be summed up in the following words: "We are the greatest nation on earth; we surpass all other nations in richness and goodness; we are the only people up to date or a little ahead; no other nation has ever put Providence under such deep obligation; our standards of righteousness are so perfect that everything that we do is about right; we have the highest ideals, which we might soon overtake if we could only clip their wings a little." We see men exactly similar to these gentlemen in all the pages of human history. Go back a little farther in the history of our country and we see other Mr. Judsons opposing the adoption of the Federal Constitution, opposing the adoption of our republican form of government, on the ground that the people were not fit to be intrusted with the sovereign power, and that there should be a ruling class to exercise the power of government.

If you will read Adams's History of the Constitution of the United States, you will see that Alexander Hamilton and his followers used those same arguments against the establishment of our American Republic; that these gentlemen were in favor of having the Senators elected for life, and also the President, and of having a limited monarchy, like England. Go back a little further in the history of the human race and you will find these same gentlemen insisting on the divine rights of kings and opposing the establishment of parliamentary government in any form as a dangerous invention and revolutionary in its tendencies. I have no doubt that the action of the feudal barons in forcing the Magna Charta itself from King John was looked upon by men of this class as a most awful revolution. In fact, we have only to scratch an opponent of the referendum a little to find an opponent of popular government in any form.

FROM DESPOTISM TO DEMOCRACY.

The whole history of the human race has been a gradual development from the despotic and absolute government toward a more and more democratic form. There has never been any other struggle. The whole history of the human race is a history of struggle between two opposing groups of forces. On the one side we have had the ideas of justice, of equity, of liberty, of brotherhood, of altruism, and of true democracy; and on the other side we have had the ideas of pride, of selfishness, of greed, of special privilege, of aristocracy, and of despotism. These two groups of forces have met in deadly conflict from time immemorial. Every incident in human history has been merely a part of this great struggle; one battle in this great war; one variation on this great theme. Abraham Lincoln, that these gentlemen are fond of quoting at times, now that he is dead, said:

"THE ETERNAL STRUGGLE"—LINCOLN.

"There is an issue that will continue when the poor tongues of Judge Douglas and myself shall be silent. It is the eternal struggle between these two, right and wrong, throughout the world. They are the two principles that have struggled since the beginning of time. The one is the common right of humanity and the other is the divine right of kings. It is the same principle in whatever shape it develops."

When Moses led a race of slaves from bondage; when a handful of Greeks turned back the multitudinous hosts of the Persian tyrant on the plain of Marathon; when Leonidas and his Spartan band sacrificed their lives for their country in the defiles of Thermopylæ; when the heroic Spartacus exclaimed to his ragged followers, "Let greed tremble in all his palaces, let the oppressor shudder to think that the oppressed may have their turn;" when Demosthenes hurled his defiance at Philip; when Socrates calmly taught the truth in the face of death; when Galileo held aloft a new torch of science; when Arnold Winklereid paved the way for his countrymen by the sacrifice of his own life; when Mirabeau thundered against a debauched monarchy; when Patrick Henry exclaimed, "Give me liberty or give me death;" when Washington guided the ragged heroes of Valley Forge to a new

Republic; when Lincoln extended freedom to an humble race; aye, when the Saviour of mankind, himself, laid down his life for his ideals of faith and love—these, all these, were only fighting battles in this one all-embracing conflict that has its sequel in our day, and that will continue as long as one wrong remains to be righted; as long as one injustice remains on top of earth; and not alone on history's great page does this struggle take place.

It invades the heart and soul of every individual. Sooner or later everyone is called upon to choose on which side he will take his stand, and as one or the other of these principles gains the ascendancy in his nature does he line himself with the forces of iniquity or the armies of righteousness.

"Once to every man and nation comes the moment to decide
In the strife of truth with falsehood, for the good or evil side,
Some great cause. God's new messiah, bringing each the bloom or blight,
Parts the goats upon the left hand and the sheep upon the right,
And the choice goes by forever twixt that darkness and that light.

Careless seems the great avenger, history's pages but record
One death grapple in the darkness twixt old systems and the word,
Truth forever on the scaffold, wrong forever on the throne,
Yet that scaffold sways the future, and behind the dim unknown
Standeth God within the shadow keeping watch above his own."

And, my friends, this struggle for democracy in government, this struggle for the right of the people to control their government is simply a part of this great conflict, and at every step of its progress it has encountered these same opponents that stand before you to-day opposing this next step in the triumphant march of liberty and justice, and whenever these gentleman have been driven from one position to another, in spite of all the accumulated facts of human experience, they take their stand on the next vantage ground and say another step is dangerous and revolutionary. You must advance no further.

But Mr. Judson seems to intimate that direct legislation is in conflict with the Federal Constitution, and that if adopted by the people of this State that an effort will be made to have it declared unconstitutional by the supreme court of this State or by that of the United States. Several jurists, who have been well known as friends of the corporate interests, have written articles setting forth this view. In each case the wish was father to the thought.

This is all based on section 4 of Article IV of the Federal Constitution, which guarantees to every State in the Union a republican form of government. When the United States Constitution was adopted this question was thoroughly discussed, and the meaning of the phrase "republican form of government" was decided to be a government in which the political power was inherent and vested in the people themselves in accordance with our Declaration of Independence, as distinguished from a monarchical form of government in which the political power was vested in a king or aristocracy—in other words, that the Federal Constitution would not permit the establishment of a monarchy in any of the States of the Union.

The idea that this section would one day be used to defeat the very purpose it was intended for; that it would be used by a technical quibbling, or play upon the words "democratic" and "republican," to deny the right of the people to a more perfect control over their Government, never entered into the heads of the framers of the Constitution.

The idea that the extension of the initiative and referendum to statutory law, as it already is to constitutional law, should constitute a destruction of the republican form of government, would never enter the mind of anybody but a corporation lawyer, accustomed by long training to discover hair-splitting technicalities to defeat the ends of justice and the expressed will of the people.

Fortunately there is no reason to fear such contingency. The Supreme Court of the United States, in Minor v. Haperset (21 Wallace, 162), said that no particular government was designated as republican in the Constitution, and since Mr. Judson delivered his speech this very point has been justly and ably decided by the supreme court of the State of Oregon.

The court said: "The initiative and referendum amendment does not abolish or destroy the republican form of government or substitute another in its place. The representative character of the government still remains. The people have simply reserved to themselves a larger share of the legislative power, but they have not overthrown the republican form of government or substituted another in its place. The government is still divided into the legislative, executive, and judicial departments, the duties of which are discharged by representatives selected by the people."

THE PEOPLE INTENSELY INTERESTED.

The next objection that Mr. Judson claims against the referendum is that the people do not take interest enough to vote on measures, and he cites a few cases where only 40 per cent of the voters voted on constitutional amendments in this State. Mr. Judson is careful not to cite cases where the vote on questions was greater than the vote on candidates, as in Boston, where a question of great public interest drew a larger vote than was cast even in the Presidential election, and recently in Chicago where the vote on public ownership was very large and convincing.

When the question presented to the people is one in which they do not feel any interest whatever, or is worded in such a way as to be confusing or obscure, it is evident that the vote would not be large. But where a live question that is agitating the popular mind is presented, the vote has been all that could be desired.

But this feature, far from being a defect in the referendum, is one of its many advantages. It is an advantage that those unable to read the constitutional amendments, or unable to understand their import, do not vote upon them, leaving the question to be decided by the more intelligent portion of the population. Under the referendum the ignorant and indifferent disfranchise themselves without the necessity of passing any law against them. The percentage that Mr. Judson complains of is easily explained by this fact; but even this percentage shows that the constitutional amendments were passed by an average of 200,000 voters in our State. Is it not better to have the laws made by 200,000 of our more intelligent and patriotic citizens than to have them passed by corruption and bribery in a small boodle legislature?

But Mr. Judson misses the main point of the question. He has failed to show that the people have ever adopted by popular vote a bad law or have ever voted down a good one. The opponents of direct legislation will have to show us examples where the judgment of the people was faulty or unjust. Whereas, on the other hand, we can show that the mistakes of our legislatures have filled volumes of our statute books. We can show that legislatures have repeatedly passed laws ridiculous, absurd, corrupt, and inefficient. How often have our legislatures passed laws that were dead letters in their very inception, that were unconstitutional, and that it has taken all the acumen of astute lawyers like Mr. Judson to unravel. There is no fact more clearly demonstrated in our political life under the present system than the absolute incapacity and inefficiency of our legislatures. This fact is notorious to every citizen of Missouri.

THIS PRINCIPLE ENTIRELY DEMOCRATIC.

Mr. Judson objects that the conception of a democracy is only practical among a limited number of people and over a limited territory, and he quotes the founders of the Republic, and notably Thomas Jefferson. These gentlemen are fond of quoting these great men after they are dead. We remember distinctly that Thomas Jefferson, while living, was called an anarchist and a dangerous revolutionist by just such men as these. Now, Thomas Jefferson said that the New England town meeting, which was the direct application of pure democracy in government, was the most perfect system ever devised by man, and he deeply regretted that some way could not be found by which its benefits could be extended over a greater territory. This is precisely what has been accomplished by the invention of the initiative and referendum.

In the days of Jefferson communications were imperfect and uncertain, but in the present day of the railroad, the telegraph, the telephone, and the modern newspaper, discussion can take place as readily over a whole State as in the days of Jefferson in a single township. Abraham Lincoln also said, "This country, with its institutions, belongs to the people who inhabit it. Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world?"

Mr. Judson further told you that though the people, in his judgment, are not competent to decide great political questions, that yet they are eminently able to determine the fitness of candidates for office. Now, I think that there is nothing so well established in our political history as the fact that under the present system the people are absolutely powerless and unable to elect honest men to office. The recent disclosures of bribery and corruption in our State have demonstrated this beyond question.

When under the present system we find two-thirds of the St. Louis municipal assembly indicted for bribery and corruption, and a great number of our legislators and senators in the hands of our sheriff, when it is a notorious fact and common knowledge throughout this State that only a small part of all the facts of corruption have been brought to light we can hardly agree with Mr. Judson that the present system has been a conspicuous success in electing honest men to office.

One more objection of Mr. Judson is a sentimental one, and that is that we must not change the representative system of government founded by our revolutionary forefathers. I yield to no man in my respect for the great frounders of our Republic; but I am thoroughly convinced that they would have been the first to have ridiculed the idea that they were establishing a system in the eighteenth century to meet the requirements and conditions of the twentieth century; that they were establishing a system that should be held sacred and not subject to change.

The best proof we have of this is that during the first ten years after the adoption of the Federal Constitution the founders of it themselves changed it over ten times. Perfection is the only thing that can not be improved by change, and if Mr. Judson can show that the present system is perfection itself then we will agree with him that any change would be injurious.

DIRECT LEGISLATION THE REAL REMEDY.

But the great defect in Mr. Judson's argument is the fact that he sets forth no adequate remedy for the present era of corruption in our politics. He admits that this corruption constitutes a grave peril, requiring our most thoughtful consideration and our most patriotic endeavors; but the only remedy that he suggests is that we must elect honest men to office. The people have tried to do that for years and years and always with the same signal failure. We have had committees of a hundred and committees of fifty, citizens' leagues and public welfare commissions, of which Mr. Judson himself has been a member, and always with the same result.

There may have been a time when our primary elections had in them some element of fairness and decency, but my memory does not go back far enough to recall it. They are now so malodorous that no man with a modicum of self-respect can attend them. They are planned and conducted with that end in view. The political boss wants results which the presence of decent citizens might defeat. Naturally, the people have come to see that it is the system itself that must be changed, rather than the men. The Direct Legislationists claim that under the present conditions it is quite impossible to elect honest men to office. Candidates for an office can be divided into two classes, the honest and the dishonest, and under the present system the dishonest man can win the race against the honest man every time.

Take, for instance, the house of delegates in St. Louis. The salary of that office for the term of two years is $600. It costs the candidate in political expenses and party assessments between $1,600 and $2,000 to secure his election. Now, an honest man, whose conscience will not permit him to be bribed after election, can see at a glance that he will be the loser of $1,000 or more in addition to his time and labor for the honor of serving his country in the house of delegates. There are few people patriotic enough to make that sacrifice; but the dishonest man, who knows that thousands of dollars can be made by being bribed into betraying the interests confided to his care after he is elected, will not hesitate to spend money sufficient to secure his election. Similar conditions control the elections to nearly every other office in our State. Is it any wonder that under this system rascality should be in the majority in our municipal assemblies and in our State legislature? Now, if we remove the power of the legislature to sell anything without the reviewing vote of the people, then bribery will cease, because nobody will pay money to those who can not deliver the goods.

When the acts of the legislature are liable to be reviewed by the people, then the opportunities for corruption and rascality will have passed away. Under such conditions a rascal will not pay out his money to secure an office of which the salary is small and in which there is no opportunity for him to steal. Under the conditions brought about by the initiative and referendum we will not need to eliminate the rascals from our politics. They will eliminate themselves, because the offices will no longer have any attraction for them. And after all, my friends, it is a plain business proposition. My agent is faithful to me as long as I can control him, veto his acts, and discharge him if I find that he is not working to my interests. If I elected an agent for a term of four years, and during that time had absolutely no control over him whatever; if he had an absolute power of attorney to do what he liked with my property and my interests, it is a self-evident proposition that in the majority of cases I would have no property and no interests to dispose of at the end of his term, and yet this is precisely our present system of political life.

Is it any wonder that our grand juries and our prosecuting attorneys have been kept busy? Direct legislationists claim that when irresponsible and uncontrolled power is placed in the hands of the average man it is not doubtful but certain to be abused. We know that the only remedy is to change the system that has produced these results. We must borrow a biblical precept. We must lead our legislators not into temptation, but deliver them from evil. To recapitulate briefly, all classes of citizens, including the opponents of direct legislation, admit that the present era of corruption and bribery in our politics constitutes a grave national peril; that we are confronted by a condition that requires a remedy; but when it comes to suggesting a remedy our opponents have nothing to offer except what has been tried over and over again and found a failure, whereas direct legislationists offer a remedy that is complete and specific and that experience has demonstrated to be a cure for this condition.

PEOPLE WISER THAN THEIR REPRESENTATIVES.

The famous Swiss statesman, Numa Droz, ex-President of the Republic of Switzerland, said:

"Under the influence of the referendum a profound change has come over the spirit both of Parliament and people. It has abolished the corruption

which previously menaced our Republic. The people have generally shown themselves wiser than the politicians."

Hon. Charles N. Herreid, governor of South Dakota, Republican, said:

"Since the referendum has been a part of our constitution we have had no charter mongers or railroad speculators, no boodling schemes submitted to our legislature. There has been no necessity of having recourse to the referendum. Its presence in the constitution alone has sufficed to abolish corruption."

And after all, my friends, this question of direct legislation is a very simple one. It is a struggle to bring about the same things that our revolutionary forefathers fought and died for. If their Declaration of Independence announced to the world an immortal and imperishable truth—that all political power is inherent in and vested in the people themselves; that all governments derive their just powers from the consent of the governed—then direct legislation is true because it is simply a method to perfect and enlarge the control of the people over their government. No man has ever denied these great truths without a selfish motive in his heart. Kings have denied them while proclaiming their divine right because they were riding on the backs of their people. Aristocrats, nobles, and monopolists have denied them because their hands were steeped in special privilege. Boodle politicians have denied them because their fingers clutched the thousand-dollar bills of bribery money in their pockets. Corporation attorneys deny them because it interferes with the interests of their clients, from whom they derive their sustenance and who pay them for their technicalities. But the great mass of the plain, honest people love these principles all the more on account of the enemies they have made. The direct legislationists are simply trying to realize what our forefathers dreamed of, and but vaguely approached. We want, not only the independence of the nation, not only the independence of the State, but something far more glorious still—the absolute sovereignty and independence of the individual.

We do not wish to destroy the representative Government established by our forefathers; but we do wish to keep it from becoming a misrepresentative Government. We claim that under present conditions it only represents the will of a few political bosses and boodlers and misrepresents the great mass of our people.

We claim that there is only one use for law—but one excuse for government, and that is the preservation of liberty and justice. To give to each man his own: to secure to the farmer what he produces from the soil; to the mechanic what he invents and makes; to the artist what he creates, and to the thinker the right to express his thoughts.

We claim that a crisis indeed has been reached in our representative Government, a struggle to preserve it from becoming a plutocracy of boodle, bribery, and corruption.

THE PEOPLE MUST PURIFY GOVERNMENT.

We claim that it is absolutely necessary for the people to arouse themselves and purify their Government; that the time has come when all good citizens should pray, as did the immortal Lincoln on the battlefield of Gettysburg, to dedicate ourselves anew to the task left unfinished by the heroes and martyrs of liberty, to draw from these honored dead a new inspiration for the cause to which they gave the last measure of devotion, to highly resolve that this nation under God shall have a new birth of freedom, and that this Government of the people, by the people, and for the people shall not perish from the earth.

We wish the people of Missouri to know that what we are struggling for is what the great and good in all ages have struggled for. That we are fighting the battles they would fight if present in our time. That we are the heirs of all that glorious past, of all those glorious victories that have been consecrated by the blood and sacrifice of all that was best and noblest in human annals. That back of us stand, urging us onward, ever onward, and wishing us godspeed in our work, all that long line of patriots and martyrs, prophets and heroes, who have struggled to uplift the human race. Our cause is the sacred and holy cause of human progress.

Our ultimate victory is certain because, disregarding all trivial considerations, it strikes deeper and appeals to the conscience of the human race; because it beckons mankind to a higher and nobler destiny where dishonesty and vice shall no longer rule in our legislatures, where corruption and blind party prejudice shall no longer preside over our judicial bench, where on the ever broadening horizon of a glorious future shall dawn the glad sunshine of honesty and justice, and where at last the bars of ignorance and selfishness and greed which sever shall be fused in one humanity forever.

Mr. LLOYD. I yield the remainder of my time except one minute to the gentleman from Virginia [Mr. FLOOD].

Mr. HAMILTON. I rise to a parliamentary inquiry. How much time has been consumed on the other side?

The CHAIRMAN. The gentleman from Missouri [Mr. LLOYD] has five minutes to his credit.

Mr. LLOYD. I think that this side of the House is being charged with interruptions. I should be very sorry, under the circumstances, if anything of that kind is done, because I should like my friend from Virginia to have ten minutes.

Mr. OLMSTED. I will ask unanimous consent, if permissible, that the gentleman from Virginia have that time.

Mr. LLOYD. Then I will yield the gentleman from Virginia ten minutes and retain one minute for myself.

Mr. HAMILTON. If thirty minutes was fixed by the House as the time for general debate in the committee, it seems to me that the debate will have to be closed in that time.

Mr. LLOYD. But interruptions, I presume, are not to be counted as speeches?

Mr. PAYNE. We can not change the time fixed for general debate except in the House. I suggest that the gentleman from Virginia can get five minutes on an amendment when we take up the bill under the five-minute rule; but the order of the House can not be changed now.

The CHAIRMAN. The gentleman from Virginia [Mr. FLOOD] is recognized for four minutes.

Mr. FLOOD. Mr. Chairman, a number of gentlemen on this side of the House have devoted such patriotism and intelligence as they possess for a good part of this session of Congress in efforts to secure the passage of some bill to relieve a portion of our agriculturists who are suffering more from unjust taxation than any other class of American citizens. I mean the tobacco growers. I want the tobacco growers to understand, Mr. Chairman, why the exertion on the part of so many Members on this side of the House in their behalf has resulted in nothing more than exciting interest among Members generally, and perhaps in arousing the conscience of the country, upon this question, which is so important to them.

Mr. Chairman, the intelligence of no man, the patriotism of no man, the learning of no man is worth anything upon this floor except so far as it may serve to rouse the conscience of the country. That was demonstrated on Saturday last when the vote was taken after the great speech made by the gentleman from New York [Mr. COCKRAN]. Under the rules adopted here and as construed and enforced by the Speaker and his coterie of bosses, this House has become a moot court, in which the only privilege left to a vast majority of its Members is to make a speech for or against some legislation which is a foregone conclusion.

Every bill which brings forth the poor pretense of a debate is predestined and its fate determined by one of the several autocrats in whose favor the Republican majority of the House have abdicated our power and our functions. A number of us introduced bills for the relief of the tobacco growers. Those bills went to the Committee on Ways and Means, and were by that committee referred to a subcommittee, of which the gentleman from Pennsylvania [Mr. DALZELL], one of the elect, was made chairman.

After brushing aside those bills which were prepared by gentlemen who are familiar with the subject and familiar with the conditions which surround the tobacco growers, the gentleman from Pennsylvania prepared a bill of his own, or, rather, had one prepared by the head of one of the subordinate bureaus of this Government. That bill, Mr. Chairman, was stripped of every provision which was distasteful to the domestic tobacco trust or the foreign governmental combinations which have been oppressing the tobacco growers. This poor pretense of a relief bill, which, in my opinion, was only in the most insignificant degree beneficial to the tobacco planters, was held up by the gentleman from Pennsylvania, and was only reported on terms.

The gentleman from Pennsylvania, with the cynical candor of a man possessed of autocratic power and habituated to its illegitimate exercise, notified the friends of the tobacco growers that unless they agreed in advance not to offer any amendment to his bill not even that would be reported to this House by the Committee on Ways and Means; but that it, along with the other bills upon this subject, would be relegated to the limbo of still-born legislation. We recognized, Mr. Chairman, that we were in the hands of the Philistines, and that in order to get this infinitesimal relief for the tobacco growers we had to accept this condition, so humiliating to the dignity of this House and such an outrage upon our rights as Members of this body and the rights of our constituents.

Mr. Chairman, when Oliver Cromwell cleared out the Parliament House with a file of soldiers it was no whit more tyrannical, no whit more subversive of the fundamental principles of representative government than this assumption on the part of the gentleman from Pennsylvania of a power which should only be exercised by a majority of this House—namely, the power to legislate.

Even after we had agreed to the condition of the gentleman from Pennsylvania, and he had reported his bill, though it was a privileged measure and he could have called it up any moment, it stood on the Calendar from day to day until the time had passed when there was any hope that the Senate would take it up and act upon it, and it is now in a Senate Committee, where it will remain for this session, and the tobacco growers will be deprived of the small relief it carried for another year.

I trust, Mr. Chairman, that the time will soon come when the Democratic party will restore to this House its ancient privileges [loud applause], when the representatives of the people can meet here and freely and deliberately discuss the interests of their constituents, and when the grasping hand of the Executive and the tyranny of the bosses will no longer be permitted to usurp the powers which should reside in the majority of this House. [Renewed applause.]

Then, and not until then, will we have in very truth a government of the people. Then, sir, will the rule of the plutocrats and the dominance in our affairs of the trusts and monopolies pass away forever, having left behind one of the most disgraceful chapters in American history, when money was elevated above men and women; when an aristocracy of wealth was created and built up, and when a predatory gang of monetary bandits and vampires were permitted to prey at will upon the misfortunes and necessities of the people. [Loud applause.]

Mr. Chairman, I would like to have permission to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. LLOYD. Mr. Chairman, I yield to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, the comfort and prosperity of our people depend largely upon the policy of the Government with regard to its internal improvements.

This is a great country. Extending from ocean to ocean and from the Great Lakes to the Gulf, with a population of upward of eighty millions of the most intelligent and progressive people on earth, the country's development and the prosperity of the people are worthy of the highest consideration by Representatives in Congress.

OUR INTERNAL COMMERCE.

Our internal commerce amounts to the amazing total of over $20,000,000,000 a year. This estimate is upon the basis of but one transaction between producer and consumer, and the total has more than doubled in the past ten years. The volume of manufactures of the United States is more than twice as much as that of Great Britain. Who can tell what our manufactures will be ten or twenty years hence? In agricultural products this country is far in advance of any other, and its mineral resources exceed those of any land. To keep pace with this great increasing commerce we should provide liberal appropriations for river and harbor improvements. An examination of the appropriations for the past ten years discloses that expenditures for all branches of the Government have largely increased from year to year.

APPROPRIATIONS COMPARED.

The appropriations of the present session of the Fifty-eighth Congress aggregate the enormous sum of $781,574,629.99, which includes large increases for the army and navy establishments, and this at a time when we are at peace with all the world. During the four years of the Cleveland Administration, 1894–1897, the total expenditures amounted to $1,758,699,216.43, while during the four years of the McKinley Administration, 1898–1901, the total expenditures were $2,430,316,390.29, an increase in four years under McKinley of $671,617,173.86. During the Administration of President Roosevelt the expenditures increased to the unprecedented sum of $2,641,724,019.18. This is more than $211,000,000 more than the entire expenses of the McKinley Administration, although the Spanish-American war occurred during that time, and $883,000,000 more than during the Cleveland Administration.

RESULT OF REPUBLICAN POLICY.

In order to carry out the policy of the Republican party it is necessary to increase greatly the expenditures for the Army and Navy. This has been done at the expense of the much-needed internal improvements. From the enormous sums of money expended to maintain the Republican policy of colonial possessions the business and labor interests of the country receive no benefits; while the improvement of our rivers and harbors not only inures to the benefit of the entire country, but such improvements are absolutely essential for the needs of our rapidly increasing internal and foreign trade. The completion of many improvements already initiated and the erection of needed public buildings would give employment to thousands of our workmen at home and would greatly facilitate the business of the country. No provision has been made during this session for the completion of the vast number of river and harbor improvements, public buildings, and aids to navigation that have been recommended to this Congress with the expectation of favorable consideration.

BLACK ROCK HARBOR, NEW YORK.

Among the many improvements that have been considered by the River and Harbor Committee of this House is one for the improvement of Black Rock Harbor, New York. The object of the proposed improvement is to enable the deep-draft vessels of the Lakes to reach the quiet, deep waters below the shoals and rapids at the head of the Niagara River, and thus give to general commerce and all the territory lying between Lake Erie and Niagara Falls the great benefit that would result from better harbor facilities. From the reports of the Secretary of War it appears that the matter was referred to Maj. Thomas W. Symons, Corps of Engineers, United States Army, for a preliminary examination. His report to Gen. G. L. Gillespie, Chief of Engineers, United States Army, on October 1, 1902, states, among other things:

It is my opinion that the work as outlined is not only worthy of being undertaken by the United States, but ought to be undertaken, and it is advisable to do so with the least possible delay.

PRESENT PROJECT.

In 1888 a project was adopted for improving the Niagara River from Lake Erie to Tonawanda. Stated briefly, this was to remove rocks and shoals in the river so as to make a channel deep enough for vessels of 16 feet draft at mean river stage. This has been largely accomplished, but of late years the river and lake levels have been so low that the actual draft in the completed channel has been limited to about 14 feet.

This project is by no means a satisfactory one, and for several reasons: It does not furnish a remedy for the swiftness of water through the gorge, which runs from 4 to 7 miles per hour; it accommodates only boats of the smaller class, the old-fashioned freight-carrying boats of the Lakes, which are becoming fewer and fewer every year, and it can not be extended and enlarged to overcome the swiftness and shallowness of the channel without excavating wide and deep channels through the natural rock dam at the head of the river, which would lower the waters of Lake Erie, to the general detriment of all the cities and the commerce on the lake. In order to accomplish the object aimed at—of bringing this portion of this great navigable river into the Great Lakes system without detriment to the commerce of the Lakes—an entirely new project must be adopted.

PROPOSED PLAN OF IMPROVEMENT.

The proposed plan of improvement is to widen Black Rock Harbor to its original width by removing the wall that separates it from the Erie Canal, which once formed a part of it, thus making it from 250 to 500 feet wide, instead of about 125 feet wide, as at present; the resultant waterway then to be deepened sufficiently to accommodate the largest vessels of the Lakes with a lock at its downstream end sufficient to overcome the fall of the river. The lift of the lock would be about 5 feet, and it would be situated near the lower end of Squaw Island, in a position convenient of access by vessels navigating either channel of the river below the shoals and rapids. This canal and lock will enable all vessels, of whatever draft or width, engaged in lake commerce to pass from Lake Erie into the splendid natural harbor of the Niagara River below the shoals and rapids at its head.

JUSTIFICATION OF THE IMPROVEMENT.

This is believed to be a justifiable improvement for several reasons:

Because of its central geographical situation, its water transportation by the Great Lakes, the Erie Canal, and the Welland Canal, its many trunk lines of railroad, its vicinity to the coal fields of Pennsylvania, and especially to the great water power of Niagara Falls, this general locality between Lake Erie and Niagara Falls is rapidly becoming a very extensive and important manufacturing center, and its future in this regard is almost boundless if proper advantage is taken of natural conditions and necessary and reasonable improvements in these natural conditions are made.

The highest industrial development of the country demands that all along this Niagara frontier there shall be assembled conveniently and without hindrance transportation by lake, river, canal, and rail, and the power generated at Niagara Falls. The benefits to result from the proposed improvements are so great, so needed, so undoubted, and so immediate, and of such general usefulness that I have no hesitation in recommending that they be undertaken by the Government.

Furthermore, in this report Maj. Theodore A. Bingham, Corps of Engineers, United States Army, in showing the necessity of providing for deep-draft vessels, says:

The depth of the channel adopted is 23 feet at mean lake level, or the level of the Black Rock Harbor-Erie Canal waterway.

This depth is adopted because it is the depth established for all improvements of navigation for the deepest-draft vessels at Buffalo Harbor. The fluctuation of water level, due to ordinary winds and other ordinary causes, at the Buffalo end of Lake Erie ranges from 3 feet below mean level to 3 feet above that level. The maximum fluctuation due to high winds ranges from 5 feet below mean level to 8 feet above that level. These maxima are, however, of infrequent occurrence and need not be considered in this connection. The maximum draft of vessels on the Great Lakes must now be taken at approximately 21 feet, and the draft of the class of large vessels generally, excepting those of extreme size and draft, as 18 to 19 feet.

This is well shown in the following excerpts from articles on "Lake cargo records," published in The Marine Review, Cleveland, Ohio, August 6 and 13, 1903:

"The *William Edenborn*, of the Pittsburg Steamship Company, on August 1, 1903, smashed her own record, and, of course, all other records besides, in moving from Escanaba to South Chicago 8,807 gross tons, or 9,864 net tons, of iron ore. With this cargo she drew 20 feet 9 inches aft and 20 feet 5 inches forward.

"The *Manila*, of the Pittsburg Steamship Company, carried 7,820 gross, or 8,758 net tons, of ore on even draft of 18 feet 10½ inches."

The *Manila*, while a tow barge, typifies the class of large lake vessels, both steam and barge, ranging from 420 to 470 feet in length over all, with a beam of 50 feet—the typical large modern vessels on the Great Lakes.

The draft of 19 feet may be taken as the ruling draft of this typical deep-draft vessel. The channel 23 feet deep at mean level would have a depth at low water of 3 feet less, or 20 feet. It is desirable and advisable for safe navigation to have at least 1 foot of water under a vessel's keel at all times; so the low-water depth of 20 feet would fully meet the conditions required for fair navigation for the typical large deep-draft lake vessel under all but extraordinary low-water conditions, which occur at infrequent intervals of a few hours each.

The channel would also be navigable, except under low-water conditions, lower than 2 feet below mean level (which do not prevail except during a part of the seasons of low water in the Great Lakes), for the four large vessels of the *Edenborn* type, known as the "big four." These vessels are 498 feet long over all, with 52 feet beam and, when fully loaded, of about 21 feet draft.

The report further states that the improvement will cost $4,500,000.

IMPROVEMENT OF ERIE CANAL.

Mr. Chairman, the State of New York has expended $56,000,000 on the Erie, Oswego, and Champlain canals. The people, by an overwhelming majority, have authorized the enlargement of those canals, so as to provide for barges of 1,000 tons capacity. For this purpose there has been appropriated by the State $101,000,000. This work, the greatest of its kind ever undertaken, with the exception of the Panama Canal, is to be done entirely by the State of New York, and the commerce of the country will be immensely benefited thereby.

In order, however, that commerce shall share to the fullest extent in the benefits of this great enterprise, the Government should begin at once the improvement of the Black Rock Harbor, so that it may be completed and open to navigation when the canal is finished. The improvement of this harbor is not a local but a national undertaking. Terminal facilities are absolutely necessary if trade is to benefit properly from the great work of the State of New York.

CANADIAN ROUTES.

At the present time a great volume of American trade reaches the seaboard by way of Canada, and unless prompt action be taken to better the existing conditions on this side much more will be

diverted, to the detriment of American commerce. The completion of the 22-foot canal from Georgian Bay by way of the Ottawa River to the St. Lawrence, on which work is to soon begin, will shorten the distance to the seaboard and give Canada a tremendous advantage over the United States. In order to overcome this advantage this Government must provide facilities that will enable American commerce to proceed by American routes. Our commerce should be carried in American bottoms; it should proceed to the seaboard by American routes; it should be handled by American citizens, so that American interests above all else should be benefited. Of what avail, if we squander with lavish hand untold millions for the benefit of distant and alien peoples, if our own country is to be neglected?

REPUBLICAN NEGLECT AND REMEDY.

It is unfortunate that the exigencies of an approaching national campaign have made it necessary for the Republican party to adjourn Congress at a date unprecedented in our history, and thus postpone action upon many important matters. It is more unfortunate that the policies to which the country has been committed by the party in power have resulted in the expenditure of sums much in excess of what would be required by an economical administration of the public affairs. Distant peoples and lands have been carefully looked after by this Congress, while much that would be of great value to all of our people has been neglected.

Believing that the true mission of this country is not so much to bring every less fortunate and uncivilized people up to our standard, but that it is to bring peace, prosperity, and happiness to the people of this country, it is my earnest hope that the country will speedily come back to its original and fundamental policies, which will best be furthered by a great Democratic victory in the coming campaign. [Applause.]

Mr. LLOYD. Mr. Chairman, in concluding the debate on this side you will pardon me for calling attention to the fact that the bill before the House is to provide a Delegate from Alaska. [Laughter and applause.] I will further say, sir, to my fellows on this side of the Chamber, the minority members of the Committee on Territories have carefully investigated this bill and have done the best they could, in connection with the majority, and have presented the most perfect bill possible with the light that could be obtained. I believe that every Member of this body, either Democrat or Republican, ought to vote for this bill. [Applause.]

Mr. HAMILTON. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has eleven minutes remaining.

Mr. HAMILTON. I yield to the gentleman from Iowa [Mr. HAUGEN].

Mr. HAUGEN. Mr. Chairman, much has been said, and more has been printed in the CONGRESSIONAL RECORD and in the press, relative to White House expenditures. Before discussing this subject I want to express my sympathy to the Democratic party in their hour of turmoil, confusion, and distress, wandering about like a rudderless ship encountering shoals and rocks, tossed about on the high seas of disruption, without issue or hope of reaching an agreement on either candidate or platform.

For the information of those who have cherished the hope of a reconciliation of the Democratic party, I read to you from the Washington Post of April 24, reporting Bryan's Chicago speech on the New York platform, the reorganized Democratic party and its prospective candidate—the party eulogized and defended by the eloquent gentleman from New York, Mr. COCKRAN, in his two hour free-trade speech of last Saturday:

PLATFORM FOR A DODGER.

The New York platform is a dishonest platform, fit only for a dishonest party. No one but an artful dodger would stand upon it. The submission of such a platform to the voters of a State is an insult to their intelligence, for it is intended to deceive them, and a deliberate attempt to deceive, especially so clumsy an attempt as this platform, is a reflection upon the brains of those to whom it is submitted.

This platform proves that the opposition to the Kansas City platform is not opposition to silver, but opposition to every needed reform and opposition to all that the masses desire.

I had expected that a platform prepared by Mr. Hill for Judge Parker would be evasive and lacking in frankness, but I did not conceive that any body of men calling themselves Democrats would present such a platform as a recommendation of a candidate. * * *

Can anyone doubt that with such a platform as was adopted in New York and with a candidate whose conscience would permit him to run upon such a platform—does anyone doubt that with such a platform and candidate the party would be mortgaged beforehand to the corporations that are now using the Government as a private asset and plundering the people at will? * * *

I for one am not willing that the Democratic party shall become the tool of the corporations. I am not willing that it shall be the champion of organized wealth.

ADVICE TO DEMOCRACY.

Let us drive out of the party every Democrat who betrays his trust, every official who would administer the office for his private advantage. Let us make Democracy stand not only for good government, for honest government, but for a government "of the people, by the people, and for the people."

Having been driven to this unfortunate condition, some have seen fit to avenge themselves by maliciously attacking our worthy President, charging him with extravagance and unjust expenditures.

It is to be regretted that you should stultify yourselves by resorting to the use of absurd, malicious, contemptible falsehoods and misrepresentations, manufactured and inspired by yellow journals, and which are without foundation or a word of truth in them.

Indeed, you are entitled to sympathy. With this eruption in your ranks and your distracted condition, confronted with progress, prosperity, and a happy condition of the people, brought about under the seven years of Republican rule, Republican principles, and Republican policies, it is plain to you and to everybody that your defeat is certain next November. This is unfortunate for you, viewing it from a political standpoint; but how fortunate it is for the American people that we have such a clean, fearless, honest, patriotic President.

One who has labored so earnestly, conscientiously, and faithfully to fulfill his burdensome duties, always in thorough sympathy with the best interests of all the people, always pursuing his duty with fidelity, dignity, and rectitude of purpose, dominated by noble and lofty ideals; a statesman, a diplomat, fortified by a wealth of learning; a man whose character, success, record, both private and public, is without a stain of immorality, deception, fraud, or corruption, his loyalty to principles, his devotion to truth, his untiring energy, his lofty ideals and conscientious work, entitle him to the respect and admiration of all.

Such is Theodore Roosevelt, the man whom the Republican party will present as its candidate in the coming election; and, gentlemen, you are wasting ink, time, and energy in circulating such absurd misrepresentations. While I fully appreciate that the charges made will not be taken seriously, however, in view of all that has been printed, I will incorporate in the RECORD some editorials to show what is thought of it by honest and reliable publications. First, one from the Skandinaven, of Chicago, under date of April 15, a paper of thirty-nine years' standing, with a large circulation, not only in the United States, but in other countries, owned and edited by men of the highest standing and integrity, and whose veracity is beyond reproach, a paper first and all the time a champion of honest and clean government, men, and administration of affairs. The Skandinaven says:

THE PRESIDENT AND THE LIARS.

A recent issue of Reform, a prohibition organ published at Eau Claire, Wis., contains an editorial, reading as follows:

"President Roosevelt has spent more of the people's money in two years for the amusement of himself and family than McKinley spent in five years and Grover Cleveland in eight years. Since the days of Grant no President has wasted more in luxuries than has Mr. Roosevelt. He has used nearly a million dollars for furniture and the beautifying of the White House and its gardens. Among other things may be mentioned the Government pleasure yacht *Mayflower*, which he has caused to be fitted out for his private use. This alone cost $165,000. Among the first things he bought was a set of champagne glasses worth $450 a piece.

"Now he has requested the Congress to appropriate the following amounts for his benefit: $30,000 for the care of his horses, $1,000,000 for a summer residence, $146,000 for servants.

"It is possible that even Republicans will scratch their heads at the extravagance of the President in making the people's money roll."

That these statements are absurd and malicious lies is a matter of common knowledge to everybody who has kept himself or herself informed on current events. They were manufactured to serve personal ends, and have been persistently circulated by a certain class of "yellow" newspapers, which appeal to the most ignorant among us and to the baser instincts of all.

But, however self-evident their absurdity may be, such falsehoods are likely to work mischief when repeated and confirmed by newspapers that pose as respectable organs, although they can not claim to be fair-minded and truthful. There is evidence that the compact chunk of lies published by the Reform has misled some well-meaning people.

Also one from the Outlook, under date of April 9, 1904, a nonpartisan publication:

IS THE PRESIDENT EXTRAVAGANT?

Doctor Jowett, master of Balliol, the eminent translator of Plato and one of the most gentle and delightful men ever produced by Oxford University, once, in a moment of natural resentment at some unjust criticism of some of his administrative acts, laid down this rule for a man of action: "Never retract. Never explain. Get it done, and let them howl."

There are times, however, when explanations or denials are necessary even for men of action—if not by way of justification of certain courses pursued or certain acts performed, at least by way of relieving the honest solicitude of friends who, on hearing definite accusations made and not knowing the facts themselves and receiving no denial from the person accused, are greatly disturbed and troubled.

No man in this country so suffers from false and gossiping stories, and from his inability to make his honest and indignant denials public, as the man who fills the office of President. It is a common idea that Washington, owing to the supreme nobility of his character, to his supreme importance to his country, and to the supreme necessity for national safety of a united and patriotic people during the first Presidency, was spared the personal slanders and attacks which are all too common in political life. The contrary is, however, true. The current newspapers and political literature of Washington's time contain the basest and meanest personal attacks upon him; he was accused of personal moral laxness, of extravagance, of snobbishness, of military ignorance, of political incapacity—in fact, of the whole round of moral and official defects which a base partisan antagonism is constantly seeking for and rejoices when it thinks it discovers them.

Similar attacks are made upon President Roosevelt. A typical one is contained in the following paragraph from the Commercial Appeal, of Memphis, Tenn.:

"We want to see a Democrat in the White House again for a number of

reasons. He is needed there in the interest of economy. Mr. Roosevelt makes too many demands upon the people's purse to satisfy his vanity, to amuse his children, and to exalt "me." There is probably not a palace in Memphis that cost as much as $50,000. The President wants $100,000 to build a stable for his horses. His private naval review last summer cost the people over $200,000. He appropriated for his own use and that of his family a $500,000 naval yacht, had over $50,000 worth of furnishings put in it, and has also had smaller vessels assigned to the task of nursing the Roosevelt kids at Oyster Bay. The White House has been enlarged at an expense of $500,000, a $2,500 tennis court has been built for his children, and the living expenses have been about triple. We would like to see a Democrat in the White House in order that a period might be put to this carnival of graft and extravagance."

At first glance these charges seem so extravagant in statement and so unchivalrous and un-Southern in spirit as to deserve no attention. They are, however, being circulated through the country so widely by unscrupulous partisans that The Outlook proposes to state the facts—not for the sake of the reputation of Mr. Roosevelt, who is perfectly competent to take care of himself, but for the sake of those citizens who, without access to the facts, are justly disturbed when the President of the United States is openly accused of snobbish extravagance and no denial is made. The facts in the case are as follows:

No appropriation has been made for a new stable at the White House. Without the knowledge of the President, the Superintendent of Public Buildings and Grounds reported that, inasmuch as the present stable is on unhealthful ground, and the horses, which are Government property and not the personal property of the President, became sick in it, the Government ought to build a new stable. Whoever is elected President next autumn, decency and good business management call for a new stable.

There was no private naval review last summer, and the review that did take place did not cost the people a penny beyond the usual expenditures for the proper maintenance of the Navy. The review to which the Memphis Appeal refers took place in Long Island Sound in the presence of hundreds of spectators, and was far less private than the ordinary reviews held off the coast. The review was made solely because the officers of the Navy, a body of men of whom every American, whether Democrat or Republican, ought to be proud, felt it would be a good thing to have the President show a personal interest in the fleet.

There is no such thing as a Presidential yacht. Perhaps the Appeal refers to the *Mayflower*, which is ordinarily used by the Admiral and Secretary of the Navy in the prosecution of their necessary duties. Not a dollar has been spent upon furnishing this vessel for the use of the President or his family. The President has been aboard either the *Mayflower* or the *Sylph* not more than ten times during his term of office in the Presidential chair, and those occasions have been times when the President was exercising his natural and necessary duties as Commander-in-Chief of the Navy.

As to entertainments at the White House, the fact is that when the President receives guests at his table at dinner or luncheon he pays the butcher, the baker, and the grocer out of his own pocket. It is true that there is a tennis court on the White House grounds, but it cost less than $400—which is a much smaller amount than was expended upon the greenhouses under previous Administrations. We think there can be no serious objection on the part of any decent American to the President playing tennis with his children, and it is impossible for them to play tennis except on the White House grounds.

Finally the enlargement and improvement of the White House was made not on the recommendation of President Roosevelt, but on the initiative and with the approval of Congress without regard to political party. The White House was unsafe and insanitary, and Congress rightly thought that it was improper and undignified to leave it longer in the condition in which it was before the present renovation. Senator COCKRELL, of Missouri, and Congressman McRae, of Arkansas, both well known and influential Democrats, were among the Senators and Congressmen who took the lead in having the changes made.

There is no question that the American people at large wish that their President, whatever may be his party, shall live in dignity and with appropriate surroundings. The White House is not a private residence. It is open to visits both of Americans and of distinguished officials and travelers from other countries. The Outlook ventures to say that the President and his family accept their temporary home in the White House as one of the burdens, not as one of the advantages, of the Presidential office. No American with any knowledge of the habits of dignified living can object to the reasonable expenditure of money which has made the White House more efficient as the Executive Office of the President, and more appropriate and beautiful as the place in which public receptions and official dinners are given for the benefit not of the President's family, but of the entire American people. As a matter of fact, President Roosevelt, although a Republican by name, is thoroughly democratic in his tastes and manner of life.

The editor of the Memphis Appeal is quite within his reasonable and just rights if he desires to see a Democrat in the White House again; but he is justly open to the criticism of insincerity when he bases his demand for a change of Administration on the ground of a national desire for personal economy in the President's expenditures. The days when Senators and Congressmen and Cabinet officers chewed wooden toothpicks in public and spat tobacco juice with equal facility at every point of the compass have happily gone by. The American people no longer want that kind of simplicity. They want public officials to do their work effectively, with dispatch, and with reasonable expenditure of money, but they want them to live in conditions which make for comfort, health, and dignity.

I believe the American people, irrespective of party, not only desire truth in the matter of public affairs, but also fair play. During this session of Congress I have sat in my seat and listened to all manner of fairy tales from our friends on the other side with regard to criticisms of the Republican party, its policies, and its administration. We expect this from them, especially upon the eve of the national campaign.

The Republican party speaks for itself, and the wisdom of its policies and counsels are attested to-day by the grandest epoch of prosperity the nation has ever known. It is not to defend it that I rise here to-day, but rather to correct reckless perversions of facts with regard to the present occupant of the White House. If anything is needed to show the straits to which the Democratic party is driven for material for the coming campaign, the best example is furnished by these wholesale misrepresentations of facts in regard to White House expenditures.

There are some facts generally known to all of us, especially those of you who have investigated and given this matter thought and attention. You know and I know, as stated in these articles, that the charges made are false and without foundation.

First, as to the new stable for the White House, a matter which has been discussed more or less on the floor of this House: To start with, no recommendation was made by the President for an appropriation for this purpose. Again, the stable is located on unhealthy ground and on ground set aside for memorial purposes, and sooner or later the stables will have to be moved, and the recommendation made by the Superintendent of Public Buildings and Grounds was proper. The President's stable is carried on exactly as it was carried on under President Cleveland, Harrison, and McKinley, and his other predecessors. It is chiefly used for Government horses and carriages. The President's own horses and carriages have been paid for by himself, not by the Government. The President pays for the coachman and for the feed of his horses.

Relative to the *Mayflower* and the naval review, the facts are exactly as stated in the article in the Outlook, and every patriotic citizen will approve of what was done in this respect.

Next, as to the alleged expenditure for furniture and decorations of the White House: While the plans carried out may not meet the approval of all, whatever work was done was authorized by Congress on its own motion, without any suggestion or recommendation from the President. Democrats and Republicans alike agreed that the work was absolutely necessary. Members on your side were among those who took the lead in the Senate and House in advocating the change. The building had come to such a condition that it was necessary to prop up the floors whenever a reception was held.

The work was done by McKim, Meade & White, architects, and the results of their efforts to restore the White House to what it was originally planned and designed to be in the days of Washington and Jefferson have met with cordial and almost universal approval from architects of this country and all who are interested in the preservation of a great historic landmark. Every competent architect in the country will tell you that it was a genuinely patriotic service thus to restore it to its old simple and stately dignity.

The cost of these improvements, including the erection and furnishing of the new Executive office building, was not much over half the sum stated in the article mentioned, and incidentally the expenditure of this money removed the necessity of a much larger expenditure within a very few years to rebuild the White House. The changes that have been made will stand for a century to come.

In the White House the upper floor is used only for the President's family. The two lower floors, with the exception of the kitchen and dining room, are used for the public, the family of the President never otherwise using these two floors unless in connection with receiving the public. Between 150,000 and 200,000 citizens every year visit the White House and go through these two floors, or are received personally by the President and Mrs. Roosevelt. Almost the entire expense of the rebuilding of the White House was for these two floors used by the public. The only thing done with the rooms on the floor used by the President and his family was to repair them, put in modern plumbing, etc.; in short, to alter them only so as to make them fit for habitation.

All the unusual expense was for the two floors which are used for the public, and which are, except the kitchen and dining room, used by the President and his family only to receive the public. In the same way the expense for the maintenance of the White House is almost entirely for the maintenance and care of these two floors and for the attendants who look after the people who come to see the White House, who average over 500 per day. On the floor where the President and his family live almost all the work is done by those whom the President personally pays.

In the same way the entertaining done by the President is paid for out of his own private purse when he is in the White House, just as when he is at Oyster Bay. The state dinners, where he entertains the Cabinet, Senators, Members of the Lower House, justices of the Supreme Court, and foreign representatives, no less than the smaller dinners and other entertainments, are paid for out of the private purse of the President, he being put to a heavy outlay from his own private purse in order that he may suitably fulfill some of the necessary functions of his position as Chief Magistrate. I dare say that some of the critics who have attacked the President for his expenditure in this way have themselves been recipients of his hospitality and are apparently ignorant that the hospitality which they thus requite was at the President's private expense.

The grounds around the White House are managed as they always have been managed, and at present a little less expensively than under previous Administrations.

The other items mentioned in the Reform, namely, $450 apiece for champagne glasses, $1,000,000 for a summer residence, and $146,000 for servants, are so ridiculous they hardly merit consideration, and, as all other charges, as we all know, they are absolutely without foundation.

Mr. HAMILTON. Mr. Chairman, I yield two minutes to the gentleman from Pennsylvania [Mr. DALZELL].

Mr. DALZELL. Mr. Chairman, I just came in in time to hear the last part of the hysterical speech of the gentleman from Virginia [Mr. FLOOD] in respect to the tobacco bill. I do not know that any reply at length is necessary. I can state to the House the facts in the case. There were introduced at this session of Congress and referred to the Committee on Ways and Means——

Mr. FLOOD. If the gentleman desires, I will give him the substance of the first part of my speech.

The CHAIRMAN. Does the gentleman from Pennsylvania yield?

Mr. DALZELL. For what?

The CHAIRMAN. The Chair does not know.

Mr. DALZELL. I have only two minutes. As I was saying, there were introduced and referred to the Committee on Ways and Means some six or seven bills relating to the relief of the tobacco growers. They all contemplated a reduction of the revenues.

The subcommittee of the Committee on Ways and Means had extensive hearings. We heard, I suppose, twenty-five or thirty witnesses, and amongst those witnesses was the Commissioner of Internal Revenue, who testified that any relief sought by the bills beyond that embodied in the first section of the bill introduced by Mr. GAINES of Tennessee would eventually reduce the revenues to an extent beyond his computation, and it was his judgment that it would not be wise to have any such legislation at this time.

The subcommittee, however, were anxious to give relief in so far as they could; and if the gentleman will pardon my mentioning him by name, the gentleman from Tennessee, Mr. GAINES, at one of the hearings intimated, I think he said expressly, that if the relief embodied in the first section of his bill could be granted, it would be satisfactory to all parties concerned.

I thereupon had the Commissioner of Internal Revenue prepare a bill in accordance with that suggestion, and I stated to the gentleman that we thought it would be useless to make a report if it was intended to put on the amendments embodied in the other sections of the bill, because in that event it would be impossible to pass the bill, and that I was willing to have the committee report the Commissioner's bill if they were willing to accept it. I understood they were all willing to accept it. I think I deserve thanks instead of criticism from the gentleman from Virginia. [Applause.]

Mr. HAMILTON. I yield to the gentleman from Maine [Mr. LITTLEFIELD].

Mr. LITTLEFIELD. Mr. Chairman, I will simply ask leave to print an article I have recently written for the North American Review on the canteen legislation.

The CHAIRMAN. The gentleman from Maine asks unanimous consent to print an article from the North American Review. Is there objection. [After a pause.] The Chair hears none.

Mr. BARTHOLDT. Mr. Chairman, reserving the objection to the request of my friend from Maine, I would like to ask whether he asks to print in the RECORD all the articles he has contributed to the North American Review on the subject of the canteen?

Mr. LITTLEFIELD. Yes; the gentleman has only contributed one. One-half came out in the March issue and the other half came out in the April issue.

Mr. BARTHOLDT. Mr. Chairman, in connection with that request I ask unanimous consent to be allowed to print a reply to that article.

Mr. LITTLEFIELD. Mr. Chairman, I have not the slightest objection, as far as I am concerned.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

Mr. HAMILTON. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has six minutes.

Mr. HAMILTON. I yield to the gentleman from Iowa [Mr. LACEY].

Mr. LACEY. Mr. Chairman, I desire in this connection to ask unanimous consent to extend my remarks and print in the RECORD some observations on the trusts, on the tariff, and on the New York platform.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. WILLIAMS of Mississippi. Mr. Chairman, I object.

Mr. GAINES of Tennessee. Mr. Chairman, I will not object if the gentleman will allow me to print one in reply to show that Senator John Sherman was not the author of the "Sherman anti-trust law," but that Senator Reagan and other Democrats introduced bills before Mr. Sherman did on the subject—— [Laughter.]

Mr. HAMILTON. Mr. Chairman, I yield to the gentleman from Montana [Mr. DIXON].

Mr. DIXON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD respecting the irrigation act.

The CHAIRMAN. The gentleman from Montana asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HAMILTON. Mr. Chairman, I yield to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Chairman, I desire to call attention, as a supplement to the very acrimonious attack made by the good-natured gentleman from Missouri [Mr. DOUGHERTY] on the Ways and Means Committee, to the fact that the law which he denounced as robbery and all that sort of thing and an injustice and oppression stood on the statute books during the entire four years of the Democratic Administration and was not disturbed.

Mr. GAINES of Tennessee. And the Republicans did not repeal it when they enacted the Dingley tariff law.

Mr. GROSVENOR. Never mind, now. I did not ask the gentleman to get into my speech. Mr. Chairman, I notify the gentleman from Tennessee [Mr. GAINES] that his remarks will not be embodied in mine.

Mr. GAINES of Tennessee. It would be the only valuable portion of the gentleman's speech, Mr. Chairman.

Mr. GROSVENOR. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

Mr. WILLIAMS of Mississippi. To that request, Mr. Chairman, I shall object.

Mr. GROSVENOR. Oh, I do not think the gentleman will object. I do not want to extend it on this topic.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. WILLIAMS of Mississippi. Mr. Chairman, I object.

Mr. GROSVENOR. Mr. Chairman, we have reached a fine condition. Here we have stood this afternoon and allowed some eight or ten Democrats to print speeches in the RECORD.

Mr. GAINES of Tennessee. Oh, we are trying to catch up with the gentleman from Ohio [Mr. GROSVENOR].

Mr. WILLIAMS of Mississippi. Mr. Chairman, if I am in order, in reply to that I would say that if all the gentlemen published they will not come up to the twenty-seven and one-quarter pages in the RECORD contributed by the gentleman from Ohio [Mr. GROSVENOR], wherein he plastered the present incumbent at the White House with union labels for twenty years back.

Mr. GROSVENOR. Does the gentleman from Mississippi [Mr. WILLIAMS] know how many columns of this RECORD he has contributed during this Congress? I can tell him.

Mr. WILLIAMS of Mississippi. "The gentleman from Mississippi" knows that every column he contributed was contributed on the floor of this House. [Applause on the Democratic side.]

Mr. GROSVENOR. I can tell the gentleman how many. Two hundred and eight columns up to one week ago this morning.

Mr. WILLIAMS of Mississippi. I never measured the columns, but whatever was contributed by "the gentleman from Mississippi" was contributed in his place on this floor.

Mr. PAYNE. Oh, the gentleman is evidently mistaken. He contributed column after column of newspaper articles that were never read. The gentleman had better refresh his recollection.

Mr. WILLIAMS of Mississippi. Mr. Chairman, there is not a remark pretending to proceed from "the gentleman from Mississippi" that was not uttered on this floor. Of course there are articles referred to in his speeches and things from books referred to and leave obtained to print them, and they are printed among his remarks, but there is no speech of mine in this RECORD anywhere that was written by anyone else or was not made upon the floor of this House by "the gentleman from Mississippi."

Mr. MANN. That is the very reason we ask leave to extend, because the gentleman has taken up all of the time. [Applause and laughter.]

Mr. WILLIAMS of Mississippi. Oh, the gentleman has plenty of time. We will stay here until July if they want us to.

Mr. LACEY. Mr. Chairman, I have stood by and given my consent to leave to print, and now the gentleman objects to the insertion of some documents in the RECORD which I desire to put there.

Mr. WILLIAMS of Mississippi. I do not object to the gentleman's inserting any documents in the RECORD. The gentleman asked leave to insert his speech in the RECORD.

Mr. LACEY. I desire to insert some documents in the RECORD.

Mr. WILLIAMS of Mississippi. Then I shall withdraw my objection to what the gentleman desires if he wants to insert some documents in the RECORD.

Mr. LACEY. I will renew my request, then, Mr. Chairman, to insert some documents in the RECORD in connection with my remarks.

The CHAIRMAN. The gentleman from Iowa asks leave to extend his remarks in the RECORD. Is there objection?

Mr. GAINES of Tennessee. Mr. Chairman, I want to know what the speech is about.

Mr. LACEY. One of the documents is the speech of Secretary Shaw upon the enforcement of the trust law by Mr. Cleveland.

Mr. GAINES of Tennessee. Mr. Chairman, I object to that, because it does not state the facts.

Mr. JAMES. Mr. Chairman. I object.

Mr. GAINES of Tennessee. That speech perverts history, and that is why I object.

Mr. LACEY. Then I am afraid that objection will condemn my friend the gentleman from Tennessee [Mr. GAINES] to eternal silence. [Laughter.]

Mr. GAINES of Tennessee. I always tell the truth, here and everywhere. I say that Sherman was not the author of the Sherman law; that Mr. Shaw contends he was. That is what I say. He never wrote a line of it, and I do not intend that that speech of Mr. Shaw shall go in the RECORD. [Laughter and applause on the Democratic side.]

Mr. HAMILTON. Mr. Chairman, in view of the fact that on both sides of the Chamber an effort has been made to accommodate various gentlemen who desire leave to extend their remarks in the RECORD, and thereby the gentleman from Indiana [Mr. BRICK], a member of the committee, has been deprived from making an explanation of some features of the bill, I ask unanimous consent that the gentleman may be permitted to proceed for ten minutes in a discussion of the bill.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I have no objection to that.

Mr. FLOOD. Mr. Chairman, I would like to know how that can be done when that same right was denied me? The gentleman from Michigan [Mr. HAMILTON] and the gentleman from New York [Mr. PAYNE] said that it could not be done.

Mr. HAMILTON. The time has been consumed on both sides inadvertently.

The CHAIRMAN. The Clerk will read the bill for discussion and amendment under the five-minute rule.

Mr. LLOYD. I hope that no one will object to the proposition which has been made to hear the gentleman from Indiana [Mr. BRICK]. This is an important bill, and no one on the floor of this House has investigated its provisions more thoroughly than that gentleman. I hope he will be permitted to occupy ten minutes.

Mr. HAMILTON. I suggest that the reading of the bill begin, and then the gentleman from Indiana may have his opportunity.

The CHAIRMAN. The bill will be read.

The Clerk proceeded to read the following bill:

Be it enacted, etc., That a Delegate to the House of Representatives of the United States from the Territory of Alaska shall be chosen by the people thereof, who shall be a citizen of the United States, and who shall discharge like duties and be entitled to the same rights, privileges, and emoluments as are discharged, exercised, and enjoyed by Delegates from the several Territories of the United States in the House of Representatives: *Provided, however*, That such Delegate, in lieu of all other allowances, shall, in addition to his salary, receive the sum of $1,500 per annum, which shall cover all mileage and other expenses, except stationery allowance and compensation for clerk hire.

SEC. 2. That the first Delegate from the Territory of Alaska shall be chosen to serve from the date of his election certificate during the remainder of the term of the Fifty-eighth Congress and for the full term of the Fifty-ninth Congress at the first election, and each succeeding Delegate shall be chosen for the full term of the Congress next succeeding his election; that the salary of the first Delegate so chosen shall begin with the date of his certificate of election; that the salary of each Delegate subsequently chosen shall begin on the 4th day of March next succeeding the date of his election.

SEC. 3. That the first election of such Delegate shall be held on the second Tuesday of September in the year 1904, and the second election for Delegate shall be held on the second Tuesday of September, 1906; and thereafter such elections shall be held on the second Tuesday of September in each year when Members of the House of Representatives are chosen.

SEC. 4. That no person shall be a Delegate who shall not have attained the age of 25 years and been seven years a citizen of the United States, and who shall not when elected be a bona fide resident, and an elector as prescribed in this act, of the Territory of Alaska.

SEC. 5. That in order to be qualified to vote for said Delegate to Congress a person shall—

First. Be a male citizen of the United States and have resided in Alaska not less than one year immediately preceding the election at which he offers to vote.

Second. Have attained the age of 21 years.

Third. Be able to speak, read, and write the English or some other European language.

SEC. 6. That each incorporated town now existing or hereafter organized in the Territory of Alaska shall, for the purposes of this act, constitute one election precinct; and the common council of each incorporated town, at least thirty days prior to the date of the holding of each election under this act, shall select and provide a polling place in said town, and shall give notice of said approaching election by posting a copy of said notice in at least three conspicuous public places in said town, and wherever there are one or more newspapers of general circulation published in said town, then a copy of said notice shall also be published in one or more of such newspapers at least thirty days prior to the date of the election, and said notice among other things shall specify the date of said election, the location of said polling place, and the hours between which said polling place will be open; and not less than ten days before the date of such election said common council shall appoint from among the qualified electors of said precinct three judges of election for that said precinct, no more than two of whom shall be of the same political party.

SEC. 7. That all of the territory in each commissioner's precinct which now exists, or which may hereafter be created, in Alaska, lying outside of an incorporated town, shall, for the purposes of this act, constitute one election district; that in each year in which a Delegate is to be elected the commissioner in each election district shall issue a joint order and notice signed by him and entered in his records in a book to be kept by him for that purpose, in which said joint order and notice he shall—

First. Divide his election district into such number of voting precincts as may in his judgment be necessary or convenient, defining the boundaries of each precinct by natural objects and permanent monuments or landmarks, as far as practicable, and in such manner that the boundaries of each can be readily determined and become generally known from such description, specify a polling place in each of said precincts, and give to each precinct a name or number by which the same shall be designated; and

Second. Give notice of said approaching election, specifying in said notice, among other things, the date of such election, the boundaries of said precincts as established, the location of the polling place in each precinct, and the hours between which said polling places will be open.

Said joint order and notice shall be given publicity by said commission by posting copies of the same at least thirty days before the date of each election of Delegate. Said copies shall be posted as follows: One at the office of the commissioner in said district, and three copies to be posted in three conspicuous public places in each of said voting precincts as established, one of which shall be placed at the designated polling place in each precinct.

Prior to the date of the holding of such election said commissioner shall select, notify, and appoint from among the qualified electors in said precincts three judges of election for each of said precincts, no more than two of whom shall be of the same political party. Said commissioner shall notify all of said judges of election of their appointment as such so that each and all of them shall receive said notice at least ten days before the date of the election.

SEC. 8. That the three judges of election in each precinct shall constitute and shall be known and designated as the election board for said precinct. That the election board in each precinct, or a majority of them, shall have authority, and it shall be their duty, to provide a suitable ballot box and prepare the polling place for the holding of said election.

That the members of said election board in each precinct, before entering upon the duties of their office, shall each be severally sworn, before an officer qualified to administer oaths, to honestly and faithfully perform the duties of their positions; and if no such officer be present or available, then any one of said duly appointed or selected judges of election may administer the necessary oath to said other two judges, and he shall afterwards in turn be sworn by one of them.

That each of said judges shall have authority to administer any oath to the voter necessary or proper under this act, and said judges shall have equal authority; and in case of any question or disagreement over any matter during the course of said election the decision of the majority of said judges shall govern.

Two of the three judges of election in each precinct shall perform the duties of clerks of election for that said precinct, the two judges performing the duties of clerks to be of different political parties, and it shall be the duty of each of them to keep a correct duplicate register and to enter therein the names of the voters in alphabetical order and the fact that they have voted, or have offered to vote and were refused, and a brief statement of the reason of refusal.

SEC. 9. That each of the candidates for the office of Delegate herein provided for, at any election held hereunder, shall be entitled to one watcher at each voting precinct, who shall be permitted to be present within the place of voting at such precinct, and in some place therein where he may at all times be in full view of every act done. Such watcher shall have the right to be so present at all times from the opening of the polls until the ballots are finally counted and the result certified by the election board. Each watcher shall be required to present to the election board proper credentials signed by the candidate he represents, showing him to be the duly authorized watcher for such person.

SEC. 10. That in case any of the judges of election selected as herein provided for any precinct shall fail to appear and qualify at the time and place designated for the election for which they shall be appointed, the qualified voters present may, by a majority viva voce vote, select a suitable person or persons to fill the vacancy or vacancies on such election board; and any person or persons so selected shall qualify and serve on said election board, with the same powers and in the same manner as if he had been appointed as hereinbefore provided.

SEC. 11. That any person offering to vote may be challenged by any election officer, or any other person entitled to vote at the same polling place, and when so challenged before being allowed to vote he shall make and subscribe to the following oath: "You do solemnly swear (or affirm, as the case may be) that you are 21 years of age and a citizen of the United States, and that you have resided in the Territory of Alaska for one year immediately preceding said election day; that you are able to speak, read, and write the English or some other European language; that you have not voted at this election," and further naming the place from which the voter came immediately prior to living in the precinct in which he offers to vote, and giving the length of time of his residence in the former place. And upon the voter swearing to such an affidavit he shall be allowed to vote; but if any person so challenged shall refuse or fail to take such oath, then his vote shall be rejected; and any person swearing falsely in any such affidavit shall be guilty of perjury, and shall, on conviction thereof, suffer punishment as is prescribed by law for persons guilty of perjury.

SEC. 12. That the election boards herein provided for shall keep the several polling places open for the reception of votes from 8 o'clock a. m. to 6 o'clock p. m. on the day of election.

The voting at said election shall be by secret printed or written ballot, substantially in the following form: "For Delegate from Alaska, (here insert name of person voted for.)"

Such ballot shall be folded by the voter so as not to disclose the vote, and by him handed to one of the judges of election, who shall immediately, in the presence of all the members of the election board, deposit the same, folded as aforesaid, in the ballot box, where the same shall remain untouched until the polls are closed. At the time the ballot is so deposited the two judges of election performing the duties of clerks shall each of them enter in his duplicate register the name of the voter in alphabetical order and the fact that he has voted.

SEC. 13. That the election boards herein provided at each polling place as soon as the polls are closed shall immediately publicly proceed to open the ballot box and count and canvass the votes cast, make duplicate certificates of the result thereof, duly signed by all the members of said election board, and they shall then immediately transmit one of said duplicate certificates, together with one of the duplicate registers containing the names of the voters and the ballots cast, all securely sealed, to the clerk of the court for the division within which such precinct is situated. The other duplicate certificate and duplicate register of voters they shall at once transmit, securely sealed, to the governor of Alaska at his place of residence.

The clerk of the court in each of the divisions of Alaska shall compile the returns received from the various polling places, ascertain the result, trans-

mit such compilation and result, duly authenticated, to the governor of Alaska at his place of residence. Said clerks shall retain the duplicate certificates, together with the registers containing the names of the voters and the ballots received from the various polling precincts, for a period of six months after each election, and in case notice shall be served upon them, or either of them, of a contest arising out of said election, said duplicate certificates, registers, and ballots shall be further retained by said clerk or clerks to await the order of the tribunal having the final determination of such contest; otherwise such duplicate certificates, registers, and ballots shall be destroyed at the expiration of six months from the reception thereof.

SEC. 14. That the respective clerks of the court shall make return, as hereinbefore provided, to the governor so that he shall receive the same not later than the third Tuesday of October next succeeding the election.

SEC. 15. That the governor, the secretary of the Territory of Alaska, and the collector of customs for Alaska shall constitute a canvassing board for the Territory of Alaska to canvass and compile in writing the vote specified in the certificates of election returned to the governor from all the several election precincts as aforesaid.

The said canvassing board shall perform its duties at the office of the governor within ten days after the third Tuesday of October in each year in which an election is held under and by virtue of this act, and shall continue with such work from day to day until the same is completed.

In case it shall appear to said board that no election return as hereinbefore prescribed has been received by the governor from any precinct in which an election has been held, the said board may accept in place thereof the certificate of election for such precinct received from the clerk of the court, and may canvass and compile the same with the other election returns.

Said board upon the completion of said canvass shall declare the person who has received the greatest number of votes for Delegate to be the duly elected Delegate from Alaska, and shall issue and deliver to him in writing under their hands and seals a certificate of his election.

SEC. 16. That any person who, by any means, shall hinder, delay, prevent, or obstruct any other person from qualifying himself to vote or from lawfully voting at any election herein provided for, or who shall knowingly personate and vote, or attempt to vote, in the name of any other person, or who shall vote more than once at the same election, or shall vote at a place where or at a time when he may not lawfully be entitled to vote, or shall do any unlawful act to secure an opportunity to vote, for himself or for any other person, or who, by or through any force, threat, intimidation, bribery, reward, or offer thereof, unlawfully votes himself, or procures another to vote, or prevents or induces another to refrain from exercising his right of suffrage, or induces by any such means any officer of an election to do any unlawful act or omit to do his duty in any manner, or who directly or indirectly, in any manner, shall fraudulently change or cause to be changed the returns or the true and lawful results of any election hereunder, or shall attempt to do the same, or who shall delay, cause to be delayed, or connive at the delay of election returns in any manner or attempt to do so, shall be guilty of a crime, and upon the conviction thereof shall be punished by a fine of not more than $500 nor less than $100 or imprisoned not more than three years, or both, and pay the costs of the prosecution; and it is further provided that every officer of any election held hereunder who neglects to perform or violates any duty imposed upon him as such officer, or knowingly does any unauthorized act with the intent to affect the election or the result thereof, or who shall permit, make, or connive at any false count or certificate of election, or who shall conceal, withhold, destroy, or willfully delay the returns of election, or connive at the same being done, or who shall aid, counsel, or procure any person to do or attempt to do any act made a crime hereinbefore, or shall attempt to do any of the acts hereinbefore mentioned, shall be guilty of a crime, and upon conviction thereof shall be punished by a fine of not less than $200 nor more than $1,000, or by imprisonment of not more than five years, or by both, and shall pay all costs of the prosecution; and jurisdiction of all such matters is hereby conferred upon the district courts of Alaska.

SEC. 17. That jurisdiction is hereby conferred upon the district court of Alaska to hear and determine all controversies, legal and equitable, that may arise out of any election held under the provisions of this act, regulated by the general pleading and practice of said court.

SEC. 18. That this act shall take effect upon its passage.

Mr. HAMILTON (before the reading of the bill was concluded). Mr. Chairman, I ask unanimous consent to dispense with the further reading of the bill. I think it is fully understood on both sides of the House.

There being no objection, the further reading of the bill was dispensed with.

Mr. HAMILTON. I now ask unanimous consent that the gentleman from Indiana [Mr. BRICK] may be permitted to proceed for such time as he may desire.

There was no objection.

Mr. BRICK. Mr. Chairman, I have been interested in this bill for at least four years. And for four years I have been working at each session of Congress that Alaska may have Delegate representation at the capital city of the country it belongs to.

I have done this not because I have any personal relations in that far-off land, but for the reason that of all the territory included in or belonging to the United States, Alaska needs and deserves representation more than any other.

The people there need it even more than most of the States.

Alaska is far beyond the farthest frontier, unknown and hardly appreciated by most of us who have not visited that wonderful land.

I think I speak within bounds when I say that very few have ever taken the time to look into the conditions, requirements, and exigencies of that country, whose prospects, resources, and commercial and political importance have hardly been dreamed of by the casual observer of time and events.

Even now, in the flood tide of Alaska's marvelous development and unexampled progress, many view it as a land of rocky fastnesses and eternal snows, with a sunless past and a dreary future. There are some who do not give it even the poor compliment of a passing thought.

This is not the first time in the history of the world that a father has failed to appreciate the merts of his best child.

Why, Mr. Chairman, away off yonder in the northland toil and struggle in splendid loyal manhood the best blood of all the States, uncared for, half protected, and all but forgotten by the people in the States, living in ease and luxury, enjoying every right and favor a rich and generous government can bestow.

Here is a country hardly thought of, which holds within its air and soil the elements of a mighty empire that shall add to the strength and perpetuity of the Republic, infinitely neglected.

Its resources surpass belief, with its mines of gold, silver, copper, and coal; its illimitable forests of merchantable timber, its inexhaustible wealth of fur-bearing animals, its untold value in the fishery of seal, whale, salmon, cod, and halibut; and then, along with all that, its supreme commercial and political vantage ground among the nations of the earth. All this reminds us that our watchful care in the future should make amends for the neglect of the past.

We have owned that country for more than thirty-four years. Other Territories have been a continual expense. Alaska has been profit both directly and indirectly—profit in the Government coffers and money in the pockets of the people.

During that thirty-four years—from 1869 to 1903—the balance in the Treasury of the United States, over and above all receipts and expenditures, stands more than $999,000 to Alaska's credit—profit to the General Government.

The profits to our people in seal skins amount to the enormous sum of $52,000,000. Then add to that the salmon industry of $50,000,000; gold mined, $31,000,000; our trade with Alaska at $25,000,000, and we have in thirty-four years the magnificent figures of $158,999,000, an average profit perennially of $4,676,000 to the people of America.

Will some one name any other insular possession that can or will do anything like this for us? And the future is filled with promise that multiply these figures many times repeated.

For twelve long years these waiting men and women have asked for a Delegate. For twelve long years their request has been refused for one cause and another.

It is the unanimous opinion of your committee that the time has arrived at this session when, in justness and fairness to ourselves, as well as to them, they should have representation in this body no longer delayed.

And that representative should be a man living in Alaska, selected by the people there, one of them, responsible to the people themselves, conversant with all their needs and requirements, and in sympathy with all their hopes and desires.

Some of you may rise with fears. Some one may say it is a doubtful experiment and an unnecessary expense, when, in truth and fact, this privilege—did I say privilege?—yes, more than that, this paramount right—is an absolute necessity to a great and growing people.

We give them nothing but the remuneration of the Delegate. They pay all election expenses.

Do they need a Delegate? Why, Mr. Chairman, they need it far more than your people or mine. Its isolation, peculiar surroundings, distance, climate, soil, business, commercial conditions and development, its population and their environments—all these make it impossible for Congress to understand their wants.

They need representation, and they ought to have it upon and under the principles of a republican form of government.

It has been suggested that the President be empowered to appoint a Delegate for them and avoid the expense and inconvenience of an election.

Mr. Chairman, Alaska has over 30,000 brave and strong men, who have gone there from every State in the Union, the most manly, virile, hardy people in the world.

They say to us: "We want one of our number to represent us at Washington. We want to select him, and we want him to know us and be responsible to us directly."

They say to us: "We know an election means inconvenience and some expense, but we ask that privilege. It might be an inconvenience that would seem great to you living in ease and luxury. To us it is but the simple and usual incident of our lives in this country."

Tenacity of purpose and power of endurance are the vital qualities that moved them there. They have been willing to forego the pleasant opportunities of our life to develop a great country. The best blood of any nation flows in the veins of its pioneers. There is that something about the pioneer, the new settler, the innovator, the pathfinder, whose life represents days of self-sacrificing toil and sometimes of martyrdom, a heroism everywhere unequaled and unparalleled, that shall always challenge my admiration, invoke my reverence, and enlist my services.

They live in cabins that our children may dwell in mansions.

They rear in the gray dawn of the wild primeval strength of nature a new and mighty empire, all for the glory of our common country, that it may wax strong and grow great for our children's sake, and our children's children to infinity.

Don't tell me that an election is impracticable in that far-off vast country.

Nothing is impracticable to these brave men, to the builders of empires, to the spirit that knows no frontiers of enterprise, to the self-forgetting reliant manhood which bears all burdens that his heroic life may be rounded out to posterity.

The best men that have ever lived, the salt of the earth, are the torchbearers of American endeavor. They began at Plymouth Rock. They braved everything; they stood up erect against the wrecks of the ragged rocks of New England's coast, beasts and tomahawks, hostile hosts and winter's blast—and when their bleeding feet failed them, their limbs trembled, and their hearts ached in the longing memories of home and friends beyond the sea, they still walked upon their courage.

They founded the only true Republic that ever existed. With the same old spirit their children moved westward to renew the nation's lifeblood, to live and love and suffer.

They gave to us Sam Houston, Davy Crockett, Lewis and Clark, La Salle, Marquette, Abraham Lincoln, and to-day every one of us can stand up and say, through their sacrifices, with a prouder boast than did the old Roman, "I thank God that I, too, am an American citizen."

They were the type and flower of virgin and robust domain. And now come their sons and daughters, with the bold frontier voice of the Northwest ringing in our ears, the same old spirit in their hearts, the blood of the forefathers in their veins, to solve another problem in illustrious achievement.

What a splendid story it is. It stirs the soul like martial music. It is the epic poem of the world's liberty, beginning at Plymouth Rock, ending with these brave souls at the Arctic Circle, until to-day the American flag encircles the globe and the American idea encompasses the earth. They have done all this for us. Don't tell me that anything is impracticable to such as these. It is to their blood that we must look for the continuing glory of the race and the perpetuity of the Republic.

Over 30,000 of these heroic men are dwelling yonder in the snow and turmoil of a strange new country, rich and prolific beyond your wildest fancy. And their voice for twelve long years, unheeded, comes down to us. It is the voice of the best, manliest men we have.

And they say to us, "Give us the protection of an interested and sympathetic Government and we will not only support ourselves, but we will annually multiply our country's material wealth many times over."

They say to us, "We have great interests at stake. You have great interests to look after. We want a man at Washington who is one of us, who knows us, our country, our business, and the genius of our soil and sky. We want a man to represent Alaska who is a part of us, selected of our people and by our people. We may be rough and daring and strong, but we are self-governing, and no blot shall ever tarnish the escutcheon of American honor at our hands."

Mr. Chairman, they are doing the yeoman work of the Republic. Let us give them a voice in the affairs of men.

Mr. GAINES of Tennessee. Mr. Chairman, I move to strike out the last word.

Mr. HAMILTON. There is no last word.

The CHAIRMAN. The gentleman is recognized.

Mr. GAINES of Tennessee. I have been alluded to in this tobacco discussion in a way that is not altogether satisfactory, and I want to make a statement.

Mr. HAMILTON. I suggest that the gentleman will be precluded from proceeding with anything of that sort.

Mr. GAINES of Tennessee. What did the gentleman say?

Mr. HAMILTON. I am ready to move that the committee rise and report the bill.

Mr. GAINES of Tennessee. I want to make a statement inside of five minutes.

Mr. LACEY. I shall object, unless I shall have an opportunity——

Mr. SMITH of Kentucky. Regular order, Mr. Chairman.

The CHAIRMAN. The gentleman from Tennessee is in order. He has the right to move to strike out the last word.

Mr. GAINES of Tennessee. I simply want to make a little statement here for myself, because I have been referred to in this tobacco matter this afternoon in a way that calls for a reply, and I would say to the gentleman from Iowa that if he wants to make a speech of four hours I will listen to him.

Mr. LACEY. We do not have the four hours, and the gentleman has not got five minutes, either, as he will have to talk about the bill.

Mr. GAINES of Tennessee. If I can not talk about the tobacco matter I do not want to talk at all. I want to make this statement: The several tobacco bills as they were written interfered with the revenues. The first section of my bill and several others did not interfere with the revenues. After my people—some of whom came before the committee February 4 last—found out at that hearing that the second section, relating to hand stemming and hand twisting, interfered with the revenues, they petitioned me on February 22 last insisting upon getting free leaf tobacco. Since that did not interfere with the revenues they thought this Congress, this session, would grant at least that much relief.

Here is the petition which was sent to the Committee on Ways and Means and printed in the hearings on page 63. After that, at the request of Mr. DALZELL, Mr. Yerkes wrote a bill relieving leaf tobacco entirely of any tax, relieving the farmer or grower of a miserable obligation to "deliver" in person and not by agents his tobacco, whether he is blind, deaf, or dumb, or without arms or limbs. The gentleman from Pennsylvania [Mr. DALZELL] then said to us all, "If you will agree to this bill as written, I will report it."

Of course, gentlemen, that meant it was that bill or nothing. My people wanted to get some relief. This relief was fundamental. The farmers in Tennessee and Kentucky say that such a law will greatly relieve them. So we agreed, as we could get nothing more, that we would accept that bill, and we have been trying to get that made law.

It was reported to the full committee by the subcommittee, of which the gentleman from Pennsylvania [Mr. DALZELL] was chairman; it was then reported by the Ways and Means Committee, of which Mr. PAYNE is chairman. Both reports were unanimous. It then passed the House without a dissenting vote, and it is now in the bottom of a subcommittee of the Republican Senate, and I think it will sleep there, I am sorry to say, I am distressed to say, because that means continued bankruptcy and ruin not only to the white people who grow dark tobacco, but to the negroes who are tenants. The proof shows the sheriff is at their doors now, and they are being turned out of their houses, both the whites and the blacks.

The Regie contract people, a foreign concern whose agent has come from Europe to buy, and, united with the American tobacco trust, divided up the tobacco districts, are simply crushing the life out of the dark-tobacco growers of our country. This little measure may give back some liberty to these farmers, in some measure at least. They say it will. I believe it will. Now, Mr. Chairman, I am exceedingly sorry my young friend from Virginia should have lost patience in this matter. I have lost a little myself, but I am here, and I can not help myself.

I will say the subcommittee gave us a considerate, full hearing twice—on February 4 and 22 last. They were slow about reporting the bill, but we finally got it out of the committee, and finally got it up after it had been reported to the House for ten or twelve days, and passed it in the House. It is not what we wanted, but we agreed to stand by that bill, and I stand here to-day to defend that bill, because I gave my word I would stand by it. It was the best we could do; it was all we could do.

It would give some relief; it would help the people who grow tobacco all over the United States, and I feel indignant that the Senate has not and will not this session pass that little bill which interferes with no revenue whatever, absolutely none, but will give back to the farmer the liberty that God Almighty gave him when he was brought on earth. If I were in the Senate, Mr. Chairman, I would hold up everything in the Senate, everything outside the Senate, and everything that ever was in the Senate if needs be but that I would get that bill passed before this session ends. [Applause.]

Now, I say, the gentleman from Pennsylvania [Mr. DALZELL], the gentleman from New York [Mr. PAYNE], and that whole committee were considerate about giving hearings. We passed the bill here, and I thank you Republicans, every one of you, and I thank the Democrats over here who did not like the bill, but who submitted to its passage because they thought the bill was good as far as it went.

We have talked and worked for the tobacco growers since last November, with the result, gentlemen, that we will go home without any relief given to a patriotic and industrious constituency, the victims of the tobacco trust—the Regie aliens, the allies of the American imperial tobacco trust, all of whom are sheltered by this law, which is bleeding the life blood from a defenseless and outraged people, whose fathers fought for and died to frame our Republic that it might protect their homes and children's firesides from the rapacious aliens that now would destroy them.

Mr. HAMILTON. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the recommendation that the bill do pass.

The motion was agreed to; and accordingly the committee rose, and the Speaker having resumed the chair, Mr. PERKINS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13356, the Alaska Delegate bill, and had instructed him to report the same to the House with the recommendation that the bill do pass.

The bill was ordered to be engrossed and read a third time; and being engrossed, was read a third time, and passed.

On motion of Mr. HAMILTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

ADDITIONAL ASSOCIATE JUSTICE, SUPREME COURT, NEW MEXICO.

The SPEAKER laid before the House the bill (H. R. 1953) to provide for an additional associate justice of the supreme court of the Territory of New Mexico," with a Senate amendment, which was read.

Mr. RODEY. Mr. Speaker, I move that the House concur in the Senate amendment.

The question was taken, and the amendment was concurred in.

UNITED STATES CIRCUIT AND DISTRICT COURTS, LEWISBURG, W. VA.

The SPEAKER also laid before the House the bill (H. R. 14944) establishing a regular term of the United States circuit and district courts at Lewisburg, W. Va., with a Senate amendment; which was read.

Mr. GAINES of West Virginia. Mr. Speaker, I move to concur in the Senate amendment.

The question was taken, and the amendment was concurred in.

Mr. GRAFF. Mr. Speaker, I offer the following privileged report and resolution from the Committee on Accounts.

The SPEAKER. The Clerk will report the same.

The Clerk read the resolution, as follows:

Resolved, That the superintendent of the Capitol building and grounds shall, under the direction of the Speaker of the House, make such alterations of the rooms now used as a restaurant as to provide facilities for luncheon rooms for the Members, Delegates, and officers of the House, and for the employees of the House and the public. And the privilege of conducting said luncheon rooms shall be granted by the Speaker of the House to such person or persons as he shall select, who shall be subject to removal by him and who shall be governed by such rules for the conduct of said luncheon rooms as he may prescribe: *Provided*, That in no sense shall it be understood that the practical management of the House luncheon rooms is hereby assumed by the House.

The SPEAKER. Is there objection to the consideration of the resolution? [After a pause.] The Chair hears none.

Mr. GRAFF. Mr. Speaker, I ask that the Clerk read the report which accompanies the resolution.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

The following resolution was adopted by the House of Representatives April 2, 1904, viz:

"*Resolved*, That the Committee on Accounts be, and is hereby, authorized to make inquiry and report the result thereof to the House at the earliest practicable date, as to the desirability and feasibility of conducting the restaurant of the House of Representatives by other business methods than those now in vogue."

Pursuant to this resolution the Committee on Accounts has made careful inquiry into the methods of conducting the House restaurant, has considered statements of its manager, suggestions made by Members of the House, and various propositions having for their object a more satisfactory plan than the present one of conducting the restaurant; and as a result of its inquiry into and consideration of the subject, which more or less affects the comfort and convenience and health of the Members of the House, your committee unanimously recommend the adoption of the following resolution, viz:

"*Resolved*, That the superintendent of the capitol building and grounds shall, under the direction of the Speaker of the House, make such alterations of the rooms now used as a restaurant as to provide facilities for luncheon rooms for the Members, Delegates, and officers of the House, and for the employees of the House and the public. And the privilege of conducting said luncheon rooms shall be granted by the Speaker of the House to such person or persons as he shall select, who shall be subje t to removal by him, and who shall be governed by such rules for the conduct of said luncheon rooms as he may prescribe: *Provided*, That in no sense shall it be understood that the practical management of the House luncheon rooms is hereby assumed by the House."

For some time past, or during the present Congress, at least, it has been manifest that the House restaurant has not been conducted satisfactorily either to its patrons or its manager. The restaurant or luncheon rooms, being primarily for the convenience of Members and employees of the House, should be conducted to their satisfaction as nearly as may be possible, without reference to the other patrons, and at the same time be profitable to its manager.

This we find to be impossible by the method in vogue, because the losses sustained on account of perishable food and on account of wages paid to cooks and waiters on dull as well as busy days renders it impracticable to conduct the business with the success that encourages proper maintenance and the application of modern business methods. The manager of the restaurant claims to have lost during the present Congress about $3,000, and we have reason to believe that he has suffered some loss. Therefore marked deterioration in service and quality of food resulted, and has been even more noticeable with the decline in patronage during the present Congress.

But by the elimination of the elaborate bill of fare and by the adoption of the simpler plan of luncheon rooms such as are found in the business centers of our large cities our inquiry leads us to believe that if the rooms now used by the House restaurant are altered, as contemplated by the accompanying resolution, to make them conform to the requirements of modern luncheon rooms, the Members of the House would find the change fully in accordance with their desires and real necessities, and at the same time that the manager, relieved of losses on account of perishable food and unproductive labor, would undoubtedly be able to conduct the business profitably.

One proposition submitted to and considered by your committee was to create the position of manager of the House restaurant at a salary to be paid by the House, and also that the restaurant be conducted by the House, expenditures in excess of income derived from sales to be paid from the contingent fund of the House; but your committee is unanimously and most emphatically opposed to the House engaging in the restaurant business. And we further believe that if the luncheon rooms, such as we have suggested, can not be run with any greater degree of satisfaction to the House than at present or with profit to their manager, their doors would be better closed altogether.

In conclusion, your committee desire to state that the changes contemplated in the resolution reported herewith will not be of a radical nature, the rooms now being used requiring only slight changes to convert them into luncheon rooms of the kind desired, and this the superintendent of the Capitol building and grounds, who has been consulted by your committee, will do.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and the resolution was agreed to.

JACOB BADER.

Mr. GRAFF. Mr. Speaker, I offer the following privileged resolution from the Committee on Accounts, which I will send to the desk and ask to have read.

The Clerk read as follows:

House resolution No. 134.

Resolved, etc., That the Clerk of the House is hereby authorized and directed to pay, out of the contingent fund of the House, the sum of $202.50 to Jacob Bader, for services rendered as page of the House of Representatives of the United States from February 8, 1902, to April 30, 1902.

The Clerk read the following committee amendment:

Strike out all after "Representatives."

The SPEAKER. The question is on agreeing to the amendment to the resolution.

The question was taken; and the amendment to the resolution was agreed to.

The SPEAKER. The question now is on agreeing to the resolution.

The question was taken; and the resolution was agreed to.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. BARNES, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On April 23, 1904:

H. R. 197. An act granting an increase of pension to John Latty;

H. R. 605. An act granting an increase of pension to Frederick Frick;

H. R. 690. An act granting an increase of pension to Mark F. Holderman, alias Michael Holderman;

H. R. 721. An act granting an increase of pension to John Ryan, alias John Connell;

H. R. 731. An act granting an increase of pension to Henry S. Hamilton;

H. R. 809. An act granting an increase of pension to Lewis Johnson, jr.;

H. R. 908. An act granting an increase of pension to Charles A. Tarbox;

H. R. 1565. An act granting an increase of pension to Josephine F. Anderson;

H. R. 2005. An act granting an increase of pension to Alexander J. Hood;

H. R. 2045. An act granting an increase of pension to Henry Henwood;

H. R. 2107. An act granting an increase of pension to James W. Whitney;

H. R. 2148. An act granting an increase of pension to Lawrence Cook;

H. R. 2150. An act granting an increase of pension to Robert Whitman;

H. R. 2567. An act granting an increase of pension to Alexander D. Ramsey;

H. R. 2606. An act granting an increase of pension to Catherine Bowsher;

H. R. 2687. An act granting an increase of pension to Isaac N. Willhite;

H. R. 2804. An act granting an increase of pension to Michael Cribbins;

H. R. 2810. An act granting an increase of pension to Samuel G. H. Whitley;

H. R. 2969. An act granting an increase of pension to George W. Fitzgerald;

H. R. 3166. An act granting an increase of pension to James M. Howe;

H. R. 3244. An act granting an increase of pension to Lewis Kimer;

H. R. 3297. An act granting an increase of pension to Renel W. Trask;

H. R. 3445. An act granting an increase of pension to John P. Webb;

H. R. 3460. An act granting an increase of pension to Louis P. Anschutz;

H. R. 3658. An act granting an increase of pension to Andrew Sullenberger;

H. R. 3670. An act granting an increase of pension to Benjamin F. Barrett;

H. R. 3734. An act granting an increase of pension to James R. Gibson;

H. R. 3819. An act granting an increase of pension to Ira Stout;
H. R. 3836. An act granting an increase of pension to David H. Thompson;
H. R. 4056. A act granting an increase of pension to Wilson Snider;
H. R. 4110. An act granting an increase of pension to Antoinette R. Smith;
H. R. 4157. An act granting an increase of pension to Adam Kohlhauff;
H. R. 4369. An act granting an increase of pension to August Strick;
H. R. 4631. An act granting an increase of pension to Julius Krag;
H. R. 4756. An act granting an increase of pension to Lewis R. Gates;
H. R. 4897. An act granting an increase of pension to William Johnson;
H. R. 4908. An act granting an increase of pension to John A. McConnell;
H. R. 4983. An act granting an increase of pension to Charles Gochey;
H. R. 4987. An act granting an increase of pension to William Y. M. Wilkerson;
H. R. 4996. An act granting an increase of pension to Alexander Robertson;
H. R. 5193. An act granting an increase of pension to Allen Campbell;
H. R. 5279. An act granting an increase of pension to Granville H. Bishop;
H. R. 5314. An act granting an increase of pension to John Woods;
H. R. 5327. An act granting an increase of pension to William M. Morrison;
H. R. 5338. An act granting an increase of pension to Joseph S. Wright;
H. R. 5391. An act granting an increase of pension to James Keleher;
H. R. 5690. An act granting an increase of pension to James W. Griffitts;
H. R. 5734. Act granting and increase of pension to John B. Tucker;
H. R. 5971. An act granting an increase of pension to Samuel D. Satterly;
H. R. 5973. An act granting an increase of pension to Henry J. Potter;
H. R. 5996. An act granting an increase of pension to Alfred Howser;
H. R. 6000. An act granting an increase of pension to John B. Salsman;
H. R. 6088. An act granting an increase of pension to Marshall Howell;
H. R. 6090. An act granting an increase of pension to Frederick C. Wickham;
H. R. 6317. An act granting an increase of pension to Maggie Du Bois;
H. R. 6327. An act granting an increase of pension to Delos Van Deusen;
H. R. 6334. An act granting an increase of pension to George W. Gyger;
H. R. 6503. An act granting an increase of pension to Amanda M. Morse;
H. R. 6558. An act granting an increase of pension to Robert H. Long;
H. R. 6564. An act granting an increase of pension to James H. Townsend;
H. R. 6595. An act granting an increase of pension to John H. McBrayer;
H. R. 6713. An act granting an increase of pension to John E. White, alias Patrick White;
H. R. 6746. An act granting an increase of pension to Francis Van Aernam;
H. R. 6868. An act granting an increase of pension to George R. Hanson;
H. R. 6911. An act granting an increase of pension to James H. Weston;
H. R. 6916. An act granting an increase of pension to Alexander Hardy;
H. R. 6927. An act granting an increase of pension to Rebecca C. Nevin;
H. R. 6962. An act granting an increase of pension to Pauline N. Pearson;
H. R. 7064. An act granting an increase of pension to Charles Von Lukowitz;
H. R. 7219. An act granting an increase of pension to George W. Marsh;
H. R. 7366. An act granting an increase of pension to Thomas J. Cannon;
H. R. 7472. An act granting an increase of pension to Henry McQuerter;
H. R. 7473. An act granting an increase of pension to Nicholas Correll.
H. R. 7477. An act granting an increase of pension to Cyrenius Dennis;
H. R. 7678. An act granting an increase of pension to Lewis Monjar;
H. R. 7701. An act granting an increase of pension to James H. English;
H. R. 8014. An act granting an increase of pension to Thomas Audas;
H. R. 8022. An act granting an increase of pension to Hiram Flint;
H. R. 8074. An act granting an increase of pension to William H. H. Chester;
H. R. 8213. An act granting an increase of pension to Thomas Murray;
H. R. 8316. An act granting an increase of pension to James W. Swords;
H. R. 8394. An act granting an increase of pension to Reubin W. Bartrim;
H. R. 8410. An act granting an increase of pension to George B. Fairhead;
H. R. 9021. An act granting an increase of pension to Joseph Whitman;
H. R. 9030. An act granting an increase of pension to John Daly;
H. R. 9116. An act granting an increase of pension to Charles W. Abbott;
H. R. 9428. An act granting an increase of pension to Adeline Ballard;
H. R. 9429. An act granting an increase of pension to John C. Hamly, alias George Garnett;
H. R. 10261. An act granting an increase of pension to Henry B. Sparks;
H. R. 10480. An act granting an increase of pension to Aaron Bayles;
H. R. 10502. An act granting an increase of pension to Abram Young;
H. R. 10579. An act granting an increase of pension to Jacob Dodd;
H. R. 10824. An act granting an increase of pension to John B. Calhoun;
H. R. 13448. An act granting an increase of pension to Susan D. Lovell;
H. R. 13655. An act granting an increase of pension to Hannah Hill;
H. R. 14152. An act granting an increase of pension to John Middleton;
H. R. 14181. An act granting an increase of pension to Sarah F. Barnett;
H. R. 4241. An act granting a pension to Mary A. Denston;
H. R. 11452. An act granting a pension to Ann Jones;
H. R. 11524. An act granting a pension to John F. Burrows;
H. R. 11796. An act granting a pension to Catherine Darr;
H. R. 12297. An act granting a pension to James P. Hurst; and
H. R. 13746. An act granting a pension to Thomas B. Forgan.

On April 23, 1904:

H. R. 8878. An act to extend the provisions of the act of January 21, 1903, to the Osage Reservation, in Oklahoma Territory, and for other purposes;
H. R. 11963. An act regulating the practice of medicine and surgery in the Indian Territory;
H. R. 11968. An act to incorporate the Washington Sanitary Housing Company;
H. R. 12231. An act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment; and
H. R. 12687. An act to amend an act entitled "An act to provide for the opening of certain abandoned military reservations, and for other purposes," approved August 23, 1894.

On April 25, 1904:

H. R. 14621. An act for the disposal of the unsold lots in the Fort Crawford military tract, at Prairie du Chien, Crawford County, Wis.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed with amendment bill of the following title in which the concurrence of the House of Representatives was requested:

H. R. 4570. An act to provide an American register for the steamer *Beaumont*.

The message also announced that the Senate had disagreed to the

amendment of the House of Representatives to the bill (S. 2814) to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HANSBROUGH, Mr. NELSON, and Mr. BERRY as the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 3684. An act to place David Robertson, sergeant, first class, Hospital Corps, on the retired list of the United States Army;

S. 2896. An act for the relief of Joseph Crow; and

S. 36. An act to reimburse John Waller, postmaster at Monticello, N. Y., for money expended in carrying the mail.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 2009. An act for the relief of the estate of Sven J. Johnson;

H. R. 13298. An act to amend section 2327 of the Revised Statutes of the United States, relating to lands;

H. R. 10101. An act for the cession of 120 acres of land to the Beecher Island Battle Memorial Association;

H. R. 13300. An act granting certain rights and privileges to the commissioners of waterworks in the city of Erie, Pa.;

H. R. 11126. An act to authorize the Secretary of the Interior to add to the segregation of coal and asphalt lands in the Choctaw and Chickasaw nations, Ind. T., and for other purposes;

H. R. 9331. An act to extend the time for completion of the East Washington Heights Traction Railroad Company; and

H. R. 15014. An act to enable the Secretary of War to permit the erection of a lock and dam in aid of navigation in the Tennessee River near Chattanooga, Tenn., and for other purposes.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 14409. An act granting an increase of pension to William F. McMillan;

H. R. 14517. An act granting a pension to Lillie A. Schoppaul;

H. R. 14510. An act granting an increase of pension to Daniel M. Graves;

H. R. 14693. An act granting an increase of pension to Susan A. Schell;

H. R. 14016. An act granting an increase of pension to William Wheaton;

H. R. 13494. An act granting a pension to Cader B. Brent;

H. R. 13643. An act granting an increase of pension to Joseph Welsh;

H. R. 13178. An act granting a pension to Julius H. Rogge;

H. R. 13364. An act granting an increase of pension to John Cook;

H. R. 13371. An act granting an increase of pension to James T. Thompson;

H. R. 13409. An act granting an increase of pension to Alfred Small;

H. R. 12992. An act granting an increase of pension to Henry Hiete;

H. R. 13115. An act granting a pension to Sarah Van Alstine;

H. R. 5737. An act granting a pension to John Whitehead;

H. R. 3805. An act granting an increase of pension to Mary A. Disbrow;

H. R. 8961. An act granting a pension to Frances E. Grisson;

H. R. 8709. An act granting an increase of pension to James A. Porter;

H. R. 6610. An act granting an increase of pension to Samuel Hendrickson;

H. R. 10062. An act granting an increase of pension to Oscar Murray;

H. R. 9969. An act granting an increase of pension to James Frederic;

H. R. 9393. An act granting an increase of pension to Thomas P. Ryan;

H. R. 10286. An act granting a pension to Ellen M. Malloy;

H. R. 10126. An act granting an increase of pension to Job Throckmorton;

H. R. 11843. An act granting an increase of pension to William Hall;

H. R. 11063. An act granting an increase of pension to Robert L. McMurty;

H. R. 10699. An act granting an increase of pension to Henry J. Brockway;

H. R. 12199. An act granting an increase of pension to John Bramble;

H. R. 12164. An act granting an increase of pension to Joseph Davis;

H. R. 12253. An act granting an increase of pension to Margaret Dilley;

H. R. 12676. An act granting an increase of pension to James A. Barber;

H. R. 12553. An act granting an increase of pension to Amaziah Havey;

H. R. 12413. An act granting an increase of pension to Timothy Haley;

H. R. 13958. An act granting an increase of pension to Eliza A. Moss;

H. R. 13869. An act granting a pension to Sarah M. Greer;

H. R. 13687. An act granting an increase of pension to Henry A. Davies;

H. R. 14149. An act granting a pension to David Wills;

H. R. 14017. An act granting a pension to Louis Voll;

H. R. 3265. An act granting an increase of pension to Catharine Cook;

H. R. 2462. An act granting a pension to Martha Briscoe;

H. R. 1480. An act granting an increase of pension to Edgar W. Thornton;

H. R. 1339. An act granting an increase of pension to Joseph P. Scott;

H. R. 902. An act granting an increase of pension to Isaac C. B. Suman;

H. R. 11193. An act granting an increase of pension to Abbie W. Griffin;

H. R. 11989. An act granting a pension to Emma C. Dougal;

H. R. 11776. An act granting a pension to Hugh Mooney;

H. R. 11315. An act granting an increase of pension to Christian Mott;

H. R. 11576. An act granting an increase of pension to James E. Stalker;

H. R. 11150. An act granting an increase of pension to Marvin A. Wixson;

H. R. 11293. An act granting an increase of pension to Frank Fuchs;

H. R. 11308. An act granting an increase of pension to Silas T. Overstreet;

H. R. 11468. An act granting an increase of pension to Edson G. Holcomb;

H. R. 11487. An act granting an increase of pension to John Wybrant;

H. R. 11536. An act granting an increase of pension to Mattie Graziani;

H. R. 12398. An act granting an increase of pension to Samuel N. Johnson;

H. R. 12617. An act granting an increase of pension to Ezra V. Felton;

H. R. 12526. An act granting an increase of pension to Henry Ford;

H. R. 12727. An act granting an increase of pension to Theodore Coonley;

H. R. 12440. An act granting an increase of pension to Edward M. Shepard;

H. R. 12276. An act granting an increase of pension to Isaac W. Acker;

H. R. 12194. An act granting an increase of pension to Nathaniel Warren;

H. R. 12323. An act granting an increase of pension to Josiah Wood;

H. R. 12804. An act granting an increase of pension to Smith B. Mills;

H. R. 12480. An act granting an increase of pension to Henry J. Arnold;

H. R. 12174. An act granting an increase of pension to John Smith;

H. R. 12966. An act granting an increase of pension to Charles H. Lakey;

H. R. 12993. An act granting an increase of pension to John Hotchkiss;

H. R. 12248. An act granting an increase of pension to Hezekiah Bruce;

H. R. 12277. An act granting an increase of pension to James A. Rapp;

H. R. 12613. An act granting an increase of pension to Edward L. Haney;

H. R. 12591. An act granting an increase of pension to Thomas Haydock;

H. R. 12652. An act granting an increase of pension to Mary L. Johnson;

H. R. 12062. An act granting a pension to Edward H. Bennett;

H. R. 12529. An act granting a pension to Sarah Greene;
H. R. 12783. An act granting a pension to Harlen Scarlett;
H. R. 12400. An act granting a pension to Ellen Cain;
H. R. 12105. An act granting an increase of pension to James A. Lowe;
H. R. 13461. An act granting an increase of pension to William Curtis;
H. R. 13421. An act granting an increase of pension to Micajah Hill, alias Michael C. Hill;
H. R. 13623. An act granting an increase of pension to Marion A. Carlile;
H. R. 13650. An act granting an increase of pension to William J. Caldwell;
H. R. 13669. An act granting an increase of pension to Mary E. Wyse;
H. R. 13767. An act granting an increase of pension to Daniel Pew;
H. R. 13743. An act granting an increase of pension to David C. Welch;
H. R. 13071. An act granting an increase of pension to John S. Whitmore;
H. R. 13453. An act granting an increase of pension to Ezekiel Steel;
H. R. 13321. An act granting an increase of pension to John B. Mitchell;
H. R. 13518. An act granting an increase of pension to Chester R. Heath;
H. R. 13381. An act granting an increase of pension to John Calloway;
H. R. 13405. An act granting an increase of pension to Harriet S. Gilbert;
H. R. 13485. An act granting an increase of pension to William Glasgow;
H. R. 13531. An act granting an increase of pension to Lyman L. Jones;
H. R. 13712. An act granting an increase of pension to Urbanus Hubbs;
H. R. 13792. An act granting an increase of pension to Ellenora Clavier;
H. R. 13110. An act granting an increase of pension to George C. Birch;
H. R. 13196. An act granting an increase of pension to Fanny A. Hutchason;
H. R. 13744. An act granting an increase of pension to Frederick C. Abel;
H. R. 13527. An act granting an increase of pension to William Odenheimer;
H. R. 13363. An act granting an increase of pension to Benjamin L. Commons;
H. R. 13543. An act granting an increase of pension to Henry Clay Hall;
H. R. 13142. An act granting an increase of pension to William M. Lang;
H. R. 13937. An act granting a pension to George W. Litherland;
H. R. 13879. An act granting an increase of pension to Abraham S. Van Fleet;
H. R. 13907. An act granting an increase of pension to John W. Hilton;
H. R. 13345. An act granting an increase of pension to Jeremiah Gill;
H. R. 13190. An act granting a pension to Eveline Crouch Dunbar;
H. R. 13328. An act granting a pension to Martin R. Gentry;
H. R. 13728. An act granting a pension to Isabella McDowell;
H. R. 13729. An act granting a pension to Margaret W. Goodwin;
H. R. 13299. An act granting a pension to Edah A. Kittridge;
H. R. 14598. An act granting a pension to Joseph Otis;
H. R. 14354. An act granting a pension to Peter Bunn;
H. R. 14518. An act granting a pension to Henderson Evins;
H. R. 14397. An act granting a pension to Mary E. Vanzant;
H. R. 14363. An act granting an increase of pension to Pocahontas C. Monteiro;
H. R. 14155. An act granting an increase of pension to George W. Kinsey;
H. R. 14286. An act granting an increase of pension to Jennie L. Cardwell;
H. R. 14307. An act granting an increase of pension to Devernia White;
H. R. 14270. An act granting an increase of pension to Loucinda M. Thompson;
H. R. 14102. An act granting an increase of pension to Robert W. Foster;
H. R. 14179. An act granting an increase of pension to Jesse Stinnett;
H. R. 14145. An act granting an increase of pension to Abel D. Brooks;
H. R. 14658. An act granting an increase of pension to Juliana H. Barry;
H. R. 14000. An act granting an increase of pension to Bradford A. Gehr;
H. R. 14579. An act granting an increase of pension to Elizabeth J. Moore;
H. R. 14005. An act granting an increase of pension to George W. Jaques;
H. R. 14306. An act granting an increase of pension to Martha Taylor;
H. R. 14278. An act granting an increase of pension to Byron Bowers;
H. R. 8219. An act granting an increase of pension to William H. Broadwell;
H. R. 8464. An act granting a pension to Susan T. Bunch;
H. R. 8469. An act granting a pension to Silas R. Harris;
H. R. 8480. An act granting an increase of pension to Elijah Rearick;
H. R. 8783. An act granting an increase of pension to Mary Ann Phipps;
H. R. 8787. An act granting an increase of pension to Robert W. Brasher;
H. R. 8822. An act granting a pension to Bird L. Francis;
H. R. 8921. An act granting an increase of pension to John McCollister;
H. R. 9788. An act granting an increase of pension to George W. Blanchard;
H. R. 9496. An act granting an increase of pension to Hester E. Bloor;
H. R. 9839. An act granting an increase of pension to James A. Kemp;
H. R. 9832. An act granting an increase of pension to Edwin M. Alden;
H. R. 9257. An act granting an increase of pension to John Ogden;
H. R. 9388. An act granting an increase of pension to Lineus V. Vance;
H. R. 9427. An act granting an increase of pension to Chester H. Buck;
H. R. 9516. An act granting an increase of pension to Henry Johnson;
H. R. 9575. An act granting an increase of pension to John Donahoe;
H. R. 9585. An act granting an increase of pension to Nelson McIntosh;
H. R. 9687. An act granting an increase of pension to Alexander S. Hempstead;
H. R. 9797. An act granting an increase of pension to Thomas Langridge;
H. R. 9963. An act granting a pension to Grace Miller;
H. R. 9978. An act granting an increase of pension to Samuel Iverson;
H. R. 9740. An act granting an increase of pension to William W. Newton;
H. R. 10169. An act granting an increase of pension to Isaac N. Flanagan;
H. R. 10544. An act granting an increase of pension to Henry H. Rhoads;
H. R. 10708. An act granting an increase of pension to Alfred A. Burrell;
H. R. 10182. An act granting an increase of pension to Isaac Innis;
H. R. 10270. An act granting a pension to Mary F. Kenaday;
H. R. 10288. An act granting a pension to Anna E. Harman;
H. R. 10555. An act granting an increase of pension to William L. Gerard;
H. R. 10642. An act granting an increase of pension to Garrett Stanley;
H. R. 11058. An act granting a pension to Mary Apple;
H. R. 11259. An act granting an increase of pension to George W. Stennett;
H. R. 11748. An act granting an increase of pension to Edward E. Curran;
H. R. 5600. An act granting a pension to David Kimball;
H. R. 6343. An act granting an increase of pension to Harry Hirschensohn;
H. R. 6697. An act granting an increase of pension to Luther F. Palmer;
H. R. 7245. An act granting an increase of pension to Prescilla C. Dodd;

H. R. 7471. An act granting an increase of pension to John Schade, sr.;
H. R. 7502. An act granting an increase of pension to John W. Moore;
H. R. 7985. An act granting a pension to Alice Jenifer;
H. R. 8496. An act granting an increase of pension to Joseph Howard;
H. R. 8386. An act granting an increase of pension to Andrew Esdell;
H. R. 8915. An act granting an increase of pension to Warren McCracken;
H. R. 8498. An act granting an increase of pension to Jonathan Klingenfus;
H. R. 2994. An act granting an increase of pension to Minnie H. Eaton;
H. R. 3829. An act granting an increase of pension to Eben Fuller;
H. R. 4201. An act granting an increase of pension to Walker Wilson;
H. R. 4583. An act granting a pension to Ella C. Baker;
H. R. 4907. An act granting a pension to Henry A. Hartley;
H. R. 5361. An act granting an increase of pension to Lucilius C. Moss;
H. R. 4044. An act granting a pension to William H. Slough;
H. R. 784. An act granting an increase of pension to Joseph Vactor;
H. R. 965. An act granting an increase of pension to Franklin Webb;
H. R. 1045. An act granting a pension to Matilda Witt;
H. R. 1903. An act granting an increase of pension to Claudius Tifft;
H. R. 2183. An act granting an increase of pension to Joseph A. Soule;
H. R. 2367. An act granting a pension to Merton C. Sanborn;
H. R. 2940. An act granting an increase of pension to Hester A. Hanback;
H. R. 2948. An act granting an increase of pension to John Wilson;
H. R. 186. An act granting an increase of pension to Amalia C. Young;
H. R. 187. An act granting a pension to Clarissa Wolcott;
H. R. 683. An act granting an increase of pension to Thomas S. Strohecker;
H. R. 747. An act granting an increase of pension to George D. Totman;
H. R. 748. An act granting an increase of pension to Eben H. Meader;
H. R. 785. An act granting an increase of pension to Henry C. Bobst;
H. R. 787. An act granting an increase of pension to Albert Hemenway; and
H. R. 5033. An act granting an increase of pension to Rowland J. Roberts.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 1320. An act to provide for the purchase of a site and the erection of a public building thereon at Auburn, in the State of Maine—to the Committee on Public Buildings and Grounds.

COAL LANDS IN ALASKA.

The SPEAKER laid before the House, with a House amendment disagreed to by the Senate and a request for a conference, the bill (S. 2814) to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900.

Mr. LACEY. I move the House insist on its amendment and agree to the conference asked by the Senate.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. LACEY, Mr. MONDELL, and Mr. BURNETT as conferees on the part of the House.

CONFERENCE REPORT.

Mr. LACEY submitted for printing in the RECORD the following conference report, with statement of House conferees, upon the bill (H. R. 14826) to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska.

1. That the House agrees to recede from its disagreement to amendments Nos. 1, 2, 3, and agrees to the same.

That the Senate agrees to recede from its amendment No. 4, with a substitute as follows: Add in lieu of said Senate amendment the following proviso after the word "acres," in line 2, page 4: "*Provided*, That any former homestead entryman who shall be entitled to an additional entry under section two of this act shall have for ninety days after the passage of this act the preferential right to make additional entry as provided in said section."

JOHN F. LACEY,
F. W. MONDELL,
JOHN LIND,
House Conferees.

H. C. HANSBROUGH,
FRANCIS G. NEWLANDS,
Senate Conferees.

The statement of the House conferees is as follows:

The effect of the agreement is as follows:

The land to be reserved by the Secretary of the Interior is such as may be irrigated under the national irrigation law or by private enterprise.

Final entry by the homestead entryman can only be made after five years from original entry.

Such homesteaders as may be still entitled to the additional entry under section 2 shall have ninety days' preference after the passage of this act.

JOHN F. LACEY.
F. W. MONDELL.
JOHN LIND.

AMERICAN REGISTER FOR STEAMER BEAUMONT.

The SPEAKER laid before the House, with an amendment of the Senate, the bill (H. R. 4570) to provide an American register for the steamer *Beaumont*.

The amendment was read, as follows:

In line 8, after "salvage," insert "less the amount expended in payment of wages to foreign workingmen and in the employment of foreign tugs and for foreign material."

Mr. FORDNEY. I move that the House concur in the amendment of the Senate.

The motion was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, Mr. WILSON of New York obtained leave of absence indefinitely, on account of sickness.

TIMBER LANDS IN LIEU OF FOREST-RESERVE LANDS.

Mr. MONDELL. I ask unanimous consent for the immediate consideration of the bill (H. R. 14622) prohibiting the selection of timber lands in lieu of lands in forest reserves.

The bill was read, as follows:

Be it enacted, etc., That from and after the passage of this act no public lands of the United States chiefly valuable for the timber they contain shall be subject to location or selection under the provisions of the acts approved June 4, 1897, June 6, 1900, and March 3, 1901, providing for the location, selection, and patenting of lands in lieu of tracts covered by an unperfected bona fide claim or patent within a forest reserve, and any location or selection hereafter made or sought to be made on lands chiefly valuable for the timber they contain, in lieu of lands within a forest reserve, shall be void and of no effect: *Provided*, That owners of lands within forest reserves which contain valuable timber may, under rules and regulations prescribed by the Secretary of the Interior, exchange such lands for other unreserved timber lands: *Provided further*, That nothing herein contained shall in any manner affect the provisions of the agreement heretofore entered into by the Secretary of the Interior for the exchange of lands within the San Francisco Mountain Forest Reserve.

Mr. STEPHENS of Texas. Mr. Speaker, reserving the right to object, I wish to inquire the purpose of this bill.

Mr. MONDELL. The bill provides that in future exchanges of lands in lieu of lands within forest reserves shall be practically exchanges for lands of like character. It prohibits the exchange of nontimbered lands within forest reserves for timbered lands outside. It provides also that where lands within forest reserves are timbered they may be exchanged for like lands outside the reserve.

Mr. STEPHENS of Texas. What provision is made with reference to settlers on forest reserves who have ceded their lands to the Government?

Mr. MONDELL. This bill makes no change in the present law except that it prohibits the exchange of lands practically valueless for timbered lands.

Mr. STEPHENS of Texas. Does not that violate the contract entered into between the Government and citizens living on reserved lands who ceded their lands to the United States?

Mr. MONDELL. No; because an amendment which I propose to offer, if the bill should be considered, will leave all those who have relinquished their lands in the same position they were in when they made the relinquishment. In that way it will not affect them at all.

No relinquishments have been made except with the view of making new selections, but there are some cases where the settler who has made the relinquishment has not up to this time made his

selection. The amendment which I propose will leave him in the same condition he was in when he made the relinquishment.

Mr. STEPHENS of Texas. Does it reserve any land that he would have been entitled to at the time he made the relinquishment?

Mr. MONDELL. Yes; it gives him the same right that he had when the relinquishment was made.

Mr. STEPHENS of Texas. Provided he shall not take it in timbered land?

Mr. MONDELL. Those who have made relinquishment to the Government will not be affected at all by the bill with the amendment.

Mr. STEPHENS of Texas. With the amendment stated by the gentleman, I should have no objection to the bill; but I prefer to hear the amendment read in order that we may see what its effect will be.

The Clerk read as follows:

Line 7, after the words "forest reserve," insert:

"*Provided further*, That nothing in this act shall affect or restrict the right to make selections in lieu of lands within forest reservations, the title to which was surrendered to the Government prior to April 1, 1904, and that where any forest-reserve lieu selection was filed prior to January 1, 1904, and the base therefor is found invalid for any reason not the fault of the person making such selection, the claimant or purchaser of the selected lieu land shall have the right to perfect his title to the same by the substitution of other forest-reserve lands as a base therefor the same as though this act had not passed."

The SPEAKER. Is there objection?

Mr. OLMSTED. I would like to ask the gentleman one question. If I correctly understand this, if a homesteader who relinquished his land within a forest reservation some years ago at a time when he might have had the right to take other lands, and waived it, this allows him to avail himself of the privilege of taking it under this law?

Mr. MONDELL. There is no condition authorizing any relinquishment unless they intend immediately thereafter to make the selection. There have been unquestionably a few relinquishments in the last month or two with a view of making selections where it has not been possible to perfect the selections, and we simply give them that privilege now.

Mr. OLMSTED. Is not the effect of this provision simply this, that it will enable people to go and take Government lands and sell the timber to speculators?

Mr. MONDELL. The object of the bill is to prevent the valuable timber lands getting into the hands of individuals to be exchanged for other valueless lands found within forest reservations.

Mr. OLMSTED. Is does not give them that right.

Mr. MONDELL. It does not give them the right to take that. Without this bill they would not have the right to accept any other lands.

Mr. LIND. I would like to ask the gentleman if that is the amendment that he and I discussed?

Mr. MONDELL. It is the amendment which has just been reported.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. MONDELL, a motion to reconsider the vote by which the bill was passed, was laid on the table.

LEWES, DEL., A SUBPORT OF ENTRY.

Mr. GROSVENOR. Mr. Speaker, I ask consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (S. 5169) making Lewes, Del., a subport of entry.

Be it enacted, etc., That Lewes, in the State of Delaware, be, and is hereby, constituted a subport of entry in the customs collection district of Delaware.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. GROSVENOR, a motion to reconsider the vote by which the bill was passed was laid on the table.

INDIAN APPROPRIATION BILL.

Mr. MCGUIRE. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution which I send to the Clerk's desk.

The Clerk read as follows:

House joint resolution (H. J. Res. —) amending section 8 of an act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1905, and for other purposes, approved April 21, 1904.

Resolved, etc., That the act entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1905, and for other purposes," approved April 21, 1904, be, and the same is hereby, amended as follows:

Add at the end of section 8 of said act the following:

"Townships 22 north, of ranges 1 and 2 east of the Indian meridian, all in the Otoe and Missouria Indian Reservation, which also shall be attached to and become a part of Noble County."

Mr. STEPHENS of Texas. Reserving the right to object, I would like to inquire the object and purpose of the joint resolution. I would like to ask the gentleman what committee reported the resolution?

Mr. MCGUIRE. It has not been referred to any committee.

Mr. FITZGERALD. I object.

The SPEAKER. The Chair desires to say this: It was represented to the Chair that there was an error in the Indian appropriation bill. It has passed both the House and the Senate and has been signed by the President. It is alleged that this is to cure the error. The Chair has no other knowledge.

Mr. FITZGERALD. I object. The bill has not been referred to any committee.

The SPEAKER. To what committee does the gentleman want the joint resolution referred?

Mr. MCGUIRE. To the Committee on Indian Affairs.

Mr. WILLIAMS of Mississippi. I hope the gentleman from New York will make a motion to adjourn.

REPORT OF ANTHRACITE COAL COMMISSION.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Senate joint resolution (S. R. 70) to provide for the printing of the report of the Anthracite Coal Strike Commission, appointed by the President of the United States at the request of certain coal operators and miners.

Resolved, etc., That there be printed 10,000 copies, in cloth binding, of the report of the Anthracite Coal Strike Commission, appointed by the President of the United States at the request of certain coal operators and miners, including the testimony taken by and the arguments made before said commission, 3,000 copies for the use of the Senate, 6,000 copies for the use of the House of Representatives, and 1,000 copies for distribution by the Commissioner of Labor.

Mr. WILLIAMS of Mississippi. Reserving the right to object——

Mr. HARDWICK. I object.

Mr. WILLIAMS of Mississippi (continuing). I would like to ask the gentleman from New York if he is going to make a motion to adjourn after this?

Mr. PAYNE. If any gentleman demands the regular order, I suppose I would have to make that motion.

SPECIAL REPORT ON THE DISEASES OF CATTLE.

Mr. CHARLES B. LANDIS. I ask unanimous consent for the present consideration of House joint resolution No. 150.

The Clerk read as follows:

Joint resolution (H. J. Res. 150) providing for the publication of 50,000 copies of the special report on the Diseases of Cattle.

Resolved, etc., That there be printed and bound in cloth 50,000 copies of the special report on the Diseases of Cattle, with accompanying illustrations, the same to be first revised and brought to date under the supervision of the Secretary of Agriculture, 30,000 for the use of the House of Representatives, 15,000 for the use of the Senate, and 5,000 for the use of the Department of Agriculture.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The joint resolution was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. CHARLES B. LANDIS, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

BEET-SUGAR INDUSTRY.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate joint resolution I send to the desk.

The Clerk read as follows:

Joint resolution (S. R. 67) providing for the printing of Senate Document No. 240, relating to the beet-sugar industry in the United States.

Resolved, etc., That there be printed 110,000 copies of Senate Document No. 240, Fifty-eighth Congress, second session, being a special report on the beet-sugar industry in the United States, 20,000 copies for the use of the Senate, 30,000 copies for the use of the House of Representatives, and 60,000 copies for the use of the Department of Agriculture.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "twenty" and insert in lieu thereof the word "ten."

In line 7 strike out the word "thirty" and insert in lieu thereof the word "twenty."

Mr. WILLIAMS of Mississippi. Reserving the right to object, I wish to ask a question—a very pertinent question in the consid-

eration of this bill at this time. I would like to ask the gentleman from New York whether he proposes to adjourn after this bill?

Mr. TAWNEY. I make the point of order that the gentleman from New York has not the floor.

Mr. PAYNE. I would say to the gentleman from Mississippi that it is in his power at any time to force adjournment by calling for the regular order.

Mr. WILLIAMS of Mississippi. If the gentleman will move to adjourn after this, I will let this go through without calling for the regular order, as far as I am concerned; if not, I will call for it.

Mr. PAYNE. All right; let this go through; then if the gentleman calls for the regular order, unless there is something to consider, we will have to adjourn.

Mr. WILLIAMS of Mississippi. If I am to be bound, I will object right now. I object, Mr. Speaker.

Mr. CHARLES B. LANDIS. I hope the gentleman will not object to this.

Mr. PAYNE. I would say if you will let this go through, I will call for the regular order.

Mr. WILLIAMS of Mississippi All right.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. GAINES of Tennessee. Mr. Speaker, I make the point of order——

Mr. PAYNE. Mr. Speaker, there is no objection to this.

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to inquire as to the necessity of printing 110,000 copies of the report on beet sugar?

Mr. CHARLES B. LANDIS. I will say the necessity has been urged upon the committee by the Agricultural Department. They state that they have already on hand 25,000 requests for this publication from people who are interested in the cultivation of beet sugar.

Mr. TAWNEY. I trust the gentleman from Illinois will not object to this.

Mr. MANN. Mr. Speaker, this is 110,000 copies of a report which is devoted to three or four States in the United States. and it seems to be an extraordinary large amount when those of us who represent other States can not get anything printed that our constituents want.

Mr. CHARLES B. LANDIS. What do you want printed that you have not got?

Mr. MANN. There are a great many documents we can not get printed.

Mr. CHARLES B. LANDIS. I have not noticed anything you have brought before the committee which you wished.

Mr. TAWNEY. I would ask the gentleman if this is not the Saylor report, which covers the development of the beet-sugar industry during the past four or five years?

Mr. CHARLES B. LANDIS. It is.

A MEMBER. What would it cost?

Mr. CHARLES B. LANDIS. Five thousand nine hundred and fifty dollars.

Mr. MANN. I will not object, but it seems to me a grave discrimination in favor of just a few States of the Union.

The SPEAKER. The Chair hears no objection.

The amendments were agreed to.

The question was taken, and the resolution was agreed to.

Mr. PAYNE. Mr. Speaker, I will now demand the regular order.

Mr. LACEY. Mr. Speaker, I asked unanimous consent a while ago to print some documents in the RECORD, and objection was made. In the meantime I understand the gentleman desires to withdraw the objection.

Mr. LIND. Is that the speech of Secretary Shaw?

Mr. LACEY. Yes.

Mr. LIND. Then I feel constrained to object.

Mr. GAINES of Tennessee. Mr. Speaker, let me make a statement, please.

The SPEAKER. Objection is made.

Mr. GAINES of Tennessee. The gentleman did not object to my speaking on the tobacco question a few moments ago, so I withdraw my objection.

The SPEAKER. The gentleman from Minnesota objects.

Mr. PAYNE. Mr. Speaker, I withdraw for a moment my request, as the gentleman from Kentucky in the aisle desires a few moments.

Mr. STANLEY. Mr. Speaker, I wish to make a statement which I feel is due to the chairman of the subcommittee——

The SPEAKER. The gentleman from Kentucky asks unanimous consent to make a statement—how long?

Mr. STANLEY. For two minutes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. STANLEY. Mr. Speaker, I feel it is due to the chairman of the subcommittee [Mr. DALZELL] to make a statement with reference to his position in regard to this tobacco bill. I am sure that my friend from Virginia [Mr. FLOOD] did not mean to do him injustice, yet I feel that it is but due to him to say that the conditions under which that bill was reported to the House were conditions that under the circumstances were acquiesced in without any undue exercise of authority on the part of the gentleman from Pennsylvania.

He told us fairly and squarely that he could give us half a loaf, but that he could not give us any bread if we did not take the half loaf. We were left to our choice. That choice we took. I feel we should have had the whole loaf, and I am willing to make all the capital I can out of our failure to get it. It is, in my opinion, hardly fair to the gentleman from Pennsylvania to take the half loaf and after receiving it to abuse him personally.

The party in power may be—in my opinion is—entirely responsible for the failure to the tobacco growers in securing this much-needed relief.

It is only just to the gentleman from Pennsylvania to say that he was in no way discourteous or unfair to the gentlemen before the committee.

In the hearings and in presenting this bill he at no time was peremptory or dictatorial, and in my humble opinion was actuated by a sincere desire to help us so far as the policy of his party would permit. [Applause.]

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 42 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of E. J. Huber, administrator of estate of Caroline Hinyard, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of State, transmitting a copy of a letter from Samuel J. Barrows, commissioner on the International Prison Commission, inclosing report of children's courts in the United States—to the Committee on the Judiciary, and ordered to be printed.

A letter from the Secretary of State, transmitting a copy of a letter from Samuel J. Barrows, of the International Prison Commission, inclosing list of questions for discussion at the Budapest Congress in 1905—to the Committee on the Judiciary, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. AMES, from the Committee on Militia, to which was referred the bill of the House (H. R. 14472) to further promote the efficiency of the militia, and for other purposes, reported the same with amendment, accompanied by a report (No. 2845); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DAVIDSON, from the Committee on Railways and Canals, to which was referred the bill of the House (H. R. 5759) to incorporate the Lake Erie and Ohio River Ship Canal Company, to define the powers thereof, and to facilitate interstate commerce, reported the same with amendment, accompanied by a report (No. 2847); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5037) granting an increase of pension to R. H. Stillwell, reported the

same with amendment, accompanied by a report (No. 2779); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14875) granting an increase of pension to Seeley Earnest, reported the same with amendment, accompanied by a report (No. 2780); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8166) granting an increase of pension to Martha A. Johnson, reported the same with amendment, accompanied by a report (No. 2781); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10945) granting a pension to Lola Qualls, reported the same with amendment, accompanied by a report (No. 2782); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 9115) granting an increase of pension to Merritt Mead, reported the same with amendment, accompanied by a report (No. 2783); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6129) granting a pension to Edwin M. Raymond, reported the same with amendment, accompanied by a report (No. 2784); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11984) granting an increase of pension to Edward C. Jones, reported the same with amendment, accompanied by a report (No. 2785); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6857) granting an increase of pension to Lorenzo D. Jameson, reported the same with amendment, accompanied by a report (No. 2786); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5997) granting an increase of pension to James Hammonds, reported the same with amendment, accompanied by a report (No. 2787); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6449) granting a pension to Spencer M. Case, reported the same with amendment, accompanied by a report (No. 2788); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6948) granting an increase of pension to Joshua Parsons, reported the same without amendment, accompanied by a report (No. 2789); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4948) granting a pension to Wilson H. Davis, reported the same with amendment, accompanied by a report (No. 2790); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5245) granting an increase of pension to W. A. Helt, reported the same with amendment, accompanied by a report (No. 2791); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6961) granting an increase of pension to Thomas E. Rice, reported the same without amendment, accompanied by a report (No. 2792); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5089) granting an increase of pension to Charles W. McKenney, reported the same without amendment, accompanied by a report (No. 2793); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 130) granting an increase of pension to Washington I. Cook, reported the same with amendment, accompanied by a report (No. 2794); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1907) granting an increase of pension to Wyman J. Crow, reported the same without amendment, accompanied by a report (No. 2795); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7367) granting an increase of pension to John M. Barron, reported the same with amendment, accompanied by a report (No. 2796); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1286) granting an increase of pension to John Brasch, reported the same with amendment, accompanied by a report (No. 2797); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3359) granting an increase of pension to Cyrus E. Salada, reported the same with amendment, accompanied by a report (No. 2798); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2993) granting an increase of pension to Lewis Townsend, reported the same with amendment, accompanied by a report (No. 2799); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2558) granting an increase of pension to John Cummings, reported the same with amendment, accompanied by a report (No. 2800); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12577) granting an increase of pension to James Graves, reported the same with amendment, accompanied by a report (No. 2801); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12576) granting an increase of pension to William M. Kitts, reported the same with amendment, accompanied by a report (No. 2802); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1099) granting an increase of pension to L. O. Marshall, reported the same with amendment, accompanied by a report (No. 2803); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14879) granting an increase of pension to Benjamin Dillingham, reported the same without amendment, accompanied by a report (No. 2804); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13241) granting an increase of pension to David Deardourff, reported the same without amendment, accompanied by a report (No. 2805); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14889) granting an increase of pension to Alfred W. Dearborn, reported the same with amendment, accompanied by a report (No. 2806); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14887) granting an increase of pension to William P. Davis, reported the same with amendment, accompanied by a report (No. 2807); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14855) granting an increase of pension to Henry C. Thayer, reported the same with amendment, accompanied by a report (No. 2808); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15269) granting a pension to Anna C. Owen, reported the same with amendment, accompanied by a report (No. 2809); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15244) granting an increase of pension to Rebecca V. Mackenzie, reported the same with amendment, accompanied by a report (No. 2810); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13658) granting an increase of pension to Henry Smith, reported the same without amendment, accompanied by a report (No. 2811); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14576) granting a pension to Evelyn M. Dunn, reported the same with amendment, accompanied by a report (No. 2812); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions,

to which was referred the bill of the House (H. R. 13955) granting a pension to Elijah G. Wood, reported the same with amendment, accompanied by a report (No. 2813); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10554) granting an increase of pension to John McGregor, reported the same with amendment, accompanied by a report (No. 2814); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10969) granting an increase of pension to Joseph H. Shay, reported the same without amendment, accompanied by a report (No. 2815); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11661) granting an increase of pension to William H. McClurg, reported the same with amendment, accompanied by a report (No. 2816); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9798) granting an increase of pension to Isaac W. Sherman, reported the same with amendment, accompanied by a report (No. 2817); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10272) granting an increase of pension to Lorenzo Streeter, reported the same without amendment, accompanied by a report (No. 2818); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10360) granting an increase of pension to Mary Flynn, reported the same with amendment, accompanied by a report (No. 2819); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12818) granting a pension to N. M. Brockway, reported the same with amendment, accompanied by a report (No. 2820); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12058) granting an increase of pension to John W. Dickey, reported the same with amendment, accompanied by a report (No. 2821); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12052) granting a pension to Walter P. Mitchell, reported the same with amendment, accompanied by a report (No. 2822); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14789) granting pensions to certain officers and men of the Fourth Regiment of Arkansas Mounted Infantry, reported the same with amendment, accompanied by a report (No. 2825); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 3831) to increase the pension of John W. Hartley, reported the same with amendment, accompanied by a report (No. 2826); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6543) granting an increase of pension to Robert Liggatt, reported the same with amendment, accompanied by a report (No. 2827); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5692) granting an increase of pension to John Shanley, reported the same with amendment, accompanied by a report (No. 2828); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 808) granting an increase of pension to George Deland, reported the same with amendment, accompanied by a report (No. 2829); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13155) granting a pension to Philip Yohum, reported the same with amendment, accompanied by a report (No. 2830); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8996) granting an increase of pension to Diah Lovejoy, reported the same with amendment, accompanied by a report (No. 2831); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 15102) granting a pension to Charles Bergman, reported the same with amendment, accompanied by a report (No. 2832); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11015) granting an increase of pension to Joseph Wardle, reported the same with amendment, accompanied by a report (No. 2833); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14034) granting an increase of pension to Edward C. Sanders, reported the same with amendment, accompanied by a report (No. 2834); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6354) granting a pension to George M. Simmons, reported the same with amendment, accompanied by a report (No. 2835); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12397) granting an increase of pension to Alfred Chill, reported the same with amendment, accompanied by a report (No. 2836); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15190) granting an increase of pension to James M. Paull, reported the same with amendment, accompanied by a report (No. 2837); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4690) granting an increase of pension to Andrew W. Switzer, reported the same without amendment, accompanied by a report (No. 2838); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4417) granting an increase of pension to Chadbourne H. Warren, reported the same without amendment, accompanied by a report (No. 2839); which said bill and report were referred to the Private Calendar.

Mr. BUTLER of Pennsylvania, from the Committee on Claims, to which was referred the bill of the Senate (S. 421) for the relief of W. J. Kountz, reported the same with amendment, accompanied by a report (No. 2840); which said bill and report were referred to the Private Calendar.

Mr. BEALL of Texas, from the Committee on Claims, to which was referred the bill of the Senate (S. 3197) for the relief of H. H. Thornton and Ben D. Rochblaive, reported the same without amendment, accompanied by a report (No. 2841); which said bill and report were referred to the Private Calendar.

Mr. BUTLER of Pennsylvania, from the Committee on Claims, to which was referred the bill of the House (H. R. 5852) for the relief of the estate of Eliza A. White, reported the same without amendment, accompanied by a report (No. 2842); which said bill and report were referred to the Private Calendar.

Mr. TIRRELL, from the Committee on Claims, to which was referred the bill of the House (H. R. 3324) for the relief of Patrick J. Madden, reported the same without amendment, accompanied by a report (No. 2843); which said bill and report were referred to the Private Calendar.

Mr. FOSTER of Vermont, from the Committee on Claims, to which was referred the bill of the Senate (S. 2547) for the relief of the owners, master, and crew of the schooner *Ella M. Doughty*, reported the same without amendment, accompanied by a report (No. 2844); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Military Affairs was discharged from the consideration of the bill (H. R. 15298) granting a pension to Jacob Beckner, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. JENKINS: A bill (H. R. 15399) to regulate the practice of law in the Indian Territory—to the Committee on the Judiciary.

By Mr. MURDOCK: A bill (H. R. 15400) to provide for the conservation and storage of the flood waters of the Arkansas River and the irrigation therefrom of lands in western Kansas—to the Committee on Irrigation of Arid Lands.

By Mr. BINGHAM: A bill (H. R. 15401) providing for the purchase by the Government of the United States of the painting of the Historical Portrait Group, by A. G. Heaton, of Washington, D. C., containing eighteen portraits of the promoters of the new Library building—to the Committee on the Library.

By Mr. MOON of Tennessee (by request): A bill (H. R. 15402) relative to the destruction of unlawful printed matter by the Postmaster-General or his subordinates—to the Committee on the Post-Office and Post-Roads.

By Mr. FOSS: A bill (H. R. 15403) to increase the efficiency of the Navy—to the Committee on Naval Affairs.

By Mr. GROSVENOR: A bill (H. R. 15436) to establish a fish hatchery and fish-culture station in southern Ohio, on the waters of the Muskingum, the Hocking, or the Scioto rivers—to the Committee on the Merchant Marine and Fisheries.

By Mr. GIBSON: A joint resolution (H. J. Res. 153) in reference to the so-called "Peace Monument"—to the Committee on Public Buildings and Grounds.

By Mr. TAWNEY: A resolution (H. Res. 353) authorizing the employment of a janitor by the Select Committee on Industrial Arts and Expositions—to the Committee on Accounts.

By Mr. DALZELL: A resolution (H. Res. 354) suspending section 2, Rule XXIX, for the remainder of the present session—to the Committee on Rules.

By Mr. BURLESON: A resolution (H. Res. 355) for the printing of additional copies of Bulletin No. 45—to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 15404) granting an increase of pension to John A. Hayward—to the Committee on Invalid Pensions.

By Mr. BEIDLER: A bill (H. R. 15405) to correct the military record of Thomas Gallagher—to the Committee on Military Affairs.

By Mr. BRICK: A bill (H. R. 15406) granting an increase of pension to George W. Carpenter—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: A bill (H. R. 15407) for the relief of Marion D. Crutchfield—to the Committee on Military Affairs.

Also, a bill (H. R. 15408) for relief of W. T. Patterson—to the Committee on Claims.

By Mr. BURNETT: A bill (H. R. 15409) for the relief of the estate of M. Light, deceased, late of Dekalb County, Ala.—to the Committee on War Claims.

By Mr. DOVENER: A bill (H. R. 15410) to refer claim of Anne Croghan and Ellen G. McCauley to the Court of Claims—to the Committee on War Claims.

By Mr. GARBER: A bill (H. R. 15411) granting an increase of pension to Isaiah Garretson—to the Committee on Invalid Pensions.

By Mr. GOEBEL: A bill (H. R. 15412) to remove the charge of desertion from the military record of Frederick Madaka—to the Committee on Military Affairs.

By Mr. GUDGER: A bill (H. R. 15413) granting a pension to Joel Crisp—to the Committee on Invalid Pensions.

By Mr. HASKINS: A bill (H. R. 15414) granting an increase of pension to Ephraim L. Mack—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 15415) granting an increase of pension to Jonas H. Upton—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: A bill (H. R. 15416) for the relief of Erskine R. K. Hayes—to the Committee on Claims.

By Mr. HOGG: A bill (H. R. 15417) granting a pension to Charles Shugart—to the Committee on Invalid Pensions.

By Mr. HEDGE: A bill (H. R. 15418) granting an increase of pension to Henry D. Duffield—to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 15419) granting an increase of pension to Jeremiah Odell—to the Committee on Invalid Pensions.

By Mr. JOHNSON: A bill (H. R. 15420) for the relief of T. J. H. Harris—to the Committee on Claims.

By Mr. LAFEAN: A bill (H. R. 15421) to correct the military record of Adam Foutz—to the Committee on Military Affairs.

By Mr. LITTLEFIELD: A bill (H. R. 15422) for the relief of Albert J. Stearns—to the Committee on Claims.

Also, a bill (H. R. 15423) for the relief of Albert J. Stearns—to the Committee on Claims.

Also, a bill (H. R. 15424) to remove the charge of desertion from the military record of Robert D. Salsbury, alias Charles Willard—to the Committee on Military Affairs.

Also, a bill (H. R. 15425) granting a pension to Martin E. Simms—to the Committee on Invalid Pensions.

By Mr. MAHON: A bill (H. R. 15426) granting an increase of pension to Levi Pick—to the Committee on Invalid Pensions.

By Mr. McCREARY of Pennsylvania: A bill (H. R. 15427) granting an increase of pension to Jacob A. Geiger—to the Committee on Invalid Pensions.

By Mr. McGUIRE: A bill (H. R. 15428) providing for the issuance of a patent to lands occupied by the Sacred Heart Mission, in accordance with agreement made by the United States with the Citizens' Band of Pottawatomie Indians of Oklahoma—to the Committee on Indian Affairs.

By Mr. SULLOWAY: A bill (H. R. 15429) granting a pension to Ellen M. Parker—to the Committee on Pensions.

By Mr. TAYLOR: A bill (H. R. 15430) for the relief of the heirs at law of Patrick H. Burnett, deceased—to the Committee on War Claims.

By Mr. WILSON of Illinois: A bill (H. R. 15431) granting an increase of pension to Andrew Pinney—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 15432) granting a pension to Clinton Allen—to the Committee on Invalid Pensions.

By Mr. BURNETT: A bill (H. R. 15433) for the relief of the estate of Mirah Ballard, deceased, late of Dekalb County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 15434) to remove the charge of desertion from the military record of John A. Pierce—to the Committee on Military Affairs.

Also, a bill (H. R. 15435) for the relief of the estate of James L. Gardner—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolution of the Huntsville (Ala.) Wholesale Grocers' Association, favoring the passage of the Cooper blil relative to the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

By Mr. ALEXANDER: Petition of the Sibley-Holmwood Candy Factory, Buffalo, N. Y., favoring passage of bill H. R. 9303—to the Committee on Ways and Means.

Also, petitions of Henry C. Jordan and others and J. J. H. Brown and others, of Buffalo, N. Y., favoring the passage of the Alexander bill to increase the salary of the Supervising Inspector-General, Steamboat-Inspection Service—to the Committee on the Merchant Marine and Fisheries.

By Mr. BABCOCK: Petition of 8 citizens of Wisconsin, in favor of the bill creating the Colorado Cliff-Dwellings National Park—to the Committee on the Public Lands.

By Mr. BEIDLER: Papers to accompany the bill to remove the charge of desertion from the record of Thomas Gallagher—to the Committee on Military Affairs.

By Mr. BINGHAM: Petition of the Philadelphia Board of Trade, relative to the erection of buildings on the Mall, Washington, D. C.—to the Committee on Public Buildings and Grounds.

Also, resolution of De Soto Council, No. 315, of the Knights of Columbus, urging passage of the bill for the erection of statue to the memory of Commodore John Barry—to the Committee on the Library.

By Mr. BOWIE: Papers to accompany bill granting an increase of pension to Andrew J. Levi—to the Committee on Pensions.

By Mr. BRUNDIDGE: Paper to accompany House bill for the relief of Marion D. Crutchfield—to the Committee on Military Affairs.

Also, paper to accompany House bill for the relief of W. T. Patterson—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: Petition of veterans of the civil war, of Arkansas City, Kans., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: Paper to accompany bill H. R. 15021, for relief of Gilbert Shaw—to the Committee on the Public Lands.

By Mr. FRENCH: Petition of Isabella Beecher Hooker, Lucius P. C. Garvin, Olympia Brown, William Canfield Lee, Clara Bewick Colby, Clara W. McNaughton, and 918 adult citizens, urging the passage of bill H. R. 12043—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. GROSVENOR: Petition of J. F. Grimes and 43 others, of Middleport, Ohio, favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petitions of the Methodist Episcopal Church of Marshfield, Ohio, and Wesley Davis and others, of Athens, Ohio, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HAMLIN: Petitions of Jerry Shinn and others, Martin F. Collins and others, and J. M. Goodman and others, all of Missouri, in favor of bill H. R. 89, known as the "anti-injunction bill"—to the Committee on the Judiciary.

By Mr. HOWARD: Papers to accompany bill granting an increase of pension to Jeremiah Odell—to the Committee on Invalid Pensions.

By Mr. LAFEAN: Paper to accompany bill to remove charge of desertion from the record of Adam Foutz—to the Committee on Military Affairs.

By Mr. LINDSAY: Petition of the International Brotherhood of Steam Shovel, Dredge Firemen, Dock Hands, and Scowmen, of Buffalo, N. Y., protesting against the construction of steam dredges by the Government for its use on the chain of lakes—to the Committee on Rivers and Harbors.

Also, petition of Joseph Sohmuller, of Brooklyn, N. Y., favoring the clause in post-office appropriation bill relative to the purchase of supplies manufactured by contract labor—to the Committee on the Post-Office and Post-Roads.

By Mr. LITTLEFIELD: Papers to accompany bill for the relief of Albert J. Stearns—to the Committee on Claims.

By Mr. LIVINGSTON: Papers to accompany bill for relief of Joseph H. Davis—to the Committee on War Claims.

By Mr. MAHON: Papers to accompany House bill for the relief of Levi Pick—to the Committee on Invalid Pensions.

By Mr. MORRELL: Resolution of trustees of the Women's Industrial Exhibit, favoring passage of bill for the establishment of a permanent national and international industrial exhibit of women's handiwork at Washington, D. C.—to the Select Committee on Industrial Arts and Expositions.

Also, resolution of Division No. 86, Ancient Order of Hibernians, of Philadelphia, Pa., favoring passage of the bill for erection of monument to the memory of Commodore John Barry—to the Committee on the Library.

By Mr. MURDOCK: Petition of veterans of the civil war of Haskell County, Kans., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. RANSDELL of Louisiana: Petition of T. F. Galleher and 57 others, of Longview, Tex., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ROBINSON of Arkansas: Petition of J. M. Barrett and others, against the passage of a parcels-post bill—to the Committee on the Judiciary.

By Mr. ROBINSON of Indiana: Petition of Peter Fisher, of Waterloo, Ind., in favor of the passage of bill H. R. 5760—to the Committee on Invalid Pensions.

By Mr. SNOOK: Papers to accompany bill granting an increase of pension to William H. Zamboa—to the Committee on Invalid Pensions.

By Mr. SULZER: Petition of the International Brotherhood of Steam Shovel, Dredge Firemen, Deck Hands, and Scowmen, of Chicago, Ill., protesting against the Government constructing steam dredges for its use on the chain of lakes—to the Committee on Rivers and Harbors.

By Mr. TAYLOR: Petition of C. B. Ball and others, of Citronelle, Ark., in favor of a parcels-post and a post-check bill—to the Committee on the Post-Office and Post-Roads.

By Mr. WILLIAMS of Illinois: Papers to accompany bill granting a pension to Clinton Allen—to the Committee on Invalid Pensions.

By Mr. WOODYARD: Petitions of Ripley Union, Woman's Christian Temperance Union, and 56 others, of Ripley, W. Va.; B. C. Davis and 36 others, of Elizabeth, W. Va.; N. C. Pricket and 35 others, of Ravenswood, W. Va.; Ripley Union, Woman's Christian Temperance Union, and 38 others, of Ripley, W. Va., and S. T. Rutherford and 10 others, of Petroleum, W. Va., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WYNN: Petitions of H. C. Newby and 100 others, of San Jose, Cal.; J. H. Stoniers, jr., and 19 others, of Berryessa, Cal.; Charles A. Spencer and 50 others, of Palo Alto, Cal.; M. H. Stevens and 40 others, of Mountain View, Cal.; H. J. Alderman and 21 others, of Santa Clara, Cal.; B. F. Kephart and 70 others, of Campbell, Cal.; F. W. Crandall and 30 others, of Saratoga, Cal.; L. B. Mallory and 45 others, of Los Gatos, Cal.; M. M. Gilchrist and 81 others, of Morgan Hill, Cal.; Rev. C. E. Irons and 58 others, of College Park, Cal.; E. J. Baker and 16 others and W. F. Wise and 21 others, of Santa Clara, Cal., and W. H. Leeand others, of San Francisco, Cal., against the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

SENATE.

TUESDAY, *April 26, 1904.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on the request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

AUGUSTA ARSENAL, GA.

The PRESIDENT pro tempore. In the order to print the papers touching the arsenal at Augusta, Ga., yesterday, the Chair neglected to order the printing of the illustrations. If there be no objection, he will do it now. The Chair hears none.

POST-OFFICE BUILDING AT PORTLAND, OREG.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 19th instant, all correspondence relating to the leasing and fitting up of the temporary post-office building at Portland, Oreg.; which, on motion of Mr. MITCHELL, was, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

CLAIM OF CHARLES SMITH.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 19th instant, certain information relative to the claim of Charles Smith, late deputy collector of customs at Circle City, Alaska; which, on motion of Mr. MITCHELL, was, with the accompanying papers, referred to the Committee on Claims, and ordered to be printed.

FINDINGS BY THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of the Globe Works *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 4955) to provide for the appointment of an additional assistant appraiser at the port of Boston; and

A bill (S. 5169) making Lewes, Del., a subport of entry.

The message also announced that the House had passed with an amendment the bill (S. 3165) providing for second and additional homestead entries, and for other purposes; in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 1953) to provide for an additional associate justice of the supreme court of the Territory of New Mexico;

A bill (H. R. 4570) to provide an American register for the steamer *Beaumont;*

A bill (H. R. 8285) granting an increase of pension to William L. Peck;

A bill (H. R. 8790) granting an increase of pension to C. Annette Buckel;

A bill (H. R. 12666) granting an increase of pension to Henry E. W. Campbell;

A bill (H. R. 13936) granting an increase of pension to John W. Thomas;

A bill (H. R. 14491) granting an increase of pension to Eli Prebble;

A bill (H. R. 14700) granting an increase of pension to H. C. Washburn;

A bill (H. R. 14944) establishing a regular term of the United States circuit and district courts at Lewisburg, W. Va.; and

A bill (H. R. 15228) establishing a regular term of the United States circuit and district courts at East St. Louis, Ill.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 1925) providing for the removal of the port of entry in the customs collection district in Alaska from Sitka, Alaska, to Juneau, Alaska;

A bill (H. R. 7264) to provide for the construction of a lighthouse and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras;

A bill (H. R. 11122) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and for other purposes;

A bill (H. R. 11582) authorizing the issuance of letters rogatory by the Commissioner of Patents and providing for the execution of letters rogatory issued from foreign patent offices;

A bill (H. R. 11586) to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes;

A bill (H. R. 12382) authorizing the payment of the Choctaw and Chickasaw town-site fund, and for other purposes;

A bill (H. R. 12899) constituting Coal City, Grundy County, Ill., a port of delivery;

A bill (H. R. 13356) providing for the election of a Delegate from the Territory of Alaska to the House of Representatives of the United States and defining the qualifications of electors in said Territory; and

A bill (H. R. 15128) to authorize the Secretary of the Treasury to cancel a certain bond of Klaw & Erlanger.

The message further announced that the House insists upon its amendment to the bill (S. 2814) to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LACEY, Mr. MONDELL, and Mr. BURNETT managers at the conference on the part of the House.

The message also announced that the House insists upon its disagreement to the amendment of the Senate to the bill (H. R. 14754) providing for the restoration or maintenance of channels, or of river and harbor improvements, and for other purposes, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BURTON, Mr. DOVENER, and Mr. BANKHEAD managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore.

A bill (S. 73) granting an increase of pension to William H. Colwell;

A bill (S. 103) granting an increase of pension to Alexander D. Tanyer;

A bill (S. 405) granting an increase of pension to Darius W. Owens;

A bill (S. 423) granting an increase of pension to Louisa Weaver;

A bill (S. 433) granting an increase of pension to William L. Johnson;

A bill (S. 493) granting an increase of pension to Richard E. Bouldin;

A bill (S. 538) granting an increase of pension to Alice W. Stoodley;

A bill (S. 682) granting an increase of pension to Jacob S. Grimes;

A bill (S. 741) granting an increase of pension to William D. Woodward;

A bill (S. 1244) granting an increase of pension to Sue Stevens Eskridge;

A bill (S. 1343) to amend an act approved March 3, 1899, entitled "An act to amend an act entitled 'An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the volunteer army of the United States in the existing war with Spain,' approved July 8, 1898," etc., and for other purposes;

A bill (S. 1494) granting an increase of pension to Edward Colvin;

A bill (S. 1564) granting an increase of pension to Daniel W. Working;

A bill (S. 1687) granting an increase of pension to Harvey R. Backus;

A bill (S. 1788) granting an increase of pension to Sarah E. Nichols;

A bill (S. 1808) granting a pension to James L. Dyer;

A bill (S. 1909) granting an increase of pension to William Halliday;

A bill (S. 2116) granting an increase of pension to Edna Stevens;

A bill (S. 2011) granting a pension to Maggie E. Bamford;

A bill (S. 2183) granting an increase of pension to David L. Miller;

A bill (S. 2268) to authorize the Absentee Wyandotte Indians to select certain lands, and for other purposes;

A bill (S. 2367) granting an increase of pension to Ferdinand Mergel;

A bill (S. 2396) granting an increase of pension to Clarissa Ann Lapoint;

A bill (S. 2730) granting an increase of pension to Jasper N. Jennings;

A bill (S. 2899) granting a pension to Michael Nelligan;

A bill (S. 2803) granting an increase of pension to William H. Ijams;

A bill (S. 3008) granting an increase of pension to John R. McMannomy;

A bill (S. 3036) for the protection of the Bull Run Forest Reserve and the sources of the water supply of the city of Portland, State of Oregon;

A bill (S. 3054) granting an increase of pension to Kate M. Strange;

A bill (S. 3119) granting an increase of pension to Raynor H. Newton;

A bill (S. 3151) granting an increase of pension to Hayden M. Thompson;

A bill (S. 3203) granting an increase of pension to George W. Foster;

A bill (S. 3245) granting an increase of pension to Oscar F. Bartlett;

A bill (S. 3304) granting an increase of pension to Andrew A. Kelley;

A bill (S. 3334) granting an increase of pension to Frances G. Belknap;

A bill (S. 3335) granting an increase of pension to John Waldo;

A bill (S. 3432) granting an increase of pension to Rosaline V. Campbell;

A bill (S. 3616) granting an increase of pension to Frances E. Plummer;

A bill (S. 3665) granting an increase of pension to Ellen M. O'Connor;

A bill (S. 3666) granting an increase of pension to James W. Carrier;

A bill (S. 3890) granting an increase of pension to James N. Culton;

A bill (S. 3915) granting an increase of pension to Benjamin F. Bollenger, alias Benjamin Bell;

A bill (S. 3989) granting an increase of pension to Eugene Schilling;

A bill (S. 4018) granting an increase of pension to James Gunn;

A bill (S. 4086) granting an increase of pension to Ralph Van Brunt;

A bill (S. 4171) granting an increase of pension to Thaddeus K. Miller;

A bill (S. 4187) granting an increase of pension to William G. Thompkins;

A bill (S. 4223) granting an increase of pension to William P. Jackson;

A bill (S. 4337) granting an increase of pension to William H. Hess;

A bill (S. 4340) granting an increase of pension to Rose MacFarlane;

A bill (S. 4341) granting an increase of pension to Henry Armstrong;

A bill (S. 4353) granting an increase of pension to Edward M. McCook;

A bill (S. 4606) granting an increase of pension to Edward G. Horne;

A bill (S. 4679) granting an increase of pension to Samuel R. Shankland;

A bill (S. 4899) granting an increase of pension to Laura M. Gilmore;

A bill (S. 5034) granting an increase of pension to George A. Miller;

A bill (S. 5076) granting an increase of pension to Stacey Williams;

A bill (S. 5078) granting an increase of pension to Asa Smith;

A bill (S. 5096) granting an increase of pension to Edmond G. Pugsley;

A bill (S. 5101) granting an increase of pension to Lewis Y. Foster;

A bill (S. 5111) granting an increase of pension to Charles W. Barrett;

A bill (S. 5125) granting an increase of pension to William O. White;

A bill (S. 5161) granting an increase of pension to William H. Seip;

A bill (S. 5179) granting an increase of pension to Alonzo Gardner;

A bill (S. 5180) granting a pension to Thomas Smith;

A bill (S. 5191) granting an increase of pension to Elizabeth C. Way;

A bill (S. 5194) granting an increase of pension to Charles L. Overley;

A bill (S. 5205) granting an increase of pension to Joseph Dickinson;

A bill (S. 5210) granting an increase of pension to William L. Beach;

A bill (S. 5213) granting an increase of pension to Theodore J. Widney;
A bill (S. 5230) granting an increase of pension to John D. Inger;
A bill (S. 5244) granting an increase of pension to John K. Whited;
A bill (S. 5265) granting an increase of pension to James Stout;
A bill (S. 5270) granting an increase of pension to Ellen R. Ostrander;
A bill (S. 5282) granting an increase of pension to William P. Vohn;
A bill (S. 5289) granting an increase of pension to Peter Baker;
A bill (S. 5349) granting an increase of pension to Rebecca Aumen;
A bill (S. 5372) granting an increase of pension to Jesse W. McGahan;
A bill (H. R. 186) granting an increase of pension to Amalia C. Young;
A bill (H. R. 187) granting a pension to Clarissa Wolcott;
A bill (H. R. 683) granting an increase of pension to Thomas S. Strohecker;
A bill (H. R. 737) granting an increase of pension to Albert Hemenway;
A bill (H. R. 747) granting an increase of pension to George D. Totman;
A bill (H. R. 748) granting an increase of pension to Eben H. Meader;
A bill (H. R. 784) granting an increase of pension to Joseph Vactor;
A bill (H. R. 785) granting an increase of pension to Henry C. Bobst;
A bill (H. R. 902) granting an increase of pension to Isaac C. B. Suman;
A bill (H. R. 965) granting an increase of pension to Franklin Webb;
A bill (H. R. 1045) granting a pension to Matilda Witt;
A bill (H. R. 1339) granting an increase of pension to Joseph P. Scott;
A bill (H. R. 1480) granting an increase of pension to Edgar W. Thornton;
A bill (H. R. 1903) granting an increase of pension to Claudius Tifft;
A bill (H. R. 2183) granting an increase of pension to Joseph A. Soule;
A bill (H. R. 2367) granting a pension to Merton C. Sanborn;
A bill (H. R. 2462) granting a pension to Martha Briscoe;
A bill (H. R. 2940) granting an increase of pension to Hester A. Hanback;
A bill (H. R. 2948) granting an increase of pension to John Wilson;
A bill (H. R. 2994) granting an increase of pension to Minnie H. Eaton;
A bill (H. R. 3265) granting an increase of pension to Catharine Cook;
A bill (H. R. 3805) granting an increase of pension to Mary A. Disbrow;
A bill (H. R. 3829) granting an increase of pension to Eben Fuller;
A bill (H. R. 4044) granting a pension to William H. Slough;
A bill (H. R. 4201) granting an increase of pension to Walker Wilson;
A bill (H. R. 4583) granting a pension to Ella C. Baker;
A bill (H. R. 4907) granting a pension to Henry A. Hartley;
A bill (H. R. 5033) granting an increase of pension to Rowland J. Roberts;
A bill (H. R. 5361) granting an increase of pension to Lucilius C. Moss;
A bill (H. R. 5600) granting a pension to David Kimball;
A bill (H. R. 5737) granting a pension to John Whitehead;
A bill (H. R. 6343) granting an increase of pension to Harry Hirschensohn;
A bill (H. R. 6610) granting an increase of pension to Samuel Hendrickson;
A bill (H. R. 6697) granting an increase of pension to Luther F. Palmer;
A bill (H. R. 7245) granting an increase of pension to Prescilla C. Dodd;
A bill (H. R. 7471) granting an increase of pension to John Schade, sr.;
A bill (H. R. 7502) granting an increase of pension to John W. Moore;
A bill (H. R. 7985) granting a pension to Alice Jenifer;
A bill (H. R. 8219) granting an increase of pension to William H. Broadwell;
A bill (H. R. 8386) granting an increase of pension to Andrew Esdell;
A bill (H. R. 8464) granting a pension to Susan T. Bunch;
A bill (H. R. 8469) granting a pension to Silas R. Harris;
A bill (H. R. 8480) granting an increase of pension to Elijah Rearick;
A bill (H. R. 8496) granting an increase of pension to Joseph Howard;
A bill (H. R. 8498) granting an increase of pension to Jonathan Klingenfus;
A bill (H. R. 8709) granting an increase of pension to James A. Porter;
A bill (H. R. 8783) granting an increase of pension to Mary Ann Phipps;
A bill (H. R. 8787) granting an increase of pension to Robert W. Brasher;
A bill (H. R. 8822) granting a pension to Bird L. Francis;
A bill (H. R. 8915) granting an increase of pension to Warren McCracken;
A bill (H. R. 8921) granting an increase of pension to John McCollister;
A bill (H. R. 8961) granting a pension to Frances E. Grisson;
A bill (H. R. 9257) granting an increase of pension to John Ogden;
A bill (H. R. 9388) granting an increase of pension to Lineus V. Vance;
A bill (R. R. 9393) granting an increase of pension to Thomas P. Ryan;
A bill (H. R. 9427) granting an increase of pension to Chester H. Buck;
A bill (H. R. 9496) granting an increase of pension to Hester E. Bloor;
A bill (H. R. 9516) granting an increase of pension to Henry Johnson;
A bill (H. R. 9575) granting an increase of pension to John Donahoe;
A bill (H. R. 9585) granting an increase of pension to Nelson McIntosh;
A bill (H. R. 9687) granting an increase of pension to Alexander S. Hempstead;
A bill (H. R. 9740) granting an increase of pension to William W. Newton;
A bill (H. R. 9788) granting an increase of pension to George W. Blanchard;
A bill (H. R. 9797) granting an increase of pension to Thomas Langridge;
A bill (H. R. 9832) granting an increase of pension to Edwin M. Alden;
A bill (H. R. 9839) granting an increase of pension to James A. Kemp;
A bill (H. R. 9963) granting a pension to Grace Miller;
A bill (H. R. 9969) granting an increase of pension to James Frederic;
A bill (H. R. 9978) granting an increase of pension to Samuel Iverson;
A bill (H. R. 10062) granting an increase of pension to Oscar Murray;
A bill (H. R. 10126) granting an increase of pension to Job Throckmorton;
A bill H. R. 10169) granting an increase of pension to Isaac N. Flanagan;
A bill (H. R. 10182) granting an increase of pension to Isaac Innis;
A bill (H. R. 10270) granting a pension to Mary F. Kenaday;
A bill (H. R. 10286) granting a pension to Ellen M. Malloy;
A bill (H. R. 10288) granting a pension to Anna E. Harman;
A bill (H. R. 10544) granting an increase of pension to Henry H. Rhoads;
A bill (H. R. 10555) granting an increase of pension to William L. Gerard;
A bill (H. R. 10642) granting an increase of pension to Garrett Stanley;
A bill (H. R. 10699) granting an increase of pension to Henry J. Brockway;
A bill (H. R. 10708) granting an increase of pension to Alfred A. Burrell;
A bill (H. R. 11058) granting a pension to Mary Apple;
A bill (H. R. 11063) granting an increase of pension to Robert L. McMurty;
A bill (H. R. 11150) granting an increase of pension to Marvin A. Wixson;
A bill (H. R. 11193) granting an increase of pension to Abbie W. Griffin;
A bill (H. R. 11259) granting an increase of pension to George W. Stennett;
A bill (H. R. 11293) granting an increase of pension to Frank Fuchs;
A bill (H. R. 11776) granting a pension to Hugh Mooney;

A bill (H. R. 11308) granting an increase of pension to Silas T. Overstreet;
A bill (H. R. 11315) granting an increase of pension to Christian Mott;
A bill (H. R. 11468) granting an increase of pension to Edson G. Holcomb;
A bill (H. R. 11487) granting an increase of pension to John Wybrant;
A bill (H. R. 11536) granting an increase of pension to Mattie Graziani;
A bill (H. R. 11576) granting an increase of pension to James E. Stalker;
A bill (H. R. 11748) granting an increase of pension to Edward E. Curran;
A bill (H. R. 11843) granting an increase of pension to William Hall;
A bill (H. R. 11989) granting a pension to Emma C. Dougal;
A bill (H. R. 12062) granting a pension to Edward H. Bennett;
A bill (H. R. 12105) granting an increase of pension to James A. Lowe;
A bill (H. R. 12164) granting an increase of pension to Joseph Davis;
A bill (H. R. 12174) granting an increase of pension to John Smith;
A bill (H. R. 12194) granting an increase of pension to Nathaniel Warren;
A bill (H. R. 12199) granting an increase of pension to John Bramble;
A bill (H. R. 12248) granting an increase of pension to Hezekiah Bruce;
A bill (H. R. 12253) granting an increase of pension to Margaret Dilley;
A bill (H. R. 12276) granting an increase of pension to Isaac W. Acker;
A bill (H. R. 12277) granting an increase of pension to James A. Rapp;
A bill (H. R. 12323) granting an increase of pension to Josiah Wood;
A bill (H. R. 12398) granting an increase of pension to Samuel N. Johnson;
A bill (H. R. 12400) granting a pension to Ellen Cain;
A bill (H. R. 12413) granting an increase of pension to Timothy Haley;
A bill (H. R. 12440) granting an increase of pension to Edward M. Shepard;
A bill (H. R. 12480) granting an increase of pension to Henry J. Arnold;
A bill (H. R. 12526) granting an increase of pension to Henry Ford;
A bill (H. R. 12529) granting a pension to Sarah Greene;
A bill (H. R. 12553) granting an increase of pension to Amaziah Havey;
A bill (H. R. 12591) granting an increase of pension to Thomas Haydock;
A bill (H. R. 12613) granting an increase of pension to Edward L. Haney;
A bill (H. R. 12617) granting an increase of pension to Ezra V. Felton;
A bill (H. R. 12652) granting an increase of pension to Mary L. Johnson;
A bill (H. R. 12676) granting an increase of pension to James A. Barber;
A bill (H. R. 12727) granting an increase of pension to Theodore Coonley;
A bill (H. R. 12783) granting a pension to Harlen Scarlett;
A bill (H. R. 12804) granting an increase of pension to Smith B. Mills;
A bill (H. R. 12966) granting an increase of pension to Charles H. Lakey;
A bill (H. R. 12992) granting an increase of pension to Henry Hiete;
A bill (H. R. 12993) granting an increase of pension to John Hotchkiss;
A bill (H. R. 13071) granting an increase of pension to John S. Whitmore;
A bill (H. R. 13110) granting an increase of pension to George C. Birch;
A bill (H. R. 13115) granting a pension to Sarah Van Alstine;
A bill (H. R. 13142) granting an increase of pension to William M. Lang;
A bill (H. R. 13178) granting a pension to Julius H. Rogge;
A bill (H. R. 13190) granting a pension to Eveline Crouch Dunbar;
A bill (H. R. 13196) granting an increase of pension to Fanny A. Hutchason;
A bill (H. R. 13299) granting a pension to Edah A. Kittridge;
A bill (H. R. 13321) granting an increase of pension to John B. Mitchell;
A bill (H. R. 13328) granting a pension to Martin R. Gentry;
A bill (H. R. 13345) granting an increase of pension to Jeremiah Gill;
A bill (H. R. 13363) granting an increase of pension to Benjamin L. Commons;
A bill (H. R. 13364) granting an increase of pension to John Cook;
A bill (H. R. 13371) granting an increase of pension to James T. Thompson;
A bill (H. R. 13381) granting an increase of pension to John Calloway;
A bill (H. R. 13405) granting an increase of pension to Harriet S. Gilbert;
A bill (H. R. 13409) granting an increase of pension to Alfred Small;
A bill (H. R. 13421) granting an increase of pension to Micajah Hill, alias Michael C. Hill;
A bill (H. R. 13453) granting an increase of pension to Ezekiel Steel;
A bill (H. R. 13461) granting an increase of pension to William Curtis;
A bill (H. R. 13485) granting an increase of pension to William Glasgow;
A bill (H. R. 13494) granting a pension to Cader B. Brent;
A bill (H. R. 13518) granting an increase of pension to Chester R. Heath;
A bill (H. R. 13527) granting an increase of pension to William Odenheimer;
A bill (H. R. 13531) granting an increase of pension to Lyman L. Jones;
A bill (H. R. 13543) granting an increase of pension to Henry Clay Hall;
A bill (H. R. 13623) granting an increase of pension to Marion A. Carlile;
A bill (H. R. 13643) granting an increase of pension to Joseph Welsh;
A bill (H. R. 13650) granting an increase of pension to William J. Caldwell;
A bill (H. R. 13669) granting an increase of pension to Mary E. Wyse;
A bill (H. R. 13687) granting an increase of pension to Henry A. Davies;
A bill (H. R. 13712) granting an increase of pension to Urbanus Hubbs;
A bill (H. R. 13728) granting a pension to Isabella McDowell;
A bill (H. R. 13729) granting a pension to Margaret W. Goodwin;
A bill (H. R. 13743) granting an increase of pension to David C. Welch;
A bill (H. R. 13744) granting an increase of pension to Frederick C. Abel;
A bill (H. R. 13767) granting an increase of pension to Daniel Pew;
A bill (H. R. 13792) granting an increase of pension to Ellenora Clavier;
A bill (H. R. 13869) granting a pension to Sarah M. Greer;
A bill (H. R. 13879) granting an increase of pension to Abraham S. Van Fleet;
A bill (H. R. 13907) granting an increase of pension to John W. Hilton;
A bill (H. R. 13937) granting a pension to George W. Litherland;
A bill (H. R. 13958) granting an increase of pension to Eliza A. Moss;
A bill (H. R. 14000) granting an increase of pension to Bradford A. Gehr;
A bill (H. R. 14005) granting an increase of pension to George W. Jaques;
A bill (H. R. 14016) granting an increase of pension to William Wheaton;
A bill (H. R. 14017) granting a pension to Louis Voll;
A bill (H. R. 14102) granting an increase of pension to Robert W. Foster;
A bill (H. R. 14145) granting an increase of pension to Abel D. Brooks;
A bill (H. R. 14149) granting a pension to David Wills;
A bill (H. R. 14155) granting an increase of pension to George W. Kinsey;
A bill (H. R. 14179) granting an increase of pension to Jesse Stinnett;
A bill (H. R. 14270) granting an increase of pension to Loucinda M. Thompson;
A bill (H. R. 14278) granting an increase of pension to Byron Bowers;

A bill (H. R. 14286) granting an increase of pension to Jennie L. Cardwell;
A bill (H. R. 14306) granting an increase of pension to Martha Taylor;
A bill (H. R. 14307) granting an increase of pension to Devernia White;
A bill (H. R. 14354) granting a pension to Peter Bunn;
A bill (H. R. 14363) granting an increase of pension to Pocahontas C. Monteiro;
A bill (H. R. 14397) granting a pension to Mary E. Vanzant;
A bill (H. R. 14409) granting an increase of pension to William F. McMillan;
A bill (H. R. 14510) granting an increase of pension to Daniel M. Graves;
A bill (H. R. 14517) granting a pension to Lillie A. Schoppaul;
A bill (H. R. 14518) granting a pension to Henderson Evins;
A bill (H. R. 14579) granting an increase of pension to Elizabeth J. Moore;
A bill (H. R. 14598) granting a pension to Joseph Otis;
A bill (H. R. 14658) granting an increase of pension to Juliana H. Barry; and
A bill (H. R. 14693) granting an increase of pension to Susan A. Schell.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented memorials of sundry citizens of Washington, D. C.; of Brownsville, College View, Lincoln, Blue Springs, and Wymore, in the State of Nebraska, and of the Religious Liberty Association of the State of Michigan, remonstrating against the enactment of legislation to require certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

He also presented the petition of Alonzo O. Bliss, of Washington, D. C., and the petition of Frances Fairchild Abbott, of Washington, D. C., praying for the enactment of legislation to change the name of Thirteen-and-a-half street SW. to Linworth place; which were referred to the Committee on the District of Columbia.

Mr. NELSON presented a petition of sundry Afro-American citizens of St. Paul, Minn., praying that the nomination of W. D. Crum to be collector of the port of Charleston, S. C., be confirmed by the Senate; which was ordered to lie on the table.

Mr. BURNHAM presented a petition of Oliver W. Lull Relief Corps, No. 5, Department of New Hampshire, Grand Army of the Republic, of Milford, N. H., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented the petition of W. L. Melcher and sundry other citizens of Laconia, N. H., praying for the passage of the so-called "pure-food bill;" which was ordered to lie on the table.

He also presented a petition of Local Union No. 151, Journeymen Barbers' International Union, of Manchester, N. H., praying for the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented a petition of St. Luke's Woman's Home Missionary Society, of West Derry, N. H., and a petition of the congregation of the Methodist Episcopal Church of West Derry, N. H., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. ANKENY presented a petition of Local Lodge No. 131, Carpenters and Joiners, of Seattle, Wash., praying for the enactment of legislation to develop the American merchant marine; which was referred to the Committee on Commerce.

He also presented a petition of Mount Pleasant Grange, Patrons of Husbandry, of Mount Pleasant, Wash., praying that increased appropriations be made for the maintenance of State agricultural experiment stations; which was referred to the Committee on Agriculture and Forestry.

Mr. PROCTOR presented a petition of the Young People's Union of the Universalist Church of Chester, Vt., praying for the enactment of legislation providing for the closing on Sunday of the Lewis and Clark Exposition; which was ordered to lie on the table.

He also presented a memorial of sundry business firms of Vermont, remonstrating against the enactment of legislation relative to the transportation of high explosives; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Young People's Christian Union of the Universalist Church of Chester, Vt., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. HOAR presented a petition of the Woman's Club of Worcester, Mass., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of the Massachusetts Forestry Association, praying for the purchase of a national forest reserve in the White Mountains of New Hampshire; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Auburndale, Pittsfield, Boston, Holliston, Nonquitt, and Westfield, all in the State of Massachusetts; of Clifton Springs, Richfield Springs, Buffalo, and Rome, all in the State of New York; of Philadelphia, Pa.; of Vermont, and of Minnesota, praying that lands in severalty be granted to the landless Indians of northern California; which was referred to the Committee on Indian Affairs.

Mr. HOPKINS presented a petition of Excelsior Grange, No. 825, Patrons of Husbandry, of Illinois, praying for the enactment of legislation giving the States control of imitation dairy products; which was ordered to lie on the table.

He also presented a petition of the Woman's Relief Corps of Albion, Ill., praying for the enactment of a service-pension law, and also to increase the pension of army nurses from $12 to $20; which was referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Ridgway, Ill., and Litchfield, Ill., praying for the passage of the so-called "pure-food bill;" which was ordered to lie on the table.

He also presented a petition of sundry citizens of Peoria, Ill., praying for the passage of the so-called "anti-injunction bill;" which was referred to the Committee on the Judiciary.

Mr. TELLER presented a petition of Byron Coudon Post, No. 105, Department of Colorado, Grand Army of the Republic, of Vernon, Colo., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Colorado City, Georgetown, and Boulder, all in the State of Colorado, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of the Artists' Club of Denver, Colo., and the Municipal Art League of Denver, Colo., praying for the enactment of legislation regulating the erection of buildings on the Mall in the District of Columbia; which was referred to the Committee on Appropriations.

He also presented a memorial of sundry merchants of Greeley, Colo., and a memorial of sundry merchants of Rico, Colo., remonstrating against the passage of the so-called "parcels-post bill;" which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Democratic Publishing Company, of Pueblo, Colo., praying for the enactment of legislation to establish a board or court of arbitration for the adjustment of disputes between capital and labor; which was referred to the Committee on Education and Labor.

He also presented a petition of the Chamber of Commerce and Board of Trade of Denver, Colo., praying for the enactment of legislation providing that the management of forest reserves and of all forests upon Government land be vested in the Bureau of Forestry of the Department of Agriculture; which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. BAILEY presented a petition of the Woman's Literary Club of Mason, Tex., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. ALGER, from the Committee on Pensions, to whom was referred the bill (S. 1996) granting an increase of pension to William R. Williams, reported it with an amendment, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on the District of Columbia, reported sundry amendments to the bill (H. R. 5067) to prevent the fraudulent sale of merchandise, reported from the Committee on the District of Columbia on April 15 last, and submitted a report thereon.

He also, from the Committee on Public Lands, to whom was referred the bill (S. 5654) to open to homestead settlement and entry the relinquished and undisposed of portions of the Round Valley Indian Reservation, in the State of California, and for other purposes, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 11444) to grant certain lands to the State of Ohio, reported it with an amendment, and submitted a report thereon.

Mr. BURNHAM, from the Committee on Pensions, to whom was referred the bill (S. 5512) granting an increase of pension to John W. Carleton, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 2212) granting a pension to Charles N. Wood;

A bill (S. 5514) granting an increase of pension to Samuel S. Lamson; and

A bill (S. 3742) granting an increase of pension to Juliet C. Bainbridge-Hoff.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1539) granting an increase of pension to Edward Shiflett;

A bill (S. 4767) granting an increase of pension to Henry Snidemiller; and

A bill (S. 3565) granting an increase of pension to Edgar Mumma.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 3306) granting an increase of pension to James H. V. Voldo, alias James H. Venier; and

A bill (S. 424) granting a pension to George W. Lehman.

Mr. McCUMBER (for Mr. GIBSON), from the Commitee on Pensions, to whom was referred the bill (S. 5450) granting an increase of pension to George R. Lingenfelter, reported it with an amendment, and submitted a report thereon.

He also (for Mr. GIBSON), from the same committee, to whom was referred the bill (S. 2287) granting an increase of pension to S. J. Brainard, reported it with amendments, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 5531) granting an increase of pension to Catherine Jones;

A bill (S. 5501) granting an increase of pension to Sarah A. Rowe;

A bill (S. 4002) granting an increase of pension to Susan E. Armitage;

A bill (S. 3390) granting a pension to Emily E. Cram;

A bill (S. 5379) granting an increase of pension to Bird Solomon; and

A bill (S. 5378) granting an increase of pension to John H. Ash.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 4070) granting an increase of pension to A. Fellentreter; and

A bill (S. 2238) granting an increase of pension to William Strawn.

Mr. McCUMBER (for Mr. TALIAFERRO), from the Committee on Pensions, to whom was referred the bill (S. 5572) granting an increase of pension to Alafire Chastain, reported it with amendments, and submitted a report thereon.

He also (for Mr. TALIAFERRO), from the same committee, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1208) granting an increase of pension to Samuel G. Magruder;

A bill (S. 5574) granting an increase of pension to Colon Thomas; and

A bill (S. 1207) granting an increase of pension to James D. Stewart.

Mr. McCUMBER (for Mr. PATTERSON), from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3076) granting a pension to Arthur W. Post; and

A bill (S. 5496) granting an increase of pension to Jesse L. Sanders.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 13605) granting an increase of pension to Elizabeth E. Conatt;

A bill (H. R. 15183) granting a pension to Ella F. Kennealy;

A bill (H. R. 15148) granting an increase of pension to Armour W. Patterson;

A bill (H. R. 15126) granting an increase of pension to Joseph A. Cox;

A bill (H. R. 11835) granting an increase of pension to John Trader;

A bill (H. R. 7497) granting a pension to Emma A. Webster;

A bill (H. R. 15076) granting an increase of pension to Lawrence Le Bron;

A bill (H. R. 5725) granting a pension to Grace Dressel;

A bill (H. R. 14512) granting an increase of pension to Thomas L. Sweeney;

A bill (H. R. 13592) granting an increase of pension to Stephen M. Ferguson;

A bill (H. R. 4771) granting a pension to Aaron Taylor;

A bill (H. R. 5012) granting an increase of pension to Jacob Reitzel;

A bill (H. R. 7373) granting a pension to Harriet J. Woodbury;

A bill (H. R. 14524) granting a pension to Jennie A. Brown;

A bill (H. R. 14521) granting an increase of pension to Samuel H. Phillips;

A bill (H. R. 14572) granting an increase of pension to Alexander P. Nelson;

A bill (H. R. 14541) granting an increase of pension to Azariah S. Elwood;

A bill (H. R. 14531) granting an increase of pension to Prince A. Gatchell;

A bill (H. R. 13805) granting a pension to Emma W. Hays;

A bill (H. R. 14859) granting an increase of pension to Matthais Ridenour;

A bill (H. R. 14001) granting an increase of pension to Leslie C. Armour;

A bill (H. R. 13816) granting a pension to Annie Hynes;

A bill (H. R. 12268) granting an increase of pension to Jane K. Carpenter;

A bill (H. R. 12604) granting a pension to Edward M. Fowler;

A bill (H. R. 6338) granting an increase of pension to Antoinette I. Sawyer;

A bill (H. R. 14631) granting a pension to William T. Spencer;

A bill (H. R. 14630) granting a pension to Augustus Finley, now known as Davis;

A bill (H. R. 14612) granting an increase of pension to Myron Imas;

A bill (H. R. 14611) granting a pension to William L. Beverly;

A bill (H. R. 14592) granting an increase of pension to Alfred B. Scovill;

A bill (H. R. 12629) granting a pension to Ida Diamond;

A bill (H. R. 7145) granting an increase of pension to Ambrose L. Hendee;

A bill (H. R. 2577) granting an increase of pension to Harmon P. Cole;

A bill (H. R. 14490) granting a pension to Degraphenreed P. McKinley;

A bill (H. R. 13490) granting an increase of pension to Henry Good;

A bill (H. R. 15204) granting an increase of pension to Mary Taggart;

A bill (H. R. 4152) granting an increase of pension to George B. Hartley;

A bill (H. R. 3924) granting an increase of pension to Ira Waldo;

A bill (H. R. 698) granting an increase of pension to William M. Crow;

A bill (H. R. 12402) granting a pension to Orson Burlingame;

A bill (H. R. 13636) granting a pension to George S. Noland;

A bill (H. R. 940) granting a pension to Oscar M. Parsons;

A bill (H. R. 1033) granting a pension to Rose B. Noa;

A bill (H. R. 14865) granting an increase of pension to Mercy J. Wilder;

A bill (H. R. 14464) granting an increase of pension to Elizabeth B. Yount;

A bill (H. R. 14437) granting an increase of pension to Daniel White;

A bill (H. R. 2976) granting an increase of pension to Enoch J. Evans;

A bill (H. R. 9107) granting a pension to Margaret J. Randolph;

A bill (H. R. 10285) granting an increase of pension to Henry McCreary;

A bill (H. R. 13586) granting an increase of pension to Abraham Harris;

A bill (H. R. 10284) granting a pension to Elizabeth Broomall;

A bill (H. R. 5711) granting an increase of pension to Jacob Chronister;

A bill (H. R. 14508) granting an increase of pension to John Brady;

A bill (H. R. 14484) granting an increase of pension to Charles W. Lee;

A bill (H. R. 14894) granting an increase of pension to John Gideon;

A bill (H. R. 14890) granting an increase of pension to Allen R. Harris;

A bill (H. R. 14884) granting an increase of pension to William Huffman;

A bill (H. R. 14882) granting a pension to Mary Dingler;

A bill (H. R. 14876) granting an increase of pension to Francis Stadler, jr.

A bill (H. R. 13437) granting a pension to William P. Crawford;

A bill (H. R. 4572) granting an increase of pension to Peter Lander;
A bill (H. R. 4379) granting an increase of pension to Alexander Adams;
A bill (H. R. 13173) granting an increase of pension to Mary E. Houghton;
A bill (H. R. 9365) granting an increase of pension to John S. Edgar;
A bill (H. R. 4891) granting a pension to Julia R. Braxton;
A bill (H. R. 14336) granting an increase of pension to Everton J. Conger;
A bill (H. R. 14201) granting an increase of pension to James W. Smith;
A bill (H. R. 8280) granting an increase of pension to James A. Morrison;
A bill (H. R. 9901) granting a pension to John M. Stoner;
A bill (H. R. 7085) granting an increase of pension to William Spiegelberg;
A bill (H. R. 13373) granting an increase of pension to William W. Dennis;
A bill (H. R. 9623) granting an increase of pension to Robert H. Betts;
A bill (H. R. 8921) granting an increase of pension to Madison C. Staves;
A bill (H. R. 9773) granting an increase of pension to Absalom Shilts;
A bill (H. R. 9477) granting an increase of pension to George Smith;
A bill (H. R. 14639) granting an increase of pension to Joseph J. Mead;
A bill (H. R. 14702) granting a pension to Mary E. Dunford;
A bill (H. R. 14641) granting a pension to Allan Dunning;
A bill (H. R. 10851) granting an increase of pension to Nancy Smallwood;
A bill (H. R. 10846) granting an increase of pension to Heinrich Erbstoeser;
A bill (H. R. 9394) granting an increase of pension to Mary Leffler;
A bill (H. R. 14870) granting an increase of pension to William Hougendobler;
A bill (H. R. 13690) granting an increase of pension to Cephas H. John;
A bill (H. R. 14802) granting an increase of pension to Thomas C. Wiley;
A bill (H. R. 14801) granting a pension to John W. Shrader;
A bill (H. R. 14747) granting an increase of pension to Symphorosa Bartley;
A bill (H. R. 14638) granting an increase of pension to Park Avery;
A bill (H. R. 12348) granting an increase of pension to John Pickering;
A bill (H. R. 12861) granting an increase of pension to Bartlett J. Mingus;
A bill (H. R. 14578) granting a pension to Edward Taylor;
A bill (H. R. 12702) granting an increase of pension to Margaret G. Howarth;
A bill (H. R. 12197) granting an increase of pension to Daniel M. Candor;
A bill (H. R. 12006) granting an increase of pension to Amelia Coster;
A bill (H. R. 12177) granting an increase of pension to Isaac W. Waters;
A bill (H. R. 14511) granting an increase of pension to Robert R. Keys;
A bill (H. R. 11086) granting an increase of pension to Charles W. Crary;
A bill (H. R. 13000) granting an increase of pension to Robert Elliott;
A bill (H. R. 9338) granting an increase of pension to Solon D. Moore;
A bill (H. R. 11307) granting an increase of pension to William Leonard;
A bill (H. R. 10334) granting an increase of pension to John S. Allison;
A bill (H. R. 6049) granting an increase of pension to Peter B. Phillips;
A bill (H. R. 11827) granting an increase of pension to Daniel Smith;
A bill (H. R. 6537) granting an increase of pension to Benjamin F. Hawthorn;
A bill (H. R. 1305) granting an increase of pension to Gilbert A. Kenney;
A bill (H. R. 2124) granting an increase of pension to Henry J. Grannis;
A bill (H. R. 14992) granting a pension to Phebe A. Daw;
A bill (H. R. 14938) granting a pension to Francis Rogers;
A bill (H. R. 13886) granting an increase of pension to Thomas Mahers;
A bill (H. R. 14204) granting a pension to John B. Hobday;
A bill (H. R. 11013) granting an increase of pension to William Flaig;
A bill (H. R. 14637) granting an increase of pension to William Kimbrough;
A bill (H. R. 13272) granting a pension to Delana A. Lynch;
A bill (H. R. 4398) granting a pension to Ellen A. Wilson;
A bill (H. R. 13404) granting a pension to Emanuel Peck;
A bill (H. R. 13347) granting an increase of pension to William C. Crumbaugh;
A bill (H. R. 11262) granting a pension to John Hegarty;
A bill (H. R. 11336) granting an increase of pension to Samuel R. Hazen;
A bill (H. R. 13391) granting an increase of pension to Garret I. Post;
A bill (H. R. 8716) granting an increase of pension to Peter Creag r;
A bill (H. R. 9354) granting an increase of pension to John Richmond;
A bill (H. R. 11486) granting an increase of pension to Samuel B. Loewenstine;
A bill (H. R. 11374) granting an increase of pension to William Wells;
A bill (H. R. 5829) granting an increase of pension to Thomas Ellmaker;
A bill (H. R. 6111) granting an increase of pension to Edwin A. Morris;
A bill (H. R. 6718) granting an increase of pension to James E. Phillips;
A bill (H. R. 2675) granting an increase of pension to Robert J. Tate;
A bill (H. R. 2499) granting an increase of pension to Smith Bilderback;
A bill (H. R. 3431) granting an increase of pension to William Basnett;
A bill (H. R. 3036) granting an increase of pension to William H. Romaine;
A bill (H. R. 740) granting an increase of pension to Ira Meserve;
A bill (H. R. 4582) granting an increase of pension to John S. Miller;
A bill (H. R. 934) granting an increase of pension to Frank Brock;
A bill (H. R. 5309) granting an increase of pension to John McConnell;
A bill (H. R. 4903) granting an increase of pension to Solomon F. Hallett;
A bill (H. R. 14640) granting an increase of pension to Caroline McGimsey;
A bill (H. R. 14636) granting an increase of pension to James R. Fletcher;
A bill (H. R. 14343) granting an increase of pension to William Neuberg;
A bill (H. R. 487) granting an increase of pension to Mary J. Waugh;
A bill (H. R. 749) granting an increase of pension to Humphrey M. Glines;
A bill (H. R. 4584) granting an increase of pension to Daniel A. Butler;
A bill (H. R. 5565) granting a pension to Eliza Workman;
A bill (H. R. 14308) granting an increase of pension to Archie C. Fisk;
A bill (H. R. 14153) granting an increase of pension to Peter C. Wood;
A bill (H. R. 14141) granting an increase of pension to King Kerley;
A bill (H. R. 13911) granting an increase of pension to Calvin Hitt;
A bill (H. R. 3107) granting an increase of pension to James E. Chappell;
A bill (H. R. 6182) granting a pension to Erastus J. Horton;
A bill (H. R. 10029) granting a pension to Charles E. Arnett; and
A bill (H. R. 4602) granting an increase of pension to Helim Thompson.

Mr. OVERMAN, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 5558) granting an increase of pension to Susan C. Schroeder; and
A bill (S. 5472) granting an increase of pension to Mary J. Weems.

Mr. BALL, from the Committee on Pensions, to whom were re-

ferred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 5589) granting an increase of pension to Mary E. Burrell; and

A bill (S. 5508) granting a pension to Abraham B. Miller.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom was referred the bill (S. 316) granting an increase of pension to Elmore Y. Chase, reported it with an amendment, and submitted a report thereon:

He also, from the same committee, to whom was referred the bill (S. 2972) granting an increase of pension to Thomas Boyle, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 5346) granting an increase of pension to Amon A. Webster, reported it without amendment, and submitted a report thereon.

JUDICIAL DISTRICTS IN OREGON.

Mr. MITCHELL. I am instructed by the Committee on the Judiciary, to whom was referred the bill (S. 285) to divide the State of Oregon into two judicial districts, to report it favorably with amendments, and I submit a report thereon. I ask for its present consideration as authorized by the committee.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendments of the committee were, in section 11, page 6, line 5, to fill the first blank by inserting the word "first;" to fill the second by inserting the word "May," and at the end of the bill to strike out "1904" and insert "1905;" so as to make the section read:

That this act shall take effect on the 1st day of May, 1905.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

VENEZUELAN CLAIMS COMMISSION.

Mr. PLATT of New York, from the Committee on Printing, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the Department of State 500 copies of the report of the agent of the United States before the United States and Venezuelan Claims Commission, organized under the protocol of February 17, 1903.

REFERENCE OF CLAIMS TO THE COURT OF CLAIMS.

Mr. WARREN, from the Committee on Claims, to whom were referred the following bills:

A bill (S. 4459) for the relief of John Christie, in his own right and as administrator of the estate of Daniel Christie, deceased;

A bill (S. 4461) for the relief of the estate of Joseph Brugere, deceased;

A bill (S. 4462) for the relief of the estate of Clarisse Donato, deceased;

A bill (S. 4498) for the relief of the estate of Mathew Brown, deceased;

A bill (S. 4542) for the relief of the estate of Benjamin Adams, deceased;

A bill (S. 4939) for the relief of Emily E. Bishop;

A bill (S. 4959) for the relief of the estate of J. N. Chambers, deceased;

A bill (S. 4960) for the relief of the estate of Mrs. Ann Chambers, deceased;

A bill (S. 4963) for the relief of the estate of Jean Pierre Landry, deceased;

A bill (S. 4964) for the relief of the estate of James L. Pearce, deceased;

A bill (S. 4965) for the relief of Lydia E. Delavenne and the estate of Joseph O. Prosdame, deceased;

A bill (S. 4966) for the relief of the estate of Pierre Lement, deceased;

A bill (S. 4520) for the relief of the estate of Mrs. M. L. Holt, deceased, Mrs. Jane E. Cannon, and Mrs. L. B. Shipp;

A bill (S. 4523) for the relief of the estate of James Roach, deceased;

A bill (S. 4978) for the relief of the estate of Jean Baptiste Lazare, deceased;

A bill (S. 4979) for the relief of the estate of Euphemie Lemelle, deceased;

A bill (S. 4984) for the relief of Mrs. Sophia H. Fitts;

A bill (S. 4987) for the relief of the estate of Joseph Wilson, deceased;

A bill (S. 4967) for the relief of the estate of Alexander Lemelle, deceased;

A bill (S. 4971) for the relief of the heirs of Adeliza Pickett Quays, deceased;

A bill (S. 4975) for the relief of Alphonse Meuillon;

A bill (S. 4977) for the relief of the estate of Rigobert Lemelle, deceased;

A bill (S. 4467) for the relief of the estate of Alexander Roth, deceased;

A bill (S. 5018) for the relief of Elam C. Cooper;

A bill (S. 5165) for the relief of heirs of William D. Bard, deceased, Robert Batey, and heirs of John Hill, deceased;

A bill (S. 3756) for the relief of James Henderson;

A bill (S. 3806) for the relief of Mrs. A. T. Mason;

A bill (S. 3817) for the relief of the estates of W. R. Brown and Mrs. Elmyra Brown, deceased;

A bill (S. 3818) for the relief of the estate of Lucy J. Boyle, deceased;

A bill (S. 3820) for the relief of Eli C. Brown;

A bill (S. 4443) for the relief of the estate of John Chandler, deceased;

A bill (S. 4457) for the relief of the estate of John H. Ellis, deceased;

A bill (S. 607) for the relief of M. A. Reinhart;

A bill (S. 1173) for the relief of the estate of Adaline L. Hebron, deceased;

A bill (S. 2592) for the relief of the estate of Robert N. Blake, deceased;

A bill (S. 2602) for the relief of Florville Kerlegan;

A bill (S. 2623) for the relief of David W. Hollis;

A bill (S. 617) for the relief of the estate of John M. Hawkins, deceased;

A bill (S. 1105) for the relief of Mrs. Julia A. Thomas;

A bill (S. 1108) for the relief of the estate of Mrs. Elizabeth Hull Wellford, deceased;

A bill (S. 1142) for the relief of Caleb Perkins;

A bill (S. 4832) for the relief of the estate of Catharine R. Moore, deceased;

A bill (S. 4833) for the relief of the estate of Mary Ann Goodwyn, deceased;

A bill (S. 2739) for the relief of the widow and heirs at law of Charles Wilkes, deceased, late a rear-admiral in the United States Navy;

A bill (S. 870) for the relief of the estate of George Smith, deceased;

A bill (S. 912) for the relief of W. O. Donovan and the heirs of Lizzie M. Donovan, deceased;

A bill (S. 1845) for the relief of Bettie Eppes Minetree, sole heir of John W. Eppes, deceased;

A bill (S. 1883) for the relief of the estate of Isaac Burnett, deceased;

A bill (S. 3579) for the relief of the estate of C. L. Davis, deceased;

A bill (S. 1890) for the relief of Lucy B. Legrande, Catharine Jameson, Elizabeth H. Lester, Shirley B. Shackelford, Edwin A. Gibson, and the heirs of Henry Shackelford, deceased;

A bill (S. 4927) for the relief of the legal representatives of the firm of Brown & Bryant;

A bill (S. 4926) for the relief of the legal representatives of Abraham Stevens, deceased;

A bill (S. 4925) for the relief of the legal representatives of Samuel R. Grundy, deceased;

A bill (S. 4924) for the relief of the legal representatives of Richard M. Robinson, deceased;

A bill (S. 4913) for the relief of the Cape Fear and People's Steamboat Company;

A bill (S. 4912) for the relief of Thomas S. Lutterloh;

A bill (S. 44) for the relief of John N. Boffinger;

A bill (S. 2138) for the relief of the legal representatives of Margaret A. Russell, deceased;

A bill (S. 4929) for the relief of the heirs at law of Robert D. Salmons, deceased;

A bill (S. 5079) for the relief of the legal representatives of John H. Caldwell, deceased;

A bill (S. 5080) for the relief of the legal representative of William Fitzpatrick, deceased;

A bill (S. 5081) for the relief of the legal representatives of the firm of Radley & Showers;

A bill (S. 5082) for the relief of the legal representative of William R. Boice, deceased;

A bill (S. 5083) for the relief of George D. Martin;

A bill (S. 5084) for the relief of the Louisville and Nashville Turnpike Company, and for other purposes;

A bill (S. 5011) for the relief of the estate of John C. Reed;

A bill (S. 5010) for the relief of John G. Holloway, deceased, and others;

A bill (S. 4928) for the relief of Anna E. Pennebaker, widow of Charles D. Pennebaker, deceased;

A bill (S. 5085) for the relief of the legal representatives of Oscar H. Burbridge, deceased;

A bill (S. 4909) for the relief of Hampton L. Lee and T. D. Chonteau;
A bill (S. 1467) for the relief of J. S. Neal;
A bill (S. 2898) for the relief of G. W. Ebert;
A bill (S. 4908) for the relief of Joab Lawrence;
A bill (S. 4910) for the relief of Jacob Kern;
A bill (S. 4911) for the relief of the firm of Walbridge, Holland & Brown;
A bill (S. 4168) for the relief of the officers of the Seventeenth Kentucky Cavalry Volunteers during the civil war;
A bill (S. 4962) for the relief of the estate of Thomas C. Gibbons, deceased;
A bill (S. 5247) for the relief of Arthur Taylor;
A bill (S. 5201) for the relief of the estate of Vincent Avet, deceased, and Mrs. Victorie C. Avet;
A bill (S. 5248) for the relief of the estate of Camile Berard, deceased;
A bill (S. 5249) for the relief of Augustin Lastrappes;
A bill (S. 5250) for the relief of the estate of Jacob H. Morrison, deceased;
A bill (S. 3669) for the relief of the estate of Isham G. Bailey, deceased;
A bill (S. 5189) for the relief of the firm of McNaught, Ormond & Co.;
A bill (S. 5582) for the relief of Daniel J. Snow;
A bill (S. 1186) for the relief of the estates of Robert Bradley and Mary C. Bradley, deceased;
A bill (S. 992) for the relief of Mary Ann Jackson;
A bill (S. 1039) for the relief of Alice G. Boogher, nee Newman, and Anna Holmes, nee Newman;
A bill (S. 4354) for the relief of the estate of Evan Cook, deceased;
A bill (S. 4943) for the relief of the heirs of Jacob Allen, deceased;
A bill (S. 4521) for the relief of the heirs of Vernon H. Johnston, deceased;
A bill (S. 3670) for the relief of the estate of Richmond Pace, deceased;
A bill (S. 1152) for the relief of G. B. Harper and J. S. Clearman, executors of W. L. Clearman, deceased;
A bill (S. 5350) for the relief of the estate of William McBride, deceased;
A bill (S. 3234) for the relief of the heirs of William Wesley Turner, deceased;
A bill (S. 996) for the relief of the heirs of Augustus Catchings;
A bill (S. 1049) for the relief of Maria A. White;
A bill (S. 750) for the relief of Elizabeth B. Eddy;
A bill (S. 3256) for the relief of the heirs of B. T. Edwards, deceased;
A bill (S. 596) for the relief of the estate of Calvin B. Cunningham, deceased;
A bill (S. 1075) for the relief of U. Lunenburger;
A bill (S. 1022) for the relief of James H. Knox;
A bill (S. 1127) for the relief of the legal representatives of Oscar L. Dewees, deceased;
A bill (S. 1176) for the relief of Henry Jones;
A bill (S. 4735) for the relief of the heirs of William J. Bailey, deceased;
A bill (S. 1167) for the relief of the estate of Isaac Jones, deceased;
A bill (S. 2099) for the relief of Edward H. Delahay;
A bill (S. 512) for the relief of N. F. Edmonds;
A bill (S. 1745) for the relief of the estate of William B. Waldron, deceased;
A bill (S. 4447) for the relief of Dr. William O. Robards;
A bill (S. 4310) for the relief of the estate of Hugh Davis, deceased;
A bill (S. 3445) for the relief of James Boro, Mary Boro, and the estate of James Boro, deceased;
A bill (S. 2701) for the relief of the heirs of Bosman Lyons, deceased;
A bill (S. 2601) for the relief of the estate of Rosemond Le Blanc, deceased;
A bill (S. 2702) for the relief of the estates of Joseph Devezin Olivier and Celeste Olivier, deceased;
A bill (S. 4743) for the relief of the estate of Andrew J. Gill, deceased;
A bill (S. 1159) for the relief of the estate of Mrs. Sarah T. Jarratt or her legal representatives;
A bill (S. 5595) for the relief of the estate of Roger A. Francis;
A bill (S. 2100) for the relief of S. Sollers Maynard, executor of Augustine D. O'Leary, deceased;
A bill (S. 4373) for the relief of the estate of William R. Wimbish;
A bill (S. 2008) for the relief of Mrs. S. C. Mitchell;
A bill (S. 4847) for the relief of Cornelia Jones, widow and executrix of John L. T. Jones, late of Montgomery County, Md.;
A bill (S. 2787) for the relief of the estate of John B. Brown, deceased;
A bill (S. 4360) for the relief of Robert M. Wilkinson, administrator of the estate of Samuel Marsh;
A bill (S. 874) for the relief of William A. Wroe;
A bill (S. 2066) for the relief of James Matthews, receiver;
A bill (S. 53) for the relief of Harriet L. Young, administratrix of the estate of Solomon Young, deceased;
A bill (S. 2599) for the relief of the estate of Archibald D. Palmer, deceased;
A bill (S. 2045) for the relief of Catherine B. Jones;
A bill (S. 5283) for the relief of the estate of Alexander C. Crawford, deceased;
A bill (S. 1465) for the relief of the drafted men of Pendleton and other counties, in the State of Kentucky;
A bill (S. 5069) for the relief of John Cover;
A bill (S. 4016) for the relief of John Moriarty;
A bill (S. 1337) for the relief of Sarah McClay, administratrix of Robert McClay, deceased;
A bill (S. 2732) for the relief of occupants and owners of property at Camp Tyler, in Cook County, Ill.;
A bill (S. 2412) for the relief of George A. Russell, administrator of Stephen Chadwick, deceased;
A bill (S. 2553) for the relief of the estate of Reese Brabson, deceased;
A bill (S. 5460) for the relief of John R. Neill;
A bill (S. 2205) for the relief of the legal representatives of John D. Thorne, deceased;
A bill (S. 1351) for the relief of the legal representatives of Alfred A. Fisher, deceased;
A bill (S. 4082) for the relief of L. T. Oglesby;
A bill (S. 4055) for the relief of the estate of William A. Bowen, deceased;
A bill (S. 1485) for the relief of Eugene Augustin Bourcy;
A bill (S. 2704) for the relief of Mrs. Kate T. McCulloch, the estate of Mrs. Mary Tucker McFarland, deceased, and the estate of Nathan Trotter, deceased;
A bill (S. 3927) for the relief of the estates of Celeste Belanger Tanner and Lemuel Tanner, deceased;
A bill (S. 4957) for the relief of the estate of Romain Verdun, deceased;
A bill (S. 5312) for the relief of W. H. Bucklin;
A bill (S. 3962) for the relief of the estate of Antoine Decuir, deceased;
A bill (S. 3446) for the relief of James E. Meacham;
A bill (S. 2056) for the relief of D. K. Ponder;
A bill (S. 3221) to reimburse the legal heirs of the late John George Bauer;
A bill (S. 1706) for the relief of Joshua Sherwood and Elizabeth Gray;
A bill (S. 4179) for the relief of Susan Sanders;
A bill (S. 4950) for the relief of the estate of John C. McNeill, deceased;
A bill (S. 4065) for the relief of Christopher McDonald, executor of Michael Callaghan, deceased;
A bill (S. 3127) for the relief of G. W. Ratleff;
A bill (S. 3134) for the relief of Thomas D. Ruffin;
A bill (S. 770) for the relief of Kelles Chewning;
A bill (S. 2607) for the relief of E. M. A. Owen;
A bill (S. 4309) for the relief of William E. Anderson;
A bill (S. 1155) for the relief of the estate of Alexander Hutchinson, deceased;
A bill (S. 5395) for the relief of William H. Thompson, Ada A. Thompson, Andy Thompson, M. D. Thompson, Jessie D. Guthrie, and C. R. Guthrie;
A bill (S. 2606) for the relief of G. D. Hearn;
A bill (S. 5196) for the relief of the estates of Philip McGuire and Catherine McGuire, deceased;
A bill (S. 4976) for the relief of Robert Norris;
A bill (S. 43) for the relief of Miss L. V. Belt, administratrix of Alfred C. Belt, deceased;
A bill (S. 1943) for the relief of Mrs. Gabriella Chancellor;
A bill (S. 5434) for the relief of W. J. Sawyers, heir of W. H. Stringer, deceased;
A bill (S. 2023) for the relief of the legal representatives of Elijah Shatto, deceased;
A bill (S. 5435) for the relief of the estate of Thomas C. Hawley, deceased;
A bill (S. 1542) for the relief of James M. Stephenson;
A bill (S. 1630) for the relief of Lafayette D. Settle, administrator of Marcus Settle, deceased;
A bill (S. 2597) for the relief of the estate of Eliza Turner, deceased, Richard H. Turner, and Eliza Turner;

A bill (S. 2790) for the relief of Isabella R. Napier;
A bill (S. 943) for the relief of J. G. and I. N. Day;
A bill (S. 504) for the relief of the Baltimore and Ohio Railroad Company;
A bill (S. 2608) for the relief of the heirs and legal representatives of George R. Johnson, deceased;
A bill (S. 5050) for the relief of George H. Bellamy, administrator of the estate of John H. Thees, deceased;
A bill (S. 2588) for the relief of Gilbert Vandenbergh;
A bill (S. 4116) for the relief of the estate of Rudolph Lobsiger, deceased;
A bill (S. 4147) for the relief of the heirs of Mary C. Stirling and Ruffin G. Stirling, both deceased; and S. C. Stirling, H. R. Stirling, and J. Anna Stirling, administratrix of W. R. Stirling, deceased;
A bill (S. 1840) for the relief of the estate of Henry Fitzhugh, deceased;
A bill (S. 2024) for the relief of Cass County, Mo.;
A bill (S. 1470) for the relief of Belle M. Robards;
A bill (S. 737) for the relief of Ste. Genevieve County, Mo.;
A bill (S. 5278) for the relief of Gertrude O'Bannon, of Hunt County, Tex.;
A bill (S. 4463) for the relief of the estate of Belot Augusta Donato, deceased;
A bill (S. 5620) to pay the State of Nevada for moneys advanced in aid of the suppression of the rebellion in the civil war;
A bill (S. 5634) for the relief of the legal representatives of James Rainey, deceased;
A bill (S. 5633) for the relief of the legal representatives of Armand Heine, deceased, and Michel Heine;
A bill (S. 5198) for the relief of Marie Annette Bouligny and François Bouligny;
A bill (S. 5649) for the relief of the owners of the steamboat *Bee*, or their personal representatives;
A bill (S. 4974) for the relief of Lucien Meuillon;
A bill (S. 5199) for the relief of the estate of Joseph A. Landry, deceased; and
A bill (S. 5197) for the relief of the estate of Pierre Z. Doucet, deceased—

Reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the claims of John Christie, in his own right and as administrator of the estate of Daniel Christie, deceased (S. 4459); estate of Joseph Brugere, deceased (S. 4461); estate of Clarisse Donato, deceased (S. 4462); estate of Mathew Brown, deceased (S. 4498); estate of Benjamin Adams, deceased (S. 4542); Emily E. Bishop (S. 4939); estate of J. N. Chambers, deceased (S. 4959); estate of Mrs. Ann Chambers, deceased (S. 4960); estate of Jean Pierre Landry, deceased (S. 4963); estate of James L. Pearce, deceased (S. 4964); Lydia E. Delavenne, and the estate of Joseph O. Prosdame, deceased (S. 4965); estate of Pierre Lement, deceased (S. 4966); estate of Mrs. M. L. Holt, deceased, Mrs. Jane E. Cannon, and Mrs. L. B. Shipp (S. 4520); estate of James Roach, deceased (S. 4523); estate of Jean Baptiste Lazare, deceased (S. 4978); estate of Euphemie Lemelle, deceased (S. 4979); Mrs. Sophia H. Fitts (S. 4984); estate of Joseph Wilson, deceased (S. 4987); estate of Alexander Lemelle, deceased (S. 4967); heirs of Adeliza Pickett Quays, deceased (S. 4971); Alphonse Meuillon (S. 4975); estate of Bigobert Lemelle, deceased (S. 4977); estate of Alexander Roth, deceased (S. 4467); Elam C. Cooper (S. 5018); heirs of William D. Bard, deceased; Robert Batey, and heirs of John Hill, deceased (S. 5165); James Henderson (S. 3756); Mrs. A. T. Mason (S. 3806); estates of W. R. Brown and Mrs. Elmyra Brown, deceased (S. 3817); estate of Lucy J. Boyle, deceased (S. 3818); Eli C. Brown (S. 3820); estate of John Chandler, deceased (S. 4443); estate of John H. Ellis, deceased (S. 4457); M. A. Reinhart (S. 607); estate of Adaline L. Hebron, deceased (S. 1173); estate of Robert N. Blake, deceased (S. 2592); Florville Kerlegan (S. 2602); David W. Hollis (S. 2623); estate of John M. Hawkins, deceased (S. 617); Mrs. Julia A. Thomas (S. 1105); estate of Mrs. Elizabeth Hull Wellford, deceased (S. 1108); Caleb Perkins (S. 1142); estate of Catharine R. Moore, deceased (S. 4832); estate of Mary Ann Goodwyn, deceased (S. 4883); widow and heirs at law of Charles Wilkes, deceased, late a rear-admiral in the United States Navy (S. 2739); estate of George Smith, deceased (S. 870); W. O. Donovan and the heirs of Lizzie M. Donovan, deceased (S. 912); Bettie Eppes Minetree, sole heir of John W. Eppes, deceased (S. 1845); estate of Isaac Burnett, deceased (S. 1883); estate of C. L. Davis, deceased (S. 3579); Lucy B. Legrande, Catharine Jameson, Elizabeth H. Lester, Shirley B. Shackelford, Edwin A. Gibson, and the heirs of Henry Shackelford, deceased (S. 1890); legal representatives of the firm of Brown & Bryant (S. 4927); legal representatives of Abraham Stevens, deceased (S. 4925); legal representatives of Samuel R. Grundy, deceased S. 4925); legal representatives of Richard M. Robinson, deceased (S. 4924); Cape Fear and People's Steamboat Company (S. 4913); Thomas S. Lutterloh (S. 4912); John N. Boffinger (S. 44); legal representatives of Margaret A. Russell, deceased (S. 2138); heirs at law of Robert D. Salmons, deceased (S. 49 9); legal representatives of John H. Caldwell, deceased (S. 5079); legal representatives of William Fitzpatrick, deceased (S. 5080); legal representatives of the firm of Radley & Showers (S. 5081); legal representatives of William R. Boice, deceased (S. 5082); George D. Martin (S. 5083); Louisville and Nashville Turnpike Company (S. 5084); estate of John C. Reed (S. 5011); John G. Holloway, deceased, and others (S. 5010); Anna E. Pennebaker, widow of Charles D. Pennebaker, deceased (S. 4928); legal representatives of Oscar H. Burbridge, deceased (S. 5085); Hampton L. Lee and T. D. Chouteau (S. 4909); J. S. Neal (S. 1467); G. W. Ebert (S. 2888); Joab Lawrence (S. 4908); Jacob Kern (S. 4910); firm of Wallbridge, Holland & Brown (S. 4911); officers of the Seventeenth Kentucky Cavalry Volunteers during the civil war (S. 4168); estate of Thomas C. Gibbons, deceased (S. 4962); Arthur Taylor (S. 5247); estate of Vincent Avet, deceased, and Mrs. Victorie C. Avet (S. 5201); estate of Camile Berard, deceased (S. 5248); Augustin Lastrappes (S. 5249); estate of Jacob H. Morrison, deceased (S. 5250); estate of Isham G. Bailey, deceased (S. 3669); firm of McNaught, Ormond & Co. (S. 5189); Daniel J. Snow (S. 5582); estates of Robert Bradley and Mary C. Bradley, deceased (S. 1186); Mary Ann Jackson (S. 992); Alice G. Boogher, née Newman, and Anna Holmes, née Newman (S. 1039); estate of Evan Cook, deceased (S. 4354); heirs of Jacob Allen, deceased (S. 4943); heirs of Vernon H. Johnston, deceased (S. 4521); estate of Richmond Pace, deceased (S. 3070); C. B. Harper and J. S. Clearman, executors of W. L. Clearman, deceased (S. 1152); estate of William McBride, deceased (S. 5350); heirs of William Wesley Turner, deceased (S. 3234); heirs of Augustus Catchings (S. 996); Maria A. White (S. 1049); Elizabeth B. Eddy (S. 750); heirs of B. T. Edwards, deceased (S. 3256); estate of Calvin B. Cunningham, deceased (S. 596); U. Lunenburger (S. 1075); James H. Knox (S. 1022); legal representatives of Oscar L. Dewees, deceased (S. 1127); Henry Jones (S. 1176); heirs of William J. Bailey, deceased (S. 4785); estate of Isaac Jones, deceased (S. 1167); Edward H. Delahay (S. 2099); N. F. Edmonds (S. 512); estate of William B. Waldron, deceased (S. 1745); Dr. William O. Robards (S. 4447); estate of Hugh Davis, deceased (S. 4310); James Boro, Mary Boro, and the estate of James Boro, deceased (S. 3445); heirs of Bosman Lyons, deceased (S. 2701); estate of Rosemond Le Blanc, deceased (S. 2001); estates of Joseph Devezin Olivier and Celeste Olivier, deceased (S. 2702); estate of Roger A. Francis (S. 5595); estate of Andrew J. Gill, deceased (S. 4743); estate of Mrs. Sarah T. Jarratt or her legal representatives (S. 1159); S. Sollers Maynard, executor of Augustine D. O'Leary, deceased (S. 2100); estate of William R. Wimbish (S. 4855); Mrs. S. C. Mitchell (S. 2088); Cornelia Jones, widow and executrix of John L. T. Jones, late of Montgomery County, Md. (S. 4847); estate of John B. Brown, deceased (S. 2787); Robert M. Wilkinson, administrator of the estate of Samuel Marsh (S. 4960); William A. Wroe (S. 874); James Matthews, receiver (S. 2066); Harriet L. Young, administratrix of the estate of Solomon Young, deceased (S. 53); estate of Archibald D. Palmer, deceased (S. 2599); Catherine B. Jones (S. 2045); estate of Alexander C. Crawford, deceased (S. 5283); drafted men of Pendleton and other counties in the State of Kentucky (S. 1465); John Cover (S. 5069); John Moriarty (S. 4016); Sarah McClay, administratrix of Robert McClay, deceased (S. 1337); occupants and owners of property at Camp Tyler, in Cook County, Ill. (S. 2782); George A. Russell, administrator of Stephen Chadwick, deceased (S. 2412); estate of Reese Brabson, deceased (S. 2553); John R. Neill (S. 5460); legal representatives of John D. Thorne, deceased (S. 2235); legal representatives of Alfred A. Fisher, deceased (S. 1351); L. T. Oglesby (S. 4082); estate of William A. Bowen, deceased (S. 4055); Eugene Augustin Bourcy (S. 1435); Mrs. Kate T. McCulloch, the estate of Mrs. Mary Tucker McFarland, deceased, and the estate of Nathan Trotter, deceased (S. 2704); estates of Celeste Belanger Tanner and Lemuel Tanner, deceased (S. 3927); estate of Romain Verdun, deceased (S. 4957); W. H. Bucklin (S. 5312); estate of Antoine Decuir, deceased (S. 3962); James E. Meacham (S. 3446); D. K. Ponder (S. 2056); legal heirs of the late John George Bauer (S. 3221); Joshua Sherwood and Elizabeth Gray (S. 1706); Susan Sanders (S. 4179); estate of John C. McNeill, deceased (S. 4950); Christopher McDonald, executor of Michael Callaghan, deceased (S. 4065); G. W. Ratleff (S. 3127); Thomas D. Ruffin (S. 3134); Kelles Chewning (S. 770); E. M. A. Owen (S. 2607); William E. Anderson (S. 4309); estate of Alexander Hutchinson, deceased (S. 1155); William H. Thompson, Ada A. Thompson, Andy Thompson, M. D. Thompson, Jessie D. Guthrie, and C. R. Guthrie (S. 5395); G. D. Hearn (S. 2006); estates of Philip McGuire and Catherine McGuire, deceased (S. 5196); Robert Norris (S. 4976); Miss L. V. Belt, administratrix of Alfred C. Belt, deceased (S. 43); Mrs. Gabriella Chancellor (S. 1943); James M. Stephenson (S. 1542); W. J. Sawyers, heir of W. H. Stringer, deceased (S. 5434); legal representatives of Elijah Shatto, deceased (S. 2023); estate of Thomas C. Hawley, deceased (S. 5435); Lafayette D. Settle, administrator of Marcus Settle, deceased (S. 1630); Isabella R. Napier (S. 2790); estate of Eliza Turner, deceased, Richard H. Turner, and Eliza Turner (S. 2597); J. G. and I. N. Day (S. 943); Baltimore and Ohio Railroad Company (S. 504); heirs and legal representatives of George R. Johnson, deceased (S. 2608); George H. Bellamy, administrator of the estate of John H. Thees, deceased (S. 5050); Gilbert Vandenbergh (S. 2588); estate of Rudolph Lobsiger, deceased (S. 4116); heirs of Mary C. Stirling and Ruffin G. Stirling, both deceased, and S. C. Stirling, H. R. Stirling, and J. Anna Stirling, administratrix of W. R. Stirling, deceased (S. 4147); estate of Henry Fitzhugh, deceased (S. 1840); Cass County, Mo. (S. 2024); Belle M. Robards (S. 1470); Ste. Genevieve County, Mo. (S. 737); Gertrude O'Bannon, of Hunt County, Tex. (S. 5278); estate of Belot Augusta Donato, deceased (S. 4463); State of Nevada for moneys advanced in aid of the suppression of the rebellion in the civil war (S. 5620); legal representatives of James Rainey, deceased (S. 5634); legal representatives of Armand Heine, deceased, and Michel Heine (S. 5633); Marie Annette Bouligny and François Bouligny (S. 5198); owners of the steamboat Bee or their personal representatives (S. 5649); Lucien Meuillon (S. 4974); estate of Joseph A. Landry, deceased (S. 5199); estate of Pierre Z. Doucet, deceased (S. 5197); now pending in the Senate, together with all the accompanying papers, be, and the same are hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, and generally known as the "Tucker Act." And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

ASSAY OFFICE AT PORTLAND, OREG.

Mr. HANSBROUGH. I am directed by the Committee on Finance, to whom was referred the bill (S. 280) to establish an assay office at Portland, Oreg., to report it favorably without amendment.

Mr. MITCHELL. I ask for the present consideration of the bill. It is very short.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to establish an assay office of the United States at Portland, Oreg., to be conducted under the provisions of the act entitled "An act revising and amending the laws relating to the mints and assay offices and the coinage of the United States," approved February 12, 1873. The officers of the assay office shall be an assayer in charge, at a salary of $2,250 per annum, who shall also perform the duties of melter; and chief clerk, at a salary of $1,400 per annum. The Secretary of the Treasury is authorized to rent a suitable building for the use of the assay office; and the bill appropriates $15,000 for salary of assayer in charge, chief clerk, and wages of workmen, rent, and contingent expenses.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. WARREN introduced a bill (S. 5655) granting an increase of pension to Cornelia M. Clagett; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GORMAN introduced a bill (S. 5656) for the relief of the

heirs and personal representatives of Peter D. Posey, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. BARD introduced a bill (S. 5657) granting an increase of pension to Hannah Hill; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DEPEW introduced a bill (S. 5658) for the relief of Bates & Despard and Despard Brothers; which was read twice by its title, and referred to the Committee on Claims.

Mr. McLAURIN introduced a bill (S. 5659) for the relief of the estate of Eliza J. Mahon; which was read twice by its title, and referred to the Committee on Claims.

Mr. MITCHELL introduced a bill (S. 5660) granting a pension to James McDonald; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 5661) granting an increase of pension to Daniel B. Bush; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

PRESERVATION OF HISTORIC AND PREHISTORIC RUINS, ETC.

Mr. TELLER submitted an amendment intended to be proposed by him to the bill (S. 5603) for the preservation of historic and prehistoric ruins, monuments, archæological objects, and other antiquities, and to prevent their counterfeiting; which was ordered to lie on the table, and be printed.

ADDITIONAL LAND FOR GOVERNMENT HOSPITAL FOR INSANE.

Mr. GALLINGER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on the District of Columbia be, and the same is hereby, authorized and directed, by subcommittee or otherwise, to make a careful investigation as to the advisability of acquiring for the Government Hospital for the Insane, by purchase, condemnation, or exchange of land, lots Nos. 15, 16, and 17 and such parts of lots 18 and 19 as lie north of the ravine which runs from Nichols avenue, near the Congress Heights schoolhouse, to the river, in the District of Columbia, being the tracts or parcels of land referred to and described in the act of Congress approved on the 3d day of March, 1901; and also the small triangular parcel of land lying between the southern boundary of said hospital grounds and Wilson Park, known as the Brooke tract, and to report to Congress at its next session such recommendations as said committee may deem proper.

EMPLOYMENT OF MESSENGER.

Mr. SMOOT submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Select Committee on Standards, Weights, and Measures be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate at the rate of $1,440 per annum, until otherwise provided for.

HART FARM SCHOOL.

Mr. DOLLIVER. I submit a resolution, and ask for its present consideration.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Senator from Iowa submits a resolution for which he asks immediate consideration. The resolution will be read.

The Secretary read the resolution; and by unanimous consent the Senate proceeded to its consideration, as follows:

Resolved, That the Committee on the District of Columbia be directed to investigate the statement of Prof. William H. H. Hart, principal of the Hart Farm School, and accompanying papers relating to care and maintenance of wards of the Board of Children's Guardians of the District of Columbia, and to damages sustained by him in connection therewith, and to report their finding and recommendation at the next session.

Mr. PLATT of Connecticut. Is there any provision in the resolution for the expenditure of money?

Mr. DOLLIVER. No, sir. The resolution is agreeable to the chairman of the Committee on Appropriations and also to the chairman of the Committee on the District of Columbia.

The resolution was agreed to.

Mr. DOLLIVER. I move that the accompanying papers be referred to the Committee on the District of Columbia.

The motion was agreed to.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 25th instant approved and signed the act (S. 3) to regulate electrical wiring in the District of Columbia.

The message also announced that the President of the United States had on this day approved and signed the following acts:

An act (S. 2034) directing the issue of a duplicate of a lost check, drawn by Arthur J. Pritchard, pay director of the United States Navy, in favor of the Davis Coal and Coke Company; and

An act (S. 3611) to amend an act entitled "An act to amend an act entitled 'An act granting the right to the Omaha Northern Railway Company to construct a railway across and establish stations on the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes,' by extending the time for the construction of said railway," by a further extension of time for the construction of said railway.

UNRESERVED LANDS IN NEBRASKA.

Mr. HANSBROUGH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14826) to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 4.

That the House recede from its disagreement to amendments numbered 1, 2, and 3, and agree to the same.

That the Senate recede from its amendment numbered 4, with a substitute therefor as follows: Add in lieu of said Senate amendment the following proviso after the word "acres," in line 2, page 4: "*Provided*, That any former homestead entryman who shall be entitled to an additional entry under section 2 of this act shall have for ninety days after the passage of this act the preferential right to make additional entry as provided in said section."

H. C. HANSBROUGH,
C. H. DIETRICH,
FRANCIS G. NEWLANDS,
Managers on the part of the Senate.

JOHN F. LACEY,
F. W. MONDELL,
JOHN LIND,
Managers on the part of the House.

The report was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Territories:

A bill (H. R. 11122) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and for other purposes; and

A bill (H. R. 13356) providing for the election of a Delegate from the Territory of Alaska to the House of Representatives of the United States, and defining the qualifications of electors in said Territory.

The bill (H. R. 1925) providing for the removal of the port of entry in the customs-collection district in Alaska from Sitka, Alaska, to Juneau, Alaska, was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 11582) authorizing the issuance of letters rogatory by the Commissioner of Patents and providing for the execution of letters rogatory issued from foreign patent offices was read twice by its title, and referred to the Committee on Patents.

The bill (H. R. 15128) to authorize the Secretary of the Treasury to cancel a certain bond of Klaw & Erlanger was read twice by its title, and referred to the Committee on Finance.

The joint resolution (H. J. Res. 150) providing for the publication of 50,000 copies of the Special Report on Diseases of Cattle was read twice by its title, and referred to the Committee on Printing.

REPORT OF THE BEET-SUGAR INDUSTRY.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the joint resolution (S. R. 67) providing for the printing of Senate Document No. 240, relating to the beet-sugar industry in the United States, which were, in line 6, to strike out "twenty" and insert "ten;" and, in line 7, to strike out "thirty" and insert "twenty."

Mr. PLATT of New York. I am instructed by the Committee on Printing to move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. WARREN. I move to take up House bill 13860, the Military Academy appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes.

Mr. KEARNS. I ask the Senator from Wyoming to yield to me that I may call up a bill.

Mr. WARREN. I feel compelled to yield to the Senator from Utah if his bill leads to no discussion.

Mr. KEARNS. I ask for the present consideration of the bill (S. 3642) to extend the provisions, limitations, and benefits of the act of July 27, 1892, as amended by the act of June 27, 1902.

The PRESIDENT pro tempore. The bill will be read.

The SECRETARY. The Committee on Pensions report to strike out all after the enacting clause and insert——

Mr. GALLINGER. Mr. President, I regret to state that I have to object to the passage of that bill.

The PRESIDENT pro tempore. Objection is made.

Mr. BURROWS. I demand the regular order.

The PRESIDENT pro tempore. The regular order is demanded, and that is the amendment on page 30 of the Military Academy appropriation bill.

Mr. WARREN. Mr. President, the bill was laid over last night, the point of order pending. I shall occupy but a few moments upon the point of order.

I desire to say with reference to the charge that we were late with this proposed amendment or legislation, if it be so called, that, as I explained last night, we waited first until the War Department and the two corps interested had themselves duly considered and had cut down their first estimates and until it was fully known and conceded what were their immediate, crying wants. We waited until the incoming as well as the outgoing principal officers of the War Department had expressed their desires upon this proposed reform.

Now, as to the allegation that none of these matters heretofore has been considered here or elsewhere, so far as the Ordnance Department is concerned, the subject-matter of this desired amendment has twice obtained the consent and approval of the other House.

Therefore your committee felt impelled—since it cost nothing, but saved money in the first instance, and in the long run cost but a trifle more—to offer these amendments and thus afford some relief to these two most deserving corps, which seem to be hampered and thus rendered in a measure inefficient at the present time because the present law does not deal liberally enough with them.

We find that as to the Medical Corps in the last three years there have been but twenty-seven applicants for entrance to the medical college, while in the three years before there were seventy-nine, the reason for the falling off being that not sufficient inducements were offered for medical students to enter the service, compensation and opportunities for promotion and growth being so much greater in the Navy Department and in civil life.

The consequence is that during the last three years resignations have been in the ratio of eleven to one, as compared with the same length of time before the present order of things was inaugurated—not quite the old, oft-repeated "sixteen to one" ratio, but a ratio of eleven to one of resignations now—because there are not sufficient inducements. So we have at the present time 195 contract surgeons working by the day or by the month with no expectation of remaining. Therefore they can not possibly have the same interest that would obtain if we had regular appointees.

Now, in the Ordnance Department matters are still worse. With an authorized corps of only 71 we find that there are but 51 officers in that corps (52 altogether, but 1 out serving on the General Staff, leaving but 51). Under the superintendence of this corps are 5,000 men, skilled mechanics, on duty at various places throughout the United States and elsewhere, having entire charge of the manufacture and use of all our implements and missiles of warfare.

There are 19 vacancies, and why? Because the legislation had three years ago was not liberal enough and did not and does not offer sufficient inducements. Therefore no young officers care to take the necessary course of study to enter that corps, where there is little or no future promise, first, because there is no promotion at the time they enter, and second, because there are so few officers of higher rank—majors, lieutenant-colonels, and colonels—in the corps that an officer stands less chance of promotion in that corps than in the regular line of the Army.

Of course, Mr. President, the Senator from Maine [Mr. HALE] knows, as I know, and as the Senate knows, that if the cold-blooded, bald proposition of a point of order is made on the ground that this amendment is legislation, the Chair has but one course to follow. We understand that very well. We have felt and know that if a proposition as to a point of order is made, it is futile to offer any argument or attempt to prove that the amendment does not tend toward legislation.

So in explaining the urgent needs of these two corps, I have done so without any expectation of changing the ruling of the Chair if the point is insisted upon, but I have wanted to make a foundation for asking unanimous consent of this body, which will, of course, have to include the withdrawal by the Senator from Maine of his point of order, so that this measure, this necessary legislation, this good legislation—if it be legislation—may obtain and remain in the bill.

Mr. President, we all know that we have to have rules, and generally follow them. We all admired the schoolmaster who, in our early times, insisted upon the rules, but we loved the schoolmaster none the less because at times the rules were relaxed for the good of the school and the scholars.

Of course we all admire the Senator from Maine, admire him immensely and intensely, and for nothing more than that generous way and sunny disposition of his that permit him to sit in his place in the Senate and allow needful and proper legislation to go through upon any and all appropriation bills except this one appropriation bill, nem. con., as he remarked yesterday, even to taking the whole Empire of China, treaties, laws, and all, as he so skillfully did a few days since, into the very vitals or body of the regular annual deficiency appropriation bill. I do not know when I admire that Senator most, whether, when in that generous mood, he joins with us, and we legislate for the good of the country, even though it be on appropriation bills, or when he stands here with that grim determination, which also becomes him so well, and insists that one man in the Senate, instead of the Senate itself, shall say whether or not we shall have legislation.

Now, Mr. President, as I said before, the Chair can rule but one way; but if the Senator from Maine, with that goodness of heart that always obtains within him, no matter what his outward demeanor may be, will, in the line of his duty, withdraw his point of order and put it to the Senate on a motion to strike out, and let the Senate decide whether it shall go in or not, it ought to satisfy all demands, and certainly it will satisfy the Committee on Military Affairs. I should feel entirely satisfied personally if the Senate were permitted to vote upon it whether it should go in or not. So I can only appeal to the Senator from Maine to do that which he thinks is best in this case. Let one man settle it or allow the Senate to have a voice in it.

The PRESIDENT pro tempore. The Chair sustains the point of order. The next amendment is section 23.

Mr. GORMAN. Let it be read.

The Secretary read the next amendment of the Committee on Military Affairs; which was, on page 30, after line 23, to insert:

SEC. 23. That the Ordnance Department shall consist of one Chief of Ordnance, with the rank of brigadier-general; six colonels; nine lieutenant-colonels; nineteen majors; twenty-five captains; twenty-five first lieutenants, and the enlisted men, including ordnance sergeants, as now authorized by law. The vacancies thus caused or created shall, as far as possible, be filled by promotion according to seniority as now prescribed by law, except that the Chief of Ordnance shall be selected from the permanent officers of the corps for a period of four years. That the vacancies occurring in the grades of captain and first lieutenant of ordnance shall be filled by detail from the Army at large, from the same grade or the grade below for four years, after which no officer shall again be eligible for detail until he has served one year out of the Department: *Provided*, That officers shall be so detailed, subject to such examination as may be prescribed by the Secretary of War, and the vacancies thus created shall be filled as now provided for by law. That vacancies occurring in the grade of major of ordnance, after promotion, as now prescribed by law, of all permanent officers now in the Ordnance Department, shall be filled by the appointment of officers of the grade next below, who shall have served by detail in the Ordnance Department, the selection to be made as the result of an examination, approved by the Secretary of War.

Mr. HALE. Mr. President, at the risk of subjecting myself to the playful encomium of the Senator from Wyoming, I must make the same point of order on this section.

The PRESIDENT pro tempore. The Chair sustains the point of order.

The next amendment was, to insert, beginning at the top of page 32, the following:

That as carrying out the provisions of section 35 of an act to increase the efficiency of the permanent military establishment of the United States, approved February 2, 1901, the Secretary of War be, and he is hereby, authorized and directed, if in his opinion the prices at which the land can be procured are reasonable, to establish four permanent camp grounds and enlarge the Chattanooga and Chickamauga National Park for the instruction and maneuvering of troops of the Regular Army and National Guard at, on, or near the following places, to wit:

(a) In the vicinity of Fort Sam Houston, Bexar County, in the State of Texas, in quantity not less than 18,000 nor more than 25,000 acres.

(b) In the vicinity of Camp Douglas, Juneau and Monroe counties, in the State of Wisconsin, containing 20,000 acres, more or less.

(c) In the Conewago Valley, in the counties of Lebanon, Dauphin, and Lancaster, in the State of Pennsylvania, containing 18,000 acres, more or less.

(d) On either of the following tracts of land in the State of California, as may be selected by the Secretary of War, namely: The Nacimiento ranch, partly in Monterey County and partly in San Luis Obispo County, containing 24,000 acres, more or less; the Santa Margarita ranch (Murphy ranch), in San Luis Obispo County, containing 18,200 acres, more or less; the J. H. Henry property, in San Luis Obispo County, containing 22,000 acres, more or less; the Santa Cruz property, near the city of Santa Cruz, containing 20,000 acres, more or less.

All of which sites have been examined by officers of the War Department and by them recommended as suitable for the purposes above set forth.

That to enable the Secretary of War to acquire said tracts of land above located the following sums, or so much thereof as may be necessary, are hereby appropriated out of any money in the Treasury not otherwise appropriated: For the military camp ground in the vicinity of Fort Sam Houston, $125,000; for the military camp ground in the vicinity of Camp Douglas, $400,000; for the military camp ground in the Conewago Valley, $900,000; for the military camp ground in the State of California, $500,000, and for the enlargement of the Chattanooga and Chickamauga National Park (already established), by the purchase of 10,000 acres of land adjoining said park, the sum of $100,000: *Provided*, That no permanent military post shall be established, or any steps taken looking toward the establishment of a post, on any of the camps hereby authorized to be purchased without express authority from Congress.

Mr. McCREARY. Mr. President, I make a point of order

against all in the Military Academy appropriation bill on page 32, page 33, and the first two lines of page 34, because it proposes new and general legislation, it increases appropriations already contained in the bill, and is in violation of Rule XVI of the standing rules of the Senate.

The part of the bill to which I refer is that in regard to establishing four permanent camp grounds and enlarging the Chattanooga and Chickamauga National Park.

It is so clear that the proposed amendment added to the House bill by the Senate Committee on Military Affairs is new and general legislation and that it increases appropriations already contained in the bill and that it is not germane to the subject-matter contained in the Military Academy appropriation bill that I am sure every point of order raised by me should be sustained. I am well aware that the first and second points of order have to be decided by the President of the Senate and that the last, under our rules, will have to be submitted to the Senate. This is very agreeable to me, for I am sure the Senate can not afford to decide that my last point of order is not well taken; and if the President of the Senate shall be required to decide, he, in my opinion, will be compelled to decide that the first and second points of order are well taken. Until my position is assailed or plausible arguments presented to show I am not correct I shall not further discuss the points of order.

In justice to myself I wish to say I am in favor of establishing four permanent camp grounds and enlarging the Chattanooga and Chickamauga National Park for the instruction and maneuvering of troops of the Regular Army and the National Guard, as provided for in the act of Congress of February 2, 1901, but I am in favor of enacting the legislation in a proper way. I want it to be done with proper wisdom and proper deliberation. I do not think that it will be done with proper wisdom by attaching to this general appropriation bill the amendment which has just been read. I do not think that it will be done with proper deliberation if this amendment is hastily brought here without time for proper examination and more than $2,000,000 appropriated.

There is a bill now pending on the Calendar which seeks, as I am informed, to establish four camp sites. It seems to me that the proper way would be to wait and take up the bill pending now on the Calendar. This important legislation should be considered in a separate, independent bill.

Mr. President, I can see no good reason why we should have such undue haste. The appropriation of $2,000,000 to pay for four camp sites is but the beginning. We must remember that we are not establishing four camp sites for one year or for five years, but for many years, and $2,000,000 is but the beginning. It will not be many years until $20,000,000 will have been paid out. Improvements will have to be made.

There are many important questions which should be considered when we select four permanent camp sites. We should take into consideration the topography of the country. We should take into consideration the temperature, the climate, the drainage, the water supply, the railroad facilities, the healthfulness of the place, the kind of country it is, and whether it is suitable for the instruction and for the maneuvers of the troops of the United States Army and the National Guard, because the object of this legislation is to furnish camp sites where there shall be instruction given and maneuvers for the benefit of the soldiers of the Regular Army and the soldiers of the National Guard.

Mr. BAILEY. Will the Senator from Kentucky permit me to interrupt him?

Mr. MCCREARY. Certainly.

Mr. BAILEY. While the Senator from Kentucky is telling the Senate about those things that ought to be taken into consideration——

Mr. QUARLES. Mr. President, can we have order? We can not hear a word the Senator is saying.

Mr. BAILEY. I simply want to supply an item which the modesty of the Senator from Kentucky forbids. I desire to say that the principal thing which the Senate ought to take into consideration is the application of West Point, Ky.

Mr. MCCREARY. I hope and believe the Senator from Texas has the same good opinion of West Point, Ky., that General Bates has, who commanded the troops that assembled there for instruction and for maneuvering purposes last fall. I hope he has the same good opinion that Colonel Wagner, the adjutant-general, has, who was on duty there for some time at the encampment last fall, and also the assistant adjutant-general, Major Parker.

When I was interrupted I was describing the kind of camp sites that I thought we ought to have. I believe there was some investigation made in the House of Representatives; but if there has been any investigation made in the Senate with regard to army camp sites, I do not know of it. I obtained this morning certain reports, maps, etc., contained in a large book with over 1,000 pages. I have had no time to examine these reports, maps, etc., and I say it is due to every Senator, before he is required to vote upon the not temporary, but permanent camp sites, that he should have an opportunity of examining and knowing, without doubt, exactly where the camp sites are to be located and what are their advantages and disadvantages.

If it was only for one year or for five years and the place was not suitable, we would have a remedy; but this is a proposition to establish four permanent army camp sites, and when we have by necessary legislation established them then they are fixed. Therefore I do not believe that it is proper and right that we should hastily attach this amendment to the Military Academy appropriation bill.

The Senator from Texas [Mr. BAILEY] spoke kindly of West Point, in Kentucky. As he mentioned it, I feel I ought to say that last year, as there were no permanent camp sites, a site was selected for a temporary camp of instruction and maneuvers within 15 miles of Louisville, Ky.

In my opinion that camp site possesses every requisite that is needed for a permanent military camp ground. There are seven great railroad trunk lines going into Louisville and two railroads pass through a tract of land containing 40,000 acres situated on the Ohio River near West Point, Ky., where the encampment was last fall. The drainage there is perfect, the climate is good, the water supply is excellent, and the temperature is all that could be desired; it is a rolling country and, according to the statement made by the officers in command of the camp site there last fall, it is in every respect suitable. Indeed, there is no place in the United States, to my knowledge, which is so central to so great an area of country or to such an immense population, or a place so accessible to States from which soldiers both of the United States Army and of the National Guard would come for instruction and for maneuvers.

I shall not take the time of the Senate to read the reports in full of General Bates, Colonel Wagner, or Major Parker, but I shall read briefly some extracts from the report made by Col. Arthur L. Wagner, colonel and assistant adjutant-general, in which he says:

> The maneuvers at West Point, Ky., furnished a thorough practical test of the suitability of the ground for military purposes and demonstrated that the region in question is admirably adapted to use as a maneuver ground.
>
> * * * * * * *
>
> I do not know of a single objection that could be urged to this ground that would not at once be removed if the land were owned by the Government.
>
> * * * * * * *
>
> The geographical advantages of the West Point site are also very great.
>
> * * * * * * *
>
> West Point, Ky., is so located that it can be readily reached in not more than twenty-four hours' travel by all the organizations of the National Guard of the States of Michigan, Wisconsin, Iowa, Missouri, Illinois, Indiana, Ohio, Kentucky, Tennessee, and the greater part, at least, of the States of Arkansas, Mississippi, Alabama, and Georgia—by more troops, in fact, than it would be desirable to concentrate for instruction at a single point.

Mr. President, all I desire is a fair examination; and if West Point is found to be the proper place for one of these permanent camp sites, I desire that it be selected. If, after full and thorough examination the four permanent camp sites which are referred to in the proposed amendment—one in Pennsylvania, one in Wisconsin, one in California, and one in Texas—are deemed best, and possess the proper requisites for permanent camp grounds, an independent separate bill should be presented providing the necessary legislation, and after full and fair discussion I believe all will be satisfied to submit to the will of the majority.

Mr. President, I have said more than I intended to say. My object has been to show that we should not be too hasty—that we should not try to rush this kind of legislation through the Senate on an appropriation bill. I understood the distinguished Senator from Maine to say that he did not remember in his long service here of an effort to have ever been before made in the Senate to attach such legislation as this to the Military Academy appropriation bill.

Mr. SPOONER. Mr. President, I do not know that the Chair cares to hear any discussion on the point of order. It is perfectly obvious, I think, that the point of order is not well taken. Of course the Senator from Kentucky [Mr. MCCREARY] will not contend that the failure of the officials of the War Department to look upon West Point with the eyes of the Senator from Kentucky should have any bearing whatever upon the point of order; nor does the fact that this is a Military Academy appropriation bill and that there should be more time for consideration have any such bearing. The only question is, as I understand it, whether under our rules this proposition is properly in this bill.

Mr. President, the first thing I want to say on the point of order is this: The amendment is clearly an item of appropriation to carry out existing law. In the act to increase the efficiency of the military establishment of the United States, approved February 2, 1901, there is this provision:

> SEC. 35. That the Secretary of War be, and he is hereby, authorized and directed to cause preliminary examinations and surveys to be made for the purpose of selecting four sites with a view to the establishment of permanent

camp grounds for instruction of troops of the Regular Army and National Guard, with estimates of the cost of the sites and their equipment with all modern appliances, and for this purpose is authorized to detail such officers of the Army as may be necessary to carry on the preliminary work; and the sum of $10,000 is hereby appropriated for the necessary expense of such work, to be disbursed under the direction of the Secretary of War: *Provided*, That the Secretary of War shall report to Congress the result of such examination and surveys, and no contract for said sites shall be made nor any obligation incurred until Congress shall approve such selections and appropriate the money therefor.

This item, Mr. President, is an item embracing four camp sites, reported by the officials of the War Department, and estimated for by the Secretary of War pursuant to section 35 of the act to which I have called the Chair's attention. That would seem to be sufficient to bring the amendment entirely within the provision of Rule XVI.

There is another reason why the amendment is in order, Mr. President. It does not change any existing law, and it is not only pursuant to existing legislation and to carry it out, but it has been reported favorably on by a standing committee of this House—the Committee on Military Affairs—which happens to be in charge of this appropriation bill as well as of the army appropriation bill. It is utterly impossible for me to see any possible theory on which this amendment is out of order under Rule XVI.

Mr. GORMAN. I should like to ask the Senator from Wisconsin if he contends that a simple provision of law appointing a commission to examine sites and to report the result to Congress binds us in any way to make an appropriation?

Mr. SPOONER. I do not say that it binds the Congress in any way to make the appropriation, but I say the proposition here is that money shall be appropriated to carry out existing law. I speak only to the point of order, not to the question whether or not the appropriation ought to be made.

Mr. GORMAN. I so understood. I am addressing myself to the point of order, but I am amazed that the Senator should hold that a report from a Department, in conformity to a provision of law, that four camp sites are eligible at a cost of $2,000,000, brings the amendment within the provisions of Rule XVI. We have a thousand reports from the different Departments recommending various things; but it has never been before held, so far as I know, that the mere report of information which Congress wants to act upon requires that an appropriation shall be made.

As I understand, an appropriation bill such as that we are now considering for the West Point Military Academy has always, without exception, contained only appropriations provided for by existing law—for the pay of the superintendent, the cadets, and the various officers connected with that institution. Those expenditures are defined and fixed. Heretofore no items relating to the Army in general have ever been inserted or attempted to be inserted in this bill. Yet Senators come here in this particular case with three propositions to reorganize great bureaus of the War Department—the Medical Bureau and the Ordnance Bureau—and the amendment proposing to do that has gone out under the ruling of the Chair. Why? Because there is no law providing for such reorganization.

Now comes the third proposition, to purchase great camp sites, which have no direct connection whatever with the West Point Academy, and for which no estimate has been made, nothing except a huge report from the War Department, giving the result of the examination of army boards; and there is, as I understand, some division in the Department itself in regard to the various sites which the committee report to insert in this bill. This is done in face of the fact that in both Houses of Congress the particular subject is contained in another bill providing for these camp sites. That bill has not been acted upon by either House; and there is no thought on the part of anybody that there is the slightest provision of law for the purchase of these sites.

I suggest to the Senator that it would be very extraordinary, in my judgment, and I think entirely without precedent, if it should be held that such a proposition was germane or that it came under Rule XVI, regarding appropriation bills.

Mr. SPOONER. Mr. President, the ruling of the Chair upon the point of order made by the Senator from Maine [Mr. HALE] was, as I understood it, upon this ground, that it changed existing law. The Ordnance Corps is a corps organized under the act of Congress, as is also the Medical Corps. The two propositions which the Chair ruled out of order undeniably changed existing law.

Now, whether this amendment ought to be on the Military Academy bill or not does not go at all to the point of order raised by the Senator from Kentucky [Mr. MCCREARY]. The point of order suggested by the Senator from Maryland [Mr. GORMAN] as to whether or not the amendment is germane is an entirely different proposition, which the Chair does not pass upon. I am confining myself to the only question which the Chair is called upon to decide, and that is, whether or not, under the rule, this amendment is in order, regardless of what the Senate may do with it. But as to the point of order that the amendment is not germane, if that shall be made regardless of the question whether the Senate shall have——

Mr. MCCREARY. Will the Senator allow me?

Mr. SPOONER. Not until I finish my sentence, if the Senator will permit me.

Regardless of what the Senate may think as to the propriety of putting the amendment on the Military Academy bill, I can see no reason, Mr. President, why this amendment does not fairly fall within the rule, in view of the fact that it has been reported and incorporated in this bill, and not only reported favorably by a standing committee of this body, but has been incorporated in this bill by the Committee on Appropriations.

Mr. GORMAN. Oh, no; by the Committee on Military Affairs.

Mr. SPOONER. In this case that is the committee on appropriations, and that is the committee which has just as complete jurisdiction of the army appropriation bill and of this Military Academy bill as the Committee on Appropriations has of any bills which come from that committee.

The PRESIDENT pro tempore. Will the Senator from Wisconsin address himself to the question whether or not the amendment is general legislation?

Mr. SPOONER. I do not think it is general legislation.

The PRESIDENT pro tempore. The Senator must remember that the rule of the Senate is not as to whether an amendment proposes a change of existing law, like the rule of the other House, but it is as to whether an amendment which proposes general legislation shall be placed on an appropriation bill.

Mr. SPOONER. I do not think the amendment is general legislation any more than the incorporation on the naval bill, as it comes from the Committee on Naval Affairs, of an amendment providing for an $8,000,000 battle ship is general legislation.

These camp sites are estimated for by the Secretary of War, earnestly recommended by the Secretary of War, and the whole subject, in obedience to this act of Congress, was thoroughly investigated by competent officers of the War Department, quite as able, I think, to determine what the interest of the Government from the military standpoint is, and what camp sites are best adapted for that use, as the Senator from Kentucky or any other Senator.

It is an item in an appropriation bill looking to the expenditure of money for army purposes. Now, how is that general legislation any more than a thousand items that come from the Appropriations Committee and from the Naval Committee are general legislation?

The PRESIDENT pro tempore. There were two items which have been ruled out—which were ruled out on the point that they were general legislation.

Mr. SPOONER. They changed the permanent provisions of existing law.

Mr. FORAKER. If the Senator will allow me to make a suggestion, they are incorporated into the general law and applicable to the whole country.

Mr. SPOONER. Yes; they are applicable to the whole country.

Mr. FORAKER. And it is pure and simple special legislation. There is nothing general about it. The pending amendment is to authorize the purchase of great camp sites, and it is as completely special as anything could possibly be.

Mr. SPOONER. Not any more than it would be general legislation to authorize the purchase of a site for the erection of a military hospital.

Mr. MCCREARY. Will the Senator from Wisconsin permit me?

Mr. SPOONER. Certainly.

Mr. MCCREARY. Mr. President, I raised the point of order because the amendment proposed as part of this bill contained new and general legislation. If this amendment is not general legislation, providing, as it does, for four army camp sites, providing for the sending of the National Guard to them from every part of the United States, and providing for an appropriation of $2,000,000 to begin with and many millions hereafter, I should like to know what general legislation is.

Mr. SPOONER. The Senator is not asking me a question.

Mr. MCCREARY. I want to say before I take my seat that in addition to making the point of order against the amendment that it proposed new and general legislation, that it increased an appropriation already contained in the bill, I also stated that it violated Rule XVI of the standing rules of the Senate. Section 3 of that rule is as follows:

No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject-matter contained in the bill be received.

Mr. SPOONER. I shall not discuss the question of germaneness, because, under the rule, the Chair submits that to the Senate, but I am confining myself now to the point of order raised by

the Senator from Kentucky [Mr. McCREARY], which is for the Chair to decide. The Senator from Kentucky says——

Mr. McCREARY. I wish the Senator from Wisconsin to understand that I am not only raising the question that the amendment proposes general legislation, but also I am making the point of order that the amendment is not germane to the pending bill.

Mr. SPOONER. I think any appropriation which looks to the operations of the Army is, so far as that is concerned, sufficiently germane.

The PRESIDENT pro tempore. The Chair is obliged to submit the last point of order raised by the Senator from Kentucky [Mr. McCREARY] to the Senate.

Mr. SPOONER. Certainly; I know that, and I said that; but the rule in relation to the other point that I am devoting myself to for the moment says:

> Or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the Departments.

This amendment was moved not only by direction of a standing committee of the Senate, but was incorporated in the bill by the Committee on Appropriations, when the bill came from the committee to the Senate.

The PRESIDENT pro tempore. The Chair is in no trouble about that: the Chair is only troubled about the question of whether or not the amendment proposes general legislation.

Mr. SPOONER. Mr. President, how could it be general legislation? The Senator from Kentucky thinks, or seems to think, because the amendment involves four sites, it is general legislation, inferring perhaps that if it only involved one it would not be general legislation.

The amount appropriated has nothing to do with the question, nor has the number of sites in this proposition anything to do with the question. How is it to be distinguished from a proposition to fortify Pearl Harbor, if you please, or to fortify some place in the United States, which is permanent in its nature? That is essential to military operations. It is defensive in character, and how is that general legislation any more than is this? It is difficult to define—I have never heard any Senator attempt to define—the distinction between special legislation and general legislation. But under our practice here, this amendment certainly is not general legislation. Suppose it were proposed to erect military hospitals in two or three parts of the country for the use of the Army, and to incorporate that provision, not only by direction of a standing committee, not only pursuant to the recommendation of the Secretary of War and an estimate for the expense, but to incorporate it by the Appropriations Committee; would that be general legislation?

It is for the use of the Army. Congress is committed to this policy after having carefully provided for the organization of the Militia of the United States to rendezvous in the country at convenient points for the Regular Army and the militia of the States. The utility of that is obvious. The Secretary of War considers it so obvious that he urges this appropriation in a communication which will be brought to the attention of the Senate. If this amendment is general legislation, we violate that rule on every appropriation bill. It seems to me that it can not be so considered.

The PRESIDENT pro tempore. The Chair submits to the Senate the point of order made by the Senator from Kentucky [Mr. McCREARY], that the pending amendment is not germane to the bill.

Mr. ALDRICH. Mr. President, I desire to say a few words in regard to the question of whether or not the amendment is general legislation.

The PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. ALDRICH. Mr. President, I do not know whether or not this is a proper subject for legislation at this time, but if the amendment is not general legislation, I can not conceive of any proposition that would be. It proposes to change the policy of the Government, to inaugurate, in fact, an entirely new policy by the establishment of camp sites, and assembling, in a way which has never been provided by law, of the Militia and the Regular Army, involving an enormous expenditure to the Government.

Mr. QUARLES. Will the Senator permit me?

Mr. ALDRICH. In a moment. Is it possible on a bill to provide for the necessary expenses of the Military Academy to justify legislation of this kind?

Mr. SPOONER. Will the Senator permit me?

Mr. ALDRICH. Certainly.

Mr. SPOONER. What is general legislation as contradistinguished from legislation that is not general legislation?

Mr. ALDRICH. It is usual general legislation of Congress. Take the case of the pending bill. Any amendment would be general legislation which proposed to change the policy of Congress or the adoption of a new policy.

Mr. SPOONER. This bill does not provide for changing the policy of Congress.

Mr. ALDRICH. It does, most certainly.

Mr. SPOONER. The Congress has already adopted it as a policy.

Mr. QUARLES. If the Senator will look into the militia act, he will see——

Mr. ALDRICH. What will he find?

Mr. QUARLES. He will find there an entire change of policy, which was agreed to and incorporated into the law, and this is only carrying that out.

Mr. ALDRICH. I wish the Senator would read the provision of the militia act which would make this appropriation proper.

Mr. QUARLES. That act provides for maneuvers of the Militia and of the Regular Army at rendezvous to be appointed.

Mr. ALDRICH. Yes.

Mr. QUARLES. And you can not carry out that militia act without having those rendezvous. You have either got to rent them or to buy them, and in my own time, later on, I shall try to show the Senate the relative merit of those two propositions.

Mr. ALDRICH. The militia act provides for rendezvous by general legislation, and this provides for the extension by general legislation of the policy which the Senator says was inaugurated.

Mr. QUARLES. Yes; it carries it out.

Mr. ALDRICH. I will venture to say that there was not a member of this Senate who had any idea, in the passage of the militia bill, that we were entering upon an expenditure of $50,000,000 to establish what are called "permanent camp sites" by the Government of the United States.

Mr. SPOONER. It may not have been practicable for every member of the Senate to know what was in the bill before he voted for it, but that is the law.

Mr. ALDRICH. The law may be as the Senator states, but it certainly was simply a suggestion, at most, in the direction which we are now asked to go.

Mr. SPOONER. I do not suppose it was simply a suggestion; it must have been a general suggestion.

Will the Senator define "general legislation" under the rules?

Mr. ALDRICH. I have defined it as something which does not——

Mr. FORAKER. Will the Senator allow me to ask him to define "special legislation?"

Mr. ALDRICH. I hope the Senator will allow me to go on.

Mr. FORAKER. I will, of course.

Mr. ALDRICH. I will ask both Senators to allow me to go on, and then I shall be able to answer their questions in my own way.

Mr. QUARLES. If the Senator will pardon me, I wish to ask whether his idea of general legislation depends upon the amount of money which is involved in a particular proposition?

Mr. ALDRICH. Not at all.

Mr. QUARLES. That seems to be the only clear suggestion the Senator has yet made.

Mr. ALDRICH. Not at all. It is not, of course, a question of the amount of money involved. That is not the question; although, for the judgment of the Senate, whether the proposition involves 50 cents or $50,000,000, is, I assume, worthy of consideration. That is a matter to be taken into consideration.

Mr. QUARLES. Not on the point of order.

Mr. ALDRICH. No; not on the point of order.

Mr. QUARLES. That is what we are discussing.

Mr. SPOONER. Suppose there were a proposition here, there being urgent need for it, to appropriate $16,000,000 for two battle ships. Would that be general legislation?

Mr. GALLINGER. It would.

Mr. ALDRICH. On an amendment to this bill?

Mr. SPOONER. Yes.

Mr. ALDRICH. I think it would.

Mr. GALLINGER. Certainly.

Mr. SPOONER. Why?

Mr. ALDRICH. Because it would be entirely foreign——

Mr. SPOONER. Why any more general legislation on this bill than if reported as a new proposition from the Naval Committee?

Mr. ALDRICH. That is a different proposition.

Mr. SPOONER. Every proposition is different, of course. When a man wants to defeat a proposition, he calls it general legislation.

Mr. ALDRICH. I think the Senator will recognize the fact that the Government is committed to the establishment and maintenance of a navy as a policy which has been in existence from the foundation of the Government. If it were proposed upon this bill to raise a standing army of 100,000 or 200,000 men——

Mr. SPOONER. Does the number make any difference?

Mr. ALDRICH. No; to raise a standing army of 200,000 men and providing for their organization and government in various ways it would be general legislation.

Mr. SPOONER. That would be changing existing law and would be general legislation.

Mr. ALDRICH. This changes existing law.

Mr. QUARLES. No.

Mr. ALDRICH. There is no question but that this changes existing law and establishes a new policy. It is general legislation in the sense that it is committing Congress to a policy to which it has never before been committed. Special legislation, of course, is not confined to appropriations for private purposes. I think the Senator will not contend that an appropriation for a specific purpose must necessarily be special legislation. I do not think any Senator will so contend.

Mr. SPOONER. Then the Senator's definition, his test, as to general legislation, under the rule, is whether it commits the country to a new policy.

Mr. ALDRICH. Yes; or changes the policy of the Government in regard to matters of general concern. That is my definition.

Mr. QUARLES. Mr. President, I am very glad at last to know what is the basic of the proposition of my distinguished friend underlying the point of order. We find it is this, that that is special legislation within the meaning of Rule XVI which establishes a new policy. Therefore this proposition is not obnoxious to Rule XVI if it does not establish a new order of things or commit Congress to a new policy. Very well.

Mr. President, I want to say to my distinguished friend and to the Senate that since the organization of this Government Congress never was more thoroughly committed to a policy than it has been to the maneuvering of the troops—the Militia and the Regular Army—in great maneuver grounds by the passage of what is known as the "militia bill." That is the existing law, and if my friend will take the trouble to examine the statute he will find that there the very policy we are contending for was thoroughly and completely established.

Mr. ALDRICH. Was there any suggestion in that bill that the Government was to purchase sites? Was there any committal on the part of the Government to the purchase of sites?

Mr. QUARLES. Certainly.

Mr. SPOONER. There is in that bill.

Mr. ALDRICH. I beg the Senator's pardon.

Mr. QUARLES. Certainly; and I will show the Senator later on. I am speaking now of the militia bill, pure and simple.

Now, what was the policy of this Government as it was presented in the militia bill?—and I wish every Senator to see how thoroughly Congress has been committed to this policy. What was it? Instead of having a feeble, independent body of militia raised in the several States, it was to amalgamate that force of citizens with your regular army force.

It was to bring them together into a great camp where maneuvers could be had; where the citizen soldiery of the country could stand shoulder to shoulder with the seasoned old veterans in the Regular Army. It was the policy, to amalgamate those forces in one and have one great military establishment consisting of the Militia and the regular force. Not only that, but later on Congress, in furtherance of that policy, directed that an investigation should be made into the available sites in this country, and it is known as section 35 of the appropriation act of 1901. Now, here is the provision:

> That the Secretary of War be, and he is hereby, authorized and directed to cause preliminary examinations and surveys to be made for the purpose of selecting four sites, with a view to the establishment of permanent camp grounds for the instruction of troops of the Regular Army and National Guard—

Now, let the Senator listen—

> with estimates of the cost of the sites.

Did that contemplate their purchase?

Mr. ALDRICH. If Congress should order an examination of the port of New York with a view of ascertaining whether it was desirable to build large fortifications or to deepen the channel to a hundred feet, would that commit Congress to the deepening of the channel to a hundred feet?

Mr. QUARLES. Let us not get away from the question.

Mr. ALDRICH. The suggestion made by the Senator from Wisconsin is that because we have asked the board to examine, therefore we are committed to a policy.

Mr. QUARLES. The contention of the distinguished Senator on the point of order was that for the first time this amendment committed the Government to this policy.

Mr. ALDRICH. Certainly it does, according to the Senator's own statement.

Mr. QUARLES. The Senator will not abide by the proposition, but constantly wanders away from it. I say that Congress was committed to this policy when it authorized the Secretary of War to cause this investigation to be made and estimates to be furnished for the cost of the four sites; and this bill, Mr. President, is only in continuance of the policy which has thus been twice adopted by Congress.

Mr. HALE. Where is the estimate?

Mr. QUARLES. Section 35——

Mr. HALE. No, the estimate. Where is the estimate regularly sent from the War Department to the Secretary of the Treasury and submitted to Congress as an estimate for the present year? I have looked, and I have thus far failed to find that there has been any estimate made by the Secretary of the Treasury this year.

Mr. FORAKER. I wish to ask the Senator from Maine what that has to do with the question whether this is general or special legislation—whether or not there has been an estimate? I do not see the pertinency of the inquiry, so far as this question is concerned.

Mr. HALE. The Senator from Wisconsin [Mr. QUARLES] has again and again referred to Congress being committed because it provided that there should be estimates made. Now, the first question that would arise upon that, to any Senator used to procedure in connection with appropriation bills, would be where is the estimate that justifies this? The Senator himself brings up the question by saying here was an inquiry which involved estimates. I have looked over the Book of Estimates and tried to find any estimate sent in for these sites, saying nothing on the question as to what bill it should be upon.

But where is there any estimate sent to Congress this year, at this session, by the Secretary of the Treasury, making this a regular estimate? If the Senator has found that, he has searched deeper than I have. But I have looked far and wide, and can find no estimate.

Mr. QUARLES. I am not to be diverted from a discussion of the proposition which was raised by my distinguished friend the Senator from Rhode Island, which is an entirely different question from that now raised by the distinguished Senator from Maine. Let us treat that when we reach it. The question now is whether the objection made by the distinguished Senator from Rhode Island is sound, that this amendment for the first time commits Congress to a new policy. It was upon that proposition that I suggested that the act of Congress providing that the Secretary of War should cause the Engineer Corps to make an investigation and report estimates of cost showed conclusively that the position taken by the learned Senator from Rhode Island on the point of order is not tenable.

Mr. President, the Senator from Kentucky [Mr. MCCREARY], while making his point of order, suggested that there was some great haste manifested in this provision. I wish to call his attention to the fact that the large volume I hold in my hand, containing between eight and nine hundred printed pages, is devoted entirely to the report of the engineer officers of the Government upon this subject.

Mr. MCCREARY. Will the Senator from Wisconsin permit me to ask him a question?

Mr. QUARLES. Certainly.

Mr. MCCREARY. Was that taken in the House of Representatives or was it taken by the committee of the Senate?

Mr. QUARLES. I do not understand the Senator's suggestion.

Mr. MCCREARY. Who took that evidence? Who furnished it?

Mr. QUARLES. It is furnished by the engineer officers of this Government, who were detailed by the Secretary of War, pursuant to the provision I have just read.

Mr. MCCREARY. Was it sent to the Senate or to the House of Representatives? Was it sent for the information of the Members of the House or of the members of the Senate?

Mr. QUARLES. It was sent to both committees—the Military Committee of both Houses.

Mr. MCCREARY. How long has the Senator had that report or that evidence before him?

Mr. QUARLES. It was sent in at the last session.

Mr. MCCREARY. I never saw it. It is new to me.

Mr. QUARLES. It has been perused by committees of both Houses, and not only that, but extended hearings have been had by the committee of the House, and the merits of all these sites have been considered; the questions have been matured, and in the regular way arguments have been had, and the Military Committee of the House reported in favor of this measure, as did the committee of the Senate.

Mr. MCCREARY. Is it not true that there is a bill on the Calendar substantially the same as this proposed amendment?

Mr. QUARLES. Certainly.

Mr. MCCREARY. Then why not take up the bill separately and independently and consider it? Why do you attach this as an amendment to the Military Academy bill?

Mr. QUARLES. I had occasion the other day, in some desultory remarks that I made here, to indicate a reason which is all sufficient to anybody who has investigated that subject. In another place it is impossible to get consideration of this or any similar measure—absolutely impossible—although both commit-

tees have reported in favor of it. I am not permitted to criticise that condition of things, but I state it as a fact.

Now, I wish the Senate to give attention, if they will, for a moment——

Mr. HOPKINS. In view of that statement, would not the putting of this amendment on the pending bill endanger the appropriation bill?

Mr. QUARLES. I do not think so, Mr. President. If it goes into the appropriation bill as the proposition of the Senate, it becomes ingrafted into that bill, and when it goes to the House it is not an amendment. It is a substantial, integral portion of the bill, and no point of order can be raised there upon it, because it is not in the form of an amendment.

Mr. GALLINGER. It is an amendment of the House bill.

Mr. QUARLES. I understand so. It is an amendment, but if the Senate puts it on, it becomes a part of the bill when it goes back to the House, and is not open to a point of order there.

Mr. GALLINGER. Precisely that; but of course the House has either to agree to it or to reject it.

Mr. QUARLES. I understand that, of course, Mr. President.

Mr. HOPKINS. But the point I desired to make to the Senator is that under the statement he makes that the House is opposed to this legislation——

Mr. QUARLES. I did not say that. The House is not opposed to it.

Mr. HOPKINS. I understood the Senator to say that this legislation could not pass in the other body; and that being true, it seems to me it would be a little dangerous for the Senate to put it on this bill, as endangering the appropriation for the West Point Academy.

Mr. QUARLES. The only reason why it can not pass in the House, if I understand the sentiment of the other body, is that no man can receive recognition to bring it before the House. That is the difficulty.

Mr. President, if I may be permitted to take a few moments of the time of the Senate, I wish to call attention to an experiment that has been made already by the Government in regard to these maneuvers. It is apparent that if the policy enacted in the militia law is to be carried out we must have great sites, we must have great camping grounds where the maneuvers can be held. There are but two ways in which that can be done. One is to rent the sites, and the other is to buy them.

I wish to call the attention of the Senate now to the fact that the Government has already experimented on the first proposition of renting sites, and I wish the Senate to know what the result of that experiment has been. Then the Senate will see that there is no alternative except to purchase the sites. Last year the maneuvers were provided for on two sites; one the site in Kentucky, which my friend the Senator from Kentucky has described with such persuasive eloquence that I came to think that if the amendment had only dealt with that part of Kentucky known as "West Point," upon which God has showered all of those manifold blessings, there would have been no objection by way of a point of order.

These two camp grounds were rented, one at West Point, Ky., and the other at Fort Riley, in Kansas.

I hold in my hand a bundle of claims which were presented to our committee after those maneuvers had been held upon the leased camp grounds, and I wish the Senate to understand that from those bills we were given to understand that after our troops had got to West Point, Ky., terrible things happened in that neighborhood. Judging from these claims, we might infer that fat cattle became mere attenuated shadows by reason of the noise incident to that maneuver; that there were no chickens and no turkeys left within 5 miles of that camp; that the calves there refused to grow and presented a case of arrested development; that the pigs there, imbued with the martial spirit of the camp, proceeded to impale themselves upon bayonets; and there was no end of bills presented. I send to the desk a letter, which I ask to have read, written by somebody in Kentucky, who is interested, as to the effect of the maneuvers upon that ground. Will the Secretary kindly read it for the benefit of the Senate?

The PRESIDING OFFICER (Mr. KEAN in the chair). The Secretary will read as requested.

The Secretary read as follows:

STITHTON, KY., *February 1, 1904.*

Hon. Mr. HULL, *Chairman.*

SIR: Hon. D. H. SMITH has in his hands a minority protest of 151 citizens living within proposed limits of West Point location for army post, who ask that the post be not established, as they do not want to be driven from their homes. Would it be too much to ask that this protest be made a part of the record in the premises? Hoping that this may meet your approval, I am,

Very respectfully,

E. T. CARRICO.

We think the sentiment against the establishment at this place much greater than would appear at present.

Mr. QUARLES. Will the Secretary also read——

Mr. McCREARY. Will the Senator from Wisconsin allow me to interrupt him for a moment?

Mr. QUARLES. Certainly.

Mr. McCREARY. In answer to the letter which has just been read I wish to make a statement in regard to the number who have petitioned for this army camp site. I am informed that between three and four thousand persons in Kentucky, and within the scope of the country proposed to be taken and around there, have petitioned for this army site. I am also informed that the persons who own the land, 40,000 acres of land, have executed writings giving to certain persons options on this land, showing their desire that it be taken for an army site.

Mr. QUARLES. I also ask the Secretary to read the report that comes from Fort Riley.

Mr. ALDRICH. Is this as bearing upon the point of order?

Mr. QUARLES. It is.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

Mr. ALDRICH. I do not object.

Mr. QUARLES. It is following up the line of events.

Mr. BLACKBURN. Before the Senator from Wisconsin leaves the branch of the subject he is discussing, I wish he would state to the Senate what was the aggregate amount of the claims presented from the West Point camp.

Mr. QUARLES. I can not answer the question, except to say that for Fort Riley and West Point they aggregrated $8,000.

Mr. BLACKBURN. For the two?

Mr. QUARLES. For the two.

Now, will the Secretary read what the people of Fort Riley think about this matter? And I will say that this paper is signed by a hundred or a hundred and fifty of the farmers around there.

The Secretary read as follows:

To the United States Senate:

Whereas during the military maneuvers held at Fort Riley, Kans., and vicinity October 16 to 31, 1903, the troops did, in a number of instances, seize and use as battlefields and maneuver grounds the farms of persons who weeks previously had notified the military authorities in writing that their farms had not been leased to the United States Government for the maneuvers, the owners of said farms suffering great loss and annoyance by the action of the troops in the destruction of fences, scattering and injuring live stock, destruction of crops, trampling of fields and meadows, and stoppage of farm work; and

Whereas many landowners and tenants who did lease their farms for the maneuvers of 1903 did so under a misunderstanding and are now strenuously opposed to a repetition of the maneuvers over their farms: Therefore, be it

Resolved, That we, the undersigned landowners and tenants of Ogden Township, Riley County, Kans., consider the action of the military in forcibly seizing farms and destroying property as contrary to the cherished principles of good government and liberty upon which this Republic is founded, and a violation of the spirit, if not the letter, of the United States Constitution; and be it further

Resolved, That we do hereby protest against the military maneuvering on our farms, and do pledge ourselves that we will not lease our lands to the Government for maneuver purposes in the future.

JULIUS A. JORDAN
(And others).

Mr. QUARLES. Mr. President, I presume the experience which the Government had in trying to lease these camp sites may have been persuasive with the Secretary of War when he sent his letter to Congress holding that it was absolutely necessary to carry out existing law that Congress should buy four sites at this time. That letter is connected with and a part of the report made by the Senate committee, and can be had by any Senator. I will not stop to read it. But it urges in the most emphatic terms not only the necessity of having these four sites, but the urgent necessity of having them at once.

Mr. President, one word in regard to the point of order that this is general legislation. For instance, the Navy desired to buy an additional tract of land, as we did at the last session. It was suggested that they needed more land for the accommodation of a navy-yard. The proposition was to purchase so many acres. Now, what was that? It was a mere effort to obtain increased facilities for the Navy—that is all. That is all this is, so far as the Army is concerned. It is a proposition to secure and acquire additional facilities for the Army, as the other bill did for the Navy.

Now, would any man stand on this floor and say that the proposition to enlarge a navy-yard was general legislation? If that is true, then almost every one of these provisions in the appropriation bills invades that principle. But it is not true. Mr. President, general legislation is that legislation which lays down a general rule, a general law, or as they say in the House, under the peculiar language of their rules, which contravenes existing law.

Now, those two propositions are not the same, I know; but when this is a specific proposition to afford an additional facility for the Army in line with the legislation of Congress heretofore intended to carry it out, not to contravene any legislation heretofore had, not to change a word or a line or a syllable of it, but

merely to carry it out, I say it is a reductio ad absurdum to say that it is general legislation within the meaning of Rule XVI.

Mr. GALLINGER. Mr. President, will the Senator permit me?

Mr. QUARLES. Certainly.

Mr. GALLINGER. Did the Senator agree that the point of order was well taken against sections 18 and 23 of this bill, relating to the Medical Department and the Ordnance Department?

Mr. QUARLES. If I were to make that confession, it would have no bearing, in my judgment, upon this proposition, which is entirely a distinct one.

Mr. GALLINGER. Well, Mr. President, the Senator has laid down the rule what general legislation is; and I asked him a question. I do not care whether he answers it or not. Of course, he can do as he pleases about it.

Mr. FORAKER. I am pretty familiar with these different provisions, and those sections are not at all like the pending amendment. I think the point of order was well made as against the sections relating to the Medical Department and the Ordnance Department, but it is not at all good here; and when the Senator from Wisconsin concludes I hope I can make that clear enough for anyone to understand.

Mr. GALLINGER. And I shall endeavor to make the contrary plain.

Mr. QUARLES. Mr. President, general legislation is providing a general rule or action. A law is a rule of action. A general law is a law which applies to all alike, and is therefore general legislation.

Now, take the provision for remodeling the Medical Corps. Congress had already legislated on that subject and had provided a general scheme which was embodied in the statute. That was a general scheme which involved all the details of the Medical Corps, the manner of appointment, the manner of promotion, and it obtained everywhere within the United States of America. In that way it was a general proposition, a general rule of action, to govern wherever the Medical Corps was dealt with within the United States. So with the Engineer Corps, there was another scheme distinct in itself which was general because it obtained wherever the Engineer Corps went. It controlled their promotions, the number of colonels, the number of majors, the number of captains they were to have, and what duties they were to perform. It may be said to be a general scheme.

Mr. WARREN. And yet it went through in the army appropriation bill.

Mr. QUARLES. Certainly. It went through on the army appropriation bill; and it never before has been challenged, so far as I know. But taking the ground of my distinguished friend from New Hampshire as being sound, which I do not yield, can not the Senator see the distinction between buying 5 acres of ground for an addition to a navy-yard and laying down a rule forever to control a great corps of the Army?

Mr. GALLINGER. Well, Mr. President——

Mr. QUARLES. One is a general rule.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from New Hampshire?

Mr. QUARLES. Certainly.

Mr. GALLINGER. I have listened very attentively during the present session of Congress to two or three eloquent speeches laying down the principle that the distinction between general legislation and special legislation is that special legislation expired at the end of the Congress. The Senator from Ohio enlightened us on that subject once.

Mr. FORAKER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield?

Mr. QUARLES. Certainly.

Mr. FORAKER. To what Senator from Ohio does the Senator from New Hampshire refer?

Mr. GALLINGER. To the Senator who has the floor at the present time.

Mr. FORAKER. On what occasion was it that the Senator from Ohio ever advanced such a proposition?

Mr. GALLINGER. I remember it very distinctly. I can not refer the Senator to the hour or the day.

Mr. FORAKER. What was the subject-matter?

Mr. GALLINGER. It was a question very similar to this.

Mr. FORAKER. Mr. President, the Senator from New Hampshire is certainly mistaken. I never advanced such a proposition, I am quite sure I can safely say.

Mr. GALLINGER. I think I can call the attention of the Senator to it, if I may be given the requisite time.

Mr. FORAKER. I hope the Senator will do it.

This is a matter in which I have no interest, as far as these camp sites are concerned, but I think we all should be interested in having a correct ruling made as to what is general legislation, now that the question has been raised. I never advanced such a proposition intelligently; I never did it knowingly, as that which the Senator attributes to me, and I will be quite mortified if I find in the RECORD that I made any such proposition as that the distinction between general and special legislation is that special legislation terminates at the end of the session.

Mr. GALLINGER. The presiding officer, the President pro tempore of the Senate, in a very elaborate opinion expressed that same view, I will say.

I do not agree with the Senator from Wisconsin, who seemed to be addressing his remarks to me particularly, that to create general legislation it is necessary to have something that applies to every hamlet in the United States. I do not agree to the proposition that it must cover the entire United States and become applicable to every State and perhaps every municipality. I do not know how that may be.

Mr. QUARLES. Mr. President, the distinguished Senator does not do me the honor to state fairly my proposition——

Mr. GALLINGER. Mr. President——

Mr. QUARLES. Although I have no doubt he intended so to do.

Mr. GALLINGER. I am glad the Senator qualified his remark.

Mr. QUARLES. I certainly would never expect anything but the most kindly and courteous treatment and the fairest consideration from my distinguished friend, and I did not mean to intimate anything else.

Mr. President, let me state it now in another way, because I have been, perhaps, unfortunate, for no one will comprehend a proposition more quickly than my distinguished friend. I want at least to make myself understood, and if I am wrong the Senator will be entirely ready to correct me. I want to emphasize the distinction between a bill to regulate the United States Army, for instance, and a bill to buy a gun or a plat of ground for the use of that Army. You lay down a law here for the government of the Army. The regulation that is put into the law to control that Army is a general regulation. That is general legislation, because it extends over all the United States and its colonies and dependencies, wherever our flag flies.

Now, that would be general legislation, according to my view, and so it is in a minor degree with reference to a corps in the Army. Take the Engineer Corps, for instance. A general scheme provided by law to control the Engineer Corps is general legislation, because it applies to that corps wherever it may be, in time of war or peace, and is a general rule of action for that corps.

Now, as distinguished from that general control of the Army or of a corps in the Army, which may well be said to be general, how is it with a bill to provide a battle ship, a bill to provide 5 acres of ground, a bill to provide a gun for the use of the Army?

Mr. SPOONER. Or for a hospital?

Mr. QUARLES. Or for the building of a hospital.

Mr. GALLINGER. Just on that point, I wish to ask the Senator from Wisconsin if the naval appropriation bill had come over here providing for five battle ships, and the Senator had offered an amendment on the floor increasing the number to ten, does he not think a point of order would lie against that amendment?

Mr. QUARLES. That would be obnoxious to another provision in Rule XVI.

Mr. SPOONER. Will the Senator from New Hampshire allow me to ask him a question?

Mr. GALLINGER. Certainly.

Mr. SPOONER. Suppose the Committee on Naval Affairs had reported an amendment increasing the number to ten, would it then have been subject to a point of order?

Mr. GALLINGER. I think so.

Mr. QUARLES. As general legislation?

Mr. GALLINGER. I do not say as general legislation; but it would be obnoxious to the rule.

Mr. QUARLES. That is not what we are discussing. There is another reason why it might be obnoxious to the rule.

Mr. GALLINGER. Certainly.

Mr. QUARLES. Let us take another illustration, which my distinguished colleague suggests to me. Here is the Medical Corps. They need a hospital in a given place. Is a provision in an appropriation bill giving them a hospital to consist of an acre of ground and $20,000 to construct a building on it to be considered in the same light with reference to this point of order as a proposition that goes to the entire control and regulation and management of that corps throughout the United States? Is there not a manifest distinction? The one lays down a general rule of action, that is a general law; the other provides for a specific appropriation of money to acquire a particular facility. It seems to me, Mr. President, that the point is as distinct as it can be.

Now, if the Senate will bear with me just one moment, I want to say a word regarding the matter of the relevancy. I fear that I am taking up too much time, but I feel a very great interest in this matter. When the Senate vote on the question, if they have to, as to whether the amendment is germane to the bill, I ask them to remember this proposition: What is the Military Acad-

emy? It is an establishment for the training of young men who are to become officers of our Army. That is all it is. What is the maneuvering that is provided for in this bill? It is for the training of the militia of this country, pure and simple.

Mr. SPOONER. Will my colleague allow me to make a suggestion?

Mr. QUARLES. Certainly.

Mr. SPOONER. It stands in the same relation to the subject exactly as a naval training station did to the naval appropriation bill.

Mr. QUARLES. Precisely. I am thankful for the suggestion.

Mr. HALE. No; the naval training station is for the purpose of educating landsmen to go into the service and man the ships. It has nothing to do with drilling or training.

Mr. SPOONER. The camp site is for the purpose of educating soldiers to go into battle.

Mr. HALE. No; the naval station is for educating the young men who go into the Navy. It is not training and drilling; it is taking landsmen and making sailors of them.

Mr. SPOONER. This is taking landsmen and making soldiers of them.

Mr. HALE. Oh, no; this is maneuvering and all that.

Mr. SPOONER. What is maneuvering but training?

Mr. HALE. But the naval training station has nothing to do with maneuvering.

Mr. QUARLES. Mr. President, it is utterly impossible, without resorting to casuistry, to draw any line between the two as a matter of principle. The policy of the Government has been laid down in the militia bill, as I said, that these two forces should be amalgamated, that they should be trained together; that the landsman from the farm and the office and the shop, green and untrained, shall be brought into a maneuvering camp where he has a chance to witness the maneuvers of the Regular Army. The purpose is to hold those two forces together so that we may have a more efficient defense.

Mr. HALE. A defense against what?

Mr. QUARLES. Against everything for which we provide an army.

Mr. SPOONER. Or a navy.

Mr. QUARLES. Or a navy.

Mr. HALE. That is, that there is to be practically an immense army comprising both the regular and the militia force. That is the purpose of it.

Mr. QUARLES. Mr. President, I shall not permit my distinguished friend to phrase that proposition for me. I shall not adopt his language; but the idea is not far from correct.

Mr. HALE. I thought so.

Mr. QUARLES. The idea of the militia bill is to bring those two forces together for the purpose of education, for the purpose of making better soldiers out of the citizen soldiery of this country. That is what it is for. So these two facilities work in harmony. One is a corollary of the other; one is the supplement of the other. The West Point Academy is to drill officers so that they may become a distinguished body of officers in our Army, and the camp-site provision is to take the green levies and recruits in the militia and make them better and more serviceable soldiers.

So there is an affinity between the two propositions. They are alike; they belong to each other, and they can not be segregated without interfering with the will of Congress as it has been distinctly announced by former legislation.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. QUARLES. Certainly.

Mr. ALDRICH. Does he think an amendment to this amendment would be proper to authorize the Secretary of the Treasury to purchase sites for the naval reserves, to provide buildings and ships and various paraphernalia of that kind?

Mr. QUARLES. It would not be germane to the bill.

Mr. ALDRICH. Why not?

Mr. QUARLES. Because it does not relate to a matter of the naval forces of the Government or the naval defense. Therefore, to bring into this army bill providing for camp sites a proposition to effectuate the Navy would make it obnoxious to the rule. It is not relevant or germane.

Mr. ALDRICH. That is not an army bill.

Mr. QUARLES. It is.

Mr. HALE. It is the West Point Academy bill.

Mr. QUARLES. Well, my friends may draw these distinctions, and I shall not assume to follow them in that line. They are both far better equipped than I to draw a nice distinction. But I say the comparison made by my distinguished friend is entirely unsound; that it would reveal another objection, not the one we are discussing here.

We are discussing now whether this is general legislation, and that is all. We are not discussing the question as to whether it is germane to the bill except only as I have ventured to say that when Senators vote upon this proposition I hope they will understand that under the new policy of Congress, enacted in the militia law, this is not only necessary but it is right in the line with the very objects and purposes of the Military Academy appropriation bill. It is an academy, if you please, in the broadest sense, extended to our militia, and not confined to those fortunate youths who may find their way into that great national training school.

Mr. FORAKER. Mr. President, I wish to say in the first place that I have no interest whatever in this question except only in so far as I am interested, as every other Senator should be, in the ruling that the Chair must make on so important a question as whether this is special or general legislation, or, to put it more precisely, whether or not this is general legislation. These camp sites are not situated, any of them, in my State or anywhere in the neighborhood of my State, and I do not know that there ever will be one situated there. Whether it is good or wise policy to procure these sites and pay out this money for them is something that I do not propose to address myself to.

I shall confine myself to the sole question whether or not this is general legislation, for if it be not general legislation then it is not subject to the point of order that has been made.

In this connection the Senator from New Hampshire [Mr. GALLINGER] has said that on some occasion heretofore I have insisted that the distinction which determines whether legislation is special or general is whether or not it expires with the session at which it is enacted. I have no recollection of having ever made any such contention as that. Certainly, I have no sympathy with any such point now, and I am sure the Senator has attributed to me something that should have been attributed to some other Senator.

The distinction between special and general legislation is sometimes confusing, and yet it is, as a rule, broad enough for us not to make any mistake about it—certainly not in this case.

The Senator from New Hampshire has given us a good illustration of the difference by calling our attention to the character of the provisions with respect to the Medical Corps and the Ordnance Bureau, that have already gone out upon the point of order that they were general legislation.

It is plain that they were general legislation. They were subject to that point of order, and the ruling of the Chair in that case was perfectly proper. But you will see in a moment the difference between that proposed legislation and that which is now under consideration when attention is called to the fact that the provisions with respect to the Medical Corps and the Ordnance Bureau were provisions amending a general law and establishing a general rule with respect to the government and the constitution and organization of those departments. At page 30 of the bill those amendments are found. They read:

That sections 18 and 23 of the act entitled "An act to increase the efficiency of the permanent military establishment of the United States," approved February 2, 1901, are hereby amended to read as follows.

That is as far as I need to read. The amendments then go on to so change the general law by amendment as to provide for a different construction and organization of these departments, and those amendments become the general law of the land applicable to those established and authorized departments.

But when you come to the amendment that is now under consideration, it is wholly different in that respect. It reads as follows:

That as carrying out the provisions of section 35 of an act to increase the efficiency of the permanent military establishment of the United States, approved February 2, 1901, the Secretary of War be, and he is hereby, authorized and directed—

In other words, Mr. President, there is no amendment by this amendment of a general law. This is an amendment intended to carry out the provision of the general law now on the statute books and in force. It stands by itself——

Mr. ALDRICH. Will the Senator allow me?

Mr. FORAKER. Certainly.

Mr. ALDRICH. Suppose this section, instead of being in its present form, had provided for an appropriation of $2,000,000 to carry out the provisions of a certain act approved, etc., would it have been effective? Would it have reached any purpose contemplated by this proposed statute?

Mr. FORAKER. No; it would not.

Mr. ALDRICH. Of course not.

Mr. FORAKER. Certainly not; and there is no argument in that, as I understand it, as the Senator seems to think there is. Now, let us look at the nature of this provision. If in the act to which this relates there had been a provision for the selection of certain described camp sites and we had now come to appropriate $2,000,000 to purchase those particular sites there might have been something in what the Senator has suggested.

Mr. ALDRICH. Undoubtedly, if general legislation contained

in this bill had been contained in another bill, then it would have been there; but it is not there.

Mr. FORAKER. No; that is not the point. The Senator asked me whether or not we could make an appropriation of $2,000,000 to carry out the provisions of a former law that we enacted; a law already in force; whether or not that would have had any effect. I say it would not have had any effect, because no camp sites had been determined upon, none had been selected: there was nothing that the Secretary of War could have appled the appropriation to in exercising the power to purchase which we are seeking to confer upon him.

But I do not want to be diverted by that. As I said a while ago, the distinction is easily made between what is general legislation and what is special legislation.

When the Senator from Wisconsin [Mr. QUARLES] had the floor a moment ago, he pointed it out in a broad way, but he did not cite any authorities. His contention was that general legislation is that which applies to the whole country or to a whole class of individuals or subjects, and that special legislation is that which applies to a locality or to an individual or to some particular thing, and that is the well-recognized distinction between special and general legislation that runs through all the authorities.

First, I want to call attention to the distinction as given in the Century Dictionary:

General legislation is—

Says the Century Dictionary—

that legislation which is applicable throughout the state generally, as distinguished from special legislation, which affects only particular persons or localities.

Now, this legislation which is proposed does not affect the country generally. It affects particular localities. It affects particular things. Now, let me distinguish.

Mr. ALDRICH. Oh, no.

Mr. HALE. Does the Senator hold that this legislation only affects the sites that are mentioned?

Mr. FORAKER. I hold that this simply authorizes the purchase of four designated and described camp sites.

Mr. HALE. The definition given there is an admirable definition.

Mr. FORAKER. It is an admirable definition for the purpose I have in view, but it does not subserve the purpose of the Senator, and, as the Senator knows very well, it does not answer or support the view he is trying to enforce. Let me indicate again as to the difference between special legislation, in answer to the suggestion of the Senator from New Hampshire [Mr. GALLINGER]. He said a while ago this is general legislation, because although it provides for the purchase of four particular camp sites, yet the whole country pays for these camp sites.

The Senator from New Hampshire has been for many years the chairman of the Committee on Pensions, and has labored in that position in such a way as to excite the admiration of everybody in this body. We never had an abler chairman in that place, and with all due regard to those who are there now, they have a good example to emulate, though they are doing splendidly. But the Senator had frequent occasion when acting in that capacity to consider the difference between special and general legislation. General legislation was that which provided that all persons of a certain class should be pensioned thus and so. Special legislation was that which provided that John Jones should have a pension of $6 a month or $12 a month. The country paid in both cases, but that did not make a special act general. There is nothing in the argument that because the Treasury is to be called upon to foot the bill in a given case it is general legislation.

Mr. GALLINGER. I would enlarge my suggestion, if it would suit the Senator. This applies to the entire Army of the United States. It can not by any possibility be said that this matter applies to the four States that are going to have these sites. It is a general provision relating to the Army. It is proposed to rendezvous the army from New Hampshire, I suppose, as well as from Wisconsin.

Mr. QUARLES. And I suppose the purchase of a gun would be on the same footing, because the whole Army might use it.

Mr. GALLINGER. I confess I do not see how the whole Army could use one gun. Perhaps the Senator from Wisconsin can.

Mr. QUARLES. At different times; not at the same time.

Mr. GALLINGER. I think the Senator's suggestion is not applicable to the point I tried to make.

Mr. FORAKER. Now, let me illustrate again. Here is a law, general in its character, enacted, providing that the Secretary of War shall cause preliminary surveys and examinations to be made with a view to the selection, when Congress authorizes it, of four camp sites. He was authorized to do that. He did it, and he has made a report upon it.

We now appropriate money necessary to purchase the four sites upon which he has made a report. We name them specifically and appropriate for each in turn. That is not a general law of the country. It is an appropriation to carry out a specific purpose. It is money to be applied in a specific way. It does not apply to all camp sites or to any class of camp sites. That is special legislation and nothing else.

Now, let me illustrate to the Senator from New Hampshire what I think would be general legislation in this respect as contradistinguished from this, which is clearly to my mind special legislation.

If we should enact here that no camp site shall be hereafter selected that does not have a clear, running stream of water through it, that would be general legislation, because applicable to all camp sites. It would be a part of the law of the whole country. It would apply to every object in that class, to every camp site we might have, whether we had two camp sites or four camp sites or forty camp sites or forty-five, one for each State. That would be a general provision of law.

Mr. GALLINGER. I wish the Senator would repeat that observation.

Mr. FORAKER. The observation I made was this: If we were to provide in this legislation, instead of providing for the purchase of four camp sites, that any camp sites that might hereafter be purchased should be so located as that there should be running streams of water going through them, for sanitary purposes, for instance—that would be a general rule that would be applicable to all camp sites, and that would be general legislation.

Mr. GALLINGER. The Senator says, if he will permit me, "any camp sites to be hereafter located." Does he mean to say that if the provision in this bill relating to these four camp sites had provided that they should be sanitary, then it would be general legislation; and that it is not general legislation without such a provision?

Mr. FORAKER. That is not the case we have now before us. It has no reference whatever to the question we have under consideration, but a provision applying alike to all the members of a class would be general and not special. That is what I said. We have here, Mr. President, a question of whether or not the Secretary of War shall be authorized to use a certain amount of money named to purchase four designated camp sites that have been selected. The point is that that is not general legislation affecting the whole country, except in the sense that it is paid for out of the public Treasury; but all special and private pension bills are paid for out of the Treasury. That is not the test.

Mr. GALLINGER. No; but what attracted my attention was that the Senator suggested, as I understood, that if we had provided that there should be a stream of running water through the camp, it would be general legislation. I repeat, does the Senator mean to say that if in this amendment it was provided that these camp sites should be placed on ground that was sanitary, it would be general legislation, and that it is not general legislation without that provision?

Mr. FORAKER. If it were a general provision it would be general legislation, but if it were to provide sanitation and had reference to only a particular site or a particular number of designated sites it would not be general legislation, but would be special legislation.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Rhode Island?

Mr. FORAKER. Certainly.

Mr. ALDRICH. Do I understand the Senator to say that if this bill provided for forty-five different camp sites it would be general legislation?

Mr. FORAKER. Did I say that?

Mr. ALDRICH. I thought so.

Mr. FORAKER. I did not say that.

Mr. ALDRICH. I thought the Senator said if the amendment applied to all the sites it would be general legislation.

Mr. FORAKER. No; I did not say that. What I said was that if we were to enact a general provision that should be applicable to all camp sites that we might hereafter purchase, whether two or four or forty or forty-five in number, one for each State, that particular provision applicable to all alike would be general legislation; but so long as you legislate about a specific thing or a specific number of designated things, if you legislate specifically about localities or about individual things, it is special legislation, and not general legislation, no matter what the number may be, so long as that number does not embrace a whole class.

But I shall read a little further——

Mr. HALE. Let me ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Maine?

Mr. FORAKER. Yes.

Mr. HALE. The Senator says that if we put in a general bill——

Mr. BLACKBURN. We are unable on this side to hear what is being said.

Mr. FORAKER. I can not myself hear the Senator from Maine.

Mr. HALE. The Senator says if we should put in a provision that there should be a camp site in every State that would be general legislation.

Mr. FORAKER. No, Mr. President; the Senator did not say any such thing.

Mr. HALE. Then what did the Senator say?

Mr. FORAKER. Mr. President, I object to interruptions that are not made in good faith, and it impresses me that this one is not made in good faith.

Mr. HALE. It is not for the Senator to say whether an interruption is made in good faith.

Mr. FORAKER. The Senator who is interrupted has a right to judge whether or not an interruption is made in good faith.

Mr. HALE. I hope the Senator will be good-natured about it.

Mr. FORAKER. "The Senator" is good-natured; but twice now I have responded to this same kind of interruption, and both times in the presence of the Senator from Maine, who is quick to understand, for no man is more acute.

Mr. HALE. The Senator must not assume because I propound an uncomfortable question that it is not propounded in good faith.

Mr. FORAKER. There is nothing uncomfortable in the question which the Senator from Maine propounds, though he is as well qualified to propound uncomfortable questions as any Senator in this body; but he has not done so in this instance.

Mr. HALE. The Senator must not judge. When I propound an interrogatory to him, he must not say that I am not propounding that interrogatory to him in good faith.

Mr. FORAKER. What I object to is not the Senator's interruption, but the Senator's misrepresentation—not intentional, I suppose, but misrepresentation nevertheless—of what I had said.

Mr. HALE. I certainly so understood the Senator.

Mr. FORAKER. And following immediately after the correction of a similar misrepresentation I did not think it had been made in good faith. I generally say what I think, and I always think what I say.

Mr. HALE. I certainly understood the Senator to say that anything in the bill that applied to sanitation would be general legislation.

Mr. FORAKER. No, Mr. President, I did not. What I said was this——

Mr. HALE rose.

Mr. FORAKER. If the Senator will allow me good-naturedly—and I would not think of having a colloquy with him in any other than a good-natured humor—what I said was this: That if we were to make a general provision applicable to all camp sites that we may have or may hereafter procure, whether the number were two or four or forty or forty-five—one for each State—that general provision would be general legislation.

I did not say that to procure forty-five camp sites, one for each State, would be general legislation; but what I said was that a provision for particular sanitary conditions for all of our camp sites and applicable to all that belong to that class would be general legislation, and not special.

Now, I do not wish to be diverted from reading these authorities. I have got into a discussion here that I feel no personal interest in whatever, so far as these camp sites are concerned, though I feel a good deal of interest in it as a member of this body: for if we are to be told that an appropriation to buy four specified camp sites is general legislation, and if that becomes the law of this body, it is a pretty important ruling and one that I protest against. But now allow me to cite some authorities.

I read from Bouvier's Law Dictionary. There is no end of authorities on this subject:

> General laws.—Laws which apply to and operate uniformly upon all members of any class of persons, places, or things, requiring legislation peculiar to themselves in the matters covered by the laws are general laws.
>
> Statutes which relate to persons and things as a class (77 Pa., 348). Laws that are framed in general terms, restricted to no locality and operating equally upon all of a group of objects which, having regard to the purpose of the legislation, are distinguished by characteristics sufficiently marked and important to make them class by themselves (40 N. J. L., 123).

So I might go on to read at very great length; but I have read enough to show what the rule is. No one can cite any authority that criticises that rule or controverts that rule as the authorities lay it down.

Mr. ALLISON. Will the Senator allow me a moment?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. FORAKER. Certainly.

Mr. ALLISON. Do I understand the Senator to claim that this provision is in order on account of what is contained in section 35 of the act of 1901?

Mr. FORAKER. No.

Mr. ALLISON. Or does he claim that on an appropriation bill, without any reference whatever to prior legislation, we have a right to provide for these camp sites?

Mr. FORAKER. Mr. President, as the Senator was out of the Chamber for a time, I will repeat for his benefit that I am not discussing any feature of this point of order, excepting only the one question raised by it, whether or not this amendment is general legislation.

Mr. ALLISON. So I understand.

Mr. FORAKER. And I have distinguished this amendment from the clauses which have already gone out on this same point of order relating to the Medical and Ordnance Corps by showing that those sections were intended to become a part of the general statute, while this is not part of any general law.

Mr. ALLISON. I understand, then, the Senator bases his justification of this amendment on the ground that if we choose here to provide for purchasing camp sites wholly aside from section 35 of the law of 1901, we may do so.

Mr. FORAKER. Oh, no; not at all, Mr. President. That point has been considered by others who have spoken.

Mr. ALLISON. Very well. Then the Senator does not lay any stress on that.

Mr. FORAKER. The Senator from Wisconsin [Mr. SPOONER]—I do not know whether the Senator from Iowa was out of the Chamber at the time—called attention to the fact that this amendment was not subject to the point of order made by the Senator from Kentucky [Mr. MCCREARY], because it was legislation to carry into effect a provision which had been made in an existing law.

Mr. ALLISON. I will ask the Senator another question, if he will allow me.

Mr. FORAKER. With pleasure.

Mr. ALLISON. Suppose, instead of providing here for four camp sites, as section 35 of the act of 1901 contemplates, we should put in a provision for twenty camp sites, would that still be in order?

Mr. FORAKER. If you were to designate those twenty sites as you have designated these four, it would still be special legislation, and it would not make any difference that there was a larger number so long as the provision did not embrace all the members of the class.

Mr. ALLISON. And it would still be in order, does the Senator contend?

Mr. FORAKER. It would certainly be special legislation.

Mr. ALLISON. That is to say, suppose this point of order is not sustained, then it would be in order, would it, for the Senator from Kentucky, who seems to be interested in behalf of his State in the West Point, Ky., location, to move to add that, so as to make another camp site? Would that be in order?

Mr. FORAKER. Yes; it would be if he did it in a specific way, as is done here. The distinction is so broad and is so perfectly plain that I wonder anybody can even appear to fail to see it, understand it, and appreciate it.

Mr. ALDRICH. Mr. President, if I understand the Senator from Ohio [Mr. FORAKER], this amendment would be in order if there had been no previous legislation of any kind upon the subject. That must be so from his statement.

Mr. FORAKER. It would be, so far as the question of general legislation is concerned, on that particular question.

Mr. ALDRICH. I am not discussing that point.

Mr. FORAKER. I say that is the only one I am discussing. This is another point of order altogether. As I said in the beginning, I did not propose to address myself to that, for I think the Senator from Wisconsin [Mr. SPOONER] well answered all that was said in that respect. It does not depend upon the number of things that are to be affected by an act of legislation, so long as we do not affect all of that particular class to which the number designated belongs.

As for instance, to go back to what I was talking about a moment ago when the Senator from Maine [Mr. HALE] interrupted me, if we were to authorize the Secretary of War to proceed to make surveys and examinations and contracts for the purchase of camp sites in such number as he might see fit, exercising his judgment as to their necessity for the military service or the necessities for properly drilling and disciplining the National Guard, and direct how he should be governed in discharging that duty, that would be general legislation. But we have got to take the case as it is, and when we provide by act of Congress that there shall be a hospital building—to use an illustration employed by the Senator from Wisconsin—erected in the city of St. Louis, on a particular piece of ground that is designated and described in the bill, at a cost not exceeding a certain amount, for which there has been an estimate made, that is not general legislation. That does not affect all the hospitals in the country. That does not affect all of the country. That affects only one particular transaction. It is one hospital out of the whole class of hospitals that the Government may see fit to provide. And that is special legislation. It is not general legislation.

So, as we frequently do in our State when we have occasion to legislate for one particular city, we can not do it under our con-

stitution, which requires legislation of a certain kind to be by general law, except we so frame it as to make that legislation apply to all the cities of that particular class.

Mr. GALLINGER rose.

Mr. FORAKER. If you make it applicable to only one, whether it be by name or description, it will be held to be special legislation—special legislation because it refers to only one member of a class instead of to all the members of the class. That is the rule, and whether it be applied to municipalities, or to individuals, or to hospitals, or to localities, or what not.

We have every day an illustration—if the Senator from New Hampshire will pardon me for just a moment further—in the legislation that is brought in here from the Committee on Pensions and in the legislation brought in here from the Committee on Military Affairs, and we have had within the last week or two an illustration of the difference between general law and special law. I refer to the fact that we have bills reported from the Committee on Military Affairs removing the charge of desertion from the record of John Jones or doing something else for some particular individual in the way of relief. That is special legislation.

Special legislation may be either public or private. That is another classification which it is not necessary for me to go into. But when we bring in a bill, as we did the other day, from the Committee on Military Affairs, providing that all officers of the Army who have served a certain period of time mentioned in the bill shall, upon retirement, on certain terms and conditions, have given to them an additional rank—be given a promotion with which to retire—making it applicable to all of the class prescribed—that is general legislation. Is not that perfectly simple? The increased expense consequent upon that increased rank is to be paid for out of the common Treasury of the country.

Mr. GALLINGER. Mr. President, if the Senator will permit me to make an observation——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from New Hampshire?

Mr. FORAKER. Whether it be in a special class or in the general class, the fact that it is paid out of the Treasury cuts no figure in determining whether it belongs to one class or another.

Mr. GALLINGER. The Senator has expressed astonishment that any of us differ with the view he takes. I confess I have been very much troubled over Rule XVI of the Senate and have wondered that it has not been made more explicit, but I can not subscribe to the Senator's view, and I want to ask the Senator this question: Supposing when the post-office appropriation bill was under consideration I had offered an amendment providing for the erection of a public building in the city of Dover, N. H., and it had been ruled that it was relevant to the bill, would the Senator hold that that would not go out on a point made that it was general legislation?

Mr. FORAKER. Yes; I would. That is special legislation; that does not refer to a class. It would be public, but special.

Mr. GALLINGER. The difference is so wide between the Senator's view and mine that of course it can not possibly be reconciled, but very likely the Senator may be right.

Mr. FORAKER. Mr. President, there must be some fundamental rule determining whether certain legislation is special or general. I have undertaken to point out what the rule is. Is there any doubt or uncertainty in the language I have read from the books? There is no criticism of that language upon the part of anybody.

Mr. GALLINGER. I thought, Mr. President, that it sustained our position.

Mr. FORAKER. Now, Mr. President, how can the Senator say that he thinks it sustains his position when the language I have read is that the difference between special legislation and general legislation is that general legislation applies to the whole country, or to all the objects that belong to a class or to all the persons that belong to a class, and that nothing is general legislation that does not apply to all the objects of a class, and that everything is special legislation, whether it be public or private—and it is not now necessary to discuss that—that applies to a less number than all the numbers of a certain class.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. FORAKER. Yes.

Mr. ALDRICH. It is the same question which I asked the Senator from Wisconsin; that is, whether he thinks an amendment to this provision authorizing the purchase of sites as drill grounds for the Naval Reserve in certain designated States and under certain designated conditions would be in order?

Mr. FORAKER. Mr. President, if you were to add to this amendment a provision that a certain designated piece of land should be purchased, and appropriating one hundred thousand or five hundred thousand dollars for it, directing the purchase of it, no matter what the particular purpose might be, it would not be general legislation. That would be special legislation.

That would not be a law for the whole country. That would not affect anybody or anything except only the public Treasury, out of which it must be paid—which, as we have seen, does not determine whether it is special or general, and the particular spot or locality that is to be purchased.

Mr. President, I do not want to pursue this matter any further. As I have said two or three times, I have no special interest in it. I do not care anything about the camp sites, except only in a general way. I have favored the policy of making some provision for the proper gathering together, drilling, and disciplining of our National Guard.

I favored the law that is referred to in this amendment when it was enacted; I voted for it in the committee, and I voted for it here in the Senate, and I participated in the debate in support of it to a limited extent, as I now remember. My interest is, as I have said, not on account of what we are proposing to do, but simply on account of the ruling that the Chair is asked to make.

This is wholly unlike the amendments in regard to the Medical Corps and the Ordnance Corps for reasons I need not repeat. Those were amendments to the general law which were to become a part of the general law of the whole country. They provided for the organization, conduct, and government of recognized and established departments of the military branch of the Government.

Mr. QUARLES. And control the entire class.

Mr. FORAKER. And control the entire class. They provide what the rank of the officers at the head of each of these departments shall be, how many officers there shall be of the different ranks mentioned, and who shall serve in these respective departments. It is a general law in every sense of the word, while the amendment in regard to the camp sites is wholly and absolutely different. This amendment simply says certain camps, describing them, having been selected and the price having been fixed, we hereby authorize the Secretary of War to go and purchase them.

Mr. FULTON. I should like to ask the Senator a question for information.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Oregon?

Mr. FORAKER. Yes.

Mr. FULTON. What would be the difference between this amendment and one which proposed to provide 100 additional acres of land for the West Point Military Academy?

Mr. FORAKER. There would not be a bit of difference.

Mr. FULTON. Would that not be general legislation?

Mr. FORAKER. No. If you were simply providing by law that somebody might go and select 100 acres of land under certain conditions, that might be a general law, because it would apply generally, but if you should designate and describe 100 acres of land at West Point and authorize an appropriation and direct somebody to go and make the purchase, that would be purely and simply special legislation. There is no question about that.

Mr. FULTON. Would that not be for the use of the entire country?

Mr. FORAKER. What it may be for the use of, Mr. President, is not the test, as I understand it.

Mr. FULTON. Would it not be for general use?

Mr. FORAKER. Certainly it would be for general use.

Mr. FULTON. And if it is for general use, would it not be general legislation?

Mr. FORAKER. It is not the use to which a purchase may be subjected, as I understand it, that determines whether it is special or whether it is general. If you provide——

Mr. FULTON. If the Senator will allow me——

Mr. QUARLES. Will the Senator from Ohio [Mr. FORAKER] allow me to suggest to the Senator from Oregon [Mr. FULTON] that that would not be for general use? It would be for the use of a particular class, and not for general use; it would be for the use of the people who are sent to that training school.

Mr. FULTON Yes; for the general benefit of the whole country.

Mr. QUARLES. No.

Mr. FULTON. Take it in the States, for instance. A law which provides for the incorporation of a particular locality is termed a special law, because it is one for the use and benefit of that particular locality. But suppose you propose to erect a public building for the use of the entire State, everyone will admit that is a public statute, a public law, a general law.

Mr. FORAKER. Mr. President, the Senator will allow me to remind him that there are different classifications than those of special and general laws. There is another classification of public and private statutes. I have already referred to it, but I have not discussed it. A statute to authorize the building of a hospital would be a public statute, because it is to serve a public use, but it would not be a general statute.

Mr. FULTON. That is correct so far as a public statute is con-

cerned. I did not intend to use it with that meaning. I say a law providing for the erection of a building for the use of the entire country, for a State building, or a Government building is a general law.

Mr. HOAR. If the Senator from Ohio will permit me, may I ask the Senator from Oregon a question in regard to the statement he has just made?

Mr. FORAKER. Yes; but I want to get through.

Mr. HOAR. If legislation providing for the building and establishing of hospitals and public buildings be general legislation——

Mr. BLACKBURN. It is impossible on this side of the Chamber to hear the discussion.

Mr. HOAR. If it be said that a provision for a new building because it is for the use of the General Government is general legislation, the purchasing of a new mail bag at a cost of $3 would be general legislation. There is not much difference.

Mr. FULTON. I do not think there is any difference, for the purchasing of supplies can be limited to one mail bag or a thousand. I do not think the number makes any difference. If you are purchasing for the use of the people, for the general use, for the use of the Government, it is general legislation. If it is general in its purpose and use, it is general legislation, because it is not confined to any locality, or to any individual in its use.

Mr. FORAKER. We have been talking about hospitals and about public buildings generally. Let us take another very familiar illustration—that of a bridge. Would anybody pretend to say that an act of the legislature authorizing the construction and maintenance of a bridge over a designated stream in a particular State would be a general law?

Mr. FULTON. If the Senator will allow me——

Mr. FORAKER. It would be for public use and a public statute, but it would not be a general law.

Mr. FULTON. It is not for the use of this Government. If we authorize the construction of a bridge in a particular State, we give the State in that locality the right to build that bridge for the use of the State. We consent to it because we have control of the public waters; but it is not for the general use of the Government.

Suppose you build a military bridge for the use of the Government, for the use of the Army; then it becomes a general matter and it is general legislation.

Mr. QUARLES. If the Senator from Ohio will pardon me a moment, I think the Senator from Oregon is hoist by his own petard. He has given an illustration of the purchase of additional acres for the use of the Military Academy. That is not for the use of the people of the United States; it is a restricted use; it is a facility for a particular class—namely, those few chosen ones who go to that academy. It is fenced in with those grounds. It it not for general use. The public can not use it; it is used by a class.

Mr. FULTON. I will not further take the time of the Senator from Ohio.

Mr. FORAKER. I am very thankful to the Senator from Oregon for having interrupted me. I know he only wanted to get the right of it, and that is all I want. I have no interest in the legislation that is proposed, but I have the interest that every other Senator ought to have in the ruling that is to be made, and we ought to settle, and settle it right, what is meant by general legislation.

The Senator has put a number of illustrations. He speaks about legislation for a public building. That, Mr. President, gives rise to another classification entirely, to which I have already referred. But I repeat that there are special statutes that are public in their nature.

A statute authorizing a bridge across a river is a statute authorizing a public convenience, and it is therefore a statute that the courts will take judicial notice of, because it is public in its nature; but an act authorizing John Jones to receive $6 per month pension is special and also purely private. It is private and special, while a bridge statute is public and special. The courts will not take judicial notice of a bill relieving a man from the charge of desertion or to correct his military record. Neither will they take any notice of a statute granting an individual pension, because it is purely private, although the expense which it occasions is paid out of the public Treasury.

You must plead it whenever you want a court to take notice of it. But if you provide that all soldiers suffering a certain described disability shall have a certain named pension, that will be a public and also a general law of which the courts will take judicial notice.

Mr. HALE. I was about to suggest to the Senator that the President pro tempore of the Senate has indicated—and he was undoubtedly correct—that the first question to be submitted to the Senate is the question whether the amendment is germane.

Mr. FORAKER. Yes.

Mr. HALE. And I suggest to the Senator—I do not want to interrupt his remarks—that in the order of our business the other point, as to whether it is general legislation, will come up afterwards. Is it not better to have these points settled in the order in which they come?

Mr. ALDRICH. I think we should have the question of general legislation settled first.

Mr. FORAKER. That is probably true. I have not had anything to do with arranging the order of this debate—I took it up just as it was brought before the Senate; but if we were to now pay much attention to the order in which we do things, it would be about the first time we have ever done that since I have been a member of this body. We do things usually just as they come up.

Mr. QUARLES. I should like to ask the Senator from Ohio a question.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Wisconsin?

Mr. FORAKER. Certainly.

Mr. QUARLES. Would not the rule contended for here, that the procurement of a facility for a class is general legislation, if it were held to be the established rule, cripple every appropriation committee of this body?

Mr. FORAKER. It would make it absolutely impossible to amend any appropriation bill with any provision of this nature; clearly so.

Mr. GALLINGER. There is no doubt of that.

Mr. FORAKER. I might agree, and perhaps will—though I do not think I shall—as to the impolicy of making this appropriation. I have not considered that at all. But I am not going to agree, for the sake of killing something that may be objectionable in itself, to the establishment of a rule or to the making of a ruling which is going to plague us hereafter every time we undertake to legislate. I do not generally have much respect for points of order, anyway. They are always aimed at meritorious legislation that can not be defeated in any other way. I believe a parliamentary body should be fairly free to do as it sees fit and not be hedged about with a lot of fine points that somebody who studies points rather than the general good is always ready to make.

But I do not wish to detain the Senate any longer. I have tried to make it plain that in my opinion this is purely special legislation. It will be, however, legislation of a public character, because it relates to a public use and is to be paid for out of public funds. It is public legislation of which the courts will take judicial notice. But it is not general legislation, because it does not refer to all the members of a class nor to the whole country; and those are the absolute requisites of a general statute.

Mr. BLACKBURN obtained the floor.

Mr. HALE. Does the Senator object to the submission to the Senate of the question whether the amendment is germane? Then this other matter——

Mr. BLACKBURN. The other matter has been argued, I will say to the Senator from Maine, for the last two or three hours. If you are going to submit the relevancy question to the Senate, and it should be decided in a certain way, that would be the end of the argument. So it seems to me that as the debate has already taken so wide a course we had better finish it before the Senate votes.

Mr. FRYE (Mr. KEAN in the chair). But the Chair recognized the last point of order made by the Senator from Kentucky [Mr. MCCREARY], which was that the amendment is not germane, and that, in the judgment of the Senator from Maine, is the first question to be settled by the Senate.

Mr. MCCREARY. But the senior Senator from Kentucky desires to be heard on that subject and on other branches of the case.

Mr. FRYE. I should not think any Senator would wish to be heard on the question whether or not the amendment is germane.

Mr. MCCREARY. I think it is not germane.

Mr. BLACKBURN. It may be that the distinguished President pro tempore of the Senate agrees with some of the rest of us that there is no room for a difference of opinion on the question of its relevancy.

Mr. FRYE. I do not think there is.

Mr. BLACKBURN. I do not think so either.

Mr. HALE. Let us have the matter submitted to the Senate.

Mr. BLACKBURN. No, I object; because this debate has not been confined to either of the propositions involved in the point of order, but, as every Senator knows, it has covered both. Not a Senator has been heard who has not argued both the question as to its relevancy and as to whether it is general legislation.

Mr. FRYE. But what would the Senator say if the junior Senator from Maine should now take the chair and submit to the Senate the question whether or not this is germane?

Mr. BLACKBURN. Under the rule, that question the Chair has to submit to the Senate, and I would expect the junior Senator from Maine on the call of the roll to vote "nay."

Mr. FRYE. He would undoubtedly.

Mr. BLACKBURN. I am sure he would.

Mr. President, the truth is that a good many years ago the distinguished President pro tempore of the Senate and I served together on the Committee on Rules in the House, and since that time we have served together on the Committee on Rules in the Senate, at one time when I was chairman of the Committee on Rules. So during an acquaintance covering a period of thirty years almost, I have known by close contact that the junior Senator from Maine was too good a parliamentarian to have a doubt in his mind as to the point of order that has been raised here.

Mr. President, in a Congressional experience——

Mr. FRYE. Is the Senator from Kentucky undertaking to bribe the Presiding Officer?

Mr. BLACKBURN. No, sir; on the contrary, I had the assurance of the distinguished Senator that I was correct before I expressed an opinion.

In a Congressional experience that is becoming somewhat lengthened and extended, I have never heard so plain a proposition discussed at such length or so elaborately as this has been.

There were three items inserted in this bill. It is not denied that this is an appropriation bill for the specific purpose of providing for the maintenance and support of the Military Academy of this Government, located at West Point. I am a member of the Committee on Military Affairs. The senior Senator from Ohio [Mr. FORAKER] has told you the position he took in that committee upon these amendments. So I have his example to follow when I tell you that I opposed in the committee this amendment known as the "camp-site amendment." There were two others—the one providing relief for the Medical Corps of the Army, the other providing relief for the Ordnance Corps of the Army. I cordially favored both of those amendments.

I believed that the Medical Corps and the Ordnance Corps needed the relief that those amendments, which have just been ruled out, attempted to give to them. I was opposed to the camp-site amendment, and I may subject myself to the criticism of the distinguished Senator from Texas, who has already taken occasion to call the attention of the Senate to the fact that probably my colleague's opposition to the amendment was traceable to, or in some remote degree connected with, a failure upon the part of Kentucky to get a camp site included in this proposed legislation.

I may subject myself to a more severe ordeal and one more dreaded even than that presented by the Texas Senator as to my colleague, and that is that I may fall under the criticism of my facetious friend the junior Senator from Wisconsin [Mr. QUARLES], who has undertaken to criticise the Government's experience in its last fall's venture to have these maneuvers held upon a Kentucky camp site which is not included in the proposed amendment.

The Senator from Wisconsin tells us that the Government ought never to undertake to rent a camp site again; that it must buy the sites, and buy them now, because, he said, the frightful enormity of the bills that came in from Fort Riley and West Point last fall ought to deter the Government from ever undertaking to rent another camp site for army maneuvers.

When I asked him what the aggregate claims amounted to, he said the two together totaled about $8,000. If you will divide that by two and charge half of it up to the Kentucky camp site and the other half to the Kansas camp site, it is $4,000 each. There were 8,000 soldiers encamped at West Point in those maneuvers last fall, and the enormous, frightful costliness of the experiment in the way of claims for damages put into figures amounts to a half dollar per capita, according to the figures of the Senator from Wisconsin.

Mr. President, as a member of the Committee on Military Affairs I opposed and voted against this camp-site amendment. It was pending as an original bill both in the Senate and in the other House. When it was taken up and put on as an amendment to the Military Academy bill, I said to the Senate Committee on Military Affairs that, while I favored both of the measures of relief for the Medical Corps and the Ordnance Corps, "A point of order will be made against all three of these items, and as surely as that point of order is made, it will be sustained, and all three will go out of this bill." I did not believe then, I never have believed, I do not believe now, that any ruling could be made except to sustain the point of order, as the Chair did do upon the Medical Corps amendment and as the Chair did do upon the Ordnance Corps amendment, and as it seems to me the Chair must do upon this camp-site amendment.

As to whether it be relevant or not, under the provision of one section of the sixteenth rule of the Senate that matter must be submitted to and be determined by a vote of the Senate. As to the question of its being general legislation, under another clause of the sixteenth rule it is the duty of the Chair to rule; and I have no doubt now as to what that ruling will be. I may not undertake to say what the result of the vote of the Senate will be upon the question of relevancy, but this I do want to say: It would be unfortunate for the reputation of the Senate, it would be more than unfortunate for the reputation of this body, if, after a point of order has been made on all three amendments, the one for the relief of the Medical Corps shall have fallen, and the one for the relief of the Ordnance Corps shall have followed it, and the one establishing these four camp sites shall work through. What will the public think? What will the world think of the method the Senate has of applying and executing its own rules?

Senators may differ, evidently from this debate Senators do differ, as to which of these three amendments is most obnoxious to the sixteenth rule that you have adopted for your government, but it seems to me there can be no difference of opinion among us on that question.

This is a bill to maintain the Military Academy, and for no other purpose, and yet it seems to me to be far more reasonable that you should put upon it a proviso that looks to the management of or to the relief that is sought by one of the corps of the Army than to undertake to go into the open market for the purchase of land in order to select and provide for army-camp sites from the Atlantic to the Pacific Ocean.

The amount of money involved should cut no figure in disposing of the point of order; and yet the Senate will not fail to remember that this very amendment which is now under debate on this point of order carries as an initiative a little over two millions of money that is to buy the land.

You do not know, nor do I, nor can any man tell what amount of money is involved in the adoption of this amendment. These two millions and more of dollars are simply to buy the naked land. Nine hundred thousand dollars of it goes to buy a site in the State of Pennsylvania. Will you undertake to tell me, and have you any authority for saying it, it will not cost more than $9,000,000 to improve the Pennsylvania camp site which you are going to buy for $900,000? Five hundred thousand dollars of it goes to buy a site in the State of Wisconsin. Will either of the Senators from that great State give us their assurance that it will not cost this Government more than $5,000,000 before the Government gets through completing the equipment of the site they favor? Five or six hundred thousand dollars of it goes to the State of California to buy a lot of naked land. Will the Senators from California answer and obligate themselves to protect the Government against the expenditure of ten or twelve million dollars of money for the completion of that site after its purchase? So with all of them.

This amendment carries $125,000 to purchase a site in the State of Texas, and then it carries an appropriation of $100,000 to add to the holding at the camp site in Chickamauga. So you have about $2,100,000 of an initiative expenditure. And whilst it may be conceded that it is all guesswork, I apprehend that no Senator here would be prepared to deny, or warranted in denying, the guess of twenty-five or thirty million dollars before you get through if you should adopt the amendment that is here objected to.

I did not make any point of order against this amendment. I had hoped that the other two amendments might go through without a point of order being made, and as I felt that way toward those two amendments it did not become me to enter the point of order against the camp-site amendment. I am not only a member of the committee that reported the bill, but I am one of the subcommitteemen who stand here tendering it to the Senate. But I can not doubt, I do not doubt, that the Chair did right when he sustained the point of order against the other two amendments, and I am sure he will do right if he sustains the point of order against this amendment.

Mr. CULBERSON. Mr. President, I can not expect and do not expect to add anything to what has been said by the Senators from Wisconsin and the Senator from Ohio [Mr. FORAKER] on the points which they discussed in reference to the point of order. There is, however, one phase of this matter to which I desire to call the attention of the Chair, of which, so far as I recollect, and so far as occurred in my presence, no mention has been made this afternoon.

The point of order, as I understand it, is that this section of the bill relating to camp sites is general legislation, and consequently obnoxious to the third subdivision of Rule XVI of the Senate.

In the discussion of the Indian appropriation bill some ten days or two weeks ago the President of the Senate laid down what in my judgment is the best rule I have heard as to what is general legislation within the meaning of this rule of the Senate, and that was this: That any legislation on an appropriation bill which continues in force after the appropriation bill itself has died is general legislation, and that any provision of an appropriation bill carrying an appropriation which becomes functus officio after the expiration of the time the appropriation bill is operative is not general legislation.

Mr. President, what does that mean? It means that if there is any general provision on an appropriation bill which continues operative and effective after the appropriation bill shall have expired by limitation, or, to put it differently, any provision for the

regulation of the Government or its officials which remains in force after the appropriation bill itself becomes functus officio is general legislation within the meaning of this rule, and therefore obnoxious to it.

In passing, I may say that this provision with reference to the camp sites is neither more nor less than an appropriation to carry into effect section 35 of the act of February 2, 1901. That phase of it has been fully discussed by Senators who have heretofore spoken. In addition to that, it will be observed that the provision to which objection is made does no more than make an appropriation for the purchase of these sites, and after the purchase is made—and it must be made within the next fiscal year or not at all—then the provision ceases to be effective, ceases to be operative, and is not general legislation regulating the conduct of the officials of the Government thereafter.

Mr. ALDRICH. Why does the Senator say the purchase must be made this year?

Mr. CULBERSON. Because the appropriation is limited to the fiscal year.

Mr. ALDRICH. Oh, no.

Mr. CULBERSON. I so understand it.

Mr. ALDRICH. Oh, no.

Mr. CULBERSON. It certainly dies with the bill.

Mr. ALDRICH. No.

Mr. CULBERSON. Suppose that to be the case——

Mr. QUARLES. If the Senator will permit me, to phrase it a little differently, after the purchase of the sites this amendment lays down no rule of action to control anybody. It is at an end.

Mr. CULBERSON. Certainly. But I was going to add, in answer to the suggestion of the Senator from Rhode Island, that this provision of the bill, in the language of the President pro tempore of the Senate in the case of the Indian appropriation bill, dies with this bill itself and does not remain on the statute books as a general regulation.

In the case to which I referred there was a provision in the Indian bill changing an agreement for a treaty with reference to certain Indians, carrying an appropriation of a million dollars, and the President of the Senate held that that was not general legislation within the meaning of this rule, notwithstanding it amended a statute of the United States, because the appropriation died with the bill.

The Senator from Kentucky [Mr. BLACKBURN] insists that this provision which we are now considering ought not to be held to come within the rule because the amendments with reference to the Medical and Ordnance Corps have been stricken out.

But, as has been pointed out by the Senator from Ohio, they are entirely distinct, those regulating the Ordnance and Medical Departments remaining upon the general statutes of the country, containing regulations for the future, and this one expiring with this bill; if not in the fiscal year, certainly in two years.

Mr. ALDRICH. Will the Senator allow me to ask him a question in this connection?

Mr. CULBERSON. Certainly.

Mr. ALDRICH. This amendment in the eighth and ninth lines, on page 31, says:

> For the instruction and maneuvering of troops of the Regular Army and National Guard.

Is that to end this year?

Mr. CULBERSON. The purpose of that, and that is what makes it germane to this bill, it seems to me, is to provide a camp of instruction to be used in connection with the Military Academy after these officers shall have graduated and ceased to be members of the corps of cadets at the Military Academy. It does not matter what ulterior or indefinite effect certain provisions of this proposed law may have, nor what use is to be made of the property, because that is to be regulated hereafter by Congress, and the suggestion of the Senator from Rhode Island is answered by the proviso at the end of the bill:

> That no permanent military post shall be established, or any steps taken looking toward the establishment of a post, on any of the camps hereby authorized to be purchased without express authority of Congress.

That shows that this is a mere temporary provision, which dies with the bill, and that the further use of these camps, their further regulation, is to be determined hereafter by Congress.

Mr. HALE. Does not the Senator think these camp sites will be on the Government's hands at the end of the year?

Mr. CULBERSON. Certainly, they will be on the Government's hands just like any other property that the Government may purchase.

Mr. HALE. And will be our property.

Mr. CULBERSON. Certainly.

Mr. QUARLES. But there is no regulation.

Mr. HALE. The question of regulation is not the main thing. They will be our property.

Mr. QUARLES. Yes.

Mr. HALE. And if it is not general legislation to increase the property of the Government in this way all over the country, then I can not see what is general legislation.

Mr. CULBERSON. In answer to the Senator from Maine, I will say that this is nothing except a specific appropriation in an appropriation bill to buy property which shall hereafter be used as camps of instruction in general connection with military instruction at the Academy, as may hereafter be determined by Congress.

Mr. CULLOM. Camps all over the United States?

Mr. CULBERSON. It goes no further than what I have suggested. After the purchase of the property during the life of this bill the provision is no longer effective. I simply want to invite attention to this particular phase of the question, to which heretofore allusion has not been made.

Mr. HALE. Mr. President, let us have the proposition.

The PRESIDING OFFICER. The Chair submits to the Senate the question of the relevancy of the amendment.

Mr. HALE. The question is whether it is germane to the bill.

The PRESIDING OFFICER. The question is whether the amendment is germane to the bill.

Mr. QUARLES. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Wisconsin suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Culberson,	Hansbrough,	Penrose,
Alger,	Cullom,	Heyburn,	Perkins,
Allee,	Daniel,	Kean,	Pettus,
Allison,	Depew,	Kearns,	Platt, Conn.
Ankeny,	Dietrich,	Kittredge,	Platt, N. Y.
Bacon,	Dubois,	McCreary,	Quarles,
Bailey,	Foraker,	McLaurin,	Scott,
Bard,	Foster, Wash.	Mallory,	Simmons,
Bate,	Frye,	Martin,	Teller,
Blackburn,	Fulton,	Millard,	Warren,
Burrows,	Gallinger,	Mitchell,	Wetmore.
Clapp,	Gamble,	Money,	
Clark, Wyo.	Gorman,	Morgan,	
Clay,	Hale,	Newlands,	

The PRESIDENT pro tempore. Fifty-three Senators have responded to their names. There is a quorum present. The question before the Senate is whether this amendment is germane to the appropriation bill. Senators in favor of holding that it is germane will say "aye," opposed "no." [Putting the question.] By the sound the noes have it.

Mr. QUARLES. I call for the yeas and nays.

The yeas and nays were ordered.

The PRESIDENT pro tempore. Senators holding that the amendment is germane will say "yea" as their names are called. Those holding that it is not germane will say "nay." The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I am paired with the junior Senator from Missouri [Mr. STONE]. As he is not in the Chamber, I withhold my vote.

Mr. DILLINGHAM (when his name was called). I have a general pair with the Senator from South Carolina [Mr. TILLMAN], which I will transfer to the Senator from Indiana [Mr. FAIRBANKS]. I vote "nay."

Mr. KEARNS (when his name was called). I have a general pair with the Senator from Montana [Mr. GIBSON].

Mr. KITTREDGE (when his name was called). I have a general pair with the junior Senator from Colorado [Mr. PATTERSON]. In his absence I withhold my vote. If he were present, I should vote "yea."

Mr. McLAURIN (when his name was called). I have a general pair with the senior Senator from Washington [Mr. FOSTER]. I do not see that Senator in the Chamber, and I withhold my vote.

Mr. MILLARD (when his name was called). As the junior Senator from Arkansas [Mr. CLARKE], with whom I am paired, is not present, I withhold my vote.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. PETTUS (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. HOAR].

Mr. SCOTT (when his name was called). I have a general pair with the Senator from Florida [Mr. TALIAFERRO], and withhold my vote.

Mr. SPOONER (when his name was called). I have a general pair with the Senator from Tennessee [Mr. CARMACK], who is necessarily absent.

Mr. BATE. I do not know how my colleague would vote on this question.

Mr. SPOONER. I have conversed with the Senator's colleague as to his attitude, and I do not feel at liberty to vote. I therefore withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. QUARLES. I can inform my colleague that the Senator from Tennessee [Mr. CARMACK] favors the amendment.

Mr. SPOONER. On that statement I vote "yea."

The roll call was concluded.

Mr. BAILEY (after having voted in the affirmative). I voted, but I have a general pair with the Senator from West Virginia [Mr. ELKINS], and, observing that he is not in the Chamber, I will withdraw my vote.

Mr. CLAY. I desire to inquire if the junior Senator from Massachusetts [Mr. LODGE] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not voted.

Mr. CLAY. I am paired with the junior Senator from Massachusetts.

The result was announced—yeas 17, nays 36, as follows:

YEAS—17.

Alger,	Culberson,	Penrose,	Stewart,
Bacon,	Dietrich,	Perkins,	Warren.
Bard,	Foraker,	Proctor,	
Bate,	Heyburn,	Quarles,	
Clapp,	Nelson,	Spooner,	

NAYS—36.

Aldrich,	Dick,	Hale,	Mitchell,
Allee,	Dillingham,	Hansbrough,	Money,
Allison,	Dolliver,	Hopkins,	Newlands,
Ankeny,	Dubois,	Kean,	Overman,
Berry,	Frye,	Latimer,	Platt, Conn.
Blackburn,	Fulton,	Long,	Platt, N. Y.
Burrows,	Gallinger,	McCreary,	Simmons,
Cullom,	Gamble,	Mallory,	Teller,
Daniel,	Gorman,	Martin,	Wetmore.

NOT VOTING—37.

Bailey,	Cockrell,	Kearns,	Pettus,
Ball,	Depew,	Kittredge,	Quay,
Beveridge,	Dryden,	Lodge,	Scott,
Burnham,	Elkins,	McComas,	Smoot,
Burton,	Fairbanks,	McCumber,	Stone,
Carmack,	Foster, La.	McEnery,	Taliaferro.
Clark, Mont.	Foster, Wash.	McLaurin,	Tillman.
Clark, Wyo.	Gibson,	Millard,	
Clarke, Ark.	Hawley,	Morgan,	
Clay,	Hoar,	Patterson,	

The PRESIDENT pro tempore. The amendment is declared not germane. Are there further amendments?

Mr. WARREN. The committee have no further amendments to offer.

Mr. MALLORY. I desire to ask the Senator from Wyoming relative to the amendment on page 24, at line 16.

Mr. WARREN. What is the inquiry of the Senator from Florida?

Mr. MALLORY. I see that the amendment there provides a school for children, and I observe by the report that there are some 250 children there. I should like to inquire of the Senator what children they are and what they are doing there?

Mr. WARREN. They are the children of the officers and men of the Army and of the civilian appointees and employees at West Point.

Mr. MALLORY. They are not in any way connected with the Academy, I understand. I should like to inquire of the Senator if there is any precedent for it?

Mr. WARREN. I will say to the Senator that there is only one regular United States Military Academy—the one at West Point—so that necessarily there could be no precedent.

Mr. MALLORY. I do not imagine that that is the only locality in the country where the Government has exclusive jurisdiction. There are probably military reservations and military posts where there are as great a number of children as at West Point. I am in favor of the amendment. I should like to know if there is any precedent for it.

Mr. WARREN. As I remarked before, there can be no precedent, because the difference in the condition at West Point and of Government ownership and jurisdiction at the various military posts is that at West Point there are those employed year after year for almost a lifetime perhaps, and their children have not convenient access to schools outside the reservation. It has seemed to your committee that with the great military school there for the education of officers of the Army we can hardly afford to neglect the children and provide no means for them to obtain a common school education.

Mr. MALLORY. It is a fact that those children have no other means of obtaining an education, unless the Government provides for it. I have a case exactly similar in my State, and I propose hereafter to cite this as a precedent.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14826) to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska.

The message also announced that the House further insists upon its amendment to the bill (S. 2134) to connect Euclid place with Erie street, disagreed to by the Senate, agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BABCOCK, Mr. SAMUEL W. SMITH, and Mr. MEYER of Louisiana managers at the conference on the part of the House.

The message further announced that the House had agreed to the report of the committee of conference on the bill (H. R. 12833) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes, recedes from its disagreement to the amendments of the Senate No. 50, 51, 52, and 174 to the bill, upon which the committee of conference had been unable to agree, and agrees to the same.

The message also announced that the House had passed the joint resolution (S. R. 67) providing for the printing of Senate Document No. 240, relating to the beet-sugar industry in the United States; in which it requested the concurrence of the Senate.

The message further announced that the House had passed a joint resolution (H. J. Res. 150) providing for the publication of 50,000 copies of the Special Report on the Diseases of Cattle; in which it requested the concurrence of the Senate:

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 4570) to provide an American Register for the steamer *Beaumont;* and

A bill (H. R. 12220) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes.

SPUYTEN DUYVIL CREEK AND HARLEM RIVER BRIDGE.

Mr. BACON and others addressed the Chair.

The PRESIDENT pro tempore. The Senator from Georgia is recognized.

Mr. DEPEW. Will the Senator from Georgia yield to me? I want to have a purely local bill passed.

Mr. BACON. If I have the right to do so, I will not object to the Senator calling up his bill, provided it does not occupy any time in the way of debate or discussion of any kind.

Mr. DEPEW. I ask unanimous consent for the consideration of the bill (S. 4713) to authorize the Spuyten Duyvil and Port Morris Railroad Company and its lessee, the New York Central and Hudson River Railroad Company, to build and maintain bridges or other structures for their railroad across the Spuyten Duyvil Creek and the Harlem River north of the Harlem River pier and bulkhead lines as now established in the city of New York.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Commerce with amendments.

In section 1, page 2, line 7, after the word "bridges," to strike out:

Or such other fixed structures as may be required or convenient for the passage of railway trains and other railroad equipment thereon.

And insert:

That over the Spuyten Duyvil Creek to have a clear span of not less than 200 feet and to have a clearance above mean high water of not less than 8 feet 8 inches, and that over the Harlem River to have a clear span of not less than 25 feet and to have a clearance above mean high water of not less than 4 feet 8 inches.

In line 16, after the word "bridges," to strike out "or other structures;" in line 23, after the word "bridge," to strike out "or other fixed structure;" on page 3, line 8, after the word "bridge," to strike out "or other fixed structure;" and on the same page, line 16, after the words "Kings Bridge," to insert the following proviso:

Provided further, That when consents thereto shall have been executed in manner aforesaid, by each and all of the owners of land, or interest therein, bordering upon the portion of the Spuyten Duyvil Creek and the Harlem River, respectively, northerly of the Harlem River pier and bulkhead lines, as now established, the said railroad companies, or either thereof, may build, maintain, and use for their said corporate purposes, in lieu of the said fixed bridges, any such fixed structures as the said consents may designate.

So as to make the section read:

That it shall be lawful for the Spuyten Duyvil and Port Morris Railroad Company, a corporation existing under the laws of the State of New York, and the New York Central and Hudson River Railroad Company, a corporation existing under the laws of the State of New York, the lessee of the railroad of the said the Spuyten Duyvil and Port Morris Railroad Company, to build and maintain upon, over, and across the land underlying and constituting the bed of the Harlem River and the Spuyten Duyvil Creek, respectively, at such respective points as said corporations, or either thereof, may select, north of the Harlem River pier and bulkhead lines as now established, in the Borough of Manhattan and in the Borough of the Bronx, in the city of New

York, fixed bridges, that over the Spuyten Duyvil Creek to have a clear span of not less than 20 feet and to have a clearance above mean high water of not less than 3 feet 8 inches, and that over the Harlem River to have a clear span of not less than 25 feet and to have a clearance above mean high water of not less than 4 feet 8 inches, and to lay over said bridges such number of railway tracks and other railroad appliances as the said corporations or either of them may deem their convenience to require for the more perfect connection and operation of any railroad or railroads that are or shall be constructed by them to the banks of the said river or the said creek: *Provided, however*, That as a condition precedent to the building of the said fixed bridge upon, over, and across the land underlying and constituting the bed of the Harlem River consents thereto in writing shall have been executed and acknowledged in the form required for conveyance of real estate in the State of New York by each and all of the owners of land or interest therein bordering upon that portion of the Harlem River between the northerly Harlem River pier and bulkhead lines as now established and the fixed bridge next northerly thereof and known as the Farmers Bridge; and that as a condition precedent to the building of the said fixed bridge upon, over, and across the land underlying and constituting the bed of the Spuyten Duyvil Creek consents thereto in manner and form above specified shall have been given by each and all of the owners of land or interest therein bordering upon that portion of the said Spuyten Duyvil Creek between the said northerly Harlem River pier and bulkhead lines and the fixed bridge next northerly thereof and known as Kings Bridge: *Provided further*, That when consents thereto shall have been executed in manner aforesaid, by each and all of the owners of land, or interest therein, bordering upon the portion of the Spuyten Duyvil Creek and the Harlem River, respectively, northerly of the Harlem River pier and bulkhead lines, as now established, the said railroad companies, or either thereof, may build, maintain, and use for their said corporate purposes, in lieu of the said fixed bridges, any such fixed structures as the said consents may designate.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ORDER OF BUSINESS.

Mr. KEARNS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Utah?

Mr. BACON. I would be very glad to do so, but it is manifest that every Senator in the Chamber has some particular matter to dispose of. If I yield to one I shall be compelled to yield to all.

Mr. CULLOM. I yield my hope of getting the floor, if the Senator will proceed with his speech.

Mr. BACON. I did not understand the Senator.

Mr. CULLOM. I say I will give up my chance of trying to get the floor to pass a bill, which I am anxious to do; but I know the Senator has to speak to-night, if at all, probably, and I hope he will proceed.

Mr. TELLER. The Senator from Georgia has the floor. He yielded the floor yesterday afternoon with the understanding that he would resume it at the first opportunity.

Mr. BACON. I hope no Senator will consider me discourteous, but it is evident that the desire is not confined to one or two Senators, but Senators all over the Chamber and immediately in my neighborhood are each one desirous of some indulgence at my hands, and if I yield to all it will be practically surrendering the opportunity to conclude my remarks.

Mr. GALLINGER. I ask the Senator from Georgia to yield simply that I may make a statement occupying a moment.

I have on two or three different occasions suggested that I intended to move an executive session. It was my purpose to do so this afternoon, but I am hoping that we will meet to-morrow morning a little earlier than the usual hour. In that case I shall move an executive session when we come together to-morrow, and for the purpose of not interrupting the proceedings this afternoon, I will state that I will not make that motion to-day.

Mr. TELLER. I intend now to object to the taking up of any more bills at this time. I enter my objection. The Senator from Georgia has the floor, or if he has not somebody else ought to have it.

Mr. BACON. Mr. President, it is very embarrassing, of course, to me to refuse to yield to any request that is made by a Senator, and I hope Senators will not consider me as indifferent to their wishes in such regard.

The PRESIDENT pro tempore. The Senator from Georgia has the floor.

TRUSTS AND PRICES OF MANUFACTURES.

Mr. BACON resumed the speech begun by him yesterday. After having spoken nearly an hour,

Mr. ALLISON. Will the Senator from Georgia yield to me for a moment?

Mr. BACON. Certainly.

ORDER FOR RECESS.

Mr. ALLISON. For the convenience of Senators and for the necessary transaction of business it is necessary that when the Senate has finished the work of this afternoon it shall take a recess until 10 o'clock to-morrow. The House will take the same recess, for there it is necessary to have a day's notice before finally concluding the consideration of conference reports on appropriation bills.

Mr. BAILEY. I desire to ask the Senator from Iowa, for the convenience of the Senate, if it is the expectation that Congress will adjourn on the 28th?

Mr. ALLISON. It is the hope, not to say the expectation.

Mr. BAILEY. Hopes are frequently disappointed; expectations seldom, when they arise out of assurances from the Senator from Iowa and his committee.

Mr. ALLISON. I think so far as concerns the Committee on Appropriations and matters relating to appropriations the Senate will be prepared to adjourn on Thursday.

Mr. BAILEY. I think we can make our calculations in that way. As a matter of personal convenience I wanted to know.

Mr. ALLISON. We can not tell what may fall by the wayside in the meantime, but I should think that may be fairly presumed.

I move that at 6 o'clock p. m. the Senate take a recess until 10 o'clock to-morrow morning.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Iowa that at 6 o'clock to-day the Senate take a recess until 10 o'clock to-morrow morning.

The motion was agreed to.

TRUSTS AND PRICES OF MANUFACTURES.

Mr. BACON. Mr. President, when I yielded the floor on yesterday I was engaged in presenting to the Senate the evidences of the fact of the sales of goods by American producers in foreign countries at rates less than the producers sold to American consumers. I wish to add a little to that particular line of the presentation.

I find in the Iron Age, a publication made in New York, on page 6, a communication from London as to the sale of American products of iron in the markets of Great Britain:

LONDON, *November 7, 1903.*

From the American point of view the British metal market is now becoming exceedingly interesting. It is almost, if not quite, in a panicky condition, because of the fear of American competition. It is curious to observe that German competition during recent months has been taken with considerable equanimity, but American competition, in the mind of the British maker and consumer, is a horse of another color.

Undoubtedly one or two small contracts have been made on American account, but so far the volume does not amount to much. Yet the mere threat has gone some distance in disorganizing affairs. Rumors of large contracts made with the United States Steel Corporation and with other American concerns are now thick as leaves in Vallombrosa.

Prices have been quoted by the corporation agents for "sheet bars" at 80 shillings, c. i. f., Liverpool. This is 2 or 3 shillings below German rates, and, of course, much below the English.

I have been unable to get quotations of prices at which "sheet bars" are sold to consumers in the United States, but it will be noted that the American prices in England are much below the English prices, and there can be no doubt in that case that they are very much below the prices charged in America to American consumers.

In the same publication a dispatch from Glasgow is to the following effect:

GLASGOW, *November 6, 1903.*

There have been many quotations from your side for pig iron, steel bars, etc., delivered in Glasgow, but no transactions, as far as I can learn, have been actually booked here. The first sale of 1,000 tons of American steel bars at Swansea was known here, I think, before New York. Further sales have been made up to 80,000 tons, over next six months, of American steel bars, or billets, for South Wales and Lancashire.

I read those extracts mainly for the purpose of showing that the transactions are not of a minor character, nor such as would be found if these parties were simply endeavoring to introduce their products into the British market, or in cases where they were endeavoring to work off an undesirable surplus which was on hand.

In connection with the above and for the same purpose I quote the following from Representative BABCOCK, of Wisconsin, the chairman of the Republican national committee, which appeared in the Washington Post September 21, 1901:

One of the points which impressed me of the desirability of revising the steel schedule was information I obtained in Scotland of the placing of an order for 20,000 tons of American steel. When you stop to think that 20,000 tons of steel mean more than 1,000 carloads, it will not do to say that such an order placed abroad by our manufacturers is only their surplus product.

I wish to again call attention to the Raoul letter for the purpose of discussing one point that I did not yesterday call attention to. I then read the letter in full, and in order to attract attention to the particular point I now have in view, it is necessary for me to read again only one sentence. This, the Senate will remember, is the letter written to me by the president of the Mexican National Railway Company, in which he stated that there had been for a long number of years a distinction between export prices and domestic prices in his purchases, his railroad being located partly in Mexico and partly in the State of Texas, and that higher prices were charged for all purchases made by him as to articles intended for use on the railroad in Texas than

as to those articles which were intended to be used in Mexico. In that letter there is this sentence:

For a long time past all our purchases have been made on the basis of export prices even though they have occasionally stopped in Texas, the competition being keen enough to produce this cut in prices in favor of the Texas shipments, so that it has been some time past since we have had any material differences, but those differences do exist and to an iniquitous extent.

The particular point I want to call attention to is this: Here was the president of a railroad located, as I have said, partly in Mexico and partly in Texas. The price for goods sold for consumption on that part of the railroad located in Mexico were recognized as export prices, which were lower than the prices of goods intended for consumption or use on that part of the railroad located in the State of Texas. The contention of those who defend the practice of selling goods for less in foreign countries than is asked for the same goods of the domestic consumers is that it is done for the purpose of introducing goods in the foreign market or for the purpose of working off a surplus, such as sometimes might be done by a merchant in selling at his bargain counter at less really than the goods were worth.

But in this particular case the statement of Mr. Raoul is that so anxious were these parties for the sale of the goods to him on the Mexican part of his railroad at the low export prices that on account of the competition to get that particular custom on the Mexican part of the road those parties would absolutely make the concession of giving the same low export prices on goods which were sold for use on the part of the road in Texas, showing that the trade of the Mexican National Railroad at the foreign prices was a valuable trade and not one entered into for the purpose of introducing goods, or for the purpose of working off a surplus, but one sought for upon the ground that it was a valuable trade, and, in order to secure that trade, they were absolutely ready to make the concession of the same low prices for the part of the railroad which was in Texas. If there is any Senator who can make any reply to that either now or in the future, I hope he will not fail to do so.

I gave yesterday certain statements as to particular instances which I denominated concrete. I have another instance to-day. This is information given me by a gentleman who has given his name and address, so that the matter can be verified if he has made any statement which is not entirely correct. The statement is made to me by Mr. William D. Lent. His address is Murray Hill Hotel, New York City. Mr. Lent is a retired merchant, formerly in the glass and paint business in the city of New York. His statement to me is that he was told within a year or so by a gentleman in the city of New York—who, by the way, is a Republican, and whose name Mr. Lent is ready to give to anyone, I presume, who will ask it of him; I do not mention it here for reasons that are sufficient—that this gentleman desired to purchase a sewing machine for his wife in the city of New York, and that he was asked $55 for it, but not being willing to pay that price he went to an export agent to see if he could make any arrangement through him by which he could get this machine at a less price. The export agent stated to him that he could do so, but that in order for him to get the benefit of the export price he, the export agent, would have to buy the machine and send it to a ship in the port, and then send it back to him from the ship, the purchase being made manifestly with the understanding that it was for the export trade. He stated that this was done, and when the machine and the bill were sent to him the bill was $18.

Mr. President, I have no personal knowledge of that, but I have given the name of the gentleman, so that if there is any desire for further inquiry about the matter it can be made.

Mr. BATE. So this man paid $18 for his machine instead of $55?

Mr. BACON. Yes; he paid $18 instead of $55.

It is possible that $55 was the retail price in New York, and that $18 was the wholesale export price. But as to this I have no information. But even if this is so, the very wide discrepancy in the two prices would indicate that even at wholesale prices the price to the domestic customer was at least twice as much, or more, as the price to the foreign customer across the water.

Mr. PLATT of Connecticut. I understand the Senator from Georgia does not know what the wholesale price of such a machine would be in New York.

Mr. BACON. I do not; but while I am not prepared to state what the wholesale price was, there is very little reason to doubt that the wholesale price was very far in excess of $18, at which this New York gentleman secured a machine, which was intended by the seller to be sent abroad for what was supposed to be a foreign customer.

Mr. President, I have one other concrete matter to present to the Senate, which is of more general interest even than those of sewing machines. In the Washington Post in 1902—I am not prepared to give the exact date; but of course that is definite enough for identification—there is found an editorial upon this general subject, in which is given a statement of what was said in an editorial in the Philadelphia Press. Everyone will recognize, of course, that the Philadelphia Press is one of the typical Republican newspapers of the United States, and that no statement to the effect that I am about to read would be made by that paper with any disposition to cast any reflection upon any protective feature of the present tariff law or upon its operation. This is what is stated by the Washington Post to be the statement made by the Philadelphia Press. It relates to the question of the price of butchers' meat to consumers in this country. It is as follows:

About the last source to which one would naturally look for an argument in favor of the reduction of any tariff schedule is the Philadelphia Press. In harmony with the Republican sentiment of Pennsylvania, the Press opposes tariff revision. In their recently adopted platform the Pennsylvania Republicans declare their "unswerving loyalty" to the Dingley tariff and set themselves squarely against any effort to revise it or to interfere in any way with its operations. They also "affirm the friendship of the Republican party for the breadwinner and the home builder."

To all this the Press heartily subscribes, seemingly unconscious that its party is going into the Congressional campaign under the management of an enthusiastic advocate of tariff revision, a revision that has for its central point the leading industry of Pennsylvania, which is protected by duties for which he declares there is no necessity and can be no defense.

But while the Press stands up bravely for the tariff as it is, although well knowing that some of its schedules were framed and adopted with a view to their cutting down almost immediately, the necessities of its position as a real newspaper compel it incidentally to condemn some of its provisions and their condemnation is an inferential protest against other schedules that produce similar results. Just as the free-trade organs condemn their theory by printing the statistics of our industries, our commerce, our national finances, and savings-banks deposits, so the organs of extreme protection, of protection gone mad, furnish convincing arguments against their policy simply by printing facts. For example, just before the Republican Congressional candidates go out on a campaign in which they will find it impossible either to dodge or defend the tariff on meat the Press shows the difference in meat prices between Buffalo and Fort Erie, directly opposite in Canada. It says the beef trust has advanced the prices in Buffalo from 25 to 50 per cent. Porterhouse steak, for instance, is 24 cents in Buffalo and 16 cents in Fort Erie; loin steak, 15 cents in the city which is forced to pay beef-trust prices and 12 cents in Fort Erie. The Press says that the cost of living has been increased by the trust, so far as meat is concerned, from 10 to 50 per cent, as these figures prove.

It did not occur to our Philadelphia contemporary to mention any reason why the beef trust is able to run up prices on this side of the line, while they remain in statu quo on the other side. But it is likely to occur to a good many millions of consumers, and especially to wage-workers, that the duty imposed on beef cattle and all kinds of dressed meat is what has caused important change in the contents of the "full dinner pail."

Mr. President, I have presented not only general statements, but the evidence of the particular instances, from which it will be seen that the facts exist, that to a very great degree the prices of manufactures in the United States—not only manufactures, I might say, but, as I have just read, provisions, such as beef and butchers' meat of all kinds, is sold at an enormously higher rate in the United States than the same articles are sold by the same parties to persons in foreign countries.

From this I think I am entitled to ask, "What does the dominant party propose to do in the presence of such a fact?" In the first place, there can be no question as to the right of the public to demand that this particular amendment shall be adopted and that the Department of Commerce and Labor shall be charged with the duty of making the investigation and of reporting to Congress, and thus to the public, to what extent this practice goes, in order that they may determine to what extent and in what particulars the protective tariff in its schedules is extortionate and an oppression to the people.

Whenever, Mr. President, anything is urged in the way of tariff reform, the reply is that the effort is to restore free trade. Instead of defending the particular schedules, the issue is immediately sought to be shifted to the question as to whether or not a protective tariff is the proper thing, or whether or not a revenue tariff should be preferred to it. In other words, the effort is to endeavor to avoid the issue as to whether there is in exorbitant rates an abuse even from the standpoint of the protective tariff system. Whenever there is an effort made to correct a tariff abuse the reply is an outcry of "Free trade!" or "Tariff for revenue!" as if every opponent of free trade or of tariff for revenue only must necessarily approve and defend every abuse and iniquity perpetrated in the name of a protective tariff.

I desire to say for myself, Mr. President, that I think the time has come when men of all parties—Democrats as well as Republicans—should look at this matter from a practical standpoint, and if, by the practical operation of the protective tariff, there has grown up an abuse as to particular schedules, and under that abuse an oppression of the people in the exaction of extortionate prices, then every effort should be made to correct these particular abuses in the most practical way in which the end can be accomplished. I am free to say that whatever may be, from an abstract standpoint, the preference of anyone on the subject of tariff rates, I do not expect to see a low tariff in this country, certainly within the near future or within many years, whichever party may be in power. I do not expect to see a low tariff for two reasons. In the first place, the necessities of the Government will not permit of a low tariff. The expenditures of the Government have grown to such an extent that, in order to realize the necessary revenue for the support of the Government, the tariff rate must necessarily be high. And while there has been

much extravagance and the public expenditures far exceed what they should be, still the Government has grown to such an extent that even with the utmost economy the public expenditure would continue to be very great, and a very great revenue, even with such economy, will be necessary.

Another reason is that the business of the country has largely become adjusted to a high rate of tariff. The values of property of all kinds, of material, of services of all kinds, including salaries and wages, and all other values in the country are upon the scale resulting from the high tariff. And even if the opportunity were presented and there were not this necessity for a large revenue it would be impracticable without a dislocation and derangement of business, which could not be thought of or tolerated by the American people, to so change the tariff as to immediately reduce it from a very high tariff to a very low tariff.

But while I do not expect to see a low tariff, I do hope that we may see a reasonable tariff, one reasonable in rates and impartial in adjustment; and I do hope the attention of the country may be drawn to conditions, so that people, regardless of party affiliations and regardless of what may be their particular views as to the question of the policy of a protective tariff or the policy as to a revenue tariff, may recognize that there are abuses which should be corrected. The particular instances which I have endeavored to point out seem to me to furnish sufficient evidence of the existence of such abuses, and to furnish basis for the conclusion that similar abuses exist in many other instances under the present tariff law.

I recognize that so long as we limit ourselves to the advocacy of a tariff lower in scale of rate than the American people will approve, just so long will we fail to secure the cooperation and support which will enable us to correct these abuses and thus relieve the people of the extortions and burdens such as those of which I have spoken and under which they now suffer. Any tariff sufficiently high to raise the large revenue required to support the Government in its constantly increasing needs will, if judiciously and impartially laid and adjusted, furnish all the encouragement and protection, if you please, required by the industries of the country. It is the rate of the tariff which is the practical feature; and when this rate is sufficient for the demands of the country, it matters not whether it be called a protective tariff or a tariff for revenue. Its functions and effects at a given rate are the same, whether called by the one name or the other.

Many of the schedules of the present tariff law are too high, and are so recognized by many Republicans who are the most ardent advocates of protection as a tariff policy. Many of these schedules are not only "protection run mad," but are practically prohibitory of any importations under them, and in consequence prevent the Government from deriving any revenue through them. The steel schedule is an illustration. In the six years under the Dingley bill I have already shown that 12,686,434 tons of steel rails were consumed in the United States, and of this only 142,192 tons were imported. And while, if Mr. Schwab's figures are correct, the people of the United States have in six years paid to the steel producers of the United States more than $150,500,000 above a reasonable profit on the rails bought from them, the Government has during the same time received less than $1,200,000 of revenue from steel rails imported from other countries.

I have seen somewhere stated four classes of tariff advocates: First, those who favor tariff for revenue only without any protection; second, those who favor a revenue tariff with incidental protection; third, those who favor a tariff for protection with incidental revenue; and, fourth, those who favor a tariff for protection without any revenue. Many of the most burdensome and oppressive schedules in our present tariff law, those which take most money out of the pockets of the people, belong to the last class; for while at the expense of the people they thus enrich the protected classes, they pay no money in the way of revenues to the Government.

While I do not undertake to speak for protectionists, because I am myself not one, I think it is easily demonstrable that the doctrines of those who were the original founders of the protective policy are not those which are adhered to to-day by those who have the power to frame tariff laws.

The original ground upon which the protective tariff policy was founded was—or, rather, one of the grounds and one of the principal contentions was—that by reason of the protective policy the fostering of home industries would be such that a competition would arise among them which would reduce prices. That has been a favorite theory.

If I saw proper to consume the time in so doing, I could refer to unnumbered instances in which such contention has been made by leading Republicans. It so happens, Mr. President, that I have one recently made by a member of this Senate, the senior Senator from Ohio [Mr. FORAKER], which I will read, as expressing what I understand to be the fundamental principle of the Republican party and of those who adhere to the protectionist policy as the vindication of that policy. In a speech made at Akron, in Ohio, in 1902, the senior Senator from Ohio used this language:

> This does not mean that we are opposed to any kind of a change at any time in the tariff schedules and rates. On the contrary, we believe in tariff revision from time to time, as occasion may require, but it must always be on protection lines.
>
> At the very foundation of the protective policy has always been the idea and claim that it would multiply industries, improve facilities, develop competition, and ultimately reduce the cost of manufacture below their cost abroad.
>
> It has also always been a part of this policy to reduce high rates of duty deemed necessary to secure the establishment of an industry as rapidly as its development and the cheapening of its product might allow.
>
> * * * * * * *
>
> The Republican party will not for light reasons disturb a law that has brought us such prosperity, but it will not hesitate when there is just occasion for doing so to make such amendments as changed conditions may demand.
>
> * * * * * * *

That I understand to be a correct statement and exposition of the theory upon which the protective policy is based; and, however it might work out as a policy or, rather, as a theory, it is proper to say that that theory was advanced and the protective policy advocated thereunder at a time when the combinations of great industries in this country had not made it possible for the protective law to be used as a means by which competition could be absolutely defeated, not only the competition which should come from abroad, but competition which should be found among domestic producers themselves. So that it is a matter of the utmost importance for those who adhere to this policy and who stand upon this fundamental proposition which I have read, and which was thus announced by the senior Senator from Ohio, to examine carefully the schedules and to see whether or not, in the first place, the protective aid has been extended beyond the point where it is required for the fostering of these industries and to see more particularly whether that protective aid has been extended to a point where it is used for the oppression and extortion of the people by the entire prohibition of foreign competition and through combinations which absolutely destroy competition between producers in America.

Mr. President, on yesterday I called the attention of the Senate to particular instances where these protective rates are being used for the oppression of the people. I called attention to the case of those who manufacture steel rails, and I showed by the figures, by the estimates made by Mr. Schwab, that within six years, under the present schedule, there has been extorted from the people of the United States $150,000,000 over and above the amount which Mr. Schwab himself said would be a reasonable profit, and at which rate, he said, they could afford to sell their goods in foreign markets.

I have called attention to the particular instances of two railroads, one in my own State—the Macon, Dublin and Savannah—where a difference of $9 a ton was exacted from those who desired to extend the road—$9 a ton more than was offered to the same party, provided he would buy that railway iron to be used in the foreign country of Honduras.

I have called attention to the other case of the Mexican railroad, which was partly in Mexico and partly in Texas, and where, according to the statement of its president, the same manufacturer of steel rails at the same time asked of him $8 more for the rails he laid upon the part of his railroad in the State of Texas than he asked for the rails to be laid upon the same railroad where it extended into the country of Mexico.

I called attention also to the case where, upon reliable statements, it was shown that a party desiring three typewriters found that he could have those typewriters bought in the United States by a party in England; and he did have those typewriters bought and shipped to England and shipped back to him, paying freight both ways, and made money by the transaction.

I called attention to-day to the statement of the Philadelphia Press that butchers' meat could be bought very much more cheaply on the other side of our northern border than at points immediately opposite in the United States. In Buffalo the prices are from 25 to 50 per cent higher for butchers' meat than immediately across the line, in Fort Erie, and this is the testimony of the Philadelphia Press. I called attention yesterday and enumerated, and I will not repeat them——

Mr. PLATT of Connecticut. What is the tariff on beef?

Mr. BACON. The tariff on beef is about 33 per cent. It is 2 cents a pound, which is about 33 per cent. If the Senator will allow me, that is on the wholesale price of the whole carcass. If the Senator will consult the price list, he will find that 2 cents a pound on beef is nearly, if not quite, 33 per cent of Chicago prices as quoted to-day. The price of the choice cuts at retail is of course several times as much as the price of the whole carcass at wholesale. Speaking in round numbers, it is about 33 per cent

on beef, by reason of which fact, as stated by the Philadelphia Press, porterhouse steak is 24 cents at Buffalo and 16 cents at Fort Erie, right across the dividing line.

Mr. PLATT of Connecticut. Twenty-four and 16?

Mr. BACON. Twenty-four and 16.

Mr. PLATT of Connecticut. Surely the Senator does not think that that is the result of the 2 cents a pound tariff?

Mr. BACON. I will answer that in a moment, as soon as I get these other figures. That seems to be the highest priced beef—porterhouse steak. Loin steak is 15 cents at Buffalo and 12 cents at Fort Erie.

Now, I was about to say to the Senator that it is not simply a tax of about 33 per cent on beef, but we have a provision which absolutely prohibits the importation of beef or butchers' meat except where there may be a special permission by the Secretary of Agriculture. So the restriction is not confined to the tariff rate.

Mr. FORAKER rose.

Mr. BACON. If the Senator will pardon me for a moment—but whether the tariff is a sufficient explanation of the fact that there is this vast difference between the price of beef at Buffalo and at Fort Erie, within fifteen minutes' transportation, to what else can the Senator ascribe it?

Now I will yield to the Senator from Ohio, provided he desires to ask a question. I desire to say, and I say it in all courtesy and I know he will understand me, as I do not desire to be on the floor all the afternoon if I can avoid it, that if the Senator wishes to combat my proposition, I would rather he would do it in his own time.

Mr. FORAKER. I do not wish to combat it, but I rose simply to make an inquiry, whether the beef sold at Fort Erie—is that the name of the Canadian place?

Mr. BACON. That is the name of the Canadian place as given in the Philadelphia Press.

Mr. FORAKER. Is the beef sold in Fort Erie exported from the United States? Is it the same butcher who sells it?

Mr. BACON. I can not tell you anything about that.

Mr. FORAKER. The Senator was speaking a minute ago about our products being sold cheaper abroad than at home. I only wanted to know whether this was another illustration of that?

Mr. BACON. I do not know whether that is true or not in this particular instance.

Mr. FORAKER. I do not know.

Mr. BACON. I do say that, to my mind, it is absolutely beyond credibility that the difference in the price should be due to anything else but this very meat schedule.

Mr. President, yesterday I went through the figures to try to show what was the immense amount of money that the people of the United States are paying over and above a fair legitimate profit to the manufacturers of steel rails in this country, and I showed by the actual figures, if Mr. Schwab's statement is correct, that it amounted to over $150,000,000 on the figures as to the amount of rails of domestic manufacture which had been consumed in this country, and according to the excess in price over the price which Mr. Schwab himself said was a price at which they could profitably sell the rails in England.

But, now, if I were to attempt to calculate what has been the immense amount of money which has been thus contributed not only as to steel rails, but as to all other forms of steel, where would be the limit of the amount? If I were to go on and endeavor to show what has been the immense amount of money which has been taken from the consumers of this country, high and low, rich and poor, in butchers' meat, when, according to the testimony of this leading Republican newspaper, there is this vast difference between the price of meat in Buffalo and at Fort Erie, immediately across the line, what possible amount, unless I had the opportunity to come down to actual figures, could I conjecture which would be deemed reasonable?

Mr. President, what I am saying may be somewhat in the nature of repetition, but I am doing it for the purpose of making the application. The Senator from Ohio [Mr. FORAKER] in his speech at Akron—which, by the way, was a speech made on the same day as that made by his late lamented colleague when he advised the Republican party to "stand pat"—lays down the proposition as the recognized fundamental principle of the Republican party that it has always been a part of its policy to reduce high rates of duty deemed necessary to secure the establishment of an industry as rapidly as its development and the cheapening of its product might allow. If that is the correct principle of the Republican party, what answer has the Republican party to the inquiry whether or not under the present rates it does not devolve as a duty upon the Republican party at this time to reduce them?

Mr. FORAKER. Will the Senator allow me?

Mr. BACON. Certainly.

Mr. FORAKER. I think the Senator will find, if he will look at the record, that the Republican party has from time to time reduced the rates of duties imposed on imports that came into competition with domestic products. He is talking about steel rails. My recollection is that the first tariff duty on the importation of steel rails into this country was $28 a ton. After a time, after the industry was started here and the home competition had begun to have some effect, it was reduced to $17 a ton, I believe, and then from time to time it was reduced until to-day it is what?

Mr. BACON. Seven dollars and eighty-four cents, about, I think.

Mr. FORAKER. Say seven or eight dollars a ton. That is what I had in mind, and the history of tariff duties on steel rails is but an illustration of what is the history of the duty on imported products of every kind coming into competition with our products.

Mr. BACON. I trust the Senator will recognize the fact that I am not given to objecting to interruptions——

Mr. FORAKER. I know that.

Mr. BACON. And that it is only by reason of our conditions that I would not like to do more than to respond to inquiries, and I will be more than delighted, if the Senator can find the time, if he will respond in his own time to the suggestions I am submitting.

But, replying to what the Senator has just said, the Senator says that the duty on steel rails at one time was $28, and that gradually it has been reduced until it is now $7.84. Does that answer the proposition as to whether it should be still further reduced if it is demonstrated that at the present rate the people of this country are being oppressed by exorbitant prices?

I showed here yesterday by the letter of a president of a railroad that he was required to pay, for an extension to his railroad, $600 a mile more for the rails which he used upon that road than the price at which the same rails were offered to him if he would ship them to Honduras. Is that a case where the reply is to be made that while that is extortion, while it is an oppression, because of the fact that the duty was once higher and has been reduced in the past there should be a halt and no further reduction?

I will not stop to illustrate it by the matters which I have already gone over, but unless Senators can refute the propositions which I have endeavored to substantiate, that under the present tariff rates manufacturers are enabled to sell abroad at from 25 to 75 per cent less than they sell to our own consumers in the United States, is not the proposition presented whether or not the time has come when Congress should take hold of the question for the purpose of still further reducing the tariff rates?

Mr. FORAKER. Will the Senator allow me to ask him whether he has stated in the course of his remarks the aggregate amount that has been sold abroad at prices cheaper than similar articles of our own production have been sold at home?

Mr. BACON. I can not state the aggregate amount which has been so sold, but I have stated the particular concrete instances where these extortionate discriminations are made in favor of foreign customers and against purchasers in the United States, and before I get through, if time permits, I will allude to what the Senator from New Hampshire [Mr. GALLINGER] stated as to the amount of foreign sales which are made by our domestic manufacturers.

Mr. FORAKER. I believe he stated it in his remarks a few days ago at only about $4,000,000 in the aggregate.

Mr. BACON. Four hundred million.

Mr. GALLINGER. Four hundred millions, and only four millions sold at a discount.

Mr. FORAKER. Four millions of it at a less price.

Mr. BACON. Only four million?

Mr. GALLINGER. Four millions sold at a discount below what similar goods were sold for in this country.

Mr. BACON. Now, where did the Senator get that information?

Mr. GALLINGER. I will say to the Senator that I got it from the report of the Industrial Commission. The Industrial Commission may have been wrong, of course.

Mr. BACON. That is exactly what we want to get at through this proposed investigation.

Mr. FORAKER. I have seen it repeatedly stated at less than 1 per cent of the aggregate exports.

Mr. BACON. That is what we want to get at by this amendment. We want to know definitely and authoritatively through the desired investigation what is the fact. But the fact, if it exists, that only a small proportion of American manufactured products are sold abroad at these low prices does not affect the argument. It is not the sale of American products to foreigners at low prices which hurts the American consumers, but it is the high prices which are exacted from the American consumers at home in the United States. It matters not practically to the American consumer whether the amount sold to foreigners at these low prices is great or small. The only purpose in showing

the amounts sold to foreigners is to show by such transactions that they are not exceptional, but in the regular course of established business. If they can afford to sell to foreigners at these prices, it is an extortion when they sell to our own people at prices from 25 to 75 or 100 per cent greater.

I have stated these concrete instances where the particular oppressions are had. We are limited in our opportunities for ascertaining these matters, and we want to get information in a different way.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. BACON. Yes, sir.

Mr. ALDRICH. Does the Senator from Georgia think the Department of Commerce and Labor has a right to make people tell the prices at which they sell goods abroad unless they see fit to do it?

Mr. BACON. That would be a matter for the consideration of the Senate as to whether it would excuse the Secretary of Commerce and Labor if he failed to get the information which we required of him. But there is no reason why he should not attempt it. He doubtless can secure the information if he desires to.

Mr. ALDRICH. Do you think he can require answers to questions at what prices they sell abroad?

Mr. BACON. Possibly not, although I am not sure but that he has the right under the law to bring parties before him. We have provided, and that was one of the main objects for the establishment of the Department of Commerce and Labor, that he might be in a position to gather information which would be of service to the legislative branch and to the executive branch and also to the judicial branch in the adjudication of these matters which are necessarily involved.

Mr. ALDRICH. I asked the question for the purpose of finding out what the Senator's view was as to the power of an executive officer of the Government to require answers to a question pertaining to the private business of an individual.

Mr. BACON. I do not think, in the absence of any direct law, he would have the right, of course, to require testimony. I have not the act before me. The Senator will remember that the purpose of the act was to enable the Secretary of Commerce and Labor to gather information. As I say, I have not the act before me, and I do not know to what extent he is empowered; but that undoubtedly was one of the principal objects of the creation of that Department, and it will be sufficient for us to meet that question when it is presented to us as a reason, if the Secretary shall fail to accomplish what we desire him to do. But it seems that that inquiry was not suggested to the mind of the Senator when the Senator from Iowa [Mr. DOLLIVER] offered his resolution. There was no objection to it, and there was no suggestion that the Secretary might not have the power to gather the information.

Mr. ALDRICH. I do not wish to interrupt the Senator on that line except to say that I supposed that the resolution of the Senator from Iowa, as well as the resolution of the Senator from Georgia, were introduced primarily with the view of enabling the authors of them to make speeches upon them.

Mr. BACON. The Senator is entirely mistaken.

Mr. ALDRICH. I probably am.

Mr. BACON. And I hope that he will join with me in the effort to show that that is not my object. I desire that this information shall be had, and if the present suggestion of the Senator were correct, if that had been my purpose, I certainly would have then endeavored to have made a speech on it when I first introduced the resolution. I introduced the resolution hoping that we might get the information and that we might discuss it afterwards.

Mr. President, this matter is one which very largely and deeply concerns the American people. It is not a mere matter of politics. It is a matter which concerns the great masses of the people. It is a matter which is agitating the minds of many of the political party to which the honorable Senator from Rhode Island belongs and of which he is an honor, and I propose to read some things to show what is the position of many of his own party in this matter.

If Senators are prepared to say that they do not desire any change in the tariff; if they are prepared to say that they defend all the schedules of the present tariff; if they are prepared to go before the country and say they think no change should be made in the tariff, and that for that reason they have refused to make any changes during the last Congress and this session of the present Congress, then we will understand each other and the country will understand each of us. But what I desire is to bring the attention of the Senate squarely to the question whether or not they propose to stand by the present schedules or whether they propose to hold out the suggestion to the public that possibly they may not stand by them and they will change them in the future. I say that if the fact is ascertained; if it is properly brought to the attention of Congress that the schedules are wrong, that they are oppressive; that under them extortionate prices are exacted of the people, now is the time to legislate and not hereafter, and on that I propose to say something a little later, when I come more directly to it.

It is in that connection that I return to the extract I have read from the speech of the Senator from Ohio [Mr. FORAKER]. I do not know that the Senator was here on yesterday, but I have endeavored to discuss this question from the standpoint of his utterance. I have said to the Senate that while there ought to be immediate correction of some of its abuses I was satisfied there could not be within the near future a change in the tariff which should provide any very great reduction in the general schedules of the tariff, because in the first place of the necessities of the Government, which require a very large revenue, and because the general business of the country had been very largely adjusted to high rates of tariff.

All of our standards of wages and prices of all kinds have been thus adjusted, and therefore no violent change could be safely made. But from that standpoint I was endeavoring to show to the Senate that there were schedules that were an abuse of this particular enunciation of the principles of the Republican party and of the protective policy as it had been always professed and advocated by those who were the great founders of the Republican policy.

On the same line of harmony with the tenets of the great founders of the protective policy I read an extract from a speech recently made by Representative LITTLEFIELD in his State of Maine, and which has been published in part in the newspapers. The extract is as follows:

> If upon investigation it turns out to be true that any product upon which there is a tariff is sold abroad cheaper than it is sold at home as the result of the operation on the tariff, the tariff upon such articles should be reduced to the extent that it is necessary to prevent that result, assuming, of course, that the relation of cause and effect can be established in connection with the situation.

In connection with this extract I quote the following from Representative BABCOCK, chairman of the Republican Congressional committee. In 1901 Mr. BABCOCK said, as reported in the public press:

> I maintain that it is part of the policy of protection to protect the consumer. * * *
>
> We can to-day produce and undersell the world. Shall we continue a tariff on articles that are in fact articles of export? If Congress maintains a tariff on such articles, the whole theory of protection falls to the ground, and it simply inures to the benefit of those who may secure the control of any such commodity, since by its aid they can fix exorbitant prices in the domestic market. How can such a policy be defended?

And again, February 4, 1902, Mr. BABCOCK said:

> From now on I am going to push the tariff plan at every possible opportunity. I am going to take advantage of every possible opening. The bill is going to be pressed every time the smallest chance offers, and I am not going to let anything go by.
>
> If the bill ever gets before the House, it will pass by three to one, and it will get before the House.

And that brings me directly again to the question whether or not the failure—and that is the crucial question—of the Republican party at this time, when it has the power to legislate and does not legislate, is to be taken as a statement to the American people that they do not think any legislation is required as to the present tariff schedules.

The Senator from Ohio [Mr. FORAKER] says that he is in favor of revision, and that his party is in favor of a revision whenever circumstances require it. Does the Senator mean to say—and that is the point on which I desire that there shall be an enunciation to the American public—does the Republican party mean to say that, recognizing the fact that under proper circumstances there should be revision, there is now no such demand or requirement for revision? That is what we desire to have as a clean-cut issue. We do not desire that the Republican party shall say that there are schedules which should be revised and adjourn this session without attempting to do so, unless they can give a specific reason for their refusal now to do so.

Mr. ALDRICH. Does the Senator mean to inquire whether we think we ought to revise the tariff between now and Thursday at 12 o'clock, or at some other time?

Mr. BACON. Mr. President, you are not obliged to adjourn on Thursday. If the people of the United States are resting under burdens from which they should be relieved, there is no reason why Congress should postpone that needed relief until next December.

Mr. ALDRICH. Does the Senator think the Senate ought to originate a tariff measure?

Mr. BACON. I presume the Senator credits me with a knowledge of the law which requires such legislation to originate in the House of Representatives.

Mr. ALDRICH. But my purpose in asking the question was to suggest to the Senator that the questions he is asking are rather impracticable in their nature.

Mr. BACON. They are not impracticable. I am speaking not simply of the Senate, I am speaking of the Republican party; I am speaking of Congress; I am addressing the Senate, and I am addressing the Senate composed of men who are in close touch with the leaders in the other House and who, if they thought there should be a revision, would very easily be in a position to have the measure originated where the Constitution requires it to be originated.

Mr. ALDRICH. I have no desire to evade the question of the Senator from Georgia. I think it is perfectly well understood in the country that the party in power have had no desire or expectation of revising the tariff at the present session of Congress or attempting to do it, and that whatever may be the requirement of the future as to tariff revision there is a disposition and an announcement and an understanding that there is to be no agitation of the tariff question at this session.

Mr. BACON. I understand that. That is exactly what I am talking about. The Republicans have not done it, and they are preparing to adjourn without doing it. The question I am trying to direct attention to is as to whether or not there is a duty and obligation upon them to legislate on the abuses of the tariff, which duty they have failed and refused to perform.

Mr. ALDRICH. I do not think there is.

Mr. BACON. Very well. Then I understand the Senator from Rhode Island to say that he thinks the tariff schedules are right as they stand?

Mr. ALDRICH. Not by any means. That inference does not follow what I suggested.

Mr. BACON. Does the Senator mean to say he does not think the tariff schedules are all right?

Mr. ALDRICH. That does not follow.

Mr. BACON. But I want to know what the Senator says. Are these schedules under which these abuses exist right or wrong?

Mr. ALDRICH. I will say that the present tariff has been in existence for seven years, and it is utterly impossible for any tariff schedules to be constructed that will be properly adjusted at one time and that may not be in their nature either too high or too low seven years from that time.

Mr. BACON. Exactly.

Mr. ALDRICH. There are rates undoubtedly under the present tariff law which, if we were to take up the tariff for revision and reconstruction, would be changed, unquestionably.

Mr. BACON. Lowered?

Mr. ALDRICH. Some lowered and some raised, possibly.

Mr. BACON. In other words, the Senator thinks that the public interests of the country require a change in the present tariff schedules.

Mr. ALDRICH. That does not follow.

Mr. FORAKER. Will the Senator please read in this connection the other clauses of my speech. As I recollect it——

Mr. BACON. I will read it.

Mr. FORAKER. That is the answer.

Mr. BACON. I do not think it answers it. The point I make is this: If the present schedule of the protective tariff contains particular rates under which oppressive and extortionate prices are exacted and collected from the people, then there is no excuse in the world why the people should be required to remain under those oppressive and extortionate rates one minute longer than the Republican party in power in all branches of the Government may have the opportunity and the power to change them and put them in a shape where they will not be thus oppressive and extortionate.

It is for that reason I endeavored to secure from the Senator from Rhode Island, who, as I said yesterday, is the mouthpiece of the Republican party, at least on the subject of tariff, in the Senate—everybody so recognizes him—a statement as to whether or not he, as the representative of that party, would say that the present tariff rates were right, and whether or not there were or were not any which ought to be changed in the interest of the people. If there are, I should like to know why there should be any delay on the part of the Republican party in proceeding to the performance of that public duty, unless it is the determination and purpose of the Republican party to stand pat on these extortionate schedules, and unless it is their purpose not to correct and change them at any time.

The Senator said it was well understood that there was to be no general legislation at this session. Of course it has been so understood, and that is the very subject of my present criticism. Before we assembled here in November the country was notified that the Senator from Rhode Island and four or five other Senators had proceeded to the summer home of the President and there had had a conference, and they came out and gave out to the press—at least the press published it as having been given out—that there was to be no tariff revision. Half a dozen Senators went there, and, with the Executive, determined the fact for Congress, and Congress has tamely submitted to their decision and has scrupulously carried out the programme thus marked out and prescribed for them. I have no doubt this system is to continue to grow and that more and more the Executive and a few leaders of his party will prescribe legislation which shall or shall not be enacted or undertaken.

If it be true that the public interest demanded general legislation, is it any excuse to say that none has been had because the Senator and four or five of his colleagues conferred with the President and determined that it should not be had? It was considerate in them to notify Congress of this decision before the beginning of the session.

What is the reason why we should not have legislation at this session of Congress? Is there any lack of time? Here we are, not yet May, and under the law we can sit until the first Monday in December. We are paid by the year. There is no additional expense to the Government in our remaining here. Certainly it is not for lack of time.

I have seen it suggested that there should be no legislation at this session of Congress because it is immediately preceding the Presidential election, and I have seen it further stated as the utterance of some Senators that it is better that there should be no legislation until after the people have instructed their representatives as to what they want. How are the people to instruct their representatives?

If there is no legislation during this session of Congress and the Republicans should prevail in November, they will take it as an approval of their failure to legislate, and therefore in the next session of Congress it will be said: "Why, the people have passed upon this thing. We did not legislate at the last session, and the people have reelected us, and therefore that is an approval of our not doing anything. It is a vindication of the 'stand-pat' policy. It is a verdict on the part of the people that the tariff schedules do not require any change, and therefore we will not proceed to make any change."

Mr. President, I have here an extract from the New York Commercial, published in November, 1902, after the election, in which it takes that very position. This was copied into the Washington Post of November 19, 1902, from the New York Commercial, in which it says:

> If the elections throughout the country on November 4 demonstrated any one thing clearly and emphatically, it was that the campaign cry for tariff revision and most of the talk in that direction that has intruded itself on public attention for a year past were prompted chiefly by free-trade influences, etc.

In other words, the very fact that Congress did not legislate in the Fifty-seventh Congress and that the Republicans were reelected in November, 1902, was taken as a vindication of the failure of Congress to legislate in the first session of the Fifty-seventh Congress, and so it will be in this case if the Republicans carry the November elections. If there is now no legislation, so far from the action of the people, in case the Republican party should prevail in the next election, being taken as an instruction to them to proceed to legislate upon the tariff, it will be taken as a vindication of the stand-pat policy and of their refusal to legislate.

Mr. President, it is said that legislation at this time is calculated to disturb business. Which will disturb business most, for this Congress to legislate, for this Congress to make the changes, if any, which are needed in the tariff schedules, and let the people when they go to the polls know what has already been done, or to have an election with an uncertainty as to what will be done?

Mr. ALDRICH. I was not present, unfortunately, at the latter part of the Senators' speech yesterday, and I should like to have him state to me, if he can briefly, what things he thinks ought to be changed. What rates ought to be changed? He was talking about steel rails when I left the Chamber yesterday, and I wondered whether there was any other article he thought ought to be changed.

Mr. BACON. I am sorry the Senator has not been here this afternoon, because I do not desire to repeat what I have said.

Mr. ALDRICH. No; I do not ask the Senator to do that.

Mr. BACON. The Senator is chairman of the Finance Committee. He is informed as to the operation of the tariff schedules. He has made investigation of it and has opportunities for investigation which are so largely denied to many of us. No one is better informed than he on this subject.

Mr. ALDRICH. I can not understand that I have sources of information that are not open to the Senator from Georgia that I know of.

Mr. BACON. I will tell to the Senator, if he wishes me, some of the schedules which should be changed. I do not agree with the proposition that the tariff ought to be entirely repealed on all trust-made articles, nor is that the position of the Democratic party. There ought, however, to be changes in the schedules where they permit producers to sell to American consumers at a much higher rate than they sell to foreigners. I think the steel schedule should for one be changed. When, in the instances I have mentioned, the steel companies say that they will not sell to an American citizen steel rails within $8 of what they sell to a man who wants

to build a railroad in Honduras, and when they are eager to sell to a man in Honduras, showing that they thereby make profit on it, I say that the exaction of $8 a ton more of the American consumer is not to be justified, and that it is the business of Congress to carefully investigate and see where the line is to be drawn. If the steel companies can sell profitably to the foreigner at $8 less than $28, he can afford to sell at the same price to the American consumer. Again, when the same steel producer sells to the Mexican National Railroad iron to go into Mexico at $20 a ton and asks $28 of the same corporation for steel to be laid on the part of the railroad that is in Texas, there is in such a transaction sufficient to challenge the attention of Congress and to demonstrate the fact that legislation is needed there to correct such power of extortion. Whether Mr. Schwab's figures are correct or not, I take the figures furnished by these two railroads, about which there can be no doubt. And, according to Mr. Schwab, what is true of the steel rail is also true of all the other steel industries.

In other words, that there is the same exorbitant excess over a reasonable profit exacted and collected from the American people, not only on steel rails, but upon the entire list of steel products. If so, all the steel schedules require revision, because they affect everybody in this country, for the reason that iron and steel have now become of universal use, and that no man escapes the tribute which these people, by reason of the excessive tariff schedules, are allowed and permitted to exact of them. It may be true, and, I hope, is true, that there are some steel producers who do not exact exorbitant prices for their goods sold in America, but the tariff schedules give them the power and opportunity to do so.

I went through the list yesterday, and I showed that almost every article of common manufacture, farming machinery, household utensils, sewing machines, typewriters, almost all the articles of common consumption, and all the articles used in common industries are under the present schedule sold, so far as we may have the information—not definite and conclusive, I grant you, but sufficient, certainly, to put Congress upon the duty of making further investigation and of proceeding to legislate—sold at prices from 20 to 75 per cent greater to the American people than the same articles are sold by the same person to people in foreign countries.

Mr. ALDRICH. Does the Senator think taking the duties off agricultural implements would in any respect affect the question which he has referred to?

Mr. BACON. Well, Mr. President, I am not sufficiently familiar with the foreign manufacturers to say with certainty, but I think there can be no question about the fact that the imposition of these duties is based upon the assumption that if by reason of those duties the domestic manufacturers were not permitted to have the home market they would be invaded by the foreign manufacturers, and if invaded by the foreign manufacturers it would be at prices much less than the prices which are now exacted, and on account of which the foreign manufacturer is entirely kept out of the market. The present rates could, however, be very materially reduced, and the American manufacturer would still control the American market.

Mr. ALDRICH. But suppose he was not only kept out of the foreign market, but out of the American market by the removal of the duty, does the Senator think——

Mr. BACON. That who would be kept out of the American market?

Mr. ALDRICH. The domestic producer, the manufacturer here. Do you think that would be a wise thing to do?

Mr. BACON. I do not; and I am not proposing that there should be any such extreme action. I am not advocating a repeal of the duties, but only their modification. I am simply limiting myself (which I think is a very conservative position for one to take who holds the economic views that I do) to the question as to whether, even under a protective tariff, there are schedules which are abusive of the protective principle, and which permit exorbitant and extortionate prices to be exacted from the people and collected from them in the sale of these goods.

Mr. President, I am told by Senators sitting around me that these farming implement manufacturers absolutely get out catalogues in which they show different prices for domestic consumers from those which they require from foreign consumers, and, as is stated to me by the Senator from Texas [Mr. BAILEY], it can be charged with the utmost confidence that as to all farm implements, speaking generally, they are sold in foreign countries at much less than they are sold in this country, and that they are not sold as a mere matter of surplus, not sold for the purpose simply of introducing into another country, but they are sold because it is a profitable transaction to them; and as I endeavored to show, and did show by the letter, which I again read to-day, from Mr. Raoul, the president of the Mexican National Railroad, the trade for the Mexican part of his railroad at Mexican prices was so valuable to them and so valuable to others in that line of trade and there was such a competition to get his Mexican business that he could absolutely exact of them and did exact of them that they should sell to him on his Texas railroad at the same rate that they sold for the Mexican business.

Mr. DIETRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Nebraska?

Mr. BACON. With pleasure.

Mr. DIETRICH. If it is true that the manufacturers sell machinery in Europe at less than they do in the United States, provided they do not sell at less than cost in foreign countries, but sell at a profit in the United States, does not American labor receive a great benefit?

Mr. BACON. Well, Mr. President, in the first place——

Mr. BAILEY. Will the Senator from Georgia permit me, since it is a cross fire, to ask the Senator from Nebraska if the American laborer who manufactures the foreign-sold article does not get precisely the same wages that he does when he manufactures the American-sold article for which our people are charged the higher price—manufactured in the same factory by the same laborers who receive precisely the same wages?

Mr. DIETRICH. I should like to have the Senator from Georgia answer my question. I ask him if the United States is not benefited from the fact that the machinery is manufactured here even though it be sold at cost abroad and sold at a profit in the United States?

Mr. BACON. In the first place, I do not admit and I do not credit that it is sold at cost in foreign countries. I have produced evidence here to the effect that it is not sold at cost in foreign countries, but sold at a profit. I do not know whether the Senator was in the Chamber yesterday or not, but I can not go all over that ground again. I gave figures. What I have just said about the Mexican National Railroad shows that it was a profit. I want to say to the Senator that the goods sold to the Mexican National Railroad for consumption in Mexico were not simply steel rails. They comprised all the articles which are bought by railroad companies in the prosecution of their business, everything relating to the construction and repair and to the equipment of a railroad, everthing relating to the management of a railroad, to its operation, and to its offices—iron safes, furniture, all the pharaphernalia, books, and everything else connected with the management and operation of a railroad.

Mr. DIETRICH rose.

Mr. BACON. The Senator will please wait a little while. I will let him in just as long as he wants, but I must finish what I am saying. This has been going on with this railway company for fifteen years. I stated the fact yesterday to the Senate that the way I happened to know about this was that I had been intimately associated with the president of that railroad, had been with him twice to Mexico over his own road, and had had conversations with him about this matter, and therefore when it came up, recollecting that, I wrote to him.

I will state to the Senator that the information which I had from him in this intercourse was as stated here in this letter, that as to all the articles, amounting to hundreds of thousands of dollars a year, there were uniform prices of a difference of 25, or 30, or 40, or 50 per cent as to the same article to be used in Mexico on the same article to be used in Texas, a part of the railroad lying in Mexico and a part of it in Texas; and that the business of that railroad with the American manufacturers as to the products bought for Mexico at these reduced rates was so profitable, not sold at cost, but so profitable, and there was such competition among American producers to get the Mexican trade at the reduced rates, not at cost, but at profitable rates, that they absolutely, in order to get the trade in the competition between them and others, yielded the point and sold him for his Texas part of the railroad at the same reduced rates that were given on the Mexican part of the road. That does not look like selling at cost.

But, Mr. President, if the Senator were to go further and say it was sold at a loss instead of cost, it would still be an iniquitous oppression upon the American people. And why? Does anybody suppose that one of these manufacturers is engaged in business for pleasure, that they are indifferent to profit? Even if for the purpose of carrying on their business they are selling part of their goods in a foreign market at less than cost and thereby losing on it, does anybody doubt for a moment that the loss is made up out of the American consumer? Who would be so credulous as for a moment to think that every dollar that is lost by the selling of goods either at cost or below cost in a foreign market is not recouped by that much more charged and collected out of the domestic consumer?

Mr. ALDRICH. As I said, I was not here during the whole of the Senator's argument, and I would be glad to have him state whether he has advanced any other reason for tariff revision except the fact that certain manufacturers sell their goods at cost?

Mr. BACON. The Senator was not here at the time I read from the Washington Post's narration of what had been published

by the Philadelphia Press, one of the leading Republican newspapers in the United States, the editor of which we all know, in which the Philadelphia Press called attention to the fact that by reason of the butchers' meat schedule meat was sold at a very much higher rate in Buffalo than it was immediately across the line in Fort Erie, and in order that the Senator may have the answer——

Mr. ALDRICH. That is on the same line I was asking, whether there is any other——

Mr. BACON. It is not on the same line——

Mr. ALDRICH. Of course it is.

Mr. BACON. Because I do not say it is sold by American butchers. I say it is not on the same line for that reason. I was calling attention to that as an additional reason why these schedules ought to be revised.

Mr. ALDRICH. The Senator means that the Canadian farmers get a less price for their beef than the American farmers?

Mr. BACON. I do not know whether they do or not, and for that reason I do not say that it is sold there by the American beef trust, but I do say that, by reason of the American tariff—if the Philadelphia Press is correct in its statement as to prices—the butcher's meat that people have to eat, and without which they can not live in health and comfort in this country, is sold from 25 to 50 per cent higher in Buffalo than for the same article across the river, twenty minutes away. And the same thing is doubtless true all along the Canadian border.

Mr. GALLINGER. Will the Senator from Georgia permit me to ask him a question?

Mr. BACON. Yes.

Mr. GALLINGER. The tariff on beef in the United States is 2 cents a pound and in Canada 3 cents a pound. If this tariff of 2 cents is doing such infinite mischief here, what is the tariff in Canada doing?

Mr. BACON. I do not know anything about that; but I do know that it stands to reason, and any schoolboy can figure it out, that if we did not stand in Buffalo and say that we should pay 2 cents a pound on every pound of meat that came there, there certainly would be people enterprising enough, if they could make from 25 to 50 per cent on it, to bring it across and sell it.

Mr. GALLINGER. Yes; but what would become of the American industry?

Mr. BACON. The trouble about that, Mr. President, is—and I can not go into it at length, because there is a great deal of ground I want to cover, and we have got to get through before 6 o'clock—the trouble about that is that this tariff does not protect the man who raises the beef.

Mr. GALLINGER. It gives employment to American labor.

Mr. BACON. The man who raises beef does not get the benefit of it, but the beef trust gets the entire benefit, and the prices in Chicago prove that that is so.

A Senator who once sat here, and who is familiar with that business and himself a raiser of beef cattle—I refer to ex-Senator Harris, of Kansas—could, if now present, tell of the process by which the beef trust gets from the producer of the beef his meat at a very low rate and sells it to the consumer at a very high rate.

The consequence of it is that it is true, and every man within his own knowledge must testify to its truth, if not in his own experience, certainly in his observation, that the great mass of people who formerly ate butchers' meat every day in the year, and the best meat, too, now are able to eat it only occasionally, and then many of them are compelled to eat the cheaper classes of meat. Go out to-day in the city of Washington or anywhere else, and ask men of the mechanic and laboring classes whether or not I have stated the truth in that particular.

Mr. ALDRICH. If the Senator from Georgia will pardon me, I wish to ask him whether he is in favor of taking off the duty on live animals and dressed meats?

Mr. BACON. It ought certainly to be reduced.

Mr. ALDRICH. The Senator was discussing the concrete question, and that is a part of a concrete question.

Mr. BACON. In reply I say that under the present meat schedule there is great oppression of the people. I say that exorbitant prices are being exacted from them, and that as a consequence the great mass of the people now do not eat meat as they did formerly, and there ought to be a change of that schedule. It ought not to be allowed to remain as it is. It is the duty of the Senator, as chairman of the Finance Committee, and of his colleagues in the other House belonging to the dominant party, who have absolute control of this matter, to look into it and see what changes should be made.

Mr. STEWART. Will the Senator allow me?

Mr. ALDRICH. The Senator from Georgia has not yet answered my question.

Mr. BACON. I have answered the Senator's question. The Senator asked me whether or not I was in favor of taking off all the duty now laid on butchers' meat, and I said to him that I was not prepared to answer that question; that while there should be a reduction I did not know to what extent the reduction should go, not having looked into the details, but that the Senator and his party, in charge of legislation in Congress, should look into it and determine it, unless they are prepared to say it is all right as it stands. I will ask the Senator from Rhode Island, is it right as it stands?'

Mr. ALDRICH. The presumption is that it is right.

Mr. BACON. Very well; but do I understand the Senator to say that it is right?

Mr. ALDRICH. I think the duties on live animals and dressed meats are all right.

Mr. BACON. I am very glad to get the Senator to that point.

Mr. DOLLIVER. I desire to say to the Senator from Georgia that the present duties are entirely satisfactory to the cattle raisers and farmers of the West.

Mr. BACON. Well, I have not had that information. But how is it as to the consumer? How is it with the men who eat meat, or who would eat it, if they could afford to pay the present prices for it?

Mr. STEWART. Will the Senator allow me one word?

Mr. BACON. I will yield to the Senator for a question.

Mr. STEWART. For a question?

Mr. BACON. Yes.

Mr. STEWART. The Senator says that the high price of meat and the low price of cattle is due to the tariff. May it not be due to another cause, that of the cattle being nearly all killed in one place and carried over the country and placed in cold storage, which enables a few men killing all the beef to not only furnish the meat to the country, but to furnish a very bad class of meat? The tariff has nothing to do with this ptomaine meat which is poisoning people all over the country.

Mr. BACON. Well, Mr. President, the Senator will not, of course, expect me to go into that line now, I hope.

There is no limit to the range that this discussion could take, but I want to present some few things to the Senate before the time comes when I must conclude.

The conclusion to which this discussion brings me is that the Republican party does not recognize that any changes are required. Their refusal to attempt any changes shows that. If no changes are required, let me ask the Republican party when it goes into convention in June not to use ambiguous language, but, as they have now recognized that there are no such conditions as require changes, announce squarely a "stand-pat" policy, that they do not think there ought to be any change, and let the issue be squarely made before the country.

I will say, Mr. President, that interest in this matter has not been confined to one political party, but that it has been a general feeling throughout the country—not universal by any means, but still general—that there were oppressive schedules, under which certain combinations in this country were enabled to shelter themselves and thereby to oppress the people. That has been the Democratic idea for a long time, but still the Democrats have been in a minority and could not make themselves felt. But at last it seemed as if light was about to break when we had heard from the West the manifestation of the general unrest there was upon this subject.

The Republican party of the State of Iowa inaugurated a movement which at one time promised to work a reform inside of the Republican party. I am sorry to say that it has very largely disappeared and has been abandoned. But I want to read what the Republicans of Iowa said on this subject.

Mr. KEAN. When?

Mr. BACON. I think it was in 1902 or 1901, I have forgotten which. My distinguished friend from Iowa [Mr. DOLLIVER] may tell us the exact date. It was when the celebrated Iowa platform was adopted, and I am not sure whether it was in 1901 or 1902. The Senator on my right can tell us when this important utterance was made that I am about to read.

Mr. DOLLIVER. There were two conventions.

Mr. BACON. I will say that I am reading this from a speech of Governor Cummins, in which he recites it. I have not the original platform before me, but I have the quotation from it made by Governor Cummins. He says in the course of his speech:

> Permit me to quote two succeeding sentences upon the same subject.

And here he quotes:

> We favor such changes in the tariff from time to time as become advisable through the progress of our industries and their changing relation to the commerce of the world. We indorse the policy of reciprocity as the natural complement of protection, and urge its development as necessary to the realization of our highest commercial possibilities.

There are two distinct propositions—first, as to changes; second, as to reciprocity—both of which, in the language of my distinguished friend from Iowa [Mr. DOLLIVER], have been absolutely abandoned by this Republican Congress.

Again:

We favor such amendments to the interstate-commerce act as will more fully carry out its prohibition of discrimination in rate making and any modification of the tariff schedules that may be required to prevent their affording shelter to monopoly.

Mr. LODGE. May I ask the Senator if the tariff schedules mentioned in the paragraph he has just read refer to railroad schedules or to Government schedules?

Mr. BACON. What is the question?

Mr. LODGE. The Senator referred to something in regard to interstate commerce, and I thought the article might have reference to railroad-tariff schedules. I may be wrong.

Mr. BACON. It says "tariff schedules."

Mr. LODGE. Does it not mean railroad-tariff schedules? The word is used in connection with railroads, as the Senator knows.

Mr. BACON. No; I should think not. That is not what it means.

Mr. LODGE. It is a curious connection in which to put it.

Mr. BACON. That is true, but still it is so.

Mr. LODGE. Government tariffs are not the only tariffs.

Mr. BACON. Railroads are not shelters for monopoly tariff rates.

Mr. LODGE. Where does the Senator live? They have been great shelters for monopolies for years.

Mr. BACON. Certainly; that may be true as to the rates furnished to certain customers, such as the Standard Oil Company, for instance. But the Senator and I have reference to different things. He has reference to the customers of railroads, while I have reference to the railroad companies themselves.

Mr. LODGE. They have generally been supposed to be the foundation for monopoly.

Mr. BACON. But when Governor Cummins uses the word "tariffs" he evidently refers to customs duties. What he says immediately thereafter conclusively proves that.

Mr. DOLLIVER. If my friend will permit me, I will say that a very long and somewhat acrimonious debate ensued in Iowa as to what was the meaning of those words, the Republicans, practically without dissent, disowning the proposition that the tariff was a shelter or protection for trusts, or in any sense the author of trusts; and owing to that ambiguity and discussion the party last year, by unanimous vote, abandoned the language.

Mr. BACON. Governor Cummins goes on, then, to defend the Republican party of Iowa from what he said was an unjust charge against them as to the construction of that language, and he uses this language:

It is the last phrase which, as I understand it, has excited comment throughout the length and breadth of the country. This phrase seems to me not only so plain and clear that it is incapable of being misunderstood, but also the statement of a self-evident truth in governmental policy. It has been accepted in some quarters as an assertion by the Republicans of Iowa that they favored the removal of tariff duties from all articles manufactured and sold by the so-called trusts. It requires a combination of gross ignorance and intense prejudice to give it such construction. The Republicans of Iowa understand the difference between all the products of combinations or trusts and the products in which there have been established monopolies, and their declaration is that tariff duties shall not be used to shelter a monopoly.

Certainly that did not refer to railroad tariffs in the opinion of Governor Cummins.

Mr. DOLLIVER. Mr. President, if it will not interrupt the Senator——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Iowa?

Mr. BACON. Yes, sir.

Mr. DOLLIVER. I will say that the State of Iowa got a good deal of celebrity out of the language in that platform, but in reality it had been a very common expression in Republican platforms throughout the country and, in the form in which the Republicans of Iowa, as a rule, interpreted it, was copied substantially from the Republican national platform of 1896.

Mr. BACON. Right in that connection Governor Cummins says this:

I have heard it said that in this respect our platform occupies Democratic ground. If this were so, and it is righteous ground, I would not therefore abandon it. From the bottom of my heart I wish that the two parties did occupy common territory upon this great field, for the problems that are to be solved should not be vexed with partisan dispute. Unfortunately, however, it is not true that we have met upon friendly ground.

Now it is, Mr. President, that the Democrats are those who desire that there shall be action upon this ground, and the Republicans have turned their backs upon it and repudiated it.

The first intimation that we had that the Iowa Republicans were not going to stand upon that platform was in a speech made at Marshalltown, Iowa, by the senior Senator from Iowa [Mr. ALLISON], than whom there is no man held in higher, if so high, esteem in this Senate. My distinguished friend from Iowa [Mr. DOLLIVER] is doubtless entirely familiar with that speech; but I will read an extract from it as showing the first intimation we had that the Iowa idea was about to be abandoned. In the course of that speech the distinguished senior Senator from Iowa said this:

The tariff plank in our State platform is not a declaration in favor of tariff revision, nor is it a declaration against tariff revision.

Our political enemies demand a defense of the details of present tariff laws, and they charge us with standing pledged to the maintenance of existing rates. This is not the Republican position, and so to officially answer the charge it is eminently proper to make the declaration contained in the Iowa platform.

* * * * * * * *

If the State convention of Iowa should declare specifically for tariff revision, or for any specific remedy for trusts, I doubt not the Iowa delegation would be very prompt to heed, and certainly the Iowa members of the Cabinet will bring the subject to the careful attention of the President.

After that very definite and unambiguous expression of opinion on the part of the senior Senator from Iowa concerning the purposes of the Iowa Republicans, we were naturally all filled with apprehension that the reform which we thought the Iowa Republicans were about to introduce in their party, and which we hoped would be spread and be adopted by other Republicans all over the United States, was about to be abandoned; and, sure enough, when the convention met there was a very remarkable utterance upon the subject of the tariff. When it came to the question as to what enunciation should be made as to the tariff in the Iowa platform, we have this very definite one:

Duties that are too low should be increased, and duties that are too high should be reduced.

Mr. DOLLIVER. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Georgia yield to the Senator from Iowa?

Mr. BACON. Certainly.

Mr. DOLLIVER. Does the Senator from Georgia dispute either of those propositions?

Mr. BACON. I do not. I think that is a self-evident truth that nobody could possibly dispute and one of the most catholic utterances which I have ever heard, upon which everybody can stand. If a man was dissatisfied with the schedules, he would say, of course, "They ought to be reduced and will be reduced; therefore I will stand by the Republican party;" and if he were satisfied with the schedules, he would say, of course, "They are not too high, and they will not be reduced, and therefore I will stand by the Republican party." That made everything lovely in the Republican party in Iowa.

A popular writer, Mr. President, has compared that plank in the Iowa platform to one of the utterances of famous Jack Bunsby, the oracular seafaring man of Dombey and Son. After the *Son and Heir*—the name of the ship that carried Walter to far-away seas—had sailed, and a long time had passed and no news could be gathered of it and it was feared the ship was lost, our dear old friend Captain Cuttle went with Florence to consult Jack Bunsby as to whether he thought the *Son and Heir* had gone down and Walter had been lost. The oracular response of Jack Bunsby was this: "If so be he is dead, my opinion is that he will not come back any more; if so be he is alive, my opinion is he will. Do I say he will? No."

Mr. President, I have here a cartoon, made by the young genius Berryman, which, if I were to follow the example of our distinguished friend from Wyoming [Mr. WARREN] in endeavoring to convert the CONGRESSIONAL RECORD into a pictorial daily, I might ask the privilege of introducing but for the fact that the likenesses in it are too correct and it would be entirely too personal to do so. But I will say that, as the result of this convention in which this oracular announcement of the position of the Republicans of Iowa was made, it represents the animal which is recognized as the emblem of the "grand old party"—the elephant—and by his side, leading him and marching with him, a very prominent Republican who was supposed to have been influential in the phrasing of that utterance by the Iowa Republican convention. On the rump of the animal, facing to the rear, is another very prominent Iowa Republican, with a muzzle on and bound hand and foot and placarded "You can't lose A. B.," and underneath the cartoon is written "We are all in line." And so they were, but facing in opposite directions.

We all know, Mr. President, that in mediæval times those in authority were not very particular as to the methods by which they secured their plunder out of the common people. I use the word "plunder," but I am not using it offensively as to the tariff, although it might be quite proper to be done in some cases. But I never realized the fact that the scientific method of getting plunder out of the people without their exactly knowing how it was done, as is accomplished through means of the protective tariff, was of ancient origin. But it is proved to be by one of the utterances of the noble Brutus, which I shall read, and which I can not imagine could ever have been put into his mouth by the author of Julius Cæsar unless he had himself known something about the protective tariff. In the celebrated controversy between

Brutus and Cassius, Brutus, in a rage of indignation, uses these words:

> By heaven, I had rather coin my heart,
> And drop my blood for drachmas, than to wring
> From the hard hands of peasants their vile trash
> By any indirection.

I am utterly unable, Mr. President, to understand how even so great an intellect as the author of Julius Cæsar should have ever found such language unless he knew something practically, and a great deal, about the operations of a protective tariff.

ADDITIONAL HOMESTEAD ENTRIES.

The PRESIDING OFFICER (Mr. KEAN in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 3165) providing for second and additional homestead entries, and for other purposes; which was on page 1, lines 3 and 4, to strike out the words "or who may hereafter make."

Mr. DUBOIS. I will say to the Senator from Connecticut [Mr. PLATT] and to the Senator from Missouri [Mr. COCKRELL] that this bill has met the approval of the Department. It allows homesteaders who have failed to secure their homesteads and who have sufficient proof that such failure has been through no fault on their part to make a second entry. It only applies to past homesteading and not to future homesteading.

I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

COLVILLE INDIAN RESERVATION.

The bill (H. R. 11586) to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes, was read the first time by its title.

Mr. PLATT of Connecticut. I think that bill has been considered by the Committee on Indian Affairs, and that they have practically agreed to a similar Senate bill. So I wish this bill might lie on the table until to-morrow, when, if I find such to be the case, I shall ask to have the bill called up, and put on its second reading, and also on its passage.

The PRESIDING OFFICER. In the absence of objection, it will be so ordered.

CHOCTAW AND CHICKASAW TOWN-SITE FUND.

The bill (H. R. 12382) authorizing the payment of the Choctaw and Chickasaw town-site fund, and for other purposes, was read twice by its title.

Mr. PLATT of Connecticut. With reference to this House bill the Committee on Indian Affairs have heretofore reported a Senate bill, which I have compared with the House bill, and the two bills are in identically the same language, including the amendments which the Senate Committee on Indian Affairs recommended. If there be no objection, I will, therefore, ask that the House bill shall be considered and put on its passage at the present time.

Mr. BAILEY. Mr. President, I, of course, would not want to object, but I simply desire to express the hope that the bill is so drawn as to enable those Indians to take care of certain warrants which have been long since past due and which were issued in payment, as I understand, for the services of their school-teachers. I desire to ask the Senator from Connecticut if this bill will permit the application of a part of this money to that purpose?

Mr. PLATT of Connecticut. This bill provides that the accumulated town-site fund shall be paid to the Choctaws per capita.

Mr. BAILEY. Then, of course, Mr. President, it would not permit the application of it to a tribal obligation.

Mr. PLATT of Connecticut. I suppose not.

Mr. BAILEY. I regret that this money is not to be devoted to discharging an obligation of the tribe before being divided among the tribesmen. I have constituents who for two years have been carrying the school warrants issued by the Chickasaw government in discharge of its obligations to its school-teachers, and I am advised by those constituents that the Choctaw legislature has recently passed, and the governor of the Choctaw people has approved, a bill to pay these warrants, and that they only need either the Federal Government to advance to them the funds out of what it now holds for their account, or else to authorize them in some way to make the provision. I desire to protest against the division of this fund among those people individually while their obligations as a government are going unpaid amongst my constituents.

As the Senator from Connecticut and the Senator from Nevada, chairman of the Committee on Indian Affairs, will recall, I did appear before that committee and urge that some provision be made for the payment of those warrants.

I not only feel that as a matter of justice to my constituents it ought to be done, but I feel that as a matter of justice to the good name of the Indians, whose tribal relation is soon to be dissolved, they ought not to be left with any obligation unprovided for, and particularly they ought not to be left with an obligation which represents the labor of American citizens in teaching their children.

Mr. PLATT of Connecticut. If the Senator objects to the passage of this bill, all I will ask at the present time is that the House bill may be substituted on the Calendar for the Senate bill which has already been reported and is now upon the Calendar.

Mr. BAILEY. I have no desire to interfere with the Committee on Indian Affairs, but if taking that course will afford us some opportunity to provide by amendment for these warrants, I shall be gratified to see it taken.

Mr. PLATT of Connecticut. Let the House bill be substituted on the Calendar for the Senate bill.

Mr. BAILEY. Very well.

The PRESIDING OFFICER. Without objection, it will be so ordered, and the bill (S. 4657) authorizing the payment of the Choctaw and Chickasaw town-site fund will be indefinitely postponed.

COAL CITY (ILL.) PORT OF DELIVERY.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 12899) constituting Coal City, Ill., a port of delivery, which was read twice by its title.

Mr. CULLOM. I ask unanimous consent for the present consideration of the bill. Nobody objects to it.

Mr. GALLINGER. The Committee on Commerce have examined the bill and favor its passage.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CARNEGIE INSTITUTION OF WASHINGTON.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (H. R. 14093) to incorporate the Carnegie Institution of Washington. The bill was read the other day and was objected to by the Senator from Massachusetts [Mr. LODGE], who now withdraws his objection.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill, which had been reported from the Committee on the District of Columbia with amendments.

The PRESIDING OFFICER. The bill was read in full the other day. The amendments reported by the Committee on the District of Columbia will be stated.

The first amendment was, on page 1, section 1, line 4, before the word "Carnegie," to strike out "said;" in line 5, before the name "Dodge," to strike out the letter "E" and insert the letter "H;" in line 8, after the name "Hutchinson," to insert "Samuel P. Langley;" and in line 10, after the name "Morrow," to insert "Ethan A. Hitchcock;" so as to make the section read:

That the persons following, being persons who are now trustees of the Carnegie Institution, namely, Alexander Agassiz, John S. Billings, John L. Cadwalader, Cleveland H. Dodge, William N. Frew, Lyman J. Gage, Daniel C. Gilman, John Hay, Henry L. Higginson, William Wirt Howe, Charles L. Hutchinson, Samuel P. Langley, William Lindsay, Seth Low, Wayne MacVeagh, Darius O. Mills, S. Weir Mitchell, William W. Morrow, Ethan A. Hitchcock, Elihu Root, JOHN C. SPOONER, Andrew D. White, Charles D. Walcott, Carroll D. Wright, their associates and successors, duly chosen, are hereby incorporated and declared to be a body corporate by the name of the Carnegie Institution of Washington and by that name shall be known and have perpetual succession, with the powers, limitations, and restrictions herein contained.

The amendment was agreed to.

The next amendment was, on page 2, line 4, after "SEC. 2," to strike out:

That the particular business and objects of the corporation shall be to encourage, in the broadest and most liberal manner, investigation, research, and discovery; to provide buildings, laboratories, books, and apparatus as required, and afford instruction of an advanced character to students properly qualified to profit thereby; and, in general, to increase the facilities for higher education; and in particular—

And insert:

That the objects of the corporation shall be to encourage, in the broadest and most liberal manner, investigation, research, and discovery, and the application of knowledge to the improvement of mankind; and in particular,

The amendment was agreed to.

The next amendment was, on page 3, section 3, line 17, before the name "Dodge," to strike out the letter "E" and insert the letter "H;" in line 19, after the name "Hutchinson," to insert "Samuel P. Langley;" and in line 21, after the word "Morrow," to insert "Ethan A. Hitchcock;" so as to read:

SEC. 3. That the direction and management of the affairs of the corporation and the control and disposal of its property and funds shall be vested in a board of trustees, twenty-two in number, to be composed of the following individuals: Alexander Agassiz, John S. Billings, John L. Cadwalader, Cleveland H. Dodge, William N. Frew, Lyman J. Gage, Daniel C. Gilman, John Hay, Henry L. Higginson, William Wirt Howe, Charles L. Hutchinson, Samuel P. Langley, William Lindsay, Seth Low, Wayne MacVeagh, Darius O. Mills, S. Weir Mitchell, William W. Morrow, Ethan A. Hitchcock, Elihu Root, JOHN C. SPOONER, Andrew D. White, Charles D. Walcott, Carroll D. Wright, who shall constitute the first board of trustees.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JOSEPH W. I. KEMPA.

Mr. SPOONER. I am directed by the Committee on Finance, to whom was referred the bill (S. 5462) for the relief of Joseph W. I. Kempa, executor of the last will and testament of William J. Grutza, deceased, to report it with amendments, and I ask unanimous consent for its present consideration. It will take but a moment.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Finance with amendments, on page 4, line 4, after the word "cause," to strike out "said" and insert "all;" in the same line, after the word "assessment," to strike out "for said" and insert "of;" in line 5, after the word "against," to strike out "the said;" in line 6, after the word "of," to strike out "said;" in line 8, after the word "to," to strike out "cause a refunding of" and insert "refund;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause all assessment of inheritance tax against J. W. I. Kempa, executor of the last will and testament of William J. Grutza, deceased, to be abated; and that the Secretary of the Treasury be, and he is hereby, authorized and directed to refund the inheritance tax so collected by reason of the assessment made by the Commissioner of Internal Revenue against the said estate, and that the said executor be relieved from the payment of any such tax which may have attached to the said property by reason of the operation of the said law of June 13, 1898.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The Committee on Finance reported an amendment, to strike out the preamble; which was agreed to.

LIGHT-HOUSE AT CAPE HATTERAS, NORTH CAROLINA.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 7264) to provide for the construction of a light-house and fog signal at Diamond Shoals, on the coast of North Carolina, at Cape Hatteras; which was read twice by its title.

Mr. SIMMONS. The bill (S. 2319) to provide for the construction of a light-house and fog signal at Diamond Shoals, on the coast of North Carolina, at Cape Hatteras, is substantially the same as the bill just laid before the Senate, and I ask unanimous consent that the House bill may be considered at this time.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. GORMAN. What is the amount involved?

Mr. SIMMONS. Nothing is to be paid until the light-house is built and has been operated successfully for five years.

Mr. GORMAN. Then how much is to be paid?

Mr. SIMMONS. Five hundred and ninety thousand dollars. A similar bill has passed the Senate at this session.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. SIMMONS. I move that the House be requested to return to the Senate the bill (S. 2319) to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras.

The motion was agreed to.

MISSISSIPPI RIVER BRIDGE.

Mr. NELSON. I ask unanimous consent for the present consideration of the bill (S. 5504) to amend an act entitled "An act to authorize the counties of Sherburne and Wright, Minn., to construct a bridge across the Mississippi River," approved March 29, 1904.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LAND OFFICE FEES.

Mr. GAMBLE. I ask unanimous consent for the present consideration of the bill (S. 4452) relative to fees and commissions on final entry or commutation of homestead entries.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Public Lands with amendments, in line 5, after the word "shall," to insert "in all cases;" and at the end of the bill to insert:

and the registers and receivers shall not be entitled to collect any further commissions on moneys received on commuted homestead entries under the provisions of the second paragraph of section 2238 of the United States Revised Statutes.

So as to make the bill read:

Be it enacted, etc., That in making commutation or final entry of a homestead entry, in addition to the price to be paid for the land the entryman shall in all cases pay the same fees and commissions as now provided by law where the price of the land is $1.25 per acre, and the registers and receivers shall not be entitled to collect any further commission on moneys received on commuted homestead entries under the provisions of the second paragraph of section 2238 of the United States Revised Statutes.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER. The hour of 6 o'clock having arrived, the Senate takes a recess until to-morrow morning, at 10 o'clock.

The Senate accordingly took a recess (at 6 o'clock p. m.) until to-morrow, Wednesday, April 27, 1904, at 10 o'clock a. m.

AFTER THE RECESS.

The Senate reassembled, at the expiration of the recess, at 10 o'clock a. m.

SENECA INDIAN LANDS IN NEW YORK.

Mr. KEAN. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably the resolution submitted by the Senator from Nevada [Mr. STEWART] on the 19th instant, and I ask for its present consideration.

The PRESIDENT pro tempore. The Senator from New Jersey asks unanimous consent to submit a report from the Committee to Audit and Control the Contingent Expenses of the Senate. Is there objection? The Chair hears none. The report is before the Senate.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Indian Affairs, or any subcommittee thereof appointed by its chairman, is hereby authorized to investigate the claim of the Ogden Land Company to the lands of the Seneca Nation of Indians in the State of New York, and the proposed allotment of said lands in severalty to said Indians. Also to investigate and report upon such other matters affecting the Indians or the Indian Service as the committee shall consider expedient. Said committee shall have power to send for persons and papers, examine witnesses under oath, employ a stenographer and interpreter, and sit during the session or the recess of the Senate at such times and places as the committee may determine; and the actual and necessary expenses of said investigations to be paid out of the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

PRESERVATION OF HISTORIC AND PREHISTORIC RUINS, ETC.

Mr. TELLER. Day before yesterday I objected to the passage of a bill in which the scientists of this country are greatly interested. There were some objections that I had to the bill. After consulting with them I prepared yesterday, with their approval, an amendment which I ask to substitute for the bill, and that the bill be put on its passage.

Mr. BLACKBURN. What is the bill?

Mr. TELLER. It is a bill for the preservation of the antiquities in the West. I desire to call up the bill this morning, for there has been a great deal of interest taken in it by the scientific people of the country, and inasmuch as I objected to the bill I feel that I ought to do so. I offer an amendment which is agreeable to the parties interested in securing a measure for this purpose.

The PRESIDENT pro tempore. The Senator from Colorado asks for the present consideration of the bill (S. 5603) for the preservation of historic and prehistoric ruins, monuments, archæological objects, and other antiquities, and to prevent their counterfeiting. The bill has been read in full to the Senate.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. TELLER. I move an amendment as a substitute to the bill reported by the Committee on Public Lands. It is substantially the same measure, but with some things left out of the bill as reported.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Colorado will be read.

The SECRETARY. Strike out all after the enacting clause and insert:

That for the purpose of preserving and protecting from despoliation the historic and prehistoric ruins, monuments, archæological objects, and other antiquities, and the work of the American aborigines on the public lands of the United States, all said historic and prehistoric ruins, monuments, archæological objects, and other antiquities are hereby placed in the care and custody of the Secretary of the Interior, with authority to grant permits to persons whom he may deem properly qualified to examine, excavate, and collect antiquities in the same: *Provided, however*, That the work of such persons to whom permits may be granted by the Secretary of the Interior is undertaken for the benefit of some incorporated public museum, university, college, scientific society, or educational institution, either foreign or domestic, for the purpose of increasing and advancing the knowledge of historical, archæological, anthropological, or ethnological science.

SEC. 2. That the Secretary of the Interior may make temporary withdrawals of the land on which such prehistoric ruins, monuments, archæological objects, and other antiquities are located, including only the land necessary for such preservation and not exceeding in one place one section of land. The Secretary of the Interior may detail custodians of such ruins or groups of ruins, with the view to their protection and preservation, and it

shall be the duty of such custodians to prohibit and prevent unauthorized and unlawful excavations thereof, or the removing therefrom of antiquities.

SEC. 3. That it shall be the duty of the Secretary of the Interior to grant to any State or Territorial museum or university, having connected therewith a public museum, permits to excavate and explore any ruin or site located within its territorial limits on the public lands, upon application for such permit being indorsed by the governor of the State or Territory wherein the ruins are situated.

SEC. 4. That the Secretary of the Interior is hereby authorized to grant permits for the purposes set forth in the foregoing sections to foreign national museums, universities, or scientific societies engaged in advancing the knowledge of historical, archæological, anthropological, or ethnological science under such regulations as he may deem advisable, and to make such division of the antiquities recovered as in his judgment seems equitable, and the antiquities retained in this country shall be deposited in the United States National Museum or in some public museum in the State or Territory within which explorations are made.

SEC. 5. That permits granted to any institution or society shall state the site or locality in which excavations or investigations are to be conducted, and shall require that the work begin within a stated time, and that the work shall be continuous until such excavations have been satisfactorily completed, in the judgment of the Secretary of the Interior; and that any failure to comply with such requirements shall be deemed a forfeiture of the permit, and in case of such forfeiture all antiquities gathered from such ruin or site shall revert to the United States National Museum or to such State or Territorial institution as the Secretary of the Interior shall designate.

SEC. 6. That of all excavations and explorations made under a permit granted by the Secretary of the Interior a complete photographic record shall be made showing the progress of the said excavations, and of all objects of archæological or historical value found therein, and duplicate photographs thereof, together with a full report of the excavations, shall be deposited in the United States National Museum.

SEC. 7. That it shall be the duty of the Secretary of the Interior to make and publish from time to time such rules and regulations as he shall deem expedient and necessary for the purpose of carrying out the provisions of this act.

SEC. 8. That any person who shall excavate, disturb, willfully destroy, alter, deface, mutilate, or injure, without authority from the Secretary of the Interior as aforesaid, any prehistoric aboriginal structure or grave on the public lands of the United States, or who knowingly and intentionally conducts, enters into, aids, abets, or participates in any manner whatever in any excavations or gatherings of archæological objects or the destruction or injury to any grave or prehistoric structure on the public lands of the United States, or shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not exceeding $500, or by imprisonment not exceeding one year, or both.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

UTAH SENATORIAL INVESTIGATION.

Mr. BURROWS. I am instructed by the Committee on Privileges and Elections to report a resolution, which I ask may be read.

The resolution was read, as follows:

Resolved, That in the investigation of the right and title of REED SMOOT to a seat in the Senate as Senator from the State of Utah, the Committee on Privileges and Elections of the Senate, or any subcommittee thereof, be and is authorized to sit during the recess of the Senate and at such times and places as may suit the convenience of said committee or subcommittee, with the same power and authority in all respects as are conferred on said committee by the resolution adopted by the Senate January 27, 1904.

Mr. STEWART. Let that go over.

Mr. BURROWS. I ask that the resolution be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT pro tempore. It will be so referred.

Mr. KEAN subsequently, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported the foregoing resolution; and it was considered by unanimous consent, and agreed to.

GENERAL DEFICIENCY APPROPRIATION BILL.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 13, 16, 25, 26, 27, 28, 29, 30, 40, 49, 51, 52, 53, 55, 60, 86, 92, 93, and 105.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 15, 17, 18, 19, 20, 21, 23, 24, 31, 33, 34, 35, 36, 37, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48, 50, 54, 56, 57, 58, 59, 61, 62, 63, 64, 65, 66, 67, 68, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 84, 85, 87, 88, 91, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, and 104, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In line 4 of said amendment strike out the word "expended" and insert in lieu thereof the words "the close of the fiscal year 1905;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lines 4 and 5 of said amendment strike out the words "approved April —, 1904," and insert in lieu thereof the following: "passed during the present session of Congress;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows; In line 2 of said amendment, after the word "offices," insert the following: ", except such employees as were transferred by the Secretary of War to the military information division of the General Staff prior to April 1, 1904;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In line 6 of said amendment strike out all after the word "States," down to and including the word "surplus" in line 7, and insert in lieu thereof the words "the proceeds;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In line 6 of said amendment strike out the word "first" and insert in lieu thereof the word "fourth;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and Senate documents numbered 284, 293, and 300;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "The accounting officers of the Treasury are hereby authorized and directed to reopen and adjust the claim of the State of Missouri, under the act to reimburse the State of Missouri for moneys expended for the United States in enrolling and equipping and provisioning militia forces to aid in suppressing the rebellion, approved April 17, 1866, on the basis of like claims of Indiana, Michigan, New York, Maine, and Pennsylvania;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: Add at the end of said amendment, after the word "cents," the following: ", and the acceptance of payment hereunder shall be in full for all claims, of the character herein provided for, by the State of Texas;" and the Senate agree to the same.

EUGENE HALE,
W. B. ALLISON,
H. M. TELLER,
Managers on the part of the Senate.
J. A. HEMENWAY,
A. C. VAN VOORHIS,
L. F. LIVINGSTON,
Managers on the part of the House.

The report was agreed to.

ESTATE OF ARTEMUS E. GIBSON.

Mr. HALE. I should like to make a request of the Senate. I have been unable to be in the Senate for the last two weeks, having been engaged on appropriation bills. There are two bills of very little account which I should like to have passed at the present time, if there is no objection.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent for the present consideration of a bill which will be read.

The SECRETARY. A bill (H. R. 7718) for the relief of the estate of Artemus E. Gibson.

Mr. HANSBROUGH. I desire to ask whether it is the intention of the Senator from Maine to allow us to take up the Calendar for a while, or whether we can not go to the Calendar, but must call up individual bills by asking unanimous consent in order to pass them? I have been waiting for the last two weeks to have some bills passed which are very important to my section of the country, and I think we ought to be allowed an equal privilege here, if it is possible to do so.

Mr. HALE. I shall not——

Mr. HANSBROUGH. I do not want to object to the Senator's request.

Mr. HALE. The Committee on Appropriations proposes in the next ten minutes to present its last conference report, and then the whole field will be open.

Mr. HANSBROUGH. I desire to ask the Senator from Maine when the Committee on Appropriations desires to have the Senate adjourn? We all understand that after the appropriation bills are out of the way the next order of business is final adjournment.

Mr. HALE. I withdraw my request.

Mr. FORAKER. I hope the Senator from Maine will not withdraw his request. I wish to make a similar one. I think the Senator from Maine ought to have an opportunity to call up the bills.

Mr. BLACKBURN. So do I.

Mr. HALE. The Senator from Iowa, who has charge of the sundry civil appropriation bill, is ready to submit the conference report upon it.

Mr. HANSBROUGH. I do not object to the Senator's request, Mr. President. I do not wish to be understood as objecting to it.

Mr. GALLINGER. Mr. President, it is proper that some of us who have had recognition should state that during the entire session, so far as I know, the Senator from Maine has made no request of this kind. I think he ought to be granted the privilege.

Mr. HANSBROUGH. Certainly.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole. It directs the Secretary of the Treasury to issue to the estate of Artemus E. Gibson, deceased, duplicates in lieu of United States 4 per cent registered bonds of the funded loan of 1907, Nos. 110479 and 110480 for $100 each, and 90398 for $1,000, inscribed in the name of Artemus E. Gibson and alleged to have been lost or destroyed. But the legal representative of the estate of Artemus E. Gibson shall first file in the Treasury a bond in a sum equal to the amount of the principal of the bonds and the interest that would accrue thereon until the same shall become due or payable, with good and sufficient sureties, to be approved by the Secretary of the Treasury, conditioned to indemnify and save harmless the United States from any claim because of the lost or destroyed bonds.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLAIMS FOR DAMAGES FOR TARGET PRACTICE.

Mr. HALE. I ask the Senate to proceed to the consideration of the bill (S. 4236) to pay claimants for damages to private property by reason of mortar practice at Fort Preble, Me., during the fall of 1901, as reported by a board of army officers constituted to ascertain the same.

Mr. KEAN. The bill has been read.

Mr. HALE. The bill has already been read.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with amendments, on page 1, line 6, after the word "practice," to strike out the words "at Fort Preble, Me., during the fall of 1901;" and on page 2, line 8, after the word "dollars," to insert:

all at Fort Preble, Me.; to Mrs. Emma Tatro, $3.72, at Fort Winthrop, Mass.; to Katharine Jackman, $3, and to Elizabeth Dance, $25, both at Fort Hamilton, N. Y.; to E. M. Ferguson, $25, at Fort H. G. Wright, N. Y.—

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay the following claims against the Government of the United States, arising out of damages to private property by reason of mortar practice, as ascertained and reported to the Secretary of War by a board of army officers constituted for that purpose: To A. M. Spear, $200; to Harriet S. Webster, $1,315; to F. H. Harford, $250; to Margaret E. McDonald, $400; to Nicholas Moepan, $165; to Malvina H. Merriman, $125; to James Merriman, $150; to Mary E. Parker, $300; to Mary E. Tingley, $75; to Hattie E. McCann, $19; to Harry Wood, $76, all at Fort Preble, Me.; to Mrs. Emma Tatro, $3.72, at Fort Winthrop, Mass.; to Katharine Jackman, $3, and to Elizabeth Dance, $25, both at Fort Hamilton, N. Y.; to E. M. Ferguson, $25, at Fort H. G. Wright, N. Y. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sum sufficient to pay said several claims.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to pay claimants for damages to private property by reason of mortar practice at Fort Preble, Me.; Fort Winthrop, Mass.; Fort Hamilton, N. Y., and Fort H. G. Wright, N. Y., as reported by board of army officers constituted to ascertain the same."

ESTATE OF JOHN JACOBY.

Mr. FORAKER. I ask unanimous consent for the present consideration of the bill (S. 3043) for the relief of the estate of the late John Jacoby.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It authorizes the Commissioners of the District of Columbia and the accounting officers of the Treasury to settle with the administrator of the estate of John Jacoby all matters, controversies, dues, or accounts arising out of the several contracts between John Jacoby and the District of Columbia.

The settlement shall be made upon the basis and theory of law that all contracts between Jacoby and the District ended at and were terminated by the death of Jacoby and did not survive his death or the annulment of the contracts declared by the District of Columbia thereafter, and that the estate of John Jacoby is not chargeable with the increased cost, if any, to the District of Columbia of completing sewers and other public work by reason of the District thereafter entering into contracts with other persons for the completion thereof.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 2698) to establish a life-saving station at or near the entrance to Tillamook Bay, Oregon; and

A bill (S. 3182) to pay certain Choctaw (Indian) warrants held by James M. Shackelford.

The message also announced that the House had passed with amendments the bill (S. 5557) to authorize the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, to construct a bridge across the Connecticut River between Chicopee and West Springfield, in said county and Commonwealth; in which it requested the concurrence of the Senate.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. PARKER, Mr. MONDELL, and Mr. SULZER managers at the conference on the part of the House.

The message also announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to the following bills:

A bill (S. 127) authorizing the joining of Kalorama avenue;

A bill (S. 2135) to connect Euclid place with Erie street;

A bill (S. 2621) for the widening of V street NW.;

A bill (S. 2710) for the opening of connecting highways on the east and west sides of the Zoological Park, District of Columbia; and

A bill (S. 3869) for the extension of Albemarle street.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 2382) providing for the resurvey of certain townships in Routt and Rio Blanco counties, in the State of Colorado;

A bill (S. 3035) supplemental to and amendatory of an act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900;

A bill (S. 3117) to expedite business in the district court of the United States for the district of Oregon;

A bill (S. 3129) to promote the circulation of reading matter among the blind;

A bill (S. 3338) to amend and codify the laws relating to municipal corporations in the district of Alaska;

A bill (S. 3777) granting a pension to Sarah S. Smith;

A bill (S. 4651) for the relief of James T. Barry and Richard Cushion, executors of the last will and testament of Martin Dowling, deceased;

A bill (S. 5255) to provide allotments to Indians on White Earth Reservation, in Minnesota;

A bill (S. 5369) to extend to Peoria, Ill., the privileges of the seventh section of the act of Congress approved June 10, 1880, governing the immediate transportation of merchandise without appraisement;

A bill (S. 5475) granting a pension to Mary M. Rice;

A bill (H. R. 614) granting a pension to Michael O'Brien, alias Michael Clifford;

A bill (H. R. 875) for the relief of Harry C. Mix;

A bill (H. R. 1953) to provide for an additional associate justice of the supreme court of the Territory of New Mexico;

A bill (H. R. 8421) for the relief of Russel A. McKinley;

A bill (H. R. 8285) granting an increase of pension to William S. Peck;

A bill (H. R. 8790) granting a pension to C. Annette Buckel;

A bill (H. R. 12666) granting an increase of pension to Henry E. W. Campbell;

A bill (H. R. 13936) granting an increase of pension to John W. Thomas;

A bill (H. R. 14491) granting an increase of pension to Eli Prebble;

A bill (H. R. 14533) to change and fix the time for holding the district and circuit courts for the northern division of the eastern district of Tennessee;

A bill (H. R. 14673) to create a new division of the southern judicial district of Iowa, and to provide for terms of court at Davenport, Iowa, and for a clerk for said court, and for other purposes;

A bill (H. R. 14700) granting an increase of pension to Hamden C. Washburn;

A bill (H. R. 14826) to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska;

A bill (H. R. 14944) establishing a regular term of the United States circuit and district courts at Lewisburg, W. Va.; and

A bill (H. R. 15228) establishing a regular term of the United States circuit and district courts at East St. Louis, Ill.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I present the agreement of the conferees on the sundry civil appropriation bill, so called. This is a final agreement.

Mr. CULLOM. I ask the Senator from Iowa whether he will delay the reading of the conference report that I may call up a little bill in which the public is interested, not myself individually. It is not an individual bill, but a bill in relation to the assignment of diplomatic and consular officers. I should like to have it passed. The State Department is anxious that it should become a law.

The PRESIDENT pro tempore. The Chair recognized the Senator from Iowa.

Mr. CULLOM. I appeal to him.

Mr. ALLISON. I am appealed to by several Senators. I think the conference report will not take long, and then I trust that a few minutes at least may be taken up with requests for unanimous consent.

The PRESIDENT pro tempore. The conference report will be read.

The Secretary proceeded to read the conference report.

Mr. PLATT of Connecticut. I think, inasmuch as the only poor privilege we have with reference to a conference report is to hear it read, we ought to at least have order enough in the Chamber to hear it.

The PRESIDENT pro tempore. The Senator from Connecticut must be aware how difficult it is to keep order the last two or three days of a session.

Mr. PLATT of Connecticut. I am aware of it.

The PRESIDENT pro tempore. The Chair tries his best to have order.

Mr. PLATT of Connecticut. I am aware of it. And yet I know that it is during the last two or three days of a session that the most important legislation of the session is passed, and I do not think it ought to be neglected.

The Secretary resumed and concluded the reading of the conference report, which is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14416) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 5, 6, 8, 10, 11, 12, 14, 15, 16, 18, 23, 24, 25, 26, 30, 34, 35, 38, 40, 43, 45, 46, 50, 54, 62, 63, 64, 65, 66, 78, 81, 100, 102, 105, 106, 108, 110, 112, 119, 147, 148, 149, 150, 151, 152, 153, 163, 164, 165, and 169.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 7, 9, 19, 22, 27, 28, 29, 31, 33, 36, 37, 39, 41, 42, 44, 51, 52, 55, 56, 59, 60, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 79, 82, 83, 84, 94, 95, 96, 97, 98, 99, 101, 103, 107, 109, 111, 113, 114, 115, 116, 117, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 138, 139, 140, 142, 143, 146, 154, 155, 156, 158, 159, 160, 161, 162, 166, 167, 168, 170, and 171, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert as a new paragraph the following:

"The Secretary of the Treasury is hereby authorized to acquire, by purchase, condemnation, or otherwise, the properties known as the Peabody and Gunton properties, immediately adjacent to the site of the said custom-house building, abutting on Water street, Exchange place, and Post-Office avenue, in the city of Baltimore, Md., at a cost not to exceed the sum of ninety thousand dollars; and the said Secretary is hereby authorized to use for that purpose the sum of twenty-four thousand nine hundred and eighty-eight dollars and eighty-one cents remaining available from the purchase of the Merchants' National Bank property, together with the further sum of sixty-five thousand and eleven dollars and nineteen cents, which sum is hereby appropriated for that purpose."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In line 1 of said amendment strike out the words "one hundred and seventy-five thousand" and insert in lieu thereof the words "one hundred and seventy-one thousand six hundred;" and in line 5 of said amendment, after the word "four," insert the words "and not covered by insurance;" and at the end of said amendment, after the word "five," insert the following: "*Provided*, That said release shall operate as a bar to any claim of said Henry Smith & Sons for any damages incurred by them in constructing said building in excess of said sum of one hundred and seventy-one thousand six hundred dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: Strike out all of said amendment after the word "States," in line 9, down to and including the word "company," in line 15; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: After the word "dollars," at the end of the amended paragraph, insert the following: ", and for the fiscal year nineteen hundred and six estimates shall be submitted hereunder embracing all sums expended for this service out of other appropriations made by Congress;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$249,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$290,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Ambrose Channel light station, New York: Detailed estimates shall be submitted to Congress at its next session for a complete system of lighting Ambrose Channel, including the number and character of lights required and the cost of each;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In line 5 of said amendment strike out the word "seventy-five" and insert in lieu thereof the word "fifty;" and after the word "dollars," at the end of said amendment, insert the following: "; and the Light-House Board is authorized to employ temporarily at Washington not exceeding three draftsmen, to be paid at current rates, to prepare the plans for the tenders for which appropriations are made by this act, such draftsmen to be paid from and equitably charged to the appropriations for building such vessels; such employment to cease and determine on or before the date when, the plans for such vessels being finished, proposals for building said vessels are invited by advertisement;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In line 5 of said amendment strike out the word "seventy-five" and insert in lieu thereof the word "fifty;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In line 5 of said amendment strike out the word "seventy-five" and insert in lieu thereof the word "fifty;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$740,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the number proposed insert "ten;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$132,860;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the number proposed insert "three;" and the Senate agree to the same.

That the House recede from its disageeement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$160,520;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In line 3 of said amendment, after the word "one," insert the word "assistant;" and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 85, 86, 87, 88, 89, 90, 91, 92, and 93, and agree to the same with an amendment as follows: Strike out the amended paragraph and insert in lieu thereof the following:

"A joint commission composed of three Senators, namely, Hon. GEORGE P. WETMORE, of Rhode Island, Hon. RUSSELL A. ALGER, of Michigan, and Hon. ARTHUR P. GORMAN, of Maryland, and three Members of the House of Representatives of the Fifty-eighth Congress, namely, Hon. JOSEPH G. CANNON, of Illinois, Hon. WILLIAM P. HEPBURN, of Iowa, and Hon. JAMES D. RICHARDSON, of Tennessee, which is hereby created, is authorized to inquire, and report to Congress at its next session plans in detail and estimates of cost for the extension and completion of the Capitol building, in accordance with the original plans therefor by the late Thomas U. Walter, with such modifications thereof as they may deem advantageous or necessary, and for each and every purpose connected therewith, including the employment of such professional and other services as they may deem requisite, and for such other expenses as said joint commission may authorize or incur, there is hereby appropriated the sum of $50,000, or so much thereof as may be necessary; and the Superintendent of the Capitol Building and Grounds, under the direction and supervision of said commission, or such commission as shall be authorized by Congress, shall conduct the making of all contracts for said construction, whenever and not before the same shall be authorized by Congress, after proper advertisements and the reception of bids, and said superintendent, subject to the direction and approval of such commission, shall employ such professional and personal services in connection with said work, when authorized as the aforesaid, as may be necessary. Any vacancy occurring by resignation or otherwise in the membership of said commission shall be filled by the presiding officer of the Senate or House, according as the vacancy occurs in the Senate or House representation on said commission."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,087,920;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"To enable a commission, which is hereby created, to be composed of the Secretary of State, the chairman of the Committee on the Library of the Senate, and the chairman of the Committee on the Library of the House of Representatives of the Fifty-eighth Congress, to select a site on the public grounds of the District of Columbia for a statue of Thomas Jefferson, to cost, complete, not to exceed $100,000; and to procure plans and designs for the same, to be reported to Congress during its next session, $5,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In line 15 of the matter inserted by said amendment strike out the words "three hundred and seventy-five" and insert in lieu thereof the words "five hundred and twenty-three;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$15,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In line 7 of said amendment strike out the words "and directed," and in line 8 strike out the words "and the electric torch thereof lighted;" and in line 12, after the word "incurred," strike out all down to and including the word "appropriated," at the end of the amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$15,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 157, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$5,000;" and the Senate agree to the same.

W. B. ALLISON,
EUGENE HALE,
F. M. COCKRELL,
Managers on the part of the Senate.

JAMES A. HEMENWAY,
FREDERICK H. GILLETT,
M. E. BENTON,
Managers on the part of the House.

Mr. PLATT of Connecticut. I wish the Secretary would read again the first part of the newly constructed paragraph relating to the extension of the Capitol building.

The PRESIDENT pro tempore. It will be read.

The Secretary read as follows:

A joint commission composed of three Senators, namely, Hon. GEORGE P. WETMORE of Rhode Island, Hon. RUSSELL A. ALGER of Michigan, and Hon. ARTHUR P. GORMAN of Maryland, and three Members of the House of Representatives of the Fifty-eighth Congress, namely, Hon. JOSEPH G. CANNON of Illinois, Hon. WILLIAM P. HEPBURN of Iowa, and Hon. JAMES D. RICHARDSON of Tennessee, which is hereby created, is authorized to inquire and report to Congress at its next session plans in detail and estimates of cost for the extension and completion of the Capitol building, in accordance with the original plans therefor by the late Thomas U. Walter, with such modifications thereof as they may deem advantageous or necessary.

Mr. PLATT of Connecticut. That is all that need be reread. I simply want to reiterate what I said when this matter was under consideration in the Senate, that as it comes from the committee of conference and becomes the statute law, it commits Congress absolutely, in my opinion, to the extension of the Capitol according to the plans of the architect, Mr. Walter. This commission is not to inquire as to the advisability of doing it, but it is to inquire and report plans for doing it. To be sure, those plans will be open to the approval of Congress, but it will be said then that Congress has been committed to the project.

I wish to put on record here my belief—I will not call it a prophecy—that there will never be any more objection raised in either House of Congress to that project.

Mr. HALE. Mr. President, I do not agree with the Senator from Connecticut that in the scheme for extending the eastern front of the Capitol there will be no word said hereafter. I am as much opposed to it as I ever was. The scheme that is in this bill is substantially what passed the Senate. We are not committed to the Walter plan, because it is declared that the commission may modify it. We are not committed to adopt it, because it stated that no movement toward any work in this direction shall be made until Congress authorizes it. It is only to be done when it is authorized, and not before, and if any plan is presented that to any extent disfigures the eastern front I wish to give notice that I shall oppose it as strongly as I have done here. I shall not consider that I am in any way bound by what is in this bill. I would not have consented to it if I had not that view.

Mr. ALLISON. The Senator from Connecticut asked that only the first portion of the substitute amendment should be read. Taking the whole amendment together, the Senator from Maine has substantially stated its effect. It must, of course, be authorized by Congress before any step shall be taken except to prepare the Walter plans.

Mr. ALDRICH. I should like to ask the Senator from Iowa what action was taken upon the amendment removing the limitation upon coinage of subsidiary silver coins?

Mr. ALLISON. The Senate conferees receded from that amendment, and did so readily, because on a careful examination of the condition of the law on the subject we understand that what we proposed to insert in the bill is already the law—that is to say, there is no limitation now, under the existing statutes, upon the power of the Secretary of the Treasury to purchase bullion and coin subsidiary coinage. That matter was very carefully investigated by several gentlemen, not only by the Committee on Appropriations, but also by the Committee on Finance; and the Senator from Rhode Island, the chairman of the Committee on Finance, is prepared undoubtedly to defend the position that the Committee on Appropriations has taken upon that subject.

Mr. ALDRICH. In view of the evident misunderstanding as to the purpose of this amendment and its effect, I should like to make a very brief statement.

This matter has been very carefully reconsidered by the Committee on Finance, and they agree with entire unanimity that there is no need of the legislation suggested in this bill. They agree with the statement made by the Senator from Iowa that at the present moment there is no limitation or restriction upon the amount of subsidiary silver coin which may be coined or upon the right of the Director of the Mint to purchase bullion for such coinage. Perhaps it is desirable that I should state some of the reasons that have led the committee to reach this conclusion.

The coinage act of 1853 reduced the relative weight of half dol-

lars, quarters, and dimes below that of the standard dollar, and gave to them for the first time the character of subsidiary coinage. That act authorized the Director of the Mint to purchase bullion for such coinage and to coin subsidiary coin without any limit either as to the amount to be purchased or to be coined.

That act remained in force until the coinage act of 1873 was passed. This act continued the same authority to the Director of the Mint to purchase bullion and to coin subsidiary coinage without limit. This power to purchase bullion was incorporated into the Revised Statutes as section 3526, and has remained unchanged from that time to the present.

There is no limit upon the purchase of silver bullion for subsidiary coinage now, and there never has been, except that imposed by inference by the limit placed upon the coinage of subsidiary silver, first by the act of 1876, which limited the amount outstanding at any time to $50,000,000. This limit remained in force until the act of 1900 was passed, when it was repealed and the limit of coin outstanding at any time was fixed at $100,000,000. This latter limit was continued until the sundry civil appropriation act of 1903 was passed. In that act a provision was inserted which removed all limitations on the amount of subsidiary coin outstanding.

The act of 1900 also gave additional authority for the coinage of subsidiary coin from the silver bullion in the Treasury purchased under the act of 1890 for another purpose—that is, for the purpose of being coined into standard silver dollars.

Mr. SPOONER. The Senator right there will allow me to remind him that it is at the discretion of the Secretary.

Mr. ALDRICH. Certainly, that authority was at the discretion of the Secretary.

The repealing provisions of the sundry civil act approved March 3, 1903, were inserted upon the recommendation of the Finance Committee, who acted upon the urgent request of the Director of the Mint and the Secretary of the Treasury. The Director of the Mint, in his annual report for 1902, said:

SUBSIDIARY COINAGE.

The report of this Bureau one year ago directed attention to the necessity for legislation at an early day to authorize an increase in the country's stock of subsidiary coin. This need has become imperative, for unless Congress takes action to this end at its present session the Treasury will soon be unable to meet the demand for the fractional pieces. The monetary act of March 14, 1900, limits the total stock of these coins in the country at any one time to $100,000,000, and that limit has been reached. Coinage has ceased, and the Treasury is wholly dependent upon the stock now on hand to supply the public needs. On October 1, 1901, the stock in the country was $90,613,512, of which $10,520,157 was in the Treasury. On October 1, 1902, the stock in the country was $100,000,000, of which $10,750,477 was in the Treasury. The latter amount is no more than should be in the Treasury at all times, as it includes all denominations, and it is divided between the Treasury at Washington and the nine subtreasuries.

No good reason appears for limiting the issue of subsidiary silver coins. They are not a legal tender and can not be forced into circulation in excess of the wants of trade. They are redeemable at any office of the Treasury and can not be kept in circulation in excess of the wants of trade. The outflow and return are entirely automatic. The public knows when it wants change and should be supplied without restriction. The coinage acts of the period before the civil war contained no limit upon the supply of these denominations. The act of 1853, which reduced the fractional pieces to token money, did not restrict their issue. The first appearance of the limit upon the fractional denominations was in the act of June 30, 1864, authorizing the issue of $50,000,000 in fractional paper currency. This naturally followed from the fact that all issues of paper money were in fixed amounts and the fractional currency was not redeemable in coin. In providing for the resumption of specie payments and the substitution of fractional silver for fractional paper currency, Congress followed in part the language of the act authorizing the paper currency, and this restricted the total amount of coin and paper to $50,000,000. The act of March 14, 1900, raised this limit to $100,000,000, and it should now be raised again or abolished entirely.

The language in the repealing clause was clearly intended to remove all limitations upon the amount of subsidiary coins at any time outstanding. There can be no question as to the purpose of Congress in adopting the amendment. No further action would have been suggested by the committee except for the doubts expressed by the Secretary of the Treasury as to the effect of the legislation of 1903.

In a letter directed to the chairman of the Finance Committee the Secretary says:

The purpose of this enactment was probably to remove the limit upon the issue of subsidiary silver coin, but an examination of section 8 of the act of March 14, 1900, to which this is an amendment, raises a doubt as to whether this purpose is accomplished. It enlarges the authority given to the Secretary of the Treasury by that act to coin subsidiary silver from bullion then in the Treasury, but it is not clear that more than this is effected.

It was to remove these doubts that the Senate adopted, at the request of the committee, the amendment referred to by the Senator from Iowa. But since the action of the Senate the matter has been very carefully gone over by the members of the respective committees, and it is their unanimous opinion that there is no limitation upon the authority of the Secretary of the Treasury to purchase silver bullion for subsidiary coinage or as to the amount of such subsidiary coinage that may be issued.

Mr. MORGAN. May I ask the Senator with what fund are we to pay for this bullion for subsidiary coinage?

Mr. ALDRICH. The bullion fund provided by law for that purpose.

Mr. MORGAN. It is only under an act of Congress appropriating an amount for that purpose?

Mr. ALDRICH. From a fund which is authorized in the act of 1873.

Mr. MORGAN. Is there any such amount now?

Mr. ALDRICH. It is a continuing act which is now in force.

Mr. MORGAN. Authorizing the purchase of an unlimited amount of silver bullion for subsidiary coinage?

Mr. ALDRICH. Unquestionably.

Mr. MORGAN. Then the silver men are getting along better than I thought they were.

Mr. ALDRICH. That has been the law for more than half a century, and the wisdom of it has never been questioned until recently. Recently it has been suddenly discovered that possibly the Secretary of the Treasury might purchase all the silver in the United States under its authority.

Mr. MORGAN. Who has discovered that?

Mr. ALDRICH. I do not know. I have seen some statements——

Mr. BAILEY. Some wise men.

Mr. ALDRICH. Yes; some wise men, not members of this body I am glad to say, have expressed hysterical fears that the Secretary of the Treasury, under this provision, might purchase all or a large portion of the silver in the world.

Mr. MORGAN. Still we are not afraid.

Mr. ALDRICH. I think not. The Secretary of the Treasury has had this power, and it has always been exercised wisely. It can only be exercised for the purpose of subsidiary silver coinage. The Director of the Mint has the power to purchase metal for minor coins. You might as well expect that the Director of the Mint would try to create a corner in the copper market or the nickel market under the general power which he has to buy those metals for minor coins.

Mr. LATIMER. Do I understand the Senator to say that there was a provision of law providing funds for the purchase of silver bullion?

Mr. ALDRICH. There is a provision of law for the purchase of silver bullion for subsidiary coinage, and to pay for the same from the bullion fund.

Mr. LATIMER. What amount is provided for that purpose?

Mr. ALDRICH. No specific amount. That is entirely in the discretion of the Secretary.

Mr. LATIMER. Then it is unlimited?

Mr. ALDRICH. There is no limit to the power to make such purchases. The Secretary of the Treasury has the authority to add to the bullion fund to any extent he sees fit. So that the whole subject is within the discretion of the Director of the Mint and the Secretary of the Treasury; and no further legislation, in the opinion of the Finance Committee or any member of it, is now necessary.

I will, with the consent of the Senate, insert in my remarks the sections of the law to which I have referred.

The PRESIDENT pro tempore. Without objection, that order will be made.

The sections referred to are as follows:

SEC. 3526. [Revised Statutes.] In order to procure bullion for the silver coinage authorized by this title the superintendents, with the approval of the Director of the Mint as to price, terms, and quantity, shall purchase such bullion with the bullion fund. The gain arising from the coinage of such silver bullion into coin of a nominal value exceeding the cost thereof shall be credited to a special fund denominated the silver profit fund. This fund shall be charged with the wastage incurred in the silver coinage, and with the expense of distributing such silver coins as hereinafter provided. The balance to the credit of this fund shall be from time to time, and at least twice a year, paid into the Treasury of the United States.

SEC. 3. [Act of July 22, 1876.] That in addition to the amount of subsidiary silver coin authorized by law to be issued in redemption of the fractional currency it shall be lawful to manufacture at the several mints, and issue through the Treasury and its several offices, such coin, to an amount that, including the amount of subsidiary silver coin and of fractional currency outstanding, shall, in the aggregate, not exceed at any time $50,000,000.

SEC. 8. [Act of March 14, 1900.] That the Secretary of the Treasury is hereby authorized to use, at his discretion, any silver bullion in the Treasury of the United States, purchased under the act of July 14, 1890, for coinage into such denominations of subsidiary silver coin as may be necessary to meet the public requirements for such coin: *Provided*, That the amount of subsidiary silver coin outstanding shall not at any time exceed in the aggregate $100,000,000. Whenever any silver bullion purchased under the act of July 14, 1890, shall be used in the coinage of subsidiary silver coin, an amount of Treasury notes issued under said act equal to the cost of the bullion contained in such coin shall be canceled and not reissued.

[Sundry civil act of 1903:] That the authority given to the Secretary of the Treasury to coin subsidiary silver coin by the eighth section of an act entitled "An act to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes," approved March 14, 1900, may hereafter be exercised without limitation as to the amount of such subsidiary coin outstanding.

Mr. STEWART. Mr. President, there is on the table of the presiding officer a bill from the House of Representatives (H. R.

11586) to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes. I ask that it may be laid before the Senate and considered at this time.

The PRESIDENT pro tempore. The Chair will state to the Senator from Nevada that the conference report which has been pending before the Senate is not yet disposed of. Will he allow that to be disposed of before he asks unanimous consent for the consideration of the bill to which he refers?

Mr. STEWART. I thought the conference report had been disposed of.

The PRESIDENT pro tempore. It has not yet been disposed of.

Mr. STEWART. Very well; I will wait.

The PRESIDENT pro tempore. The question is on agreeing to the report of the conference committee.

The report was agreed to.

MILITARY ACADEMY APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. I move that the Senate insist on its amendments disagreed to by the House of Representatives, and agree to the conference asked for by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. WARREN, Mr. ALGER, and Mr. BLACKBURN were appointed.

CONNECTICUT RIVER BRIDGE.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 5557) to authorize the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, to construct a bridge across the Connecticut River between Chicopee and West Springfield, in said county and Commonwealth, which were, in section 5, on page 3, line 11, to strike out "two years" and insert "one year," and in line 12, before the word "years," to strike out "six" and insert "three."

Mr. LODGE. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

EXEMPTION OF PRIVATE PROPERTY AT SEA.

Mr. CULLOM. Mr. President, my modesty has kept me from seeking the floor for a number of days, although I have been stating occasionally that I desired it. I take it now with very great embarrassment because of the fact that there are so many Senators who are anxious to pass bills. I am encouraged, however, to now proceed for the reason that my understanding is that there is to be either a day or a night session before we adjourn when several hours will be given to enable Senators to pass bills to which there is no objection, so that a great majority of the bills which are desired to be passed Senators will have the opportunity to get before the Senate. I therefore hope Senators will not feel that I am trenching upon them when I ought not to seek to address the Senate.

Mr. GALLINGER. Mr. President, I will ask the Senator to yield to me for a statement?

Mr. CULLOM. Certainly.

Mr. GALLINGER. I have been desirous for several days of moving an executive session, but have refrained for one reason or another from doing so. The Senator from Illinois [Mr. CULLOM] is about to deliver a speech, notice of which he gave several days ago. The Senator from Mississippi [Mr. MCLAURIN] has suggested to me that he has a brief speech which he is very desirous of delivering. I now give notice that upon the conclusion of the speech of the Senator from Mississippi I shall move an executive session.

Mr. TELLER. I will say to the Senator from New Hampshire that I gave notice several days ago that I would follow an appropriation bill with a short speech. I shall not be long.

Mr. GALLINGER. Very well; I see no reason why the Senator can not be accommodated.

Mr. TELLER. I will follow the Senator from Illinois.

Mr. GALLINGER. At the conclusion of these three speeches, which I trust will not occupy a great while, I give notice that I will move an executive session.

Mr. TELLER. Mine is not a political speech, I will say to the Senator.

Mr. CULLOM. I shall not object to an executive session.

Mr. HANSBROUGH. Mr. President——

Mr. CULLOM. I believe I have the floor, Mr. President.

Mr. HANSBROUGH. It must be evident to the Senator from Illinois that there is a very earnest desire on the part of numerous Senators here to get up House bills on the Calendar with amendments, which must go back to the House, or else they can not pass at this session. Here we have had notice of three speeches. I do not care to object to any Senator making a speech, because under the usage that privilege is accorded to them; but we also have notice that the Senator from New Hampshire [Mr. GALLINGER] is going to move an executive session. So, Mr. President, the consideration of these important House bills with amendments is to be put over until three speeches are made, and until after the Senator from New Hampshire has secured an executive session. I simply want that statement to appear.

Mr. CULLOM. We are now about to adjourn, and the Senator from North Dakota [Mr. HANSBROUGH] has had abundant opportunity before this. The Senator has made two speeches to where almost any other Senator has made one.

Mr. HANSBROUGH. Oh, no, Mr. President.

Mr. CULLOM. But now if the Senator desires that I shall desist from talking, I shall do so.

Mr. HANSBROUGH. No, Mr. President, I do not want to interfere with the Senator at all. I simply wanted to make the statement I have made, so that the Senate might take notice of the situation.

Mr. KEAN. I call for the regular order, Mr. President.

The PRESIDENT pro tempore. The Senator from Illinois [Mr. CULLOM] is recognized.

Mr. CULLOM. I now ask the Chair to lay before the Senate the joint resolution (H. J. Res. 102) relating to the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerent powers.

The PRESIDENT pro tempore. The Chair lays before the Senate the joint resolution referred to by the Senator from Illinois, on which he is entitled to the floor.

Mr. PENROSE. Mr. President, out of order, I desire to present morning business.

The PRESIDENT pro tempore. Morning business will be in order after 12 o'clock.

Mr. PENROSE. I supposed morning business was closed.

The PRESIDENT pro tempore. No; the morning business does not commence until 12 o'clock.

Mr. KEAN. There is no morning business.

The PRESIDENT pro tempore. The Senator from Illinois [Mr. CULLOM] is entitled to the floor.

Mr. CULLOM addressed the Senate. After having spoken a half hour,

Mr. PENROSE. I ask the Senator from Illinois kindly to yield in order that I may call up the conference report on the post-office appropriation bill.

Mr. CULLOM. I am entirely willing to do so.

POST-OFFICE APPROPRIATION BILL.

Mr. PENROSE. I ask that the conference report on the post-office appropriation bill, which went over the other day in order to be printed, may be laid before the Senate.

The PRESIDING OFFICER (Mr. ALLEE in the chair). The Chair lays before the Senate the conference report on the post-office appropriation bill.

Mr. GORMAN. Let us have the report read.

The PRESIDING OFFICER. It has been read, and printed in the RECORD.

Mr. GORMAN. Only a part of it has been read. Do I understand the Chair to say the report has been read? It has been printed, I know.

Mr. PENROSE. I understand the report has not yet been read. The Clerk started to read the report, when the Senator from Georgia [Mr. CLAY] asked that it go over so that it could be printed. I ask that the Secretary proceed to read the report, if the Senator from Maryland desires it read.

The PRESIDING OFFICER. The Secretary will read the report.

Mr. GORMAN. If the entry has been made that the report has been read, I will not ask that it be read now.

Mr. COCKRELL. It has not been read.

Mr. GORMAN. Then let it be read.

The Secretary read the conference report, which will be found in the proceedings of the Senate of Monday, April 25, 1904.

The PRESIDENT pro tempore. The report is agreed to.

Mr. SCOTT. Will the Senator from Illinois yield to me for a moment?

Mr. CULLOM. For what purpose?

Mr. SCOTT. To present a conference report.

Mr. CULLOM. I yield for a conference report.

Mr. GORMAN. What became of the conference report on the appropriation bill for the post-office service?

The PRESIDENT pro tempore. The Chair announced that it was agreed to.

Mr. GORMAN. I hope the conference report will be considered open for a moment. We want some explanation about it.

The PRESIDENT pro tempore. The Chair will certainly regard it as an open question.

Mr. CLAY. Mr. President, just a word. The action of the conferees as to two amendments, I, as a member of the conference committee, finally acquiesced in under protest. One is on page 31:

In fixing the salary of said carriers within the said maximum limit the Postmaster-General shall take into consideration the length of the route and other circumstances materially affecting the labor and cost of said service, but no application for the establishment of a route shall be refused on account of the condition of the roads over which said route would run if a carrier can be secured for the salary prescribed by the Postmaster-General.

That amendment was offered by the Senator from North Carolina [Mr. SIMMONS], and the conferees on the part of the Senate were very reluctant to give it up. I regret very much that the amendment was not agreed to on the part of the House.

Again, on page 32, the Senate amended the House bill in a material way in regard to rural carriers, and I believe that amendment ought to have been agreed to. The House bill provided:

Provided, That said carriers may carry merchandise for hire for and upon the request of patrons residing upon their respective routes, whenever the same shall not interfere with the proper discharge of their official duties, and under such regulations as the Postmaster-General may prescribe.

The Senate amended it so as to read as follows:

Provided, That said carriers may carry merchandise for hire and receive subscriptions for and deliver newspapers, magazines, and other periodicals for and upon the request of patrons residing upon their respective routes whenever the same shall not interfere with the proper discharge of their official duties and under such regulations as the Postmaster-General may prescribe, and not otherwise: *And provided further*, That no carrier shall refuse to deliver or to take orders or subscriptions for any merchandise, newspaper, or periodical requested by any patron on his route, subject to the laws of the United States and the regulations of the Postmaster-General.

That amendment was the last one we gave up, Mr. President. I will confess, for my part, that I gave it up under protest. I believe that when these routes were established for the benefit of the farmers, it was intended that when they desired to subscribe for newspapers or periodicals they should have the right to go to the carrier and say to him, "I want to subscribe for a newspaper." It was not only intended that the system should give to the farmer the right to receive his mail every day, but that he should have the special right, if he desired to exercise it, to send to his merchant for the purpose of getting shoes, or coffee, sugar, or groceries, or anything else he might desire for his household. It was also the intention of the system that he should have the right to go to the carrier and to say to the carrier, "Go to my merchant and bring to me such products and such merchandise as I may desire."

Mr. President, the Senate committee was careful and guarded in regard to this amendment. We did not intend that the rural carrier should become a soliciting agent for any newspaper, but we did believe if a farmer desired to subscribe for a newspaper it should be the duty of the carrier to carry out his request.

Mr. SPOONER. I will ask the Senator what possible harm could come to the Government from that?

Mr CLAY. I do not believe any harm could come to the Government.

Mr. SPOONER. Nor do I.

Mr. CLAY. I will say in behalf of the conferees on the part of the Senate that we were unanimously in favor of this amendment. It was offered in the Senate by the junior Senator from Massachusetts [Mr. LODGE]. I regret exceedingly that the House conferees did not yield and accept this amendment. I believe the free rural delivery service will be greatly crippled by reason of refusing to accept this amendment.

We were told by those who presented the question in opposition to the amendment that in many instances some newspaper received the advantage over others, and then we were careful to provide that in no instance should the rural carrier solicit subscriptions, but that in every case where the farmer desired to take a newspaper he should have a right to go to the carrier and give him an order for the newspaper.

Mr. PLATT of Connecticut. May I ask the Senator just what was done by the conference committee? Was the amendment of the Senate relinquished and the provision of the House agreed to?

Mr. CLAY. The provision of the House bill was adopted in lieu of the amendment agreed to by the Senate. I think it was a very serious mistake, but we were told frankly that the House would never agree to it. We were told that the House had determined that this matter should stand in the way it came from the House. I feel that the usefulness of the service so far as the farmers are concerned will be greatly crippled.

Again, I believe the amendment offered by the junior Senator from Kansas [Mr. LONG] ought to have been agreed to. We were told by the Fourth Assistant Postmaster-General and by the Postmaster-General that twenty-six additional inspectors were needed for the purpose of putting in operation the routes now desired. Hundreds and hundreds of petitions are pending before the Post-Office Department, and we were told by the Department that in order to comply with the requests of the petitioners the additional inspectors were needed. I am glad to say that the Senate unanimously adopted the amendment, but we were forced to cut it down one-half. I believe that that was a mistake, but in conference committees we are compelled to do the very best we can. I yielded, and yielded reluctantly. I believe the Senate was right and the House was wrong.

Mr. SIMMONS. I desire to submit a few remarks in reference to amendment numbered 63.

Mr. President, I regret exceedingly that the conference committee yielded the amendment which provides that in fixing the salaries of carriers within the limits prescribed by this bill no route shall be refused upon the ground that the condition of the road is not such as to meet the approval of the inspector. No possible harm could have come to the Government by this amendment, and great benefit would have resulted to the patrons of the service. In my State there have been considered since this service was inaugurated applications for about 550 routes, and 230 of those applications have been rejected, in nearly every instance on account of the condition of the roads. So I am informed by Members of Congress who have indorsed the applications. In every case where an application has been refused for this cause I am told that there were two or three and sometimes five or six persons who were not only willing but anxious to perform the service of carrier, notwithstanding the inspector held that the road was not in good condition.

Mr. President, the section of country from which I come has suffered peculiarly on account of this ruling of the Department, for it is nothing more than a ruling of the Department, and there is nothing in the law, so far as I have been able to discover, that justifies the Department in making any such ruling. Yet the Department has said that where the road is found not to be in a good condition the application for the route will be rejected.

In my State, and I find it is the same thing in many of the Southern States, where the roads are not quite as good as they are in the East and Central West, upon an average about one in every three applications is rejected on account of the condition of the roads, while in New England and in the Middle West, where the roads are in better condition, the average of rejections on this account is about one to seven, thereby working a very great hardship upon that section of the country. And the Government would not suffer at all if this factor was eliminated from consideration, because, as I said, somebody is always ready to perform the service for the amount of salary prescribed by law.

However, Mr. President, I do not blame the conferees on the part of the Senate at all. My understanding is that they have done the best they could; that they have stood by this amendment; that they were exceedingly anxious that this discrimination should be removed, but that the House was relentless and they were compelled to yield in order that we may pass the bill.

Mr. SPOONER. Will the Senator from North Carolina allow me for a moment?

Mr. SIMMONS. Certainly.

Mr. SPOONER. I have been told that within the last seventeen months—I think it was seventeen months—the percentage of applications adopted from the South has been considerably larger than from the North. There was a time when it was very largely the other way.

Mr. SIMMONS. That possibly may be true.

Mr. SPOONER. During the last seventeen months, I am told, the percentage is largely in favor of the South.

Mr. SIMMONS. I think that is very likely true, and it results from the fact that at the beginning of the service the percentage was very largely against the South.

Mr. SPOONER. At one time it was against the South, but it is not so now.

Mr. SIMMONS. That does not militate at all against the argument I am making.

Mr. SPOONER. I am not controverting the Senator's statement.

Mr. SIMMONS. It is a fact that in one Congressional district in my State, in the center of the State, where the roads are better than the average of the State, forty-five routes have been refused; and I am told that the inspector, while it may not appear in his report, stated privately to the Representative in Congress from that district that most of those routes were rejected on account of the condition of the roads. The roads there are about as good as they are in the State. It is in a level portion of the State, below the piedmont belt, and the injustice has been very great. If I could see any harm to come to the Government by admitting this principle in the bill, then I would not insist upon the amendment; but

how can the Government possibly be injured when there is a carrier willing and ready to carry the mail for the salary fixed?

Mr. GORMAN. Mr. President, only a word. It is a very difficult matter, of course, to follow the reading of one of these conference reports. I desire to ask the Senator in charge of the bill in relation to the provision for the post-office building at New York. I notice that the area has been reduced from 145,000 square feet to 100,000. I should like to have some explanation of that provision. Does it simply exclude payment of the part surrounding the building on the street?

Mr. PENROSE. I understand that this was a compromise suggestion with those who were opposed to the proposition originally, including one of the Members of the House from the State of New York, that the Government should buy a lesser portion of the property. The railroad company was willing to adjust the matter on those lines. It is my understanding that the balance will be an open space, no building being on it. It is not contemplated that the railroad company should sell it or lease it for any purpose. The Department was willing to have the matter adjusted on these lines, and the Government is getting an adequate amount of floor space for a less sum of money.

Mr. GORMAN. As the Senator perfectly well knows, this is an extraordinary provision put on the post-office appropriation bill; but after examination I came to the conclusion that it was an emergency which we ought to meet at this time, and the provision was well prepared by the Senator in charge of the bill. It seemed after a careful examination to cover all the interests of the Government, and while we were paying for a part of the space between the building and the street, I wanted to know whether, under this provision, the Government would be entirely secure in having a perfect right to the use of the strip on the outside of the building. Has that matter been brought to the attention of the conference committee in the consideration of this question?

Mr. PENROSE. I think that is fully understood by the commission having the matter in charge. The Government purchases the fee simple subject to the rights of the railroad company.

Mr. GORMAN. So the only result of this compromise is a reduction from $2,000,000 to $1,700,000?

Mr. PENROSE. That is all.

Mr. GORMAN. The size of the building will remain the same, so that it will be ample for post-office purposes?

Mr. PENROSE. The size of the building is a matter concerning which I am not familiar. That will depend upon the plans of the architect. But the ground space was considered by the Secretary of the Treasury and the Post-Office Department as being amply sufficient for the purposes of the Government.

Mr. GORMAN. Now, Mr. President, there is one other provision in this bill on which I desire to say only a word. It is the provision referred to by the distinguished Senator from Georgia [Mr. CLAY].

The bill as it came to the Senate provided that the rural mail carriers—

> shall not solicit business or receive orders of any kind for any person, firm, or corporation, and shall not, during their hours of employment, carry any merchandise for hire: *Provided*, That said carriers may carry merchandise for hire, and upon the request of patrons residing upon their respective routes, whenever the same shall not interfere with the proper discharge of their official duties, and under such regulations as the Postmaster-General may prescribe.

I am aware that that provision originated because of a suggestion of the Postmaster-General and a decision on the part of that Department which practically prohibited these carriers from delivering newspapers on their routes under the old regulation of the Post-Office Department, holding that as a rule it was unwise to permit the carriers to engage in any other business. I think as a general rule that is quite correct; but the exception in the proviso in favor of the merchants, the great stores in the business centers, would enable them to continue to send whatever merchandise they wanted, to the exclusion of the newspapers, which I think is an unfortunate provision.

The Senate very wisely, in my judgment, inserted a provision which enabled the carriers to deliver newspapers as well. It may be true and probably is true that in some few cases, as stated by the Postmaster-General, special contracts were made with one or two newspapers to the exclusion of all others, but the Senate provision would have prevented that discrimination.

I think it is rather unfortunate that the conferees on the part of the Senate agreed to surrender the Senate provision. If the carriers are permitted to take merchandise, then they ought to have been permitted also to deliver newspapers.

I know how difficult it is for conferees to get all they want as a matter of adjustment and compromise when they meet. I think it is an unfortunate provision and that either one of two things should have been done, either to prohibit altogether engaging in any business whatever or to have permitted newspapers to share in this privilege.

Mr. BAILEY. As I understand, Mr. President, the conference report leaves the bill in the respect just stated by the Senator from Maryland as it came from the House.

Mr. PENROSE. That is correct.

Mr. BAILEY. Without intending to criticise the Senate conferees, I must say that it seems to me plain that a man in the employment of the Government, receiving its salary and performing its service, ought not to become the agent either of any man who wants to buy goods or of any man who wants to sell them, and I can not vote to adopt the conference report.

Mr. CLAY. If the Senator will allow me, I will state that under the Senate amendment the carrier could not take them at all.

Mr. BAILEY. I understand. But the House provision provides that he may.

Mr. CLAY. We struck that out.

Mr. BAILEY. I thoroughly agree that the Senate provision is preferable to the House provision, and I will never vote for a bill which allows an employee of the Government to become a solicitor—and that will be the effect of it—for the storehouse that wants to sell goods or for the citizen who wants to buy goods.

We have gone a long way in the post-office system to make the Government a common carrier now. The fathers who incorporated the Post-Office Department by constitutional provision into our system of government had no thought that it would be expanded and extended as it has been.

I want to put the question to these gentlemen who see so much danger in the governmental ownership and operation of railroads—and I am one of that class, for I have never yet been able to see why the Government should cease to be a sovereign and become a common carrier, and I believe there is no evil from which the people now suffer comparable to the evils that will flow from the abandonment by the Government of its governmental function and engaging in a service that is corporate or individual. But I can not quite comprehend the distinction in principle between carrying one pair of shoes in the mail department of the Government and carrying a case of shoes outside of the mail.

Mr. SPOONER. Does the Senator mean to be understood as expressing the opinion that if the rural letter carrier carries for hire to a person on his route a package, the Government thereby becomes a common carrier of goods?

Mr. BAILEY. No; I am free to say that the Government now is a common carrier, for the Senator from Wisconsin, if he chooses to do so, can go down into the city and buy a pair of shoes and send them home through the mails. I was only saying that the system has been extended now far beyond what was ever contemplated.

The Government is now a common carrier in a small way, the difference being one of degree and not of principle. And now your proposition is to make an agent for a mercantile establishment of your mail carrier, appointed by the Government under a kind of civil-service examination, according to which he is compelled to know the geography of the world better than the people who live along his route. As I understand it, he is not examined as to the people to whom he must deliver the mail, but he must know the capitals of Europe and such like things that are useful for men to know generally, but do not tend to qualify him for the performance of this particular service.

And yet this Government employee, appointed by the Government under civil-service examination, is permitted by the House provision to become an agent for a mercantile establishment. If a patron along the route says to the mail carrier, "I wish you would buy me a certain kind of merchandise in town," the carrier goes to a favorite merchant and buys it and then delivers it to the mail patron; and thus it will be impossible, in my judgment, to keep the mail system provided for by the House from interlacing itself with the business rivalries in all the towns and villages of this land.

More than that, if it is permitted to begin and to continue and to expand, as other phases of the system have, the result will be that the mercantile establishments in New York, Philadelphia, Chicago, and St. Louis will simply monopolize the trade that belongs to the local retail merchants. This is a part of the scheme for postal parcels delivery, which Congress has been urged to adopt from time to time.

The PRESIDENT pro tempore. The question is on agreeing to the report.

The report was agreed to.

Mr. ALLISON. I move that the Senate adjourn.

The motion was agreed to; and (at 11 o'clock and 59 minutes a. m., Wednesday, April 27, 1904) the Senate adjourned until 12 o'clock meridian, April 27, 1904.

HOUSE OF REPRESENTATIVES.

TUESDAY, *April 26, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

ANTHRACITE COAL TRUST.

Mr. JENKINS. Mr. Speaker, I call up the privileged resolution, House resolution No. 283, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the Attorney-General of the United States is requested, in so far as it is not incompatible with public interest, to inform the House of Representatives whether any investigation was ever had at his suggestion, or by the Department of Justice at the suggestion of anyone else, of the so-called "anthracite coal trust," consisting of the anthracite-carrying railroads doing an interstate business, whether any report was ever made of said investigation, and, if so, to send to the House of Representatives the report and all papers and documents and information bearing upon the same.

The SPEAKER. The question is on agreeing to the resolution.

Mr. JENKINS. Mr. Speaker, I will ask the gentleman from Mississippi [Mr. WILLIAMS] how much time he desires—if he desires any?

Mr. WILLIAMS of Mississippi. Mr. Speaker, I do not think there will be any desire on this side of the House to debate the resolution, and I merely wish to express the hope that it will pass the House.

Mr. JENKINS. Mr. Speaker, I call for a vote.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3684. An act to place David Robertson, sergeant, first class, Hospital Corps, on the retired list of the United States Army—to the Committee on Military Affairs.

S. 2896. An act for the relief of Joseph Crow—to the Committee on Claims.

S. 36. An act to reimburse John Waller, postmaster at Monticello, N. Y., for money expended in carrying the mail—to the Committee on Claims.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14826) to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 2382) providing for the resurvey of certain townships in Routt and Rio Blanco counties, in the State of Colorado.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the business of the Senate be now suspended that opportunity may be given for tributes to the memory of Hon. CHARLES W. THOMPSON, late a Member of the House of Representatives from the State of Alabama.

Resolved, That as a mark of respect to the memory of the deceased and in recognition of his able and faithful public services the Senate, at the conclusion of these exercises, will stand adjourned.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Resolved, That the Secretary send a copy of these resolutions to the family of the deceased.

S. 280. An act to establish an assay office at Portland, Oreg.; and

S. 285. An act to divide the State of Oregon into two judicial districts.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the joint resolution (S. R. 67) providing for the printing of Senate Document No. 240, relating to the beet-sugar industry in the United States.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 12220. An act making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes; and

H. R. 4570. An act to provide an American register for the steamer *Beaumont*.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 4483. An act declaring each of the tunnels under the Chicago River an obstruction to navigation and for other purposes;

H. R. 11676. An act to ratify and amend an agreement with the Indians of the Crow Reservation in Montana, and making appropriations to carry the same into effect;

H. R. 13850. An act granting an increase of pension to Mary Heaney;

H. R. 8925. An act granting an increase of pension to John Weaver;

H. R. 1851. An act granting an increase of pension to David T. Towles;

H. R. 9256. An act granting an increase of pension to Enoch Stahler;

H. R. 6758. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1905, and for other purposes;

H. R. 12044. An act to authorize the establishment of a life-saving station at or near Eagle Harbor, Keweenaw Point, Michigan;

H. R. 15195. An act authorizing the construction of a wagon, toll, and electric-railway bridge over the Missouri River at Lexington, Mo.;

H. R. 13014. An act to authorize the appointment of road overseers and to create road districts in the district of Alaska, and for other purposes;

H. R. 14590. An act to authorize the courts of county commissioners of Houston and Dale counties, Ala., to construct a bridge across the Choctawhatchee River between Houston and Dale counties, Ala.;

H. R. 15165. An act to authorize the construction of a bridge across the navigable waters of St. Andrews Bay; and

H. R. 13262. An act to confirm the title to lots 3, 4, and 5, in square No. 979, in Washington, in the District of Columbia.

NORTHERN SECURITIES CASE.

Mr. JENKINS. Mr. Speaker, I now call up House resolution 284, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the Attorney-General is requested, if not incompatible with the public interest, to inform the House whether any criminal prosecutions have been instituted by the Department of Justice against the individuals or corporations who were adjudged recently by the Supreme Court of the United States, in the Northern Securities case, to be guilty of having violated the laws of the United States by entering into unlawful combinations in restraint of interstate commerce, and to send to the House all papers and documents and other information bearing upon any prosecutions inaugurated or about to be inaugurated in that behalf.

Mr. JENKINS. Mr. Speaker, I call for a vote.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and the resolution was agreed to.

On motion of Mr. JENKINS, a motion to reconsider the votes by which the foregoing resolutions were passed was laid on the table.

SUPPRESSION OF A BILL.

Mr. HILL of Connecticut. Mr. Speaker, I find that there was introduced yesterday by the gentleman from Mississippi [Mr. WILLIAMS] a bill which I think intrenches very strongly upon the privileges of the House. I presume the bill was introduced unwittingly by him, not knowing the contents. It contains an elaborate argument upon the bill itself, and the precedents of the House indicate that that should not be done. I ask his consent and the unanimous consent of the House that the whole edition of the bill be suppressed and withdrawn from the files of the document room.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I have not read the bill. I introduced it by request. I do not know what is in it. I took it for granted it was simply the old Cowdon outlet-theory bill, which has been introduced in the House so often. I ask that the matter go over until I may have an opportunity of examining and see if there is objection to the request of the gentleman from Connecticut [Mr. HILL].

The SPEAKER. The gentleman from Mississippi [Mr. WILLIAMS] asks unanimous consent that the matter go over until he has opportunity to examine the bill. Is there objection? [After a pause.] The Chair hears none.

Mr. HILL of Connecticut. Mr. Speaker, of course it is understood that the edition of the bill will be withheld and not given out from the document room meanwhile.

The SPEAKER. Without objection, it will be so ordered.

There was no objection.

AMENDING HOMESTEAD LAWS AS TO CERTAIN UNAPPROPRIATED AND UNRESERVED LANDS IN NEBRASKA.

Mr. LACEY. Mr. Speaker, I call up the conference report to be found on page 5814 of the RECORD, being the RECORD of April 25, 1904, on the bill (H. R. 14826) to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska, and move the adoption of the report.

The SPEAKER. The question is on the adoption of the conference report called up by the gentleman from Iowa.

Mr. ROBINSON of Indiana. Mr. Speaker, I would like to ask the gentleman what change has been made.

Mr. LACEY. Mr. Speaker, the only effect of the conference report, in addition to what has been heretofore explained respecting the bill, is that it gives a preferential right to homesteaders who are now living in that part of Nebraska to make the first entries for thirty days after the law becomes operative. That is the only substantial effect of the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and the conference report was agreed to.

On motion of Mr. LACEY, a motion to reconsider the last vote was laid on the table.

EMPLOYMENT OF UNITED STATES VESSELS FOR PUBLIC PURPOSES.

Mr. GROSVENOR. Mr. Speaker, I rise to submit a report from the Committee on Rules, which I send to the desk.

The Clerk read as follows:

The Committee on Rules, to whom was referred the resolution of the House No. 328, have had the same under consideration and ask leave to report the following in lieu thereof:

"*Resolved*, That at once, upon the adoption of this resolution, the House shall consider the bill (S. 2163) entitled 'An act to require the employment of vessels of the United States for public purposes' in the House as in Committee of the Whole."

The SPEAKER. The question is on agreeing to the resolution.

Mr. GROSVENOR. I ask for the previous question upon its adoption.

The question being taken on ordering the previous question, there were on a division (called for by Mr. WILLIAMS of Mississippi)—ayes 137, noes 97.

So the previous question was ordered.

Mr. GROSVENOR. Does the gentleman from Mississippi [Mr. WILLIAMS] desire to debate this resolution?

Mr. WILLIAMS of Mississippi. Yes, sir.

Mr. GROSVENOR. Will the gentleman proceed now?

Mr. WILLIAMS of Mississippi. Yes, sir.

Mr. GROSVENOR. The gentleman, of course, is entitled to twenty minutes.

The SPEAKER. The gentleman from Mississippi is recognized.

Mr. WILLIAMS of Mississippi. I yield to the gentleman from Missouri [Mr. DE ARMOND] so much of the time as he may desire.

Mr. DE ARMOND. Mr. Speaker, this resolution provides for the consideration of a bill designed to grant a subsidy or a series of subsidies to a few owners of American ships—a bill the inevitable effect of which will be to compel the United States Government to pay for the transportation of supplies for the Army and Navy a great deal more than the Government at present pays, a great deal more than the Government would need to pay but for this act.

The bill is supposed to be, or rather it is asserted to be, designed for the building up of the American merchant marine. It is nothing else and nothing more than a thinly disguised subsidy measure. As is well known, it has been asserted by the Secretary of War—the present one and the one who preceded him—that to pass such a measure as this would be to compel the American Government to pay much more than it need otherwise pay for the transportation of army and navy supplies. Secretary Root suggested that to provide for carrying, say, one-fourth of these supplies in American ships would be abundant provision in this direction for the present. We may well say that even that would be unauthorized and improper, because it would be a needless burden upon the people of the country and a needless bounty to a few American shipowners. But to transfer all this carrying trade to these few American shipowners will be to compel the Government to pay a great deal more—how much more in thousands of dollars no one is able accurately to state.

It is strange that this bill has to be rushed through at this time, when the session is so nearly ended; strange that the power of the party in control here must be given at this time to the support of this measure. The purpose of it, if we may judge of the purpose from its effect, will be in the first instance to benefit directly the American shipowners—a few of them—and not the general American public——

Mr. THAYER. Mr. Speaker, I rise to a point of order. If our friends on the other side do not care to hear these truths, they ought not to interrupt us so that we can not hear.

The SPEAKER. The Chair sustains the point of order, and desires to say that the acoustic properties of the gallery are such that the talk on one side of the House is echoed from the other side. [Laughter.] The House will come to order. Gentlemen will cease conversation.

Mr. DE ARMOND. Mr. Speaker, I was saying that the effect of this legislation will be to grant to American shipowners, and only a few of them, a considerable bonus out of the Treasury of the United States. That will be the direct effect of the legislation, and I think there would be an incidental effect, if I might not with propriety say a direct and probably primary effect, to grant out of the treasury of these men, the shipowners, a very nice bonus to the managers of the Republican party in the coming campaign.

With these two objects so clearly foreshadowed, with these two purposes so clearly manifest, it seems to me that he who is opposed to looting the American Treasury, he who is opposed to taking from the American Treasury to give to a few favorites, in order that those favorites may return a portion of what is given to them for an unrighteous partisan purpose, ought to be opposed to the adoption of this resolution and opposed to the passage of this bill.

I do not know, however, that anything which anybody can say—I am quite sure that nothing which I can say—will have effect upon those who have determined to put this measure through; to put it through, not on its merits, but on its demerits—not because it ought to go through, but because it ought not to go through. Pass it, not because it ought to be law, but because it ought not to be law; and pass it at this time, because now, in a partisan sense, its passage will be pecuniarily beneficial to those by whose power it is passed. I do not know whether we shall ever depart from this policy, which seems now to have so many effective advocates of looting money out of the Treasury for the benefit of favorites who may be powerful enough to induce legislation, with reciprocal favor to those who grant the legislation. It would seem that we ought some day to get away from it. It has been tried long enough.

We have had plenty of examples for sure tests of it, and it would seem that there ought to be a time, not far distant, when the American people would decide that legislation ought to be for the benefit of all the American public, and not for the benefit of those people who promote such legislation.

Now, if we had the ships it might be another matter. There is nothing to interfere with American ships engaging in this trade, except that the American shipowners are unwilling to carry supplies for the Government as cheaply as the Government can have them carried by others. That is all there is of it. It is not a question of legislation necessary to enable the American shipowners—the few owners having ships—to carry these supplies for the Government, because that is totally unnecessary; but legislation is necessary to enable them to secure contracts for carrying the supplies at higher rates than the Government need pay, unless a bill like this put into the law a subsidy provision. That is the sole purpose and object of this legislation.

To get more pay, more out of the Treasury of the United States; to secure for the treasuries of the owners of these ships more than otherwise could be taken from the people's Treasury and put into the other treasury. That is all there is of it.

This method of "building up American shipping" by means of favoritism and by partiality deserves no consideration in a body supposed to represent the American public. This policy of favoritism and partiality has prevailed for many, many years. Why is it that the American shipping needs building up? Why is it that for half a century the policy of the Government has been to weight it down?

Why is it that an American willing to invest in shipping is compelled to sail his ships under a foreign flag? Simply because of partial legislation. Now, it is said that in order to compensate for this, in order to extend the blessings of protection to the American shipowner, to whom these gentlemen say they have denied this blessing for a long time, it is necessary to go into the Treasury and take out of the Treasury such an amount of money as will be adequate for the purposes of satisfying the American shipowner.

People are to be paid out of the Treasury for building ships to be sailed and operated for their own profit and benefit. People are not to be paid out of the Treasury for opening farms for producing the necessaries of life which are produced upon the farms, but shipowners are to be paid out of the Treasury in order that a wasteful system, an unjust system, may be perpetuated and that there may be placed under the American flag by these means ships which have been denied the opportunity of sailing under that flag by the policy which has prevailed. Why ought not a man in America who desires to build a ship be given every facility for building it, so far as that can be done by taking off restrictive legislation? Why may not that, at least, be done? I know of no reason against it, in justice or looking to the welfare of the public.

If that be not sufficient, why may there not be discriminating duties, discriminating port charges, why not a system of rebates which surely would enable the American shipowner to compete with the foreign shipowner? Why not provide that there shall be a lower rate of duty charged upon products brought from foreign shores in American ships than upon like products brought from the same foreign shores in foreign ships? And what is to be made by compelling an American who chooses to invest his money in ships to buy his ships abroad, where they can be bought cheaper, and then compel him to sail them under a foreign flag, the country which that flag represents having rights to them and

over them which may be very important in time of war, as they are important also in time of peace?

If an American desires to own a fleet of ships or a single ship, and chooses to buy that ship or those ships in some foreign shipyard, why is it incumbent upon our people, why is it beneficial to our Government, why can it be flattering to our pride to compel him to sail that ship or those ships under a foreign flag?

It is true that a very small portion of the shipping that carries the products of this country abroad or brings from abroad products which come here fly the American flag. It is also true that a great deal of American money is invested in shipping engaged in this trade, far more invested in shipping sailing under foreign flags than is invested in shipping flying the American flag. Why? Because owing to the system of laws and the practices which have prevailed and still prevail here, and which this bill is intended to accentuate, most Americans who invest in ships are virtually driven across the sea to buy ships abroad; virtually compelled, having acquired the ships, to sail them under some foreign flag, for our Government denies the opportunity, denies what some might regard as a right, to sail those ships under our own flag.

These conditions are supposed to be most deplorable. There is no difference of opinion as to the fact that our American merchant marine engaged in foreign trade has shrunk and dwindled in comparison with the world's shipping until it is a very small, insignificant fraction; until upon the high seas our flag is seldom seen; until an American carrying products abroad or bringing from foreign countries the products of those lands to this is compelled to patronize foreign ships rather than American ships. This is the condition. About this notorious state of facts there is no dispute and can be none. The question is about the remedy. Gentlemen upon the other side say the remedy is to grant subsidies.

They seem to be infatuated with that idea. Whenever anyone sufficiently powerful to make himself felt upon the other side of the House thinks he is not doing well enough in his business, or desires to expand and extend his business, or engage in some new business and desires governmental help, gentlemen on the other side seem to think, or act as though they think, that it is entirely legitimate to inquire how much he would like to have, and then to go to the Treasury of the United States for it. The viciousness in principle, the bad effects in practice, of this policy can not be overstated or overestimated. Upon this side we are opposed to all that course of legislation. We are opposed to this idea of subsidies and bounties.

Upon the contrary, we are in favor of equal opportunity and no odds or advantage. We are all ashamed and ought to be ashamed to say and to proclaim that Americans, if given an equal and fair opportunity, are unable to compete with foreigners upon the sea or upon the land. We do not give and have not given them the opportunity, and therefore they have been unable to compete, and therefore our shipping has dwindled. In consequence of this legislative folly, Americans investing in shipping have bought the ships abroad and sail them under foreign flags.

And now, when brought face to face with this condition, when there is talk that something ought to be done to better conditions, the remedy which is offered over there—always offered, always urged—is bounty, bounty—pay the men here to build the ships and continue the policy of discrimination, continue the policy of wrong, continue the policy which has made the American merchant marine a thing of the past, try to repair in some sort of way the damage done and change conditions which are the natural result of unnatural influences, tested for half a century, by going into the Treasury of the United States for—how many millions no man can tell. The proposition may be to start with a comparatively small subsidy. More and more will have to come, and more and more will come. The policy once fairly inaugurated will never be overthrown, except by a tremendous uprising of the people. Powerful interests will find it to their advantage to perpetuate the abuse.

An abuse begun will be an abuse continued, and the measure to which this rule relates is merely legislation along that line. This simply is providing, not in the way of technical specification, to give a bounty from the Treasury, but practically, naturally, to do that—not to say that greedy American shipowners shall have so many hundreds or thousands or millions of dollars annually out of the Treasury, but to leave it floating, and wavering, and delusive—a little more now, a little less then, depending upon circumstances, but always paying more than need be paid, always giving to the few that which does not belong to them but to the many, always pursuing the policy of robbery and favoritism. The rule ought to be defeated and the bill ought not to pass. [Applause on the Democratic side.]

Mr. GROSVENOR. Mr. Speaker, I yield five minutes to the gentleman from Minnesota [Mr. STEVENS].

Mr. STEVENS of Minnesota. Mr. Speaker, this is a bill that gives preference to American ships as against foreign ships. It is a bill that provides for the national defense by our own citizens under our own flag instead of depending upon foreign emissaries and aliens. It is a bill that tends to encourage our own people to enlist themselves and their own means for the national defense instead of depending upon England or Germany to do our military business for us.

The amount actually involved is but small. Probably $500,000 all told during the next year will be paid to foreigners for the carriage of military and naval supplies. The amount that would be needed to employ American ships as against foreign ships for the next year would be comparatively small. Nobody can tell how much, but this bill will be so guarded as to protect the interests of the United States Treasury and protect the interests of American citizens on behalf of the naval and military defense.

There is not time now to discuss the measure at length, but it is designed to be a complement to that other piece of legislation which has already passed Congress providing for the extension of the coastwise laws to the Philippine Islands, by which, under the former bill, about 75,000 tons of freight annually would come from the Philippines to the United States, and this bill will provide for about 100,000 tons annually to be carried from the United States to the Philippines, thereby insuring cheaper rates and better facilities for American vessels; and these vessels, built and owned and operated by American citizens, would always be a sure means of national defense.

This method of legislation is in accordance with the legislation and policy of nearly every great military and naval nation in the world. England, Germany, and France require the carriage of their military supplies in their own vessels, under their own flags. The United States is practically the only nation which allows aliens and foreigners to carry its military supplies between one port and another port under their own flags, and this bill is only in line with the great national policies pursued all over the world, which require that the national defense shall be conducted by American citizens. I trust that this rule will be adopted and the bill come under discussion, so that its merits may be appreciated.

Mr. GROSVENOR. Mr. Speaker, how much time is left on the other side?

The SPEAKER. The gentleman from Missouri [Mr. DE ARMOND] consumed nineteen minutes.

Mr. GROSVENOR. Does the gentleman from Mississippi [Mr. WILLIAMS] desire to occupy the remaining minute?

Mr. WILLIAMS of Mississippi. No; I do not desire to use that minute.

Mr. GROSVENOR. Mr. Speaker, I ask for a vote on the adoption of the rule.

The SPEAKER. The question is on the resolution.

The question was taken; and upon a division (demanded by Mr. WILLIAMS of Mississippi) there were—ayes 128, noes 117.

So the resolution was agreed to.

EUCLID PLACE, DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I desire to call up from the Speaker's table the bill (S. 2134) to connect Euclid place with Erie street.

The SPEAKER. On this bill the Senate further insists on its disagreement to the amendment of the House, and asks a further conference.

Mr. BABCOCK. I move that the House agree to the conference asked by the Senate.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. BABCOCK, Mr. SAMUEL W. SMITH, and Mr. MEYER of Louisiana as conferees on the part of the House.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. MCCLEARY of Minnesota. I call up from the Speaker's table the report of the committee of conference on the bill (H. R. 12883) making appropriations for the government of the District of Columbia. I ask unanimous consent that the statement of the House conferees be read in lieu of the report.

The SPEAKER. Is there objection? The Chair hears none.

The statement of the House conferees as published in the House proceedings of Monday, April 25, was read.

Mr. MCCLEARY of Minnesota. Mr. Speaker, I move the adoption of the report; and on that I demand the previous question.

Mr. MANN. Mr. Speaker, I reserve a point of order on the conference report——

The SPEAKER. The Chair calls the attention of the gentleman from Illinois [Mr. MANN] to the fact that under the precedent and ruling heretofore it is too late, after the statement has been read, to make a point of order on the conference report. The gentleman from Minnesota moves the adoption of the report.

Mr. BARTLETT. Mr. Speaker——

The SPEAKER. Does the gentleman from Minnesota yield to the gentleman from Georgia?

Mr. McCLEARY of Minnesota. I do.

Mr. BARTLETT. Mr. Speaker, it is proper that the statement I am about to make should be made. The House is familiar with what was done upon this bill in reference to the amendment of the Senate No. 107 when the bill was sent to conference. That amendment has reference to telephone rates in the District of Columbia. I wish to say that the gentleman from Minnesota [Mr. McCLEARY] has carried what he said he would do with reference to this matter. Before an agreement was reached putting this report in the condition in which it now is I was consulted; and the fact that there is no chance now to secure a separate vote on this proposition is not the fault of the gentleman from Minnesota. I make this statement because otherwise it might be suggested by some one who does not know the facts that that has not been done.

The statement I have just made necessitates the making of another. The House recalls the action between the two Houses on this subject, that after what had been done by the House in the matter of telephone rates an amendment was adopted by the Senate, from which the Senate would not recede, so that an effort if made at this stage of the session to alter or change that action would simply tie up this appropriation bill between the two Houses upon that amendment, and would not only practically defeat the House provision, but might result in the defeat of the bill and any legislation on the subject of telephone rates.

We have obtained some measure of relief for the District in this matter. The provision requiring a report to be made by the telephone company to the next session of Congress will enable Congress to pass upon this matter if necessary; and I am satisfied that if the District does not receive fair and reasonable treatment at the hands of the telephone company in the matter of rates, the House will have full opportunity, and will no doubt take advantage of the opportunity, to take up this subject and legislate further upon it. I realize the utter impossibility of doing now anything further in relation to this question.

I make this statement so that my own position may be understood and that the conferees of the House, especially the gentleman from Minnesota, may be recognized as having dealt with this question in an entirely fair and candid manner and as having kept the quasi agreement that was made by the gentleman from Minnesota when the bill went to conference.

The question being taken, the report of the committee of conference was agreed to.

Mr. McCLEARY of Minnesota. Mr. Speaker, as shown in the conference report, there are four amendments of the Senate to which the House still disagrees—one relating to the offices that are to go into the municipal building and three others depending upon the decision of that question. I ask unanimous consent that the four amendments be considered together.

The SPEAKER. If no separate vote is demanded, the four amendments will be considered together.

There was no objection.

Mr. McCLEARY of Minnesota. Mr. Speaker, I move that the House recede from its disagreement and concur in the Senate amendments; and on that motion I demand the previous question.

The SPEAKER. The gentleman from Minnesota moves that the House recede from its disagreement and concur in the Senate amendments, and on that motion he demands the previous question. Without objection, the previous question will be considered as ordered.

There was no objection.

Mr. McCLEARY of Minnesota. Mr. Speaker, I yield ten minutes to the gentleman from Nebraska [Mr. BURKETT].

Mr. BURKETT. Mr. Speaker, if I can have the attention of the House for a moment, the four amendments which the Senate have added to the District of Columbia appropriation bill that the House conferees have not agreed to, and upon which there was a disagreement in conference, grow out of the municipal building.

You remember when the bill was before the House that the question came up as to what was to go into this building. We are building a $2,000,000 municipal building. The House insisted that they should put all things belonging to the District into the municipal building.

You remember at the time it was up we had the plats in the House and showed the size of the building, the amount of room that would be occupied by each department, and the House put in a provision that the District should erect that building so as to house not only what they proposed now, but to put in the register of deeds, the register of wills, and the police court. Now, when it went to the other end of the Capitol the Senate struck out that provision.

Of these four amendments, the first one strikes that out, the second appropriates $38,000 to buy a site for a new police court, the third is for buying card cases for the old office of register of deeds, and the next for buying shelving, as I remember it. So the whole of them are dependent upon the proposition as to whether or not the House adheres to its measure as it enacted it.

If the House insists and therefore votes down the motion of the gentleman from Minnesota, which is that we recede and concur, then, of course, the provisions of the House bill will be adhered to on the part of the House conferees.

You remember when this matter was up in the House the question was put then, Why put that on the present bill? And we understood that if we did not insist on the police court, the register of deeds, and the register of wills, and, by the way, all of the District matters and District officers entirely—that if we did not insist on those things going into this new building, the next thing that would be asked would be another building in the District of Columbia.

We did not think, perhaps, that it would come quite as soon as it has come; but when the bill went to the other end of the Capitol they struck out this provision compelling the District Commissioners to house all of these offices, and they also went a step further and appropriated $38,000 to buy a site on which to build the police court.

Now, the question is not—and I am going to give only a brief summary to the House, for my time is short—a question of room. It is not contested by anybody that there will not be room enough, because in this $2,000,000 building we provide for 25 per cent of outlet—that is to say, that the building is 25 per cent too big for the present needs—and if you will examine the hearings before the Committee on Appropriations on this bill, you will find the statement that in the quarters the city now has they occupy 66,000 square feet, and the proposition is to occupy 165,000 square feet in the new building.

To anticipate the growth of the city they have allowed themselves 25 per cent of outlet or of room they do not need at present, and this blue print will show also that there are rooms down there unassigned. Now, you remember that above the second story the building would be the shape of a U.

It was open to the south. This building is located on the corner of Fourteenth street and Pennsylvania avenue, occupying the entire square. On the south side it goes back to the electric light company's plant and comes up to a little street just off Pennsylvania avenue.

Now, the building is built up to the second floor solid all around, and after the second floor this building is open to the south in a U shape. Now, the House, by their provision, instructed them to build that solid clear up, which would make 15,000 square feet more room. It will make a better looking building, and will give them an opportunity of shutting the police court off absolutely from the rest of the building.

Now, we asked the police judges how much room they needed for the police court. They told us they needed 15,000 square feet. Peculiarly enough, if the building is built up as we directed in the House bill, it will make just 15,000 square feet additional floor space.

Now, it will cost $133,000 more, they say, to build this building clear up square, so it will be a completed building, than it will in the present way. It is not necessary, perhaps, to do this, because there is room enough down there for the police court without that addition, but in my judgment it will make a better looking building and it will fix it so that it will absolutely accommodate the police court and all the rest of the departments.

The only objection, and I am very frank in this matter, about this whole business is they do not want the police court in that municipal building. They do not want the register of deeds in the municipal building, and they do not want the register of wills there. There is no objection to the latter two, perhaps, except they keep them out as an argument for the other.

In my judgment there is no question but what the register of deeds ought to be down there, and there is no question but what the police court ought to be down there, but the next move is that this city is to spend another million dollars in building a police court building in this District. Now, the objection they present is that the police court would be objectionable in that municipal building.

Now, I want to call the attention of the House to this, that the police court, as provided in this bill and as it is to be located in that building, will be on the south side of the building. This is a block square—larger than the Post-Office building down here, if I get the figures rightly. On the south side is going to be the police court, entirely partitioned off by a solid wall from the rest of the building.

The entrance will be through the south side. The police court in the new building, if it is placed that way, will be farther away from the front door of the municipal building than the police court to-day is away from the front door of the present municipal building. It is entirely around on the other side of the block, next to the electric-light plant.

Now, the whole question is simply this: We are building a great building. One-fourth of these six stories, which amounts to a floor and a half, is outlet. They will have a floor and a half of space down there more than required for municipal purposes at present.

Now, the judgment of the House and the Appropriations Committee when they presented it here was that at least until such time as the District would need this room for other purposes, until we grow up to a point where we need this 25 per cent outlet, that until that time with our present condition of finances in this District, we could well afford to say to the District Commissioners, "You must put all the things pertaining to the District down here in this municipal building."

I undertake to say when the provision was first made to provide $2,000,000 to build that municipal building there was not the slightest question by anybody in this House but what it would provide for and house all the different branches of the municipal government.

They have been quarreling at us here a good many years, I have been told by those who have been here longer than I have been, for a municipal building. Congress finally appropriated $2,000,000 for it. In my judgment they ought to go there and use it. It is not only better for the service, but brings all the departments together, and it is a saving to the District and to the Government.

This bill is going to be a draft on the Treasury of the United States, I expect, of about two and a half million dollars or $3,000,000; I do not know just what the figures are. That is, it is necessitating our appropriating about two or three million dollars more money than the District has in sight—than her revenues are.

Now they are asking in the face of all that, in face of the fact that they have been running over the revenues of this District for several years, three, four, or five years, in the face of the fact they have a bonded indebtedness against the District; they are asking us what? To keep out of this municipal building these branches of the Government and to start on the question of another District court building.

I am going to be very frank with the House and say that if the House does recede and agree to this proposition not to put the police court there, you ought to recede and agree to the other proposition, for this old police court on the brow of the hill is a disgrace to the country and the District.

We must start and provide for a police court, and if it is the decision of this House we ought to recede and concur and not put the police court in the municipal building, then we ought to recede and concur in the other proposition to buy that ground and start to build a new police court. It is a necessity; I say it is a disgrace to longer permit the present condition of the police court where it is.

Now, I have another reason. In my judgment the police court ought not to be built upon the ground where it is proposed to build it and for which this appropriation is asked. It is over here where the street car turns east by Judiciary Square. It is a little west of that corner, the most sightly portion of all this District, so far as the business section of the city is concerned.

[Here the hammer fell.]

Mr. BABCOCK. Mr. Speaker, before the gentleman takes his seat, I would like to ask him a question. I would like to know whether, under the pending legislation, it is proposed to put the police court in the new municipal building?

Mr. McCLEARY of Minnesota. That is the proposition of the gentleman from Nebraska [Mr. BURKETT].

Mr. BURKETT. That is the House bill.

Mr. BABCOCK. I take it the gentleman has never been to the police court in the morning at about the hours of 9 or 10 o'clock, so that he may know what it is.

Mr. McCLEARY of Minnesota. Mr. Speaker, I yield ten minutes to the gentleman from Michigan [Mr. GARDNER].

Mr. GARDNER of Michigan. Mr. Speaker, I am very sorry to differ with my colleague on the committee concerning this question. He places his objection upon the ground of economy. He says that the new police court building will cost a million of dollars. Now, please compare this with the statements in the hearings before the committee. Major Biddle, from the Corps of Engineers, says that the additional ground required for the site will cost, with the plans, $38,000, and that a brick building suitable for a police court can be erected for $75,000.

Bear in mind the Government now owns nearly enough ground for a new police court building where that court is housed at the present time. The building with the additional ground will cost in the aggregate, instead of a million of dollars, basing it upon the judgment of Major Biddle, $113,000. In the municipal building the proposed change of plan which will be required to house the police court, the register of wills, the register of deeds, and the repair shop will entail an expense, as estimated by the architect, of an additional $133,000.

Mr. BURKETT. Mr. Speaker, does the gentleman believe that those estimates of the Engineer Commissioner are correct?

Mr. GARDNER of Michigan. If we can not believe them, whom can we believe?

Mr. BURKETT. Does the gentleman accept them, and is he willing to build that sort of a building?

Mr. GARDNER of Michigan. Mr. Speaker, I am not in the building business.

Mr. BURKETT. Does the gentleman know how much the estimate was for the original building, and how much that estimate grew?

Mr. GARDNER of Michigan. If we can not trust our engineers, whom can we trust? If the judgment of the engineer is not to have weight with this House, is the dictum of a Member of this House, a lay Member, so to speak, to be put over against a skilled specialist? For my part, I prefer the judgment of an expert when it comes to the cost. Now, so much for the matter of expense.

Suppose that we have a municipal court and the registry of wills and the registry of deeds and repair shop all in this building? What do you do? You tax from the outset the maximum capacity of the building, and what does that mean in a growing city like Washington? It means that very soon there will be pressure brought to bear for a new building, because that building is overtaxed. From the standpoint of economy, that is one of the fatal policies of the Government too frequently indulged.

We construct too many buildings for to-day, with no thought of the morrow, and we are constantly outgrowing our quarters, necessitating alterations and enlargement at heavy expense, while if we built with an eye to the future we would avoid that. Again, the gentleman from Nebraska [Mr. BURKETT] says that the only objection to this is that it brings the police court to the municipal building and that it brings an undesirable class of people there. That is not the only objection. On the score of economy the Government will save money by agreeing to this report; but let us consider the gentleman's objection.

I do say that it is a serious objection, and unless there is some good reason other than has yet been advanced, as the gentleman from Wisconsin [Mr. BABCOCK] suggested, why should we put a police court in the municipal building? I agree with him. The most uncanny sight in this city is around the police court building in the morning. It is said that we would bring the criminals to the police court in vans. That may be true, but you can not separate the criminal classes from where the criminally charged are being tried. They flock there as naturally as do foul birds to carrion.

You may carry in a covered wagon the men and women charged with crime to the municipal building, but you can not prevent their followers from coming to the court. They will be there as they are now, like flies swarming around decaying meat. Do you want all of that on the most famous and destined to be the most imposing avenue in America, right across the way from the great hotel where for fifty years and more the Presidents-elect of the United States have come previous to being inaugurated?

Do you want to place there morning after morning the immoral sweepings of the city, in plain view of every passer-by? Do you want to put this criminal court on an avenue which for a century to come and more will be the thoroughfare to the northwestern part of this city; an avenue which has echoed to the tread of the great historic processions of the past and will continue to those of the future? Again, in close juxtaposition to that building is the depot of the car line to Mount Vernon, where people from all over this country and from foreign lands assemble as they are about to go to that sacred shrine which all the world venerates, and the last sight they see in Washington will be these people gathered about the police court and the first sight they will meet when they return will be that same representation of our citizenship. Do you want it?

Then, again, who are to go to this municipal building? Respectable men, pure and refined and cultured women and maidens, who have business at the municipal building, and do you want to compel them to come in contact with the degraded creatures I have been describing?

In the first place, it is not economy. It is not in the interest of good morals. It is not in good taste. And, in the second place, if you erect a municipal building, as we claim, in accordance with the plans of the architects as originally drawn, you have 25 per cent for growth; and when we reach in this District a half million population, as will be the case before many years, you will have the capacity of the municipal building fully taxed for the legitimate purposes for which it is built.

The proposed site for the police court building is in a comparatively out-of-the-way place. It can be built at comparatively small expense. It is not right for the gentleman to say that it will cost a million dollars when the authorities put the cost at $113,000.

Mr. McCLEARY of Minnesota. And we absolutely controlling the matter.

Mr. BURKETT. The gentleman stated when he began that

we are going to expend $38,000 for this ground. Does he suppose that we are going to erect a $75,000 building on that ground? Does the gentleman know of any building in this District that has been built at an expense of only $75,000?

The gentleman speaks of the plans and estimates. He knows the manner in which those things are made up. He knows the animus of the Commissioner who made up those figures; he realizes all the surroundings and the pressure that was brought to bear to induce that man to make the estimate, and he knows that the Commissioners would not recommend a $75,000 building for the police court. He knows that this Congress would not appropriate so small an amount for such a purpose and that neither he nor anybody else would favor so ridiculous a proposition.

Mr. GARDNER of Michigan. I am not here to impeach the honorable Commissioners nor to impugn their motives; and when a distinguished officer of the Regular Army speaks officially on a matter of this kind, I prefer to let his figures stand as the estimate. If the gentleman from Nebraska [Mr. BURKETT] wants to estimate the expense at $1,000,000 and impeach the integrity and the motives of the Commissioner, it is for him to do so, not for me.

[Here the hammer fell.]

Mr. McCLEARY of Minnesota. How much time does the gentleman from Missouri [Mr. BENTON] want?

Mr. BENTON. About six minutes.

Mr. GARDNER of Michigan. I am advised that the effect of this vote may not be clearly understood. As I understand, a vote to concur keeps the police court out of the municipal building. Gentlemen who want to accomplish that will vote to concur.

Mr. McCLEARY of Minnesota. That is correct.

I yield to the gentleman from Missouri [Mr. BENTON] six minutes.

[Mr. BENTON addressed the House. See Appendix.]

Mr. McCLEARY of Minnesota. I yield six minutes to the gentleman from Tennessee [Mr. PIERCE].

Mr. PIERCE. Mr. Speaker, I was absent at the time when the subcommittee had under consideration this measure, and the general committee acted upon it. Had I been present I should have voted to keep the police court from this building, and it is this that we are proposing to do now by the action of the House. The remarks of the gentleman from Missouri are out of place.

I do not think that any member of this committee having in charge this bill has any other object or purpose than to do what he believes to be for the best interests of the people of this District. I will say that the chairman of this subcommittee, the gentleman from Minnesota [Mr. McCLEARY], does not deserve the criticism of the gentleman from Missouri. Gentlemen upon this committee can have different views and differ without in any way having their purposes impugned.

I believe, if the gentlemen will look through the report of Colonel Biddle and the assistant engineer, Captain Harding, in the hearings, they will see that not only as a matter of justice and of right to the people of the District of Columbia, but as a matter of economy, this police court should not be put into this projected building.

Their report shows that the ground has been selected and estimates have been made, and that the ground can be bought and the police court building be put on it for $20,000 less than the cost of putting the police court in this building, as the House bill originally proposed. The additional cost, as shown by these engineers, will be $400,000 to put these four offices in this building. As a question of economy, which the gentleman from Missouri talked about, it is a matter of economy for the House to recede and concur in the Senate amendments.

As a matter of justice and fairness to the people of this District the police court should not be put into this building—one which is to cost the people about $2,000,000. Why should it be put there? Gentlemen upon this floor know what the police court of Washington is. It is one of the worst in the United States, for the meanest elements in the District are daily collected there. Why not keep it away?

The people of the United States have an interest in this capital, and when their wives and children come here sight-seeing I believe that the building where the criminals are being tried and where scores of witnesses would be brought ought to be kept away from a public building of this character. I believe that it is due the people of the District and the whole country to keep them separate, and I hope that the House will stand by the majority of the House conferees to recede and concur in the Senate amendments.

The offices of the register of wills and the recorder of deeds are both now amply provided for in their present quarters. They are convenient to the courts, and neither of them desires to be moved, but enter their protests against it. They are convenient to the members of the bar of this District, and while the lawyers are not entitled to any more consideration than others, yet their clients have some interest as well as they, and I believe that they should stay where they are. They are well provided for. So why not stay there, and why not keep this nuisance, as it would be, out of this building?

Gentlemen talk about its being on a side street. The crowd of witnesses and the other characters that go there are the worst elements of this city, and will be all around the building and in it. You can not keep them out, and they ought not to be there. It is also proposed to put a workshop in it. Some of us know what a workshop is, having had some little experience in those matters in years past—with paints, oils, barrels, and lumber and everything that you can think of in shape of materials, for work in all parts of this city.

Mr. BENTON. Will the gentleman yield?

Mr. PIERCE. Yes.

Mr. BENTON. I want to make the point of order. The gentleman states that every Member of Congress knows what a police court is. I deny it.

Mr. PIERCE. The gentleman need not kick until he is spurred. You show your familiarity more than you think. I said, when I spoke of the building, that there was to be a repair shop, and that gentlemen know what a repair shop is.

Mr. BENTON. I understood the gentleman to state Members of Congress knew what a police court was.

Mr. PIERCE. I am satisfied you never knew anything about it or you would not desire to put the police court in this building.

Mr. BENTON. I certainly do not know about a police court.

Mr. PIERCE. I am certain of that, and I hope you never will.

Mr. BENTON. Thank you; and I hope you will except the balance of the Members of Congress except yourself on that subject.

Mr. PIERCE. I said they propose to put into this building this repair shop in charge of the assistant engineer, who tells us in his report it will require a lumber yard, with paint, oils, and everything else necessary to look after the immense public buildings of the city of Washington; yet they say that they all ought to go into this building.

Mr. BURKETT. Will the gentleman permit me a question? The gentleman knows there is a repair shop in the Post-Office building and that there is no lumber yard attached to that.

Mr. PIERCE. I hope you do not compare the repair shop of the Post-Office building with that which is to go in this immense building for the entire District of Columbia.

Mr. BURKETT. It was never intended to be anything but a light repair shop, to repair furniture, etc.

Mr. PIERCE. But it is to be put in there, as you know.

Mr. BURKETT. That kind of a repair shop is to be put in there.

Mr. PIERCE. And the engineers say if it is put in there, the building having only a certain height, you will have to go 6 feet lower down in the basement than you would now, below the water level, and at an expense of forty or fifty thousand dollars.

Mr. BURKETT. Now, the gentleman is not familiar with that, because we have only to raise the building 18 inches to make that. The building now stands flat on the ground.

The SPEAKER. The time of the gentleman has expired.

Mr. PIERCE. I am admonished that my time is out. I understand that the large heating pipes take up 4 feet out of 7 feet in the basement, and therefore you have to go down 6 feet. I hope the House will stand by the conferees.

Mr. McCLEARY of Minnesota. Mr. Speaker, the question in the ultimate analysis is this: Shall we spend between $300,000 and $400,000 to do what nobody wants except my friend from Nebraska and my friend from Missouri, or shall we save the $400,000 and do what everybody else wants?

Mr. BURKETT. Let me ask the gentleman a question. We had better be fair about this matter. The gentleman from Nebraska has no other object in this. He proposes to be honest in this matter. The House voted for it. Now, when the gentleman says the gentleman from Nebraska and the gentleman from Missouri want it—he knows it came in by getting this provision fixed in the House—the gentleman from Nebraska and the gentleman from Missouri are only insisting on standing by that in conference, but the gentleman fails to do that.

That is the truth in this matter, and that is why it is in here, because the gentleman has not stood by the instructions of the House. I want to say just a word. I have no object in this except that when the gentleman puts this as a personal matter I will say I stand on the instructions of the House.

Mr. McCLEARY of Minnesota. Mr. Speaker, the provision for transferring to the new municipal building the police court, the register of wills, and the recorder of deeds, and to put into the basement of that building a repair shop for the District did pass the House with the rest of the bill.

The gentleman will remember that he did most of the talking that was done on this item. With his usual vigor he presented

his side of the case, bringing out clearly all that could be said for his view. And yet the narrow margin by which he was sustained—48 to 46—under all the circumstances, should have warned him that the House had not thereby expressed its deliberate judgment on this question.

Of the five members of the subcommittee that framed the bill, only the gentleman from Nebraska [Mr. BURKETT] and the gentleman from Missouri [Mr. BENTON] favored the placing of the police court and the other offices in the new building. Two of the other members of the subcommittee, the gentleman from Michigan [Mr. GARDNER] and the gentleman from Tennessee [Mr. PIERCE], expressed themselves quite vigorously in opposition in subcommittee.

I, as chairman of the subcommittee, felt it my duty to preserve, so far as possible, a judicial attitude on the subject.

When the time came for the subcommittee to report the bill, the gentleman from Michigan was at home very sick, and the gentleman from Tennessee had a sick son, and was thus compelled to be absent. And so the provision got into the House.

Having charge of the bill, I was not in a position to antagonize any item in it; so I said not a word on the subject. I held my peace not only because of the proprieties of the case, but also because I felt that when my friend from Nebraska, whom I hold in high regard, had had time to give the matter full consideration he would reach a right conclusion.

My friend knows very well that if I had "made a fight," as he says, the provision would never have passed the House.

But this talk is irrelevant. Let us consider the proposition itself.

The District of Columbia has never had an official home for its municipal officers. It has had to house them in rented buildings, buildings not built for the purposes or suited to the needs of public offices. The rent of these various offices capitalized would build a structure commodious and suitable.

In the public-buildings bill approved June 6, 1902, such a building was authorized, the limit of cost for building and site being fixed at $1,500,000.

The site selected by the Commissioners was the small square on Fourteenth street, south of the Avenue—what is known as the "power house" square, diagonally across Pennsylvania avenue from the New Willard Hotel.

It is a most excellent site, but it could not be secured, I understand, for less than $550,000. Feeling that a suitable building could not be erected for the $950,000 remaining, the Congress in the public-buildings bill approved March 3, 1903, increased the limit of cost for building and site to $2,000,000.

Plans have been secured for a building which will suitably house all the departments of the municipal government—the Commissioners, the police department, the public health department, the street-cleaning department, and all the usual officials of a city government.

Then, for the reasons so well stated by them this afternoon, it occurred to my friends from Nebraska and Missouri that it would be well to put into this municipal building the police court, the register of wills, the recorder of deeds, and in the basement a repair shop. To this proposition I am opposed for two reasons: First, it would impose upon the District needless expense, and, second, it would be against good public policy.

Let us consider first the matter of cost.

As to the police court, we have the testimony of the Engineer Commissioner that it will cost $113,000 to give us a new police court on the present site, including the cost of additional ground required, while it would cost $133,000 to put the police court into this new building.

Therefore it would cost $20,000 more to put the police court in the municipal buildjng than to erect a new building on the present location.

Mr. BARTLETT. Mr. Speaker, I would like to know why it is the gentleman thinks the register of deeds and the register of wills should not be put into this building? I can very well understand the aversion to having the police court put there; but why the objection to these other two officers?

Mr. McCLEARY of Minnesota. I will come to that in a moment.

Mr. COWHERD. Mr. Speaker, will the gentleman yield for a question right on this matter of the police court?

Mr. McCLEARY of Minnesota. Certainly, Mr. Speaker.

Mr. COWHERD. If the motion of the gentleman prevails, I understand the police court does not go in the new building; but does the bill provide, then, for the building of a police court outside of the new building?

Mr. McCLEARY of Minnesota. It provides for $38,000 with which to buy a little more ground adjoining the present site. It is expected that at the next session of Congress provision will be made for a building of moderate cost, say $75,000. It would not be a monumental building. People do not invite visitors to go and look at the police court.

The gentleman from Nebraska [Mr. BURKETT] asks for a sample of such a building, and I will point out to him the Business High School, which is such a building as in size and material would be ample for the purpose.

Mr. COWHERD. I would like to ask the gentleman another question. Has he considered the proposition which has been advanced that instead of building a central police court we make use of the police stations, a combined system, where there are police courts at three or four different places in town in the neighborhood where the cases originate?

Mr. McCLEARY of Minnesota. Mr. Speaker, that has not been considered by our committee, because the committee is not a legislative committee. It has been considered, probably, by the committee of which the gentleman is a member, but not by our committee. But if we concur with the Senate amendment, that question will still be open for consideration.

Mr. CLARK. Mr. Speaker, is it the proposition of the committee to build three buildings—one court building, one police court building, and another building for the registry of deeds and wills?

Mr. McCLEARY of Minnesota. No; not at all. The register of deeds and the register of wills are at present located in the court-house. They do not want to be removed from their present quarters, and we propose to leave them where they are.

Mr. CLARK. If you take the other courts out of that building, what is the reason that that is not sufficient for a police court?

Mr. McCLEARY of Minnesota. The proposition I favor is this: Leave the register of wills and recorder of deeds where they are; provide a new police court building in place of the present unfit building, and house in the new municipal building the officers of the District.

The registry of wills and the registry of deeds are already housed in the court-house building, on the same square with the Pension building. Gentlemen here are all familiar with that white building in front of which is the statue of Abraham Lincoln.

Those offices are in there with the courts, where they belong, and where they wish to stay. Not one of them is asking to be removed. The judges are all against their removal. The officers themselves are against their removal, as well as the lawyers. The Commissioners are against their removal, and so is everyone else, so far as I can learn, who is interested in the matter.

It would cost, too, something like $200,000 to relocate them, according to the figures of the Commissioners and the officer in charge of the building. This will be the cost of taking them to the new building. It will cost nothing to leave them where they are.

My friend had only a short time to speak; and of course he did not have time to get to the question of having a repair shop in the building.

But a chain is just as strong as its weakest link; and the gentleman was very wise, even if he had had time, to leave out that matter, because such a repair shop would have to be located in the basement, at a cost of about $50,000, according to the estimates of those who know what they are talking about, to make the necessary change in the building.

My friend from Nebraska says that the basement is 7 feet deep now. That is true; but 3 feet of that space is taken up with the pipes connected with the heating apparatus, etc., so that only 4 feet would be left. To secure the necessary depth you would either have to go down 6 feet farther into the ground or raise the entire building 6 feet.

To go down 6 feet would carry the structure below the water line, and that basement would have to be made water-tight at considerable expense, the necessary changes and repairs being estimated by the Commissioners at some $50,000. The lumber, the lime, and the sand that ought to be piled out-of-doors would have to be taken down and stored in the basement, causing needless expense to handle them.

Moreover, we would place there things which are inflammable, endangering the building from fire, instead of keeping those things where they belong, in a large, open yard, with a small building in which to house such things as need to be housed.

Careful estimates show that it would cost between $350,000 and $400,000 to put these things into that municipal building. So that the plea of economy made by my friend from Missouri is utterly fallacious.

Now, Mr. Speaker, I want to call your attention to the fact that the recorder of deeds, the register of wills, and the judges of the police court are not municipal officers. They are appointed by the President of the United States, "by and with the advice and consent of the Senate." They are not in any way under the control of the Commissioners of the District.

So I utterly deny the plea of my friend here that these officers ought to be put in the municipal building on the ground of their being District officials. I concede that we ought to put everything in the municipal building that belongs there. Under our

plan every officer of the municipality is provided for except the few whose duties take them outside, like the harbor master and the morgue master, etc.

Mr. BURKETT. Is not the recorder of deeds a municipal officer?

Mr. McCLEARY of Minnesota. He is not.

Mr. BURKETT. What is the recorder of deeds except a municipal officer?

Mr. McCLEARY of Minnesota. The recorder of deeds, as the gentleman knows, has his office almost everywhere throughout the States in the county court-house, not in the city hall.

There is good reason for this, as every lawyer knows. Suppose that during the progress of a case in court papers that are in the custody of the recorder of deeds are wanted. The recorder of deeds, having his office in the same building as the court-house, as is the case here in Judiciary Square, can readily furnish them.

If the recorder of deeds should be in another building, then the papers needed must be sent for outside the premises. In transportation they may be exposed to the elements, and there is danger of losing them, while they should be where they can be taken from one room to another in the same building and then carried back.

Besides, if the office of the recorder of deeds were separated from the court-house, persons wanting to refer to documents of this kind would not know whether they would find them in one building or another. There would be "confusion worse confounded." I am surprised that anybody should suggest the idea of separating the office of the recorder of deeds from the court-house.

Mr. BARTLETT. Then the gentleman thinks that the recorder of deeds and the register of wills should be in the same building with the court, and for similar reasons?

Mr. McCLEARY of Minnesota. Certainly. This, I believe, is the arrangement in almost every county in the United States.

But, Mr. Speaker, there is even a stronger reason as to the register of wills. In the State of the gentleman from Georgia and in my own State and in most of the States there is a separate probate court. In this District there is none. The nisi prius court is called the "supreme court of the District of Columbia." Then they have a court of appeals.

Now, the probate court of this District is presided over by one of the justices of the supreme court. And when he is to sit as judge of the probate court he simply passes from one room to another in the same building, the recorder of wills being the clerk of the probate court. But if the probate court were held elsewhere than in the court-house, the supreme court justice would have to go to an entirely different building, half a mile away. The absurdity of such an arrangement must be apparent.

I repeat, that every judge, every officer of every court, the register of wills, the recorder of deeds—all of these officers protest in strong language against this proposed change.

Mr. BARTLETT. Will the gentleman allow me to ask a question for information? If you are not going to put the recorder of deeds and the register of wills in this new building, what officers are you going to put there?

Mr. McCLEARY of Minnesota. Let me read to the gentleman. Under Commissioner Macfarland we shall have the board of charities, the health officer, the janitor, the sealer of weights and measures, the secretary of the Board of Commissioners, the electrical engineer, the board of guardians, and the insurance department.

Under Commissioner West we shall have the disbursing officer, the assessor, the collector, the auditor, the property clerk, the superintendent of street cleaning with all his force, the police department, the corporation counsel.

Under Commissioner Biddle there will be the permit clerk of the engineer department, the water registrar, inspector of buildings, superintendent of property, inspector of plumbing, assistant engineer commissioner, sewer division, water department, chief clerk, engineer department, inspector of asphalt, and so on; in all, some 450 to 500 officials.

Mr. BARTLETT. What are we to pay for the building to be occupied by these officials named?

Mr. McCLEARY of Minnesota. For the whole municipal building the limit of cost, including the site, which cost $550,000, is $2,000,000. The cost of the building itself will be $1,400,000, in round numbers.

Mr. SMITH of Kentucky. Now, the Senate amendments, as I understand, carry out that proposition.

Mr. McCLEARY of Minnesota. The Senate amendments carry out that proposition.

Mr. MARSH. What becomes of the little park?

Mr. McCLEARY of Minnesota. The little park will be saved to the District to continue its beauty if the provision we stand for prevails.

The police court, Mr. Speaker, is only in a very limited sense a part of the District government. Its officers are appointed by the President, and have, on an average, 20 United States cases in a day, or over 5,000 United States cases in the course of a year, so that it is not proper to say that is a part of the city government.

Summing up briefly, Mr. Speaker, the District building should be reserved to the officers of the District. To put the police court into the new municipal building would be to waste public money and act against public policy. So I hope the House will sustain the motion to recede, and agree to the Senate amendments, and save money. It ought to be done. [Applause.]

Mr. GARDNER of Michigan. I wish, before closing, the gentleman would bring out this fact, well understood by the members of the subcommittee, that instead of making any request for a million dollars they say they will build the police court out of the current revenues of the District.

Mr. McCLEARY of Minnesota. Why, certainly.

Mr. GARDNER of Michigan. Am I not right?

Mr. McCLEARY of Minnesota. A building of about $75,000; and they point out what can be done with the sum of money, as shown in the Business High School.

Mr. GARDNER of Michigan. And do it out of the current revenue.

Mr. McCLEARY of Minnesota. And of course the Congress controls what shall be done.

The SPEAKER pro tempore (Mr. OLMSTED). The question is on the motion of the gentleman from Minnesota to recede from the disagreement to the Senate amendments and concur therein.

The motion was agreed to.

On motion of Mr. McCLEARY of Minnesota, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

EMPLOYMENT OF VESSELS OF THE UNITED STATES FOR PUBLIC PURPOSES.

Mr. GROSVENOR. Mr. Speaker, I call up Senate bill 2263.

The Clerk read as follows:

A bill (S. 2263) to require the employment of vessels of the United States for public purposes.

Be it enacted, etc., That vessels of the United States, or belonging to the United States, and no others, shall be employed in the transportation by sea of coal, provisions, fodder, or supplies of any description, purchased pursuant to law, for the use of the Army or Navy unless the President shall find that the rates of freight charges by said vessels are excessive and unreasonable, in which case contracts shall be made under the law as it now exists: *Provided*, That no greater charges be made by such vessels for transportation of articles for the use of the said Army and Navy than are made by such vessels for transportation of like goods for private parties or companies.

SEC. 2. That this act shall take effect sixty days after its passage.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert the following:

"That vessels of the United States, and no others, shall be employed in the transportation by sea of coal, provisions, fodder, or supplies of any description, purchased pursuant to law, for the use of the Army or Navy, unless the President shall find that the rates of freight charges by said vessels are excessive and unreasonable, in which case contracts shall be made under the law as it now exists; but this section shall not be construed to prohibit the transportation of such articles by any vessel owned by any department of the Government.

"SEC. 2. That all acts and parts of acts in so far as inconsistent with the provisions of this act are hereby repealed.

"SEC. 3. That this act shall take effect one month after its passage."

Mr. GROSVENOR. Mr. Speaker, I shall at the proper time present some observations why the Committee on Merchant Marine and Fisheries have reported this bill to the House. For the present I yield to the gentleman from Pennsylvania such time as he may desire.

Mr. WILLIAMS of Mississippi. A parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WILLIAMS of Mississippi. What time can the gentleman from Ohio yield?

The SPEAKER pro tempore. One hour.

Mr. WILLIAMS of Mississippi. Now, the gentleman has yielded such time as the gentleman from Pennsylvania may require. That is in a shape in which it must be done by unanimous consent, and to that I will have no objection provided that the request be coupled with a request for unanimous consent that the gentleman who will reply to him upon this side be yielded equal time.

Mr. DALZELL. That is satisfactory to me.

Mr. GROSVENOR. I agree to that.

Mr. WILLIAMS of Mississippi. Then I shall not object.

The SPEAKER pro tempore. Then, as the Chair understands, the gentleman from Pennsylvania is now given, by unanimous consent, permission to proceed so long as he desires, an equal time to be given to the other side.

Mr. GROSVENOR. That is the understanding.

Mr. WILLIAMS of Mississippi. And the gentleman on the other side who will reply shall have equal time.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. DALZELL. Mr. Speaker, the time approaches when under the provisions of our political system the people of this country will

be called upon to select an administration for four years to come. At such a time the attitude of the contending parties upon great party questions becomes a matter of supreme importance. The honesty of party declarations and of the declarations of party leaders must be carefully scanned. It would seem that many of the issues that have interested us in the past have ceased now to become available. There is no longer any interest in the money question. The people of this country are by a large majority in favor of Administration policies and measures so far as imperialism is concerned. The charge of extravagance has never met with public favor, because the people of this country are willing that their generous revenues should be generously used in the public interest; but there is one question that still remains, that is always with us, and that is the question of tariff.

What is the attitude of contending parties on the subject of tariff revision or tariff reform? Is the Democratic party honest in its declarations of conservatism now made by so many of its leaders immediately preceding a Presidential election, or is the Democratic party still, as it always has been, under whatever pretense to the contrary, a party advocating the doctrine of free trade? It will be interesting, Mr. Speaker, for us to compare some of the declarations of Democratic party leaders heretofore made when not under the stress of a Presidential election with the declarations of those same parties and others made in the stress of a Presidential election. Let me call attention very briefly to the declarations of at least two gentlemen who are on record in 1897, when the Dingley bill was under discussion, and who are also on record during this present session of Congress. I refer first to my genial friend from Missouri [Mr. CLARK], and I quote from a speech made by him in 1897. While the gentleman from North Carolina, then a Member of this House, Mr. Linney, was on the floor making a tariff speech, he said:

Is there a Member of this House who would have the duties stricken out?

Referring to the duties of the Dingley bill.

The distinguished gentleman from Missouri [Mr. CLARK], who cuts a splendid figure here, would, I undertake to say, like to have them put on the free list, because he would, if he could, with the arm of a giant, tear down any custom-house in these United States, if I understood him correctly.

Mr. CLARK of Missouri. Just so, exactly.

Mr. LINNEY. Yes; he says he will do it.

Subsequently Mr. CLARK obtained the floor himself, and, in course of his speech, said this:

Mr. Chairman, after nine days of sore travail at least one truth has been brought forth on the Republican side of this House, and that by the gentleman from North Carolina when he said that I would destroy every custom-house in America. He is entirely correct. If I had my way to-day, sir, I would tear them all down from turret to foundation stone, for from the beginning they have been nothing but a den of robbers.

Then he went on to say:

I repeat, so that all men may hear, that I am a free trader, and proudly take my stand with Sir Robert Peel, Richard Cobden, John Bright, and Henry George. I may be an humble member of that illustrious company, but it is better to be a doorkeeper in the house of honest free traders than to dwell in the tents of wicked protectionists.

Then there was laughter and applause, as was natural. Now, there you have the sober, honest, deliberate sentiment of the gentleman from Missouri not under the stress of a Presidential election. He is a free trader. He would abolish every custom-house that lines our coast or our border and would deprive the Government of the opportunity of raising a single solitary dollar by means of indirect taxation. Are those the gentleman's sentiments now?

I do not know. It would seem not. I know that they are not the sentiments that he voices now; but whether they be his real sentiments I confess I do not know. The gentleman made a speech in this House not very long ago, on the 28th day of March of this present year, in which he discussed "tariff reduction and genuine reciprocity." At least that is the title that he gives to his speech as printed. When the gentleman was on the floor I put to him this question:

I want to know whether the gentleman on March 31, 1897, said on the floor of this House the following:

"I repeat, so that all men may hear, that I am a free trader and proudly take my stand with Sir Robert Peel, Richard Cobden, John Bright, and Henry George. I may be an humble member of that illustrious company, but it is better to be a doorkeeper in the house of honest free traders than to dwell in the tents of wicked protectionists."

The gentleman replied, "Yes."

Mr. DALZELL. That is an accurate quotation?

Mr. CLARK. I think it is; it sounds like I would put it.

Mr. DALZELL. Does the gentleman still keep the same position?

Mr. CLARK. Theoretically, yes. I will tell you my position about it exactly. If a new continent should be discovered and I should be given charge of its government after it was populated, I would establish free trade.

Well, if the gentleman never establishes free trade until somebody discovers a new continent and puts the gentleman from Missouri [Mr. CLARK] in charge of it, the days of free trade are yet a long way off. [Applause and laughter on the Republican side.]

Mr. CLARK. Well, what are you howling about, then? [Laughter and applause on the Democratic side.]

Mr. DALZELL. Mr. Speaker, I did not know that I was howling. To continue with the quotation:

Mr. LACEY. And not otherwise?

Mr. CLARK. And not otherwise. There is no sense in adding those words to it. I have stated the case.

Mr. MCCLEARY of Minnesota. Will not the gentleman be good enough to define "free trade" as he uses that expression now?

Mr. CLARK. Free interchange of the products of the world.

Mr. MCCLEARY of Minnesota. Without a tariff on any import?

Mr. CLARK. In order to raise money to run the Government I would levy a revenue tariff. We are in a situation produced by the practice and theory of over a hundred years. The American people have fallen into the habit of raising a large part of the revenue by tariff taxes, and they seem to think it is easier to do it in that way than in any other. Therefore I would not go to the basis of free trade. I would cut down the exorbitant and outrageous exactions of the Dingley bill.

Mr. DALZELL. But, if the gentleman will allow me, we are in precisely the same condition to-day that we were when he made that declaration, so far as revenue is concerned.

Mr. CLARK. Oh, no; we are not.

Mr. DALZELL. Precisely.

Mr. CLARK. I made that declaration in 1897, and the Treasury was empty. Now the Treasury is overflowing, and if they will pare down the appropriation bills in this House as they ought to be pared down we could cut off two hundred millions of revenue and never miss it.

Now, I wanted to be sure that the gentleman was willing to abide by what he said, and I asked him as follows:

Before the gentleman gets away from that, I want to understand him. The gentleman says that he was for free trade in 1897 because there was no money in the Treasury, and that he is now for a moderate tariff while the Treasury is overflowing.

Mr. CLARK. Yes.

Mr. DALZELL. That is what the gentleman said a few moments ago. I will ask him whether he stands by that proposition?

Mr. CLARK. Yes.

Now, there you have the absolutely inconsistent declarations of the gentleman from Missouri [Mr. CLARK] when made in 1897, when the tariff question as a matter of party policy was not a burning question, and his declarations made in 1904, when we are approaching a Presidential election; and I repeat what I said at the outstart, that under these circumstances at this time it is well to get the declarations of each party and the declarations of party leaders, for they are of supreme importance to the electorate of this country, who are about to cast their votes upon this, the burning question of the campaign about to be.

Now, I desire to call attention to the declarations of another gentleman whose influence in this House is not surpassed by that of any man. My friend the gentleman from Mississippi [Mr. WILLIAMS], the minority leader on the floor, on March 24, 1897, during this same discussion of the Dingley bill, said:

The home market! This fetich with which the ignorant among the agricultural classes have been conjured to aid in cutting their own industrial throats. * * * What is lacking, Mr. Chairman, is not at the manufacturer's end of the line of exchange. It is at the consumer's end of the line, and the consumer is chiefly the farmer. What is lacking is the ultimate purchasing power. By years of iniquitous class legislation, both in the way of customs duties and in the way of currency revolution, you have succeeded in "killing the goose which laid the golden egg." * * * As a Democrat who believes in free trade, or the nearest possible approach to it, I rejoiced in the passage of the Wilson-Gorman bill. Not because the tariff features of it were Democratic—for, on the contrary, they were protective—but because the act contained the income tax. * * * There was within it a germ from which something approaching free trade might have come by evolution.

Mr. Speaker, I am not attributing anything to the gentleman from Mississippi which he will undertake to deny. He will not deny that he is also, like the gentleman from Missouri [Mr. CLARK], a free trader theoretically—academically.

Where does he stand now?

Mr. WILLIAMS of Mississippi. The gentleman will do me the justice to say that what he has just read was based upon the idea that the income tax would prevail. Since that time the Supreme Court has knocked that out.

Mr. DALZELL. I am aware of that; but it is based also on the idea that there was the germ of free trade by way of evolution.

Mr. WILLIAMS of Mississippi. Yes, sir; from the income tax.

Mr. DALZELL. I am not attributing anything to the gentleman from Mississippi that he will deny. I am simply citing his declarations made in 1897 in order that I may place them by the side of his declarations made in 1904, and I do it for the purpose of showing that while the gentleman's declarations in 1904 are more conservative than his declarations in 1897, he still entertains the idea that the true economic policy is free trade.

In a magazine article—and the gentleman was kind enough to lend me the magazine from which I read—he says:

The general principle that protectionism is wrong, morally wrong, a prostitution of government to private ends, should never be forgotten. The goal ought not to be lost sight of. At the same time—

Now, this is where the influence of the votes to be cast in the next Presidential campaign comes in—

At the same time friends of tariff reform would not strike down in a revolutionary way, "overnight," as the Germans say, all the scaffolding which the false system has erected. Even in Great Britain, where free trade was and is possible, free trade was not reached in that way. Duties were reduced amidst the dismal predictions of the advocates of protectionism that "destruction and ruin," "starvation and poverty" would follow. Destruction, ruin, starvation, and poverty did not follow after the duty was removed.

Not immediately, but, if Mr. Chamberlain is to be believed, they have followed at some distance.

Object lesson after object lesson was thus furnished to the people of the falsity of the claims of the advocates of the old system.

In this country, owing to the decision of the Supreme Court in the income-tax case, founded on the provision in the Constitution of the United States about direct taxes, the goal can not be, as it was in Great Britain, free trade. "A tariff for revenue to carry on a government economically and effectively administered" becomes the American tariff reformer's goal. It must be kept in mind until it is reached, but it must be reached by the exercise of wisdom and good sense. The tariff reformer who would do things recklessly or too suddenly would run the risk of destroying the very end which he had in contemplation by furnishing object lessons which would not help, but would hurt him, and in consequence of which he and those of his opinion might be hurled out of place and deprived of the power of doing anything.

That is to say, if it were possible to have free trade the gentleman from Mississippi would have free trade; but he regards it as not possible to take down all the scaffolding at once, and therefore he favors a conservative advance toward free trade. That is his attitude in the presence of the coming Presidential election.

Mr. WILLIAMS of Mississippi. Will not the gentleman do me the justice to read the succeeding paragraph—a paragraph in which I said that we could not have free trade here in the same sense as they could in Great Britain so long as it is impossible for us to have an income tax?

Mr. DALZELL. Certainly I will oblige the gentleman [reading]:

There is also a tariff revision by piecemeal, which is the handmaiden of the other system.

[Laughter.]

Mr. WILLIAMS of Mississippi. That is not it.

Mr. DALZELL. I should be glad to read the whole article if time allowed:

It is very important in its place, although it ought never to be permitted to handicap the larger movement by general legislation. This is tariff revision by reciprocal trade agreements with other nations.

I should like to read just at this point from the declaration of the last Democratic campaign text-book upon the subject of reciprocity. I wish to put that alongside of the declarations of the gentleman from Mississippi in this article. They make interesting reading, or, I might say, an interesting contrast. I read from the Democratic campaign text-book of the Congressional election of 1902, issued by authority of the Democratic Congressional Committee. It says:

RECIPROCITY *v.* FREE TRADE

In theory, reciprocity, like protection, thinks only of the producer and never of the consumer. It assumes that the seller is the only one benefited by an exchange of products. It does not propose to lower our tariff wall by the fraction of an inch. It proposes to punch vent holes in the wall to save it from destruction. It will permit certain quantities of certain articles to pass through these holes, but never enough to let in all of any one product. To do this would benefit consumers and spoil the game of the protectionists.

The theory of free trade is that both seller and buyer are benefited by an exchange of commodities and that, as all are consumers, the greatest good to the greatest number requires that there be no barriers to trade in order that goods may be as cheap as possible and the cost of living be reduced to a minimum. Free trade would open our markets to benefit our own country. It is hospitable and seeks peace and good will with all nations. Reciprocity cares nothing for the consumer and hunts foreign markets with a club. Its stock in trade is high tariff, favoritism, discrimination, and retaliation. It threatens to slam our doors in the face of foreign countries which will not open their doors to our products.

Reciprocity is based upon the same false theories as is protection, and, like protection, is a sham and a humbug, and to most people has been, and will ever continue to be, a delusion and a snare.

[Laughter.]

That is the doctrine of the Democratic party in 1902 in its official campaign text-book. The doctrine of the Democratic party, as represented by my friend from Mississippi [Mr. WILLIAMS], now is that there is tariff revision by piecemeal through the medium of reciprocity; hence the Democratic party is now for reciprocity. But in 1902, not in the presence of a Presidential election, reciprocity was "a sham and a humbug;" in 1904, in the presence of a Presidential election, it is a medium whereby to accomplish a revision of the tariff.

But, Mr. Speaker, the latest declaration of the policies of the Democratic party were had here on Saturday last. A distinguished and eloquent orator—I may say one of the most distinguished and eloquent of whom I know anything—a representative of Tammany, a citizen of the great State of New York, regarded as the pivotal State in the coming Presidential campaign, instructed and delighted us for a period of two hours in a very able speech. It was for free trade without pretense; frank, open, manly free trade. No pretense was held out that any laborer of this country, that any farmer of this country, that any manufacturer of this country, may hope for anything by way of tariff from the Democratic party. He declared that tariff in any shape or form was simply public plunder. He unfurled the banner of free trade and invited his Democratic brethren to follow him, and such enthusiasm, so much cheering, so much approval as he received in this House I have never heard on any previous occasion. I assume, therefore, that he speaks for his party. What did he say? A great deal that I shall not stop to quote. [Laughter on the Democratic side.] He said a great many things——

I do not know what the source of the Democratic laughter is. The gentleman did not say anything that I have any fear to quote. [Applause on the Republican side.]

Mr. THAYER. Some of it might be embarrassing.

Mr. DALZELL. Nor anything about which I would be embarrassed in quoting. [Applause on the Republican side.]

I should be obliged if gentlemen who want to interrupt me would rise and address the Chair. I will gladly reply to any interrogation, but I do not care to answer cat calls. [Applause on the Republican side.] The gentleman said:

Every vicious manifestation of government is closely connected with the fountain of all corruption, the protective tariff, that has demoralized our political system.

That announcement was followed by loud and continued applause on the Democratic side.

The gentleman further said:

The fundamental and essential principle of protection was the propriety and advisability of doing business at a loss.

And that was followed also by laughter and great applause on the Democratic side of the House.

Now, just here let me call your attention to the basis of that statement. Preceding that declaration the gentleman affirmed that Mr. McKinley in one of his messages had said in substance:

That transportation of commerce by sea was a highly profitable business; that it was so profitable Americans should be encouraged to engage in it—

And from these premises he proceeded to state that because the business was so profitable in itself the losses of those engaged in it should be paid out of the Treasury; and this statement of the gentleman from New York was followed by laughter and applause on the Democratic side of the House.

I say that Mr. McKinley never said anything of the kind, and I challenge the gentleman to produce any message that any intelligent gentleman will fairly construe to convey any such impression. I am at a loss to know what motive induced the gentleman, in addressing an intelligent audience on both sides of this House, to ask them to believe that Mr. McKinley ever said such a silly and senseless thing. What more did the gentleman say? He said:

I think it is capable of demonstration. Indeed, I think it is self-evident that government can not interfere in private industry except for plunder—can not be benevolent without being predatory.

Can not be benevolent without being predatory! Can not under any circumstances exercise generosity! The gentleman has forgotten how the Congress, both sides of this House, consented to stretch out its generous hand to the storm-stricken city of Galveston. The gentleman has forgotton how, time and again, the flooded districts of the Mississippi River have received aid from the generosity of Democratic and Republican Congresses alike. The gentleman has forgotten how we held out hope and gave courage and material help to the war-stricken people of Cuba.

The gentleman has forgotten that it is a legitimate function of government always to aid deserving charity. [Applause on the Republican side.] The gentleman has forgotten also what we did for Porto Rico. The gentleman has forgotton also what we did for fire-swept Martinique. The gentleman has forgotten what we did years and years ago for Ireland under Democratic administration. [Applause on the Republican side.] The gentleman has forgotten what we did for the Philippines. The gentleman has forgotten that the generosity of this great people represented in this Chamber can not be fettered by any of his narrow technical theories of government. [Applause on Republican side.]

What more did he say? He said, speaking for his party and answering the charge that that party was divided:

We stand to-day united upon one question, and that is a firm belief that the Government can not interfere with private industry except for the spoliation by the majority of the minority.

For free trade, in other words, expressed in different terms.

Your whole industrial system—

He said, looking across that middle aisle—

is based upon plunder, the corrupt power of taking from persons who create wealth and putting it into the pockets of favorites.

Then to crown all he said this. I thought so much of the gentleman's speech that I got a copy of it, I guess, as soon as he did. He said:

The gentleman from Iowa has taunted the gentleman from Mississippi for saying he would like to see every custom-house shattered from turret to foundation stone. The castle that the gentleman from Iowa was referring to was Tantallon Castle. It has fallen with the feudalism and barbarism of the age which it typified. Tantallon Castle was a structure between two portions of Scotland, around which raged forever the tide of war and plunder, held by some men who enriched themselves by seizing on the property of others. I hail it, sir, as an auspicious feature of this discussion that the same allusion could apply to the custom-houses, which are a survival of that barbarism that makes men seek to separate from each other instead of uniting in the cultivation of the soil. [Applause on the Democratic side.]

So here again is another champion of free trade so extreme that he would raze every custom-house that upon either shore looks out upon the ocean or marks the boundaries between us and a foreign country. That will be joyous news to the laboring men in my district that the custom-houses are to be abolished, and that henceforth their competitors are not to be their fellows, but the

men of other climes living as they would not live and receiving lower wages than they receive. That will be joyous intelligence to the farmers of the West and the Northwest with whose products will come into competition the products of a cheaper soil and the lower wages of their Canadian neighbors. That will be joyous news to the great manufacturers of this country whose furnaces will be put out of blast, whose mill doors will be closed, and whose capital will be sacrificed to a theory.

Now, I shall not indulge in any academic discussion of the policy of protection. It has been in operation in this country for more than a hundred years, the historic policy of protection inaugurated by the signature of George Washington to the first protective-tariff bill and consummated by the signature of William McKinley to the last [applause on the Republican side], reaching from the first Administration to the last Administration—the Administration of which the present is but a continuance.

Why, the tariff argument of to-day is not to be found in books. It is to be found in factories. It is not to be found among theorists. It is to be found among the men who work in the furnaces and in the mills; it is to be found among those who recognize the great prosperity that rolls in a blessed stream all over this great country of ours. [Applause on the Republican side.]

It is the policy that has made us the greatest manufacturing nation on the face of the earth, the policy that has provided consumers for the products of our farms, in the men receiving high wages who operate our furnaces and factories, and who constitute the great body of the intelligent citizenship of the United States. [Applause on the Republican side.] It is the policy which has filled our savings banks. It is the policy which in every line and every avenue of civic, political, social, and industrial life has turned the streams of prosperity to the enriching of all our people. [Applause on the Republican side.]

But the speech of the gentleman from New York [Mr. COCKRAN] on Saturday last was significant in another aspect—most significant. The people of the United States saw fit in 1892 to turn into this Chamber and to turn into the other Chamber at the other end of the Capitol a Democratic majority. They intrusted them with a revision of the tariff system of this country. They told them to make a tariff for revenue only.

The Democratic majority in this Chamber framed a tariff bill. They claimed it was in accordance with their instructions. They sent that bill to the other Chamber, and there it rested for weeks and months, every day receiving some new change. Finally it came back to this Chamber with over 640 amendments attached to it, wholly defaced, turned from a pretended revenue measure into a measure indescribable, but a measure that favored the greatest trust in this country—favored it by an amendment put into the bill in the other body. I recall that for weeks in this Chamber Democratic Member after Democratic Member got up and asseverated that never under any circumstances would he assent to the passage of that mutilated bill. But it did pass. How did that bill finally pass? The gentleman from New York [Mr. COCKRAN] told us on Saturday last how—because the Democratic Senate was bought by the trusts of this country. [Applause on the Republican side.]

The charge had been often made—the World believed it—but for the first time I think we now have it ex cathedra. The gentleman who was entitled to say, quorum pars magna fui, tells you in plain unvarnished terms that your Senators sold your party to the trusts. [Prolonged cheers and applause on the Republican side.] And that is not all, nor the worst of it. The bill was not two hours in this House until you joined in the bargain. [Renewed cheers and applause on the Republican side.] Mr. Speaker, I am not now making a misrepresentation. I am doing no one an injustice when I say upon the authority of your own Member, the gentleman from New York, that the Democratic Senate and House combined to sell their constituency to the trusts. [Renewed applause on the Republican side.] Oh, you are very, very much afraid of the trusts—when you are not in partnership with them. [Laughter and applause on the Republican side.] Why, the gentleman from New York [Mr. COCKRAN] on Saturday said that there were good trusts and bad trusts, and that the bad trusts were the trusts that raised prices. He said that the Northern Securities Company was the only trust that did not raise prices, and the only one that the Administration has gone after. The statement is wholly untrue. The Administration has gone after many trusts. And the gentleman, if he knows anything—and I think he does know something—knows that the decision of the Supreme Court in the Northern Securities case was put upon the express ground that the merger company had it in its power by the destruction of competition to impose higher prices upon the patrons of the competing companies that it controlled.

And because it is better expressed than I could express it, I will read now again to the House, for it has once been read, what the real truth is with respect to the Democratic party in its relation to the trusts as defined by that great Democratic newspaper, the New York World. This article is entitled "Facts." Note you, "Facts."

The antitrust law was framed by a Republican, was passed by a Republican House and a Republican Senate, was signed by a Republican President.

The law remained a dead letter on the statute books during the entire second term of Grover Cleveland, a Democratic President.

If I had the time to stop here now, I would read to the House a paragraph from the last message sent to Congress by Grover Cleveland, in which he describes the inefficacy of the law, shows the incapability of its operation, and advises the relegation of the whole matter to the States.

I resume what the World says:

Through those four years of Democratic Administration all appeals and all efforts of the World to have the law enforced were met with sneers, jeers, and open contempt from a Democratic Attorney-General, Richard Olney, who pretended that the law was unconstitutional, and who would do nothing toward prosecuting violators of it.

The first effort to enforce the law was made by Theodore Roosevelt, a Republican President.

The first man ever publicly to announce the sufficiency of the Sherman law, the practicability of its enforcement, was, as is said here, the able and accomplished Attorney-General of the United States, Philander C. Knox, in his speech to the Chamber of Commerce in Pittsburg. [Applause on the Republican side.] And he not only spoke, he acted, and the decision of the Supreme Court of the United States in the Northern Securities case is due to his learning, his energy, and his patriotism [applause on the Republican side], for which you are unwilling to give him the credit that is his due. Quoting again:

The first Attorney-General to vigorously prosecute offenders and to test the law was a Republican Attorney-General, Philander C. Knox.

The decision of the Supreme Court of the United States, given as a finality from which there is no appeal, upholding the law as perfectly constitutional and absolutely impregnable in every respect, as the World for twelve years constantly insisted, was due to five judges, every one of whom is a Republican.

The dissenting minority of the court included every Democratic judge of that tribunal, to wit, Chief Justice Fuller, of Illinois; Mr. Justice White, of Louisiana, and Mr. Justice Peckham, of New York.

I desire to say right here in passing that I do not believe that a single justice of the Supreme Court of the United States was influenced by political bias or by anything other than what he believed to be the dictates of the Constitution and of the law of his country when making that decision. [Applause on the Republican side.]

It would appear, then, that the Democratic party in its assault upon the Republican party as friendly to the trusts has not a leg to stand upon.

Mr. Speaker, during the discussion on Saturday last a matter occurred which is personal to myself and about which I have something to say, and I mean to say it frankly and plainly, so that there may be no misunderstanding.

While the gentleman from New York was addressing the House this occurred:

Mr. DALZELL. Mr. Speaker, will the gentleman permit a question?

Mr. COCKRAN of New York. With the greatest pleasure. I am always very willing to yield to the gentleman from Pennsylvania for a question on the trust question.

Mr. DALZELL. I would ask the gentleman from New York if these are the same views the gentleman entertained when making Republican campaign speeches in the Republican campaign.

I want you to note that question, if you please:

I would ask the gentleman from New York if these are the same views the gentleman entertained when making Republican campaign speeches in the Republican campaign?

Mr. COCKRAN of New York. Mr. Speaker, I never made a Republican speech. [Applause on the Democratic side.] I never spoke without declaring my abhorrence for everything for which Republicanism stood. And when Mr. McKinley himself was a candidate, and I supported him, it was not because he stood on a platform of his selection, but a platform which was forced upon him by the conscience of the American people.

Now, I want you to note:

I stood for and supported President McKinley; and if the same conditions arose I would do it to-morrow. I would support him when I thought it right; but the gentleman from Pennsylvania would support him when he thinks it is profitable.

I asked the gentleman from New York a civil question; I got a brutal reply. [Applause on the Republican side.] I did not trespass upon the courtesies of debate. I did not question the gentleman's honesty. I asked him a question that might have called in question his consistency. That was perfectly proper; no fault could be found with it. The question was asked in a gentlemanly way; it deserved a gentlemanly reply. [Applause on the Republican side.] The reply was that the gentleman from New York stood upon the high plane of conscience, while I was "playing politics" for profit. Mr. Speaker, I never voted any ticket in my life but the Republican ticket. [Applause on the Republican side.] I am an intense partisan. I think I can call my brethren on the other side of the House to witness that generally, at least, I am a gentleman. [Loud applause on the Republican side.]

Now, if you would read the public press, you would imagine

that I had made an attack—an unjustifiable attack—upon the gentleman from New York. On the contrary he made an unjustifiable, a mean, and contemptible attack on me. [Applause on the Republican side.] He would have been a poltroon and a coward who would have made any other response than I made to that attack. [Renewed applause on the Republican side.] I said:

Mr. Speaker, I will state that I have been informed that it was profitable to the gentleman from New York to support him [Mr. McKinley] when he did.

I was so informed. I say here and now that I was justified in making that charge, in stating that information, because it is the current belief to this day that the gentleman received money for political work. [Applause on the Republican side.]

I am going to support the plausibility of my charge as represented to me by some facts and circumstances connected with the history of the gentleman from New York. I will not be misunderstood. I make no charge against the gentleman. I never did. I said I was informed. I am going to give proof to you that I was informed in more ways than one. A matter of this kind does not admit of positive proof, but does admit of proof by circumstantial evidence.

What is the gentleman's history? He started out as a greenbacker. [Laughter and applause on the Republican side.] He traveled up and down the State of Maine endeavoring to persuade those Yankees that the best way to get money was to get it from a Government printing press. He advocated fiat money, a hundred cents of fiat on the dollar. Yet in the McKinley campaign he could not join the other side! He could not but stay with the McKinley side, because he was for sound money! [Laughter on the Republican side.]

For sound money in 1896; traveling all over the continent in support of Bryan in 1900; greenbacker, sound-money man, free-silver man. He has been a Bryanite and an anti-Bryanite. He was for Bryan in 1900. Is he for Bryan now? So far as I can judge he is for some gentleman up in New York, possibly in New Jersey; and if he is for Grover Cleveland he has more wisdom than I think most of his brethren have. [Laughter and applause on the Republican side.] Possibly he is for some respectable political nonentity who has no opinion, not a single conviction upon any public question, and who is willing to stand upon any platform that may be made for him.

But my friend has been a Tammanyite, and as such he has been a Member of Congress. He has been an anti-Tammanyite, and as such he ceased to be a Member of Congress. [Laughter and applause on the Republican side.] The gentleman is a Tammanyite again, and now again is a Member of Congress. [Renewed laughter.]

Now, I ask you whether that checkered career would not have a tendency to make people suspicious if there was no other reason for their suspicion about the gentleman's convictions—the convictions of a gentleman with such a harlequin career?

But then there are other things that have a bearing upon this question. When I said the other day that a Democrat had told me thus and so, that side of the House became hysterical because I would not disclose the name of a gentleman with whom I had had a private conversation.

But I find in a paper published by a colleague upon that side of the House, the gentleman from New York [Mr. HEARST]—an editorial published in the New York Journal of the 4th of August, 1896, in which he says this:

Mr. BOURKE COCKRAN, it seems, has decided not to enter the British Parliament—

[Laughter on the Republican side]—

or at least has determined to postpone bestowing that benefaction upon the sunsetless empire until after he has guided the American people through the mazes of one more Presidential campaign.

Mr. COCKRAN is for McKinley—a position which, to those who remember his career in Congress, does not seem to involve such a strain on his feelings as might be supposed, especially with rumors in the air of $250,000 checks out of Mr. Hanna's educational fund.

The gentleman says in an interview in the New York Herald, published yesterday, with a vanity which exceeds anything I have ever read, that I had done myself a dishonor by accusing my own Republican campaign committee of giving him money.

I never said that the Republican campaign committee gave him money, though his denial is confined to not having received money from the campaign committee. But that is not all. I find that on October 29, 1903, the New York Tribune published an article entitled "A denial accepted, with specifications," and I want to read it to you:

Mr. COCKRAN has evidently been deeply incensed by the charge that he was willing to sell his oratory to the fusion cause in this campaign and had actually been hired for a large price by Tammany. We give him the full benefit of his indignant denial that he has received money for his speeches in behalf of Tammany. But he should have refrained from utterances calculated to create an impression that the Tribune invented that story and gave it all its circulation. What we did in the article printed last Saturday morning, to which he has angrily referred, was to publish a current report, which we expressly described as such, and which, as a matter of fact, had appeared in print the afternoon before and was repeated by several morning newspapers simultaneously with its publication in the Tribune. It was a report, moreover, which was pretty generally credited, for reasons which Mr. COCKRAN, in his calmer moments, surely has discernment enough to appreciate.

When his present excessive heat has passed off he should be willing to confess to himself that it was utterly natural to suppose that he must have accepted a pecuniary compensation for adopting a course so amazing and so abhorrent. There was no process of logic by which to account for unpaid devotion on his part to Tammany this year. If by a long series of political somersaults Mr. COCKRAN had not accustomed the public to associate him with the class of men whose services in the line of campaign speaking are procurable on a cash basis, the circumstances of the present campaign were such as almost of necessity to suggest the idea which he resents.

Mr. COCKRAN's assaults on Bryan in 1896 were unbridled, and he voted for McKinley. In 1900 he flopped over and gave Bryan his support. For years after Tammany had raised him from obscurity, or something worse, he was its darling, but at length, owing to causes of which Mr. Jerome seems to have knowledge, he incurred Croker's disdain and became an enemy of the organization. In 1897 he cheerfully voted for General Tracy, but two years ago he had got far enough back to support Mr. Shepard, with whom Tammany was trying to mask its infamies.

Until within a few weeks, as he now acknowledges, he disapproved every single thing that Murphy was doing; but in obedience to his creed that nonpartisanship in local politics is a heresy, he suddenly embraced Murphy and all that Murphy stands for. The fervor with which Mr. COCKRAN attempted on Tuesday night to give an appearance of moral consistency to this harlequin record justifies us in crediting his assurance that now, as always, his speeches are gratuitous; but it would be a piece of monstrous audacity for anybody to pretend that there was no excuse for the contrary impression commonly entertained last week.

I find also in the newspaper of his colleague [Mr. HEARST], under date of October 26, 1897, the following in lines one-eighth of an inch large across the top of the page:

COCKRAN HIRED TO STUMP FOR TRACY—COCKRAN WILL STUMP FOR TRACY—CONSENTS AT LAST TO THE FERVENT ENTREATIES OF WALL STREET.

W. BOURKE COCKRAN is to take the stump for General Tracy. The ex-Tammany Hall Demosthenes yesterday finally agreed to assist Senator PLATT in the election of his mayoralty candidate by the delivery of at least one speech. He will probably be heard at the Grand Central Palace next Friday evening.

Despite the fact that Senator PLATT, City Chairman Quigg, and other Republican leaders have for upward of two months implored Mr. COCKRAN to join the spellbinder brigade, it was not until yesterday that he consented. Then he did so not in response to the pleas of the Republican managers, but, instead, complied with an invitation extended to him by Wall street bankers and merchants who shouted for gold and protection in the last Presidential canvass.

Mr. COCKRAN was seen at his office, at No. 31 Nassau street, last evening, and said:

"Yes; I am going to speak for General Tracy. I am very busy. No; there is to be only one speech. It will be delivered either on Friday or Saturday night. I don't know where, but I can't speak before then or after. I got a letter from the committee.

"Am I to be paid? Oh, you'll have to see the committee. I am very busy."

[Laughter on the Republican side.]

And last of all I find in the Philadelphia Press of April 25 of this year, over the signature of an entirely responsible and accomplished newspaper reporter, Mr. Walter Wellman, the following:

WHO PAID COCKRAN?

BOURKE COCKRAN'S indignant denial that he was paid for the speeches which he made against free silver in 1896 is understood to refer to any payments alleged to have been made to him by the Republican national committee. Mr. COCKRAN is wholly in the right. The Republican national committee did not pay him a cent and had no dealing with him in that campaign of any sort. Probably Mr. COCKRAN would not deny that he was paid $15,000 for fifteen speeches by the Palmer-Buckner campaign committee.

Now, I appeal to you gentlemen to know whether or not, when I was accused of being a politician for profit, I was not justified, grandly justified, by turning around and saying that I had been informed that the gentleman from New York practiced politics with profit. [Applause on the Republican side.]

Mr. SULLIVAN of Massachusetts. Mr. Speaker, will the gentleman yield for a question?

The SPEAKER pro tempore. Will the gentleman yield?

Mr. DALZELL. I do.

Mr. SULLIVAN of Massachusetts. Was the gentleman not a Member of Congress in 1896?

Mr. DALZELL. I was.

Mr. SULLIVAN of Massachusetts. And Mr. COCKRAN was not. Therefore, does the gentleman not understand that when Mr. COCKRAN said politics was profitable to the gentleman that he meant politically profitable, and did not the gentleman and everyone on that side of the Chamber understand him to mean politically profitable? [Cries of "No!" "No!" on the Republican side.]

Mr. DALZELL. Mr. Speaker, I will say that I believe the gentleman from New York [Mr. COCKRAN] is abundantly able to take care of himself without any aid from the gentleman from Massachusetts. [Applause on the Republican side.]

Mr. SULLIVAN of Massachusetts. Mr. Speaker, there is no dissent from that proposition either on that side of the House or on this side after what happened on Saturday last. [Applause on the Democratic side.]

Mr. DALZELL. Mr. Speaker, I desire now to call the attention of the House to what was the conception of the gentleman from New York [Mr. COCKRAN] of his duty in the McKinley cam-

paign. I read from an interview in the New York Journal of August 3, 1896:

Q. What is your opinion of the present political situation?—A. I regard it as the gravest in the history of the country, exceeding in importance the crisis of 1860. The secession movement was but an attempt to divide this country between two governments, each of them designed to protect property within the limits of its jurisdiction. The movement launched at Chicago is an attempt to paralyze industry by using all the powers of the Government to take property from the hands of those who created it and place it in the hands of those who covet it. This is a question of morals as well as of politics. No political convention can issue a valid license to commit offenses against morality, and I decline to follow Mr. Bryan in a crusade against honesty and the rights of labor.

Q. Do you mean that you will actively oppose the Democratic party or abstain from active support of it?—A. In a contest for the existence of civilization no man can remain neutral. Whoever does not support the forces of order aids the forces of disorder. If I can do anything to thwart a movement the success of which I would regard as an irreparable calamity not only to this country but to civilized society everywhere, I shall certainly do it.

Patriotic sentiments, truly, and sentiments that disclose a knowledge upon the part of the gentleman from New York [Mr. COCKRAN] of what was involved in the success of the Chicago platform. Furthermore, in the same direction, I read from the gentleman's Madison Square Garden speech made on August 18, 1896, in support of Mr. McKinley. He says:

There was a Populistic delegation from States that were Democratic, but it is a significant fact that every Northern State in which there was a chance of electing a Democratic governor or of choosing Democratic electors, with the exception of Missouri and Indiana, stood boldly and firmly for the gold standard at Chicago, and they were submerged by a wave of Populism from the South.

The gentleman paid his compliments to the South here the other day—last Saturday—and I would like to call the attention of my southern brethren to a comparison of his ideas then, in 1896, with respect to them, with his ideas with respect to them now:

My friends, there has been a great change in the Democratic organization of the Southern States. The men who, from a mistaken sense of loyalty, followed their States out of the Union, whose gallantry in war, whose fortitude in defeat, won the admiration of the civilized world; the men whose virtues commanded the support of northern public opinion in the attempt to overturn carpetbag governments in the Southern States; the men who led their people through all the troubled period of reconstruction back into a full union with the sister States; these men—like Hampton, in South Carolina, and Caffery, in Louisiana—have been swept from power. A new set has got into the sadddle—a set of leaders of which Tillman is the exponent, who boldly unfurled the sectional flag at Chicago and declares that this Populist movement is a direct movement against the prosperity of the East. Men of New York, toilers of America, guardians of your own homes, will you allow your rate of wages to be affected by any man who never had paid wages at all if he could get out of it?

What do you think of that, my southern brethren? But let me continue:

Will you submit to this conspiracy between the professional farmers, the farmers who cultivate the quarrels of their neighbors, farmers who labor with their jaws, Populist agitators of the West, and the unreconciled slaveholders of the South? This is a conspiracy between professional farmers who want to pay low wages and the unreconciled slaveholder who would like to pay no wages. Here is the real root of this conspiracy. Here is the explanation of this Populist movement. Mr. Bryan did not create it. No man can create a movement like this. The forces that created it are active and have been working in a thousand different directions. Mr. Bryan, representing this theory, is but like a drop of water on the crest of the wave—more conspicuous, but no more important than the millions of drops that form its base. The Populistic movement is the attempt of these professional farmers, of these men who are unwilling to share with the laborer, to appeal to their greed. He is an enemy of public order; he is an obstacle to progress. He is a conspirator against the peace and prosperity of the industrial masses of the country.

That is what you are, my brothers from the South, according to the measure of Mr. COCKRAN on the 18th of August, 1896. But I want to read to you something further.

The gentleman from New York was interviewed the day after the election, and among other things this is what he said on November 5, 1896, speaking of the election:

I do not regard it as a verdict in favor of any specific policy. It was a verdict against a debasement of the currency, against the destruction of the Supreme Court as an independent tribunal, and against the nullification or abridgment of the President's power to enforce the law. In fine, it was a verdict that the fundamental conditions of civilized society should not be disturbed in this country.

Now, then, what did Mr. COCKRAN advocate? What did he resist in 1896 by all the power of his magnificent eloquence?

He resisted a debasement of the currency. He said that Bryan and the platform upon which Bryan stood meant the debasement of the national currency.

He said more than that; he said it meant the destruction of the Supreme Court of the United States as an independent tribunal. It was against such a crime that he raised his voice.

He said more than that—that it meant a nullification or abridgment of the President's power to enforce the law. And he stood, as against Mr. Bryan and the Chicago platform, as an advocate of the supremacy of the law.

He said more than that; he said something broader, wider, deeper—that it threatened a disturbance of the fundamental conditions of civilized society.

These are the patriotic motives that induced Mr. COCKRAN, according to his own statement, to engage in the McKinley campaign. I want to know if there is a solitary one of them that was not involved in the Kansas City platform of 1900? If Mr. COCKRAN was fighting against the debasement of the currency of 1896, he was fighting for the debasement of the currency in 1900. [Applause.]

If Mr. COCKRAN in 1896 was combating the destruction of the Supreme Court of the United States as an independent tribunal, in 1900 he was aiming a blow calculated to result in the destruction of the United States Supreme Court as an independent tribunal. If Mr. COCKRAN in 1896 was opposing the nullification or abridgment of the President's power to enforce the law, in 1900 he was advocating the nullification or abridgment of the President's power to enforce the law. If in 1896 he was fighting with the forces that represented the fundamental conditions of civilized society, in 1900 he was exercising all his power in favor of the forces that threatened the destruction of civilized society. [Applause on the Republican side.]

Now, why did the gentleman from New York abandon the high plane of his moral purpose of 1896 and indulge in this campaign in 1900? There have been some excuses given for it; but I will give Mr. COCKRAN'S own excuse. Take the last Congressional Directory and you will find that he says in his autobiography:

In the election of 1900 he supported the Democratic candidate for President on the ground that the result could not in any way affect the coinage of the country, owing to the complexion of the Senate, while he believed the defeat of the Republican party would of itself have sufficed to expel imperialism from our political system.

In other words, if the Republican party had not been in power in this House he would not have been with you Democrats. [Laughter and applause.] He says so himself. But he favored Mr. Bryan because he was opposed to imperialism. Opposed to imperialism! Now, look you. He was in favor of the debasement of the currency; he was in favor of the destruction of the Supreme Court; he was in favor of the nullification of the President's powers; he was in favor of a disturbance of the fundamental conditions of civilized society, because he was opposed to imperialism! He was in favor of everything that he was opposed to in the McKinley campaign, because he was opposed to a policy which would never have existed had it not been for the influence of Col. William J. Bryan, who procured the necessary votes to ratify the Spanish treaty in the Senate.

Now, I have here some extracts from speeches of Mr. COCKRAN, made in the Bryan campaign; but I am beginning to get tired.

Several MEMBERS. Let the Clerk read them.

Mr. DALZELL. Very well; I will send these extracts up to the Clerk's desk and ask that they be read.

The Clerk read as follows:

[Extract from the Chicago Inter-Ocean, September 30, 1900.]

COCKRAN'S SPEECH AT CHICAGO FOR BRYAN.

The gentlemen who talk from the Republican platform talk of prosperity as if the prosperity of the country was shown by the price of securities in Wall street.

Now, that is one evidence, but by no means conclusive. The conclusive evidence of prosperity, the one which never can betray or mislead, is the rate of wages paid to laborers. Now, I do not say that with any expression of special affection for the man who works with his hands, but because labor must produce the fund from which its wages are paid. If the wages are high, its production must be expensive. When production is expensive commodities are abundant, and when commodities are abundant prosperity must be general, and when prosperity is general you and I and all of us must share. Now, prosperity is forced to find openings for commodities fairly distributed among those who produce them. I say that Mr. Bryan's election will make for that form of prosperity, and I say, moreover, that no real value in this country will be depreciated by his election.

[COCKRAN'S speech at Prospect Hall in closing the campaign in Kings County, N. Y. From the Brooklyn Daily Eagle, November 3, 1900.]

WHAT BRYAN STANDS FOR.

Mr. COCKRAN says:

"Mr. Bryan in this campaign stands for peace; he stands for disarmament; he stands for the employment of every person in this country in the cultivation of the soil of the country or the things which are produced from the soil; he stands for the employment of every dollar of capital in the field of productive industry. He must therefore stand for abundance of commodities, for prosperity, for contentment, as he stands for justice."

WHAT WILL FOLLOW BRYAN'S ELECTION.

Mr. COCKRAN says:

"I know that Mr. Bryan is an honest man. I know that if he is elected it will be interpreted throughout the country as a danger to honest methods in corporate management, and I know if that declaration is made that the financial houses then will proceed to settle their affairs in order. The honest majority will once more obtain control from the dishonest minority and our system of credit will be placed upon enduring foundations of fairness, publicity, and justice. The people will be taught that property is never so secure as when the masses have control of the Government. To-day many good men are paying blackmail to Mark Hanna because they believe the success of the Democratic party would jeopardize legitimate enterprise. Within six months of Bryan's election these men will realize that the greatest safety of this country is not in giving control to the minority who have property, but in trusting to the wisdom of the majority who ought to have property, and who are determined to preserve the laws under which alone property and prosperity can exist.

"Let me tell you, my friends, that the gentlemen who are protesting fear of Mr. Bryan's election are not sincere in their declaration. They may be deceiving themselves, but none the less their attitude shows they do not believe Mr. McKinley's election means prosperity. If they believe Mr. McKinley's election meant prosperity, why, they would all be biased of securities. Every man buys when he apprehends there will be an increase of com-

modities and a growth of prosperity. They tell you if Mr. McKinley is elected there will be a great boom in securities, but if they wanted to be biased they would not want a boom market.

"No man wants to buy on a rising market. The man who wants a booming market confesses that he wants to sell, and these gentlemen who would have you believe that McKinley's election would bring prosperity are the men who would turn sellers, not buyers, the day after his success. As one who knows something about these matters, that if Mr. Bryan be elected every sensible man will buy, including those who are shouting most, knowing that stocks will never be as low as the day after his election. Every day of his administration will be a day of increasing production, and therefore of prosperity. * * *

"M'KINLEY IS AN ORIENTAL DESPOT.

"When I say that McKinley under this system would sink to the level of an oriental despot, I am but trenching on the domain of prophecy; I am confining myself to the nobler and safer function of stating facts. Mr. McKinley is an oriental despot now. He is the Sultan of Sulu.

"It is humorous to think of the President of the United States as a sultan; but if this proposition be true, its converse is also true—that the Sultan of Sulu is necessarily President of the United States. You remember that under a despotic government the ruler is responsible for everything that occurs. Mr. McKinley can not become sultan and escape the responsibility that attaches to it. A despot is responsible for everything that occurs in his sultanate that occurs under his authority. His authority is vastly greater than that of a constitutional officer.

"Under a constitutional government the President is not responsible for the acts of the deputies; he has no control over Congress, and therefore no responsibility for its enactments. He has no authority over the judges, and therefore is not responsible for their decisions; but under a despotism the despot is the fountain of all authority; the laws are but his decrees; the decisions of the judges are but the expressions of his wishes; every officer of every character holds his authority from him; the act of the officer is the act of the chief. Where in the Sulu Islands a single slave is manacled, it is Mr. McKinley's hands that have fastened his gyves. It is there that he has unfurled our flag over an immoral harem and included a slave-holding Sultan in the civil list of the United States."

Mr. DALZELL. Now, Mr. Speaker, I have given you fairly extracts from the speeches of the gentleman from New York during the McKinley campaign and during the campaign of 1900 which followed, and I do not care to follow him further. The high moral plane on which the gentleman from New York supported McKinley in 1896 stands out in strange contrast with the demagogy of his support of Bryan in 1900.

On February 1 of this present year the gentleman from New York was nominated as a candidate for Congress. He made a speech to his convention in which he said among other things:

We have reached the point where America is regarded as an international hoodlum.

That is a sentence that is interesting to you gentlemen upon the other side of the House—Americans as we all are—as much as it is of interest to me.

If there be any "hoodlums" amongst us, they are not the product of American soil, American institutions, or an American civilization. [Applause on the Republican side.] They are to be found amongst those adventurers who, having left their own country for their country's good, find in the field of American politics a prolific source of notoriety and pelf; men who, without conscience and without convictions, find an opportunity now with one party and now with another to secure a market for their peculiar wares, among which is not respectability. [Loud and long-continued cheering and applause on the Republican side.]

Mr. WILLIAMS of Mississippi. A parliamentary inquiry, Mr. Speaker. How much time was consumed by the gentleman from Pennsylvania?

The SPEAKER pro tempore. The gentleman from Pennsylvania consumed an hour and thirty-five minutes.

Mr. WILLIAMS of Mississippi. Very well.

The SPEAKER pro tempore. The Chair understands unanimous consent was given, upon the request of the gentleman from Mississippi, that the gentleman who will reply should be given the same time. The Chair understands that to be the gentleman from New York, who is recognized for one hour and thirty-five minutes.

Mr. COCKRAN of New York. Mr. Speaker, from the position of the newest and the humblest Member of the House it seems as if I had been suddenly exalted to the dignity of a political issue. Notwithstanding the plaudits, more or less genuine, on the other side, I can scarcely believe, however, that this extraordinary display of personal rancor and vituperation will be accepted by the Republican party of the country as its keynote for the Presidential canvass. [Loud applause on the Democratic side.] Personally, sir, I do not care to engage in any competition of personal abuse with the gentleman from Pennsylvania.

And you will observe, sir, how carefully I observe the proprieties of the House—the gentleman from Pennsylvania. [Laughter.] He has brought a charge of infamy against a fellow-Member, and when challenged to sustain it instead of producing a shadow of proof or withdrawing it he has sought to justify it by searching diligently all the foul channels through which the insinuations and innuendoes of nameless malignants have circulated in all the political campaigns of a whole generation, and with hands no cleaner than the vile stuff he found proceeds to hurl it over the floor of this House. [Loud applause on the Democratic side.]

Mr. Speaker, so far as I can understand this extraordinary performance, no act of mine, public or private, seems to be impugned; but my political course has been ascribed to what I consider and all Democrats consider the basest motive that can govern anyone who holds a representative office or who assumes to discuss public matters in a representative capacity. [Applause.] Quotations from newspapers have been read, some of which are garbled extracts of speeches which I recall, some alleged interviews which I know I never held. In all this tide of abuse there is but one statement which furnishes any ground of sober or respectful discussion. The gentleman says the charge which he voiced here last Saturday has been left these many years unnoticed by me. That is quite true. I have left it unnoticed in obedience to a rule which has governed my life for twenty years. Mr. Speaker, I have never thought it worth while to notice a lie. I never knew a lie to injure or to deceive anybody but the liar. [Applause.] He must deceive himself into the belief that he deceives others, or he would not utter the lie; but on the minds of those whom he addresses he produces no feeling except distrust, disbelief, and disgust.

This, of course, Mr. Speaker, is somewhat at variance with a very general idea that the world is censorious. I do not think the world is censorious. On the contrary, I think it is generous. I think most men get credit, not only for all the good they do, but for a good deal more. I think that most of us are better off keeping the characters we have than if we got the characters we deserve. [Laughter.] According to my observation, public opinion in this country is always vigilant in protecting the characters of public men. When a charge is made against anybody, unless it is proved and proved overwhelmingly, the tendency of the public mind is always to sympathize with the person attacked and to hold his traducer alone discredited. For that reason I have never noticed this particular slander while it remained in anonymous circulation, as I have never noticed any lie about myself, quite satisfied that if ignored by me its only effect would be to discredit the person who uttered it.

When, however, a Member of this body occupies its attention for more than an hour and a half with a purely personal assault on a fellow-Member and his statements are received by the majority with applause, respect for the House requires that some attention should be paid to such an exhibition by the person who has been thought of sufficient consequence to provoke it. [Applause on the Democratic side.]

The gentleman has seen fit and proper to quote a statement from the Philadelphia Press to the effect that while I had denied receiving any money from the national committee of the Republican party during the campaign of 1896 I did not deny and could not deny receiving money to the amount, I believe, of $15,000 from the Palmer and Buckner campaign committee.

Last night this statement from the Philadelphia Press was called to my attention by a correspondent of the New York Herald in a conversation over the telephone, and to him I made a denial, which his paper publishes in a conspicuous place. The gentleman from Pennsylvania must have seen it. He has read here the original libel and he has suppressed the denial. I call attention to this conduct, sir, as a fair sample of his candor and truthfulness in dealing with this House and of the honesty and decency of the majority, which by their plaudits have made him their champion—at least for this occasion. [Applause on the Democratic side.]

Here, Mr. Speaker, is my exact language:

That assertion is as false as any that was ever invented by the father of mendacity. It is false in every word, in every line, in all that it states, and in all that it insinuates. I never had any dealings with the Palmer-Buckner campaign committee, and never received any money from the Republican national committee, either directly or indirectly. I did not speak on the Palmer and Buckner ticket. I spoke for McKinley, and as a Democrat, and was never paid a single cent for a word I uttered in that campaign. If you know of any words which would make this denial more emphatic or complete, please employ them.

[Applause on the Democratic side.]

Mr. Speaker, with that statement, so far as I am concerned personally, this whole assault, attack, innuendo—call it what you will—might well be dismissed back to the contempt in which I have always held it. But, sir, there is an aspect of this personal attack which is of public importance. In view of the place where it has been made and the circumstances under which it has been repeated, I regard this performance as a revelation of depravity in our political morals which turns this matter from a mere question of propriety between individuals into something that may portend a national calamity. [Applause on the Democratic side and derisive cries on the Republican side.]

Sir, before I sit down I will explain the full significance of that statement and justify it. Meanwhile, I ask nothing stronger to corroborate it than the cries of derision with which it has been met. Never, in the history of the world, has vice failed to deride an attempt to unmask it. [Applause on the Democratic side.]

Whenever corruption has been denounced, its only defense is to impugn the motives of him who attacks it. The corrupt have no power to conceive any motive for human conduct less sordid than the corruption which governs their own. [Applause on the Democratic side.]

Mr. Speaker, there are two aspects of this matter, one personal, which, as I have said, I could well afford to treat with contempt, the other national, which I think of such gravity that it can not be overlooked. If I venture to trouble the House with a few words more on the personal features it is not to defend myself from any imputation—that I don't think necessary—but to make a little clearer the character of this performance which the Republicans have applauded so emphatically that it may be definitely accepted as an exposition of the plan on which they intend to conduct their Presidential campaign.

The gentleman from Pennsylvania says my political course has been one of inconsistency. I shall take occasion to answer that charge fully before I close. Meanwhile I challenge him to show that I have ever had to apologize for a word or to explain one. I challenge him to show even two inconsistent expressions uttered by me in the whole course of my public life. [Applause.]

The gentleman says I began my political career in the State of Maine as a Greenbacker. Well, sir, I can not characterize that statement as false, for that would be unparliamentary, but I will say it was worthy of its source, and no further description is necessary to place its character clearly before the House. [Applause on the Democratic side.]

In 1880, as every school boy familiar with the history of recent events knows and every man of middle age remembers, the Democrats of Maine indorsed the candidate of the Greenbackers for governor, Mr. Plaisted, and almost every Democrat in the country who was considered capable of speaking in public went into the State at the request of the Democratic national committee and took part in the campaign.

Not one of them, so far as I know, supported the Greenback theory, but all of them, including myself, distinctly stated our unalterable opposition to it, while, at the same time, we asked all the people of Maine who desired honest government to unite in opposing the Republican candidate; not because of his attitude on the currency—for none of us knew what it was—but on account of the corruption for which Republicanism has always stood in this country since the conclusion of the war. [Applause on the Democratic side.]

Sir, these features of that campaign are not obscure; they are conspicuous. No one who ever investigated the subject at all could have failed to discover them.

My own part in that campaign was very obscure. The fact that the gentleman from Pennsylvania has learned of it shows the thoroughness and minuteness of the search, which malevolence seems to have inspired and perverted ingenuity directed. With all the skill and ingenuity which he possesses, with all the industry which he has displayed, with all the resources of Republican corruption at his command, I defy him to quote one word uttered by me which would show I was a Greenbacker in 1880, or that I ever assumed an attitude in speech or act anywhere at any time on the currency inconsistent with the views expressed in many speeches delivered here upon the floor of this House. Mr. Speaker, I have dwelt on this because it furnishes a fair measure of the regard for truth which animates the gentleman from Pennsylvania, and of the political methods which gentlemen on the other side applaud, and therefore must approve. [Applause on the Democratic side.]

Mr. Speaker, the gentleman on rising said he took the floor for the purpose of defining the issue of the approaching campaign, and taking my speech of Saturday last largely for a text, he proceeds to tell us that the issue will be the maintenance or abolition of our existing tariff system. These political features of his speech having been applauded with all the force of mechanical action on the other side [laughter], it is proper that I should notice such of them as profess to deal with my own utterances.

Mr. Speaker, no one on this side of the House would shrink from a discussion of the tariff question if it were before the people, or, indeed, at any time. But, sir, the issue of this campaign will not be what the gentleman states, for the very simple but decisive reason that the existing method of raising revenue can not be affected by the result of the election. The complexion of the Senate for the next four years will be such that no measure changing the protective system would have any chance of getting through Congress.

The issue this year will not be how revenue shall be raised, but it will be how to keep the proceeds of revenue when raised from the hands of those who have established their capacity and their disposition to steal it. [Laughter and applause on the Democratic side.] The issue this year will be whether Republican leaders, whose influence and authority have been used effectively to close against investigation by this House the doors of a Department proved in the courts to be tainted with crime and believed by the people with good reason to be utterly rotten, are such faithful guardians of the honor and interests of this country that the administration of all the Departments, including the Treasury, should be intrusted to their custody and control. [Laughter and applause on the Democratic side.]

The gentleman from Pennsylvania says that in my speech here last Saturday I attributed to Mr. McKinley words which he described as "silly." This, I suppose, was intended to impeach my candor in dealing with the House. I take everyone present to witness that when I discussed Mr. McKinley's message I stated distinctly that it was not before me, and that I was simply stating the substance of his argument as I understood it.

That statement, sir, I repeat now. Will the gentleman point out where it is unfair, or how, from his point of view, the argument of Mr. McKinley, as I stated it, could be considered "silly?" "Silly," indeed it is, as every argument in favor of subsidy must be from my point of view, but it must stand as the very embodiment of political wisdom to the protectionist. That argument, as I stated it on Saturday and as I repeat it now, involves three statements: First, that the business of ocean transportation is profitable. Will the gentleman deny that? Second, that because it is profitable Americans should be encouraged to engage in it. Will you deny that? Third, it being so profitable, the Treasury should pay the losses of those engaged in it. [Laughter and applause on the Democratic side.]

Mr. DALZELL. No, sir.

Mr. COCKRAN of New York. I stated distinctly on Saturday that Mr. McKinley's message was not then before me, but I said then and I say now that this statement of its argument is absolutely correct. I challenge anybody now to say in what it is inconsistent with the reasoning in favor of a subsidy, advanced by Mr. McKinley and by everyone on that side.

Mr. DALZELL. I stand on my statement as it was made.

Mr. COCKRAN of New York. The gentleman is the only one who would care for that particular place of standing. [Laughter and applause on the Democratic side.]

Mr. Speaker, I repeat what I said. The argument as I state it is exactly the argument of Mr. McKinley, except that I think my statement is clearer because it is more candid. [Applause.] And I have put it in that form because it shows clearly and accurately that every argument in favor of granting subsidies or bounties direct from the Treasury or levying purely protective duties in the last analysis involves the advisability of doing business at a loss. I ask the gentleman now to point out in what this statement of his argument and of the whole Republican argument is incorrect. He flourishes a copy of my speech before the House as though it contained some enormity in political ethics, some deliberate misstatement of fact, or gross perversion of the reasoning which I criticised.

I challenge him now to point out the slightest inaccuracy from his point of view. I ask him to state how he can defend protection, how he can defend the grant of a subsidy or a use of the taxing power to benefit private individuals, unless it be upon the theory that the business protected directly by subsidy or indirectly by protective taxation could not be carried on at all without such protection or assistance from the Government, which is manifestly equivalent to saying that of itself it could not be carried on except at a loss. Will the gentleman contend that subsidies or bounties or protection might properly be granted to an industry that could prosper without it?

Mr. Speaker, it is certainly beyond doubt or question that this grant of subsidies from the Treasury, or of special benefits from taxation to private individuals, must be made on one of two grounds. It must be intended either to compensate for losses incurred or else to swell profits that have been gained. [Applause on the Democratic side.] Which reason will the gentleman from Pennsylvania undertake to assign? Which reason will you gentlemen on the other side venture to acknowledge? [Applause.] If the object be to make good losses, the system is wasteful, extravagant, indefensible, for it encourages men and capital to engage in unprofitable ventures. If its object be to increase profits, it is openly, cynically, almost inconceivably dishonest and immoral. [Applause on the Democratic side.]

Whatever grounds its advocates assume the system is necessarily corrupt and corrupting, because it is a partnership between the Government and certain citizens so deliberately and entirely one-sided that the result to one party can be nothing but loss, to the other nothing but profit, and being of Republican origin it is hardly necessary to specify which end of the bargain is given to the Government. [Laughter and applause.] Is this an exaggeration or a misstatement? Where, I ask, in the pending measure, or in any of the measures passed within the last few days—the bill placing the impoverished people of the Philippine Islands under tribute to the shipowners of this country, or the bill insuring certain persons pursuing mercantile enterprises in the Philippines against any losses and guaranteeing a certain rate of profit on the

capital engaged in their business—where, I ask, is there any provision that if their ventures should turn out to be profitable of themselves this Government, which is made to assume all the losses, will have any share in the profits? [Applause.]

What would be thought of a trustee who had made a similar bargain or agreement on behalf of a person whose interests were committed to his care? How do rules of morality and prudence differ in their application to a government from their application to an individual? Are we not trustees of the American people, bound to guard their interests as jealously as any individual charged with a private trust? How can any political party justify—how can its Members and Representatives exult in—a system of conducting public affairs which, if applied to private transactions, would demand intervention by the criminal courts? [Applause.]

Mr. Speaker, if the Government is to assume and make good all the losses incurred by certain citizens in any private business, do not common sense, common prudence, and common honesty require that it should at least share to some extent in the profits, if there be any? An arrangement by which the Government would share both the profits and the losses of a private enterprise would certainly be more equitable than one which compels it to make good all the losses, but excludes it from any share in the profits. It would be a full industrial partnership between the Government and the citizen, which would manifestly be fairer than such a one-sided partnership as these measures create; but even an equitable partnership between the Government and the citizen is never permissible in a democracy.

Whatever field government enters, that it should occupy fully and exclusively. Its attitude toward a citizen should always be that of a sovereign who commands; never that of a partner who bargains or treats. If government is to interfere in private business at all, it should control all business—monopolize it absolutely and completely. That, you might say, sir, is socialism, and you would be right. But there is no argument that would justify Republican protection that does not apply with much more force to socialism. Republicanism is socialism in all its objectionable features, without any pretense of the lofty purposes at which socialism aims. Republicanism is socialism plus larceny [laughter and applause on the Democratic side], a socialistic interference with private industry, and a larcenous diversion of the proceeds from the Treasury of the people to the pockets of private individuals. [Applause on the Democratic side.]

Mr. Speaker, I know there are many good men who believe that socialism would be the very best condition that could govern society. They argue that if the state were the universal producer it would be the sole employer of labor, and as the sole employer of labor it could put an end to strikes. That is quite true. Undoubtedly the state, if it undertook to engage in production, would have the same right to make men work for its enrichment that it has now to make men fight for its defense. But, Mr. Speaker, enforced labor is servitude. Socialism, therefore, while its adherents support it as a step toward greater freedom, would in its final evolution necessarily result in the reestablishment of universal slavery.

Democrats are the natural champions of freedom, that is to say, of individualism. They are therefore opposed to socialism in every phase. They are opposed to socialism, naked and avowed, when it is least formidable. They are still more vehemently opposed to socialism disguised as Republicanism, when it is most formidable. Democrats believe there is but one position which a government can occupy consistent with morality, with liberty, or with prosperity, and that is, after exacting from every man's industry sufficient for its support, it should leave him absolutely free to fix his own place in the body politic and the body commercial, solely by the excellence of his abilities, the efficiency of his industry, and the purity of his morals. [Loud applause on the Democratic side.]

Mr. Speaker, when we point out that subsidy and protection, its parent, are in the last analyses nothing but gross perversions and diversions of public funds from the Treasury of the people to the pockets of private individuals, amounting, sir, not of course to personal corruption among Members of this body, but to wholesale corruption of our entire system, political, industrial, and social, we are told that Democrats are opposed to all customs taxation, and extracts from my own speech are read to justify that statement. Sir, nobody here has contended that this Government can be administered without revenue, and nobody here has questioned that revenue should be raised largely by duties levied upon imports.

Taxes are necessary. They must be collected. But Democrats believe taxes are a burden which should never be imposed for any other reason than the support of government. [Applause on the Democratic side.] Your argument, if it means anything, involves the proposition that taxation in itself is not a burden, but a benefit—that the more you levy the happier will be the subject of it. [Laughter.] If this is not your theory, in heaven's name, define it. [Applause.]

Mr. Speaker, Democrats hold that government has a right to levy taxes where it pleases, how it pleases, and when it pleases, but only to obtain the means necessary for its own support, administered with the strictest economy consistent with thorough efficiency; and we hold it has no right to take one dollar more than is absolutely necessary for that purpose from the citizen. [Applause on the Democratic side.] Republicans contend that it is the duty of government to interfere in private industries and use the power of taxation to enrich some by plundering others; that taxes are not to be levied solely for the support of government, but also to reward private citizens for engaging in unsuccessful enterprises. [Applause.]

The gentleman from Pennsylvania read from my speech of Saturday where I laid down the proposition that government by its very nature can not interfere with private business except for oppression, whatever motive may prompt the interference—that even where it sincerely tries to be benevolent it can only succeed in being predatory, and he asked me if I question the right of government to engage in eleemosynary enterprises under certain conditions; to furnish shelter and food for persons made homeless and destitute by floods; to succor victims of pestilence, or even to interfere with arms in a contiguous island to prevent barbarous oppression perpetrated in the name of government at our very doors.

Sir, what a conception of American institutions, American manhood, American labor that question reveals! Of course the right of government to take special measures for the relief of distress caused by exceptional calamities is questioned by no one. But, Mr. Speaker, is industry charity? Are the laborers of this country paupers, helpless and hopeless, to be treated like persons reduced to mendicancy from famine or pestilence or incompetency? Are the people of this land sunk in such degradation, debasement, and distress that they need aid from any government or rescue from any evils, as the people of Cuba needed rescue from oppression and plunder by the Government of Spain?

Mr. Speaker, this question of the gentleman from Pennsylvania sheds a flood of light on the mental and moral conditions which make it possible for men ordinarily intelligent and honest to support a protective policy. To Democrats, at least, sir, charity is not industry. The field of one is widely separated from the field of the other. They are entered for radically different purposes and therefore are governed by radically different rules. Men enter the field of industry to seek profit for themselves. They enter the field of charity, not to benefit themselves, but from the profits won in the field of industry to confer benefits on persons unable to help themselves.

In the field of industry to succeed we must obey the economic law. In the field of charity we obey no law of this earth for the improvement of our own condition, but we obey the injunction of Heaven, laid upon us who are vigorous of mind and body, and who by our vigor have made ourselves prosperous, to succor the afflicted, to help the needy, and to uplift the distressed among our brethren of the human race. [Loud applause on the Democratic side.]

Sir, Democrats will never acknowledge that American laborers are mendicants to be assisted. We believe they are the most intelligent, the most stalwart, the most effective producers in the world.

You gentlemen on the other side are fond of referring to the American laborer in speeches as if he were a giant, and in your legislative acts you treat him as if he were a weakling, a cripple, and a mendicant. We believe that liberty from restraint is the best way to insure his prosperity; that justice—the right to enjoy all that he creates by his labor—is all he needs to support himself—aye, to enrich himself.

You evidently believe that the best way to insure his happiness is to relieve him from temptation by seizing for the benefit of others a large share of what he produces. And the American laborer knows which party is his friend and shows how he appreciates these two conflicting notions of his qualities by the fact that wherever laborers dwell in the greatest numbers there Democratic majorities are largest. [Loud applause on the Democratic side.]

Mr. Speaker, when it is charged that I have ever at any time, in any place, or under any condition, sacrificed, denied, or failed to assert these principles which I have expounded and supported many times on the floor of this House for a period now extending over sixteen years, I renew the challenge with which I began and defy the gentleman from Pennsylvania to quote a single expression of mine inconsistent with them in the slightest degree. [Applause.]

The gentleman says that because in 1900 I supported the candidate that I opposed in 1896 therefore I am inconsistent. In answer to that, sir, I say that it was because I remained faithful in 1900 to the principles which I professed in 1896 that I was forced

to support at the last election the candidate whom I had opposed in the prior campaign.

Compelled to choose between consistency in supporting a principle and consistency in supporting a party, I followed the principle, and thus perhaps gave an impression of inconsistency to persons whose intellectuals are inadequate to realize that the vindication of an idea, not the attainment of office, is the highest motive of political activity; that with some men principles are not professed to make parties successful at elections, but parties are supported in the hope of enforcing certain principles in the government of the country. [Applause on the Democratic side.]

Once in my life I was forced to change candidates to avoid changing principles. Gentlemen on the other side have always cheerfully changed principles to avoid changing candidates. [Laughter and applause.] In 1896, on a question involving directly and immediately the coinage of the land, but ultimately, as I believed, affecting the very foundations of our prosperity, I separated from my party to fight what I conceived to be a dangerous principle, and I fought it as bitterly and as hard as I ever fought any question in my life. This I did, sir, at a sacrifice which gentlemen on the other side do not seem to appreciate or even to understand. I did it without any possible hope of reward, although I was forced to break relations that were among the very dearest of my life—associations covering nearly twenty years of continued activity; associations of arduous labors and generous rivalries in the service of an historic party—of glorious rewards showered with lavish hands in the applause of political friends. All these, sir, regard for a principle compelled me to break and to battle against the friends and companions of a lifetime with all the vigor at my command, though every blow I struck fell with its heaviest, most crushing weight on my own breast.

I did not hesitate then, though I believed the rupture which I faced deliberately was final and irreparable. I should not hesitate now to repeat that course if the circumstances were the same; but I thank Heaven they are not the same nor likely to be. This assault of the gentleman from Pennsylvania, adopted and shared now by the whole Republican majority, has brought about one result of surpassing value to me. It has evoked an expression of reconciliation, of cordial good will by my old associates, which to my dying day I can never forget, but shall always recall with grateful though unutterable affection.

The events of the last three days have proved what I should never have doubted, that when Democrats differ upon a question of principle they fight and fight desperately, but only while it remains open. Once a question that divided them has been finally settled by the verdict of the American people, the same impulses which led them to fight on matters of difference bring them together instantly on questions where they think alike. Their cooperation on questions before them can never be checked by differences on questions behind them—questions which having been settled at the ballot box are relegated to the limbo of dead issues. [Loud applause on the Democratic side.]

Mr. Speaker, while I believe independence and patriotism compel a citizen to put the success of vital principles above the success of parties, I don't believe a man should lightly change from one party to another. On all matters affecting merely the efficiency of government, I think a man should submit his own opinion to the judgment of a majority, but on a question which he regards as involving the existence of government, he must act according to his own conscience. And, sir, I have always held that when a man finds himself forced to oppose the political associates of many years in order to vindicate his principles, he must himself share the exclusion from office that he has helped to inflict upon his own party. By that rule, sir, I have always been governed. [Applause.]

The gentleman from Pennsylvania perhaps does not understand that during the canvass of 1896 it was suggested that I be a candidate for this House on the Republican ticket, and the letter, I believe, is still extant in which I declined to consider the suggestion on the ground which I have always taken—that if a man leaves his party on a question of principle he may fight it, but he must not profit by the success of the party which he aids on that one issue, but with whose views, purposes, and tendencies on other questions he has no sympathy and can have none. [Applause on the Democratic side.] The gentleman from Pennsylvania has searched, and obviously in vain, through noisome channels for something sufficiently tangible that might be used to discredit or embarrass me. He has been aided by all the cohorts of vice and crime embodied in his organization.

The eagerness with which they pursued their task is shown by the extent of his researches. I challenge him and them to show one fact inconsistent with this statement, but he sits there mute, although he has succeeded in encouraging his associates now, after three days' reflection, to manifest an appearance of sympathy, which they refused him in his hour of supreme need last Saturday. [Applause on the Democratic side.]

Mr. Speaker, the gentleman from Pennsylvania has read articles purporting to be extracts from speeches delivered by me during the campaign of 1900. They are inaccurate in many respects, as reports of extemporaneous addresses always must be, but in the main they state correctly the position which I took in that contest.

I suppose these extracts are intended to show inconsistency on my part, and they do show inconsistency, as the gentleman doubtless understands the term. But, sir, I submit that they show my course to have been unswervingly consistent in support of the principles which I have always professed, and that is consistency as I understand the term.

I did say in 1900, sir, that the election of Mr. Bryan under the conditions which then existed would be more likely to promote the prosperity of this land than the reelection of Mr. McKinley, because the policies on which the Republican party had then embarked and the tendencies which they foreshadowed were certain to arrest and decrease, if not to destroy, the prosperity restored by Democratic economy, after the industry of the country had been prostrated by Republican extravagance. Has that prophecy proved false, or has it proved accurate? I thank the gentleman for calling attention to what I think has proved an amazingly accurate forecast of the actual conditions in which we find ourselves. [Applause on the Democratic side.]

I stated then, sir, that if the currency question were still pending, if the result of that election could have operated in the slightest degree to reopen the question settled by the campaign of 1896 and the subsequent legislation, I should have again supported Mr. McKinley. But, sir, in 1900 it was plain that even if Mr. Bryan were elected the Senate would have contained a majority against the free coinage of silver during the whole of his term, and therefore the question of coinage was not before the country any more than I believe the question of tariff is before it now. I had helped elect that majority myself, and I felt I had a right to rely upon it, even though it was Republican, to stand by the specific issue on which it had been successful. What the country needed then is what it needs now—an honest man to administer a fixed and for his term an unchangeable system.

The gentleman from Pennsylvania has read from my speech at Madison Square, in which I stated frankly my opinion of the results which would have followed Mr. Bryan's election in 1896, for his success then would have insured a majority in both Houses of Congress who shared his views on the coinage question. The gentleman from Pennsylvania carefully suppressed the expressions of profound confidence in Mr. Bryan's personal integrity with which that speech opened. I stated then, sir, that I felt bound to oppose him, because the very excellence of his qualities, the very purity of his morals, the brilliancy of his genius made a vicious policy when supported by him doubly dangerous. I stated then that if Mr. Bryan shared my views as to the consequences that would follow the success of his policy I believed he himself would be the first to tear down the platform on which he stood. Whatever we may think of any principle which Mr. Bryan supports or of any idea which he pursues, whether we consider it right or wrong, sound or unsound, dangerous or salutary, the loyalty with which he professes it, the ability with which he expounds it, the courage with which he interprets it, must challenge the admiration of honest men everywhere. [Applause on the Democratic side.]

In 1900, believing that the coinage of the country had been placed beyond any danger of disturbance and that what the country needed above all things was an honest man in the Presidency, one who would not allow legislation to be exploited for private gain, who would not allow the favor of Government to be capitalized as an asset of private corporations and shares in it to be offered for sale in the open market, I felt convinced that the election of Mr. Bryan would have resulted, not in restricting or endangering our prosperity, but in confirming it, broadening it, extending it. [Applause on the Democratic side.]

In 1900 I believed, and I said in that speech quoted by the gentleman from Pennsylvania which was delivered in Brooklyn during the closing week of the campaign, that Mr. Bryan stood against any increase in our armaments or any further prosecution of imperialistic adventures of conquest and plunder, while Mr. McKinley stood for increased armaments and enterprises of conquest. I stated then, as I state now, that a policy of disarmament and of peace means employment of all men in production, and therefore it must result in an increase of commodities and a growth in prosperity [applause on the Democratic side], while any diversion of the capital or labor of a country from productive enterprises of industry to destructive enterprises of war must operate to restrict the production of commodities, and therefore to reduce the tide of its prosperity. [Applause.]

I stated that Mr. Bryan's election, for the causes I have mentioned, would be followed by a steady increase in the comforts of the people and of the producers; an increase in the size and com-

fort of the homes occupied by the masses; that Mr. McKinley's election would be followed by a boom in stocks, but not by an increase of commodities; that the boom in stocks would enrich speculators, but the money which they made must come from the pockets of victims, and that every success of plundering enterprises operates not merely to despoil its victims, but to demoralize them. [Applause on the Democratic side.] Sir, did not that boom which I then prophesied follow quickly on the heels of McKinley's reelection? Has not it demoralized all business as I said it would? Have the enormous fortunes which we have seen established and multiplied been built upon an increase in production, or upon manipulation, promotion, plunder? [Applause.]

And, sir, I said that this boom in its rise and in its reaction would affect not alone the speculators who engineered it, but it would endanger the whole business of the country by diverting the funds of banks from loans to assist and encourage productive enterprises to loans for the encouragement of inflated stock issues. Has that prophecy been falsified? Did the forecast the speech which has just been read exaggerate in the slightest degree the actual results which we see around us? [Applause.] And is there any doubt as to the cause from which our present perplexities proceed?

What is it that beclouds our prosperity now? Is there any doubt of Republican success? [Cries of "No!" upon the Republican side.] None whatever, the gentlemen opposite say. Then where is that prosperity which you have all declared is the necessary consequence of Republican ascendency? [Applause on the Democratic side.] Where is it? Why do we hear everywhere the cry that prosperity is declining and in danger of disappearing completely? Why is it that strikes are ravaging the land, and more extensive strikes portending? Why is it that workmen are impatient, dissatisfied, restless, in the face of huge fortunes which financiers have made by plundering alike the laborers who produce commodities and the consumers who need them? [Applause.]

Sir, in the speech quoted by the gentleman from Pennsylvania, I said that the industrial system established by the Republican party was based upon giving the largest rewards, not to the man who showed the greatest skill in production, but to him who exercised the greatest skill in corruption. I said a prosperity built on such a system proceeded not from production, which was the only safe fountain of prosperity, because it is the only one that grows more abundant the more it is worked, but upon plunder which, in the nature of things, was restricted and constantly diminishing.

Sir, it is not the mere amount of plunder levied upon the people which filled me then with apprehension or which fills me now with indignation. It was the general and universal demoralization—political and industrial—which I then foresaw would be produced by the spectacle of successful plunder enthroned in government itself, practicing its depredations not in violation of law, but through operation of law. And, sir, my worst apprehensions in this respect have been realized.

The tendency of plunder is always to narrow the circle of its beneficiaries, and therefore it was inevitable that when a corporation succeeded in obtaining power to plunder the American people the officers of the corporations would soon combine to cheat their stockholders out of any share in the proceeds of the plunder.

The frauds perpetrated upon stockholders by officers of corporations and upon the people by promoters were extensive, but I believe that in many instances they were not deliberate. Their authors having found prosperity in securing the favor of government—that is to say, having secured it by some other means than labor—gradually came to believe that they possessed some occult power of creating something out of nothing. Having secured the exclusion of foreign competition through a high tariff these favorites of the Government proceeded to eliminate domestic competition by combinations among themselves, and then through the monopoly thus formed to exact exorbitant prices from the consumers left helpless in their hands. To capitalize this power to levy tribute on the American people was naturally and indeed inevitably their next step. They combined all the corporations and individuals engaged in each field of production in a single organization, but instead of issuing stock equivalent in amount to the aggregate capital of the constituent companies, they issued stock for six, for ten, aye, for twenty times as much. By ingeniously worded circulars and the adroit circulation of vague rumors they succeeded in creating an artificial demand for these extravagant issues. Each purchase of stock, by a dupe, helped to increase their prices and thus to attract new purchasers and stimulate still further advances. Every issue seemed to be followed by a rise in prices and everyone seemed to be making such endless profits that soon the promoters themselves doubtless came to believe that they possessed a magical power of creating something out of nothing. But even when a magician in a fairy tale transforms a substance the transformation lasts only for a short time.

If a magician change a coal scuttle into a glass coach, after midnight the glass coach would again become a coal scuttle. But anyone who had bought it overnight for a glass coach would necessarily feel somewhat disappointed and disheartened when at cockcrow he found that it had become a coal scuttle on his hands. When these magicians of finance turned their coal scuttles into glass coaches they sold them as such before midnight, and probably believed they were rapidly increasing the wealth of the country. While the transformation seemed to last the people accepted their declarations as true.

But the inevitable hour has arrived. The glass coaches have again become coal scuttles, and everyone who believed that he had been purchasing a substantial interest in a glass coach finds now that what he actually possesses is a very small share in a coal scuttle. Sir, a man who purchased a coal scuttle under the impression that it was a glass coach, and paid for it accordingly, has one of two courses open to him when he discovers his mistake. He can either recognize his loss, take up his coal scuttle, and by using it in useful labor try to regain some portion at least of the substance lost by his delusion, or he can nurse his grievances and remain idle by the coal scuttle, hoping that some other magician will appear and turn it back into a glass coach, when he can dispose of it at something like the price that it cost him.

But, sir, the magician always exhausts his power by a single exercise of it, and the financier has exhausted his power with the creation of a single boom. The man who recognizes that he has been swindled, takes up his coal scuttle and goes to work with it, is the man most likely to repair or at least reduce his loss. He is also the rarest among the victims of the financial magician. The man who waits for a new transformation of the coal scuttle back to a glass coach, or for the advent of a new purchaser as credulous as himself, is the man whose condition is hopeless, for his chief injury is not the money which he has lost, but the utter demoralization of his industrial capacity, and unfortunately he is the most frequent victim of a financial boom.

The magician is never the sufferer. When the boom is ended he has played his game and taken his profits. And so, sir, we behold the financiers, the protectionists, beneficiaries of the Republican party sailing to Europe in yachts or going to Florida in private cars on the proceeds of their magical enterprises, while their dupes, their victims are suffering in every hamlet throughout the country for having trusted to an appearance of prosperity, based not on Democratic production, but on Republican plunder. [Applause on the Democratic side.]

Sir, the lasting injury which survives this perversion of government is a tendency in the public mind to hold industry in contempt, to value efficiency in the lobby above efficiency in the workshop, skill in corruption above skill in production. It demoralizes the operations even of the most important financial houses to such an extent that finance has become in the public mind almost synonymous with piracy. What, sir, is the remedy for this demoralization, which if not checked must grow until it undermines not merely the prosperity of the country, but the very foundations of society? The occupant of the White House says the remedy is publicity.

Mr. Speaker, I believe I was the first man in this country to urge publicity as a means of guarding against the perpetration of frauds by corporations. That suggestion was made at the trust conference at Chicago. But, Mr. Speaker, publicity can not touch the fundamental vice of our industrial system. It does not touch the exaction of tribute by corporations from the people, but only the manner in which corporate officers discharge their trust.

Publicity is an effective method of compelling directors of corporations to avoid practicing fraud on their stockholders, even to play fair with them in distributing spoils levied from the people. The complete remedy, the Democratic remedy, for the evils that beset our industrial system is not to compel a fair distribution of plunder, but to place our industrial system on a democratic basis by allowing no corporation to make any profits except what are produced by service to the people.

Then there will be no cheating of the stockholders in dividing the spoils, because there will be no spoils or plunder to divide. [Applause and cheers on the Democratic side and laughter on the Republican side.]

Mr. Speaker, to suggest the possibility of an industrial system where there is no fraud, no plunder, no spoils, is doubtless to paint a ridiculous prospect for gentlemen on the other side. They do not understand any organization of government except for plunder, but among the masses of this country there is a more tender conscience, a more sensitive conception of right and wrong.

Gentlemen may laugh now, while they enjoy a reprieve before the people have a chance to record their judgment. The men who profit by the debauchery of government will laugh on

the other side of their mouths after the people will have spoken at the next election. [Applause and cheers on the Democratic side.]

The gentleman from Pennsylvania quotes from the Congressional Directory a statement which was but a repetition of what I stated in all my speeches—that I supported Mr. Bryan in 1900 upon the issue of imperialism. What I said about the industrial system in that campaign was in answer to the imputation made during that canvass that the election of Mr. Bryan would endanger our prosperity, and I am proud, sir, of the foresight to which the gentleman from Pennsylvania has testified by these quotations from my speech.

In view of what has since happened, I fancy few will dispute now what I stated then, that the paramount necessity of the country was the election of an honest man pledged to peace, and therefore to the employment of all our capital and all our men in productive industry, and the defeat of the candidate who, if elected, would divert much of our treasure and the very flower of our youth to the wasteful and destructive employments of war.

That, sir, I repeat, is the capital necessity of the country now, and upon that issue the Democracy has no reason to fear the judgment of the American electorate. [Applause.]

Sir, the Democratic convention of 1900 declared imperialism was the paramount issue; and as I have always believed no single election can decide more than a single issue, I felt that my attitude on imperialism should decide my course in that campaign.

I felt, sir, then, that the betrayal of our allies in the Philippines, if it were approved by the American people, would endanger that primacy of civilization which we had acquired by a century of strict obedience to the moral law in our relations with all the nations of the earth. Sir, the danger which I then foresaw has since been realized.

The gentleman from Pennsylvania has attributed to me a statement that this nation has become an international hoodlum. That statement, sir, I never made. I did say, sir, that if we compared the lofty position which this country occupied in the eyes of the world when a Democratic Secretary of State by a mere statement of the Monroe doctrine, backed by the universal credit which we then enjoyed, was able to enforce it against the most powerful country in the world, with the position to which we have sunk in the eyes of Christendom under Republican Administrations, our descent was the most rapid in the dreary record of decaying nations. I said, sir, that from the betrayal of our faith in the East, and other performances somewhat similar in character, we had already become an international suspect, and if the present incumbent of the White House were reelected we would be in danger of becoming the international hoodlum of the world. [Applause and laughter.]

By that statement I stand. That statement I repeat here now. The gentleman from Pennsylvania said that if the moral consequence of this country has decayed its decline has been caused not by Americans, but by some people who have found here shelter, homes, and prosperity. Sir, if that be true, it might indeed be a strong argument in favor of closing our ports against the admission of all persons seeking American citizenship.

But, sir, the statement is not true. A protest against the betrayal of our allies in the Philippine Islands has been audible throughout the entire land for six years. It has not been confined to Democrats or to citizens of foreign birth. It rose from nearly every Republican whose private virtues and public service had redeemed the very vices of Republican policy. It rose from Mr. Edmunds, of Vermont: from the man who established in that chair [pointing] the greatest fame ever acquired by any Speaker in our history; from the man who had twice led the Republican party in Presidential campaigns—once to victory.

And, sir, I would rather be considered disloyal with George F. Edmunds, with Thomas B. Reed, and with Benjamin Harrison than be considered a patriot with the gentleman from Pennsylvania. [Laughter and cheers on the Democratic side.]

Sir, I do not believe the reelection of Mr. McKinley in 1900 has made imperialism the permanent policy of this country any more than the reelection of General Grant in 1872 made the authority of carpetbaggers the permanent government of the South, although their infamies had been a leading issue in that campaign.

I stated last Saturday that there never has been a development of our Government which has not been of Democratic origin, and no proposal which Democrats unitedly opposed had ever found a permanent place in our constitutional system. [Applause.] It was the Democratic sentiment of this country that forced a reluctant Republican Administration to intervene with the military power of the United States to prevent massacre and bloodshed in the name of government at our very threshold.

Sir, this country is suffering now from the misfortune of having been compelled to intrust a democratic policy of humanity, of liberation, and of progress to the hands of a party that does not understand the meaning of the words, and which has therefore betrayed and perverted a lofty purpose of beneficence and justice into schemes of conquest and bloodshed, inconceivable in their folly and indefensible in their wickedness. [Democratic applause.]

Sir, Democrats believe that the safety of the country depends on maintaining its honor at all times, that robbery and conquest and bloodshed are less injurious to the weak victims who suffered them than to the strong nation that stoops to perpetrate them.

To-day Democrats believe there is no reason why we should not treat the Filipinos as we have treated the Cubans, no reason why we should not recognize that the moral law is as binding upon us in the East as it is in the West. That, sir, is the doctrine which will become the permanent policy of this country, for it is the policy to which the Democratic party is committed unanimously and which it will establish when it returns to power by the triumphant vote of the American people. [Loud applause on the Democratic side.]

Sir, if I have occupied the attention of the House so long on what may appear to be a great variety of subjects, it is because the gentleman from Pennsylvania has made my own attitude on these public questions a very prominent part of his speech; and that speech being evidently intended as the final declaration of Republican policy in this campaign, I have felt bound to follow him through all the mazes of suggestion, aspersion, insinuation, and evasion which he has pursued without attempting even one original statement of fact or a single clear deduction from facts which all must concede. [Applause on the Democratic side.]

I refer once more, sir, to the personal assault on myself for the purpose of justifying the statement which I made at the beginning, that it presents a question of national importance which, unless it is dealt with effectively by the House, will establish a calamitous condition of public affairs.

I charge, sir, that the performance of the gentleman from Pennsylvania this afternoon and of the majority which applauded him is a revelation of depravity in our political methods, distressing, debasing, and almost incomprehensible. Sir, I base this assertion on facts which nobody can dispute. I ask gentlemen on both sides to recall a few incidents of very recent date and to weigh them well in the light of what has just occurred.

I have been welcomed to this House with singular cordiality by all its Members. The gentleman from Pennsylvania himself on my first appearance in debate spoke of my return to membership here in terms of praise which moved me very deeply. You, sir, kept open a vacancy in the Committee on Ways and Means for over two months in anticipation of my election, as was said at the time and as subsequent events have proved, an honor never before conferred upon anyone, so far as I know.

And now, sir, we are told by the gentleman from Pennsylvania, that all this time I was regarded by him as a mercenary. The knowledge on which that conclusion was based has been your property, sir, as much as his, and the common property of every Member on this floor. Sir, if the gentleman's attitude here to-day be sincere, I am infamous, but there is at least hope for me, because my denial of the infamy shows that I realize its enormity.

But, sir, he on his own showing is not only infamous, but he is beyond hope of salvation, for he must love infamy since he singled it out for compliments on the floor of Congress, welcomed it to the membership of this House, while all the time he was conscious of its extent. [Loud applause on the Democratic side.]

Conceive, sir, what a deplorable condition of morals this confesses. The gentleman must believe the stuff he has read here to be true, or else his action is incomprehensible. What, then, does the whole attitude of the gentleman from Pennsylvania prove?

It proves, if it proves anything, that a rumor, an imputation, an insinuation, circulated in newspapers whose characters I will not describe, carries so much weight that it is worth making the basis of an hour's discussion on the floor of an American Congress. And that position, sir, is applauded by the whole Republican majority of this House.

Sir, there has been another statement more widely circulated in this country than this one which the gentleman from Pennsylvania repeats, and it is that the Presidency was purchased during that very campaign of which he speaks. [Applause on the Democratic side.]

It has been said, sir, and the charge has been made, not merely in the papers which have been cited to justify this one, but by many of the very best papers that supported Mr. McKinley. The precise amount paid for it has been given and it reaches the stupendous sum of $16,000,000. I confess that until last Saturday I never paid any attention to the statement, for until then I had never believed that the American franchise was capable of wholesale corruption.

But when the gentleman from Pennsylvania, who was prominent in the councils of the Republican party in 1896, as he is now, takes as proof of corruption such vague insinuations as he has repeated here, when the majority on the other side, with equal

access to knowledge of Republican methods, show equal readiness to accept the vaguest insinuations of corrupt conduct as the evidence of its existence, but one explanation is possible.

These gentlemen, sir, must know from their own peculiar sources of information that corruption in 1896 was so extensive, so reckless, so gross, so abundant as to make them feel that everyone who took part in the campaign must have shared in its corruption. [Applause on the Democratic side.]

The exhibition here on this floor shows that familiarity with corruption has not only reached tolerance and endurance in the Republican party, but that gentlemen opposite are ready to embrace it; for have I not been, so to speak, embraced by the very men who now practically declare that, while they were welcoming me, they believed me to be an exemplar and a beneficiary of the very worst, the most extensive, the most cynical, the most degrading corruption in the whole history of mankind? [Loud applause.]

Even when the depraved masses of Rome in its decline permitted a sale of the Empire by the Pretorian Guards at public auction, that spectacle, which we are accustomed to regard as the worst exhibition of depravity in all history, falls short of the condition which these gentlemen reveal. In one respect only is there any similarity between the transactions.

The amount paid for the Empire was about $1,000 to each member of the Pretorian Guards. Putting the number of the guards at 16,000, according to the last authentic record, the sum paid by Didius Julianus for the purple was precisely the sum which, according to persistent rumor and widespread belief, Mr. Mark Hanna paid for the Presidency. [Loud applause on the Democratic side.]

But, sir, while there is a striking similarity between the amount paid for the Roman purple and the American Presidency, there is a striking difference between the manner in which the degraded and depraved subjects of the Empire resented and punished the attempt to sell their obedience and the way that American citizens have submitted to the purchase of authority over them, and even exult in it.

The Empire purchased by Julianus he could not hold for over sixty-six days. His authority fell and his head fell with it before the revolt provoked by his election. He could not, with all the money in his possession, with the resources of the Imperial treasury at his command, induce one man to strike a blow for him.

Sir, sixteen centuries later things are different in this Republic. Instead of an uprising against the success of wholesale corruption, we find here men, who doubtless think themselves good citizens, championing for reelection a President who, according to their conduct this afternoon, must have reached his authority by a corruption fouler, more extensive, and more degrading, because it involved more persons, than the sale of the Roman Empire by the Pretorian Guard. [Loud applause on the Democratic side.]

If the American Presidency has been purchased, there has been one feature of the sale which encourages hope that the corruption which it involves is not so thoroughly inherent in our system that it is ineradicable. The sale of the Roman Empire was open, and the corruption which it involved cynical, unblushing, and therefore hopeless. The purchase of the American Presidency, if it occurred, was secret, and its secrecy proves that if it had been suspected by the body of the people it could not have been accomplished.

If, therefore, the hideous corruption with which the majority confesses familiarity be as extensive as decent newspapers assert and as many good men believe, there is a remedy for it, and it is obvious. The way to stop it is to expose it. Sir, I will take advantage of this assault on me to offer this House an opportunity to expose this corruption and therefore to end it by inquiring fully and exhaustively into the use of money in 1896.

Mr. Speaker, to bring this question formally before the House I deny now, in the most emphatic manner, that for twenty years I have ever accepted a penny from any political party or committee, even for my expenses, nor have I ever accepted compensation or expenses for addresses delivered before political, social, charitable, or literary gatherings.

There are hundreds, aye, thousands, of persons in this country who know whether in this respect what I say be true or false. I made the same statement on Saturday, and I challenge the gentleman from Pennsylvania, with all the agencies of corruption and mendacity of the Republican party at his control, to contradict it. That statement of mine has been published all over this country.

Is it conceivable that if my assertions could be contradicted or questioned, some one whose sense of decency must have been outraged by so open a falsehood would not have risen to contradict it?

I do not suggest for a moment that there is anything wrong or immoral in accepting payment for literary addresses, or even for accepting the cost of transportation when going on political missions. I should accept such compensation and such reimbursement for expenses if I needed them, but I do not, and I have preferred to travel in my own way, at my own expense, whenever I took occasion to express my sentiments to my fellow-citizens on any subject. [Applause on the Democratic side.]

I wish, sir, to repeat, without any qualification, any reserve, any equivocation, that no human being who moved upon this earth during the period that I have mentioned has ever paid one dollar of my compensation, or even one dollar of my expenses, directly or indirectly. [Applause on the Democratic side.]

I do not know what the relations of the gentleman from Pennsylvania may be to private interests or to political committees. I pass that by as entirely unworthy of discussion here. Moreover, sir, I do not want to pay him the tribute which is always paid by a man who abuses another; it shows that he either envies him or fears him, and God knows I have neither sentiment toward the gentleman from Pennsylvania. [Applause on the Democratic side.]

But, sir, this question still remains. Can this exhibition of party morals be allowed to pass unnoticed by this House? Before I sit down I shall ask this House to agree with me in accepting this declaration of political ethics as binding on us all. If what the gentleman said be true, I am unworthy of membership here. If what the gentleman said be false, he is unworthy, not only of membership, but of contact with honorable men. [Applause on the Democratic side.] This House can not afford to leave undetermined which of us should leave its membership, for one of us is clearly unfit to remain in its presence for an hour. Who it is that should be expelled I shall give the House an opportunity to decide.

This will take a wider range than our personal fortunes, although they may be the primary force to place in motion a most important inquiry. I shall ask, sir, for a committee to investigate this charge. [Applause on the Democratic side.] To make such an inquiry complete, the committee must be given power to send for books and papers to make clear every fact connected with the use of money in the election of 1896. This power I shall ask the House to bestow. [Cheers and applause on the Democratic side.]

Mr. Speaker, I expected that the gentleman would rise yesterday to a personal explanation on this subject, and I had this resolution ready then, which I shall take the liberty of reading and offering now. This, sir, represents my attitude—the attitude of an honest man in the face of one who can not be described in parliamentary language—one whose character he has made it unnecessary to describe, because he has illustrated it and made it clear by his performance. [Applause on the Democratic side.] The resolution, sir, is as follows:

Whereas the Hon. JOHN DALZELL, a Member of this House and of its Committee on Ways and Means, has charged on the floor that WILLIAM BOURKE COCKRAN, a Representative from New York and a member of the same Committee, had been paid money by a political party to support a candidate for the Presidency nominated in opposition to the party with which the said WILLIAM BOURKE COCKRAN had theretofore been affiliated; and

Whereas the said charge, though denied specifically on this floor by the said WILLIAM BOURKE COCKRAN, has not been withdrawn by the said JOHN DALZELL; and

Whereas said charge, if true, establishes such conduct as should unfit any man for membership in this House, and if false, should be so declared and its author censured severely: Therefore, be it

Resolved, That a select committee of five Members be appointed by the Chair to inquire into the truth of said charge, and to report the testimony, with their conclusions thereon, to this House at its session beginning the first Monday of December next; and be it further

Resolved, That said committee be, and it is hereby, given full power to compel the attendance of such witnesses and the production of such papers as the members thereof may deem necessary to the full and proper discharge of the duty hereby imposed on them.

Mr. Speaker, if that resolution be adopted, we will see just how the election in 1896 was conducted. In establishing that fact we will render a service far beyond settling any dispute between individuals, for it will show whether the Presidency was bought or whether it was won in honorable political conflict; whether the result was, as I have always believed, an honest judgment of the most intelligent people in the world, or whether it represented, as the performance of the gentleman from Pennsylvania [Mr. DALZELL] and the applause of the majority would tend to indicate, the extensive resources of corruption and the extraordinary skill in using them which was possessed by the managers of the Republican organization. [Cheers and applause on the Democratic side.]

If it be true that this campaign involved such a use of money as has been charged, and as its beneficiaries seem to believe, there is but one possible safety for this Republic. The whole ghastly story must be made clear, and every person who participated in the infamy must be held up to public execration. [Applause on the Democratic side.]

Sir, if I thought that the attitude of gentlemen on the other side represented the conscience and the morals of this people, if I thought the body of American citizens could laugh and sneer at exhibitions of corruption, if I thought they would countenance the recklessness with which the Post-Office has been shielded from in-

vestigation, I would be forced to believe the days of this Republic were numbered; I would be forced to believe that this Government, which was launched with the brightest promise that ever beamed upon a new constitution, which has accomplished results that have surpassed the wildest anticipations of its founders, which was the crowning glory of the century just closed, and which gilds with a promise of splendor the prospects of the century just opening—I would say that this Republic was doomed and that its fall would not be the collapse of a majestic structure, shaking the very earth on which its foundations rested, but it would be the silent, unnoticed collapse of a corrupt excrescence on human civilization, which in disappearing had rendered its best service to mankind. [Loud applause on the Democratic side.]

If this resolution be adopted and inquiry made, and if all the facts which this charge embrace be made clear to the American people, then, sir, I care not for what has passed. I welcome even the unpleasant episode through which the House has just passed. I know the future will be secure, for I know that in this country corruption unmasked is corruption punished, ended, scourged from public places by the unanimous rising of honest men who constitute the vast majority of our citizenship.

The only corruption which is deadly is that which you have organized into the body of the law itself, so disguised that few realize its existence, that its victims submit to it and even encourage it. The inquiry which I seek will make plain to the people of this country the tide of corruption that threatens to submerge civil institutions; and once awakened to the danger, they will seek its source, and that source will be found in the very heart and body of Republican legislation. [Applause on the Democratic side.]

I see the gentleman from New York [Mr. PAYNE] impatient under that statement. He is not half as impatient of what I say as the American people are impatient of the infamy which he represents. [Applause and cheers on the Democratic side.] Sir, on Saturday I endeavored to answer some gentlemen who had asked us on this side to name the person likely to be nominated by the Democratic convention.

I am in a better position now to answer that question, for this discussion, if it has not revealed the name, has made absolutely clear what must be the character of the man who will be fit to bear the Democratic standard. The main issue of this campaign, sir, will not be how we are to collect revenue, but how we are to keep thieves from stealing it after it is collected. [Prolonged applause and cheers on the Democratic side.]

The pressing necessity of the country is to have shiftlessness and dishonesty in the public Departments replaced by honesty and efficiency, and this necessity the Democracy will supply, as it has always supplied in every crisis of the country's existence whatever has been necessary to its safety and prosperity.

You have a candidate already selected in the White House, though not officially named, whose voice has always been strident in professing devotion to reform, but whose practice is always steadily in violating it. We Democrats will raise to similar dignity a man who does not talk about reform, but establishes it.

Your candidate denounces corruptionists between elections and utilizes them at the primaries. [Applause and cheers on the Democratic side.] The candidate whom we will nominate must be a man who fights corruptionists at the primaries and sends them to State prisons between elections. [Prolonged cheers and applause on the Democratic side.] Mr. Speaker, that is the issue on which we will go before the people of this country.

Whether the nominee be the young champion of reform who has won his spurs in Missouri, dislodging boodlers from the control of party management and sending them to jail, or whether it be that pillar of the law who has made justice imposing, firm, and effective in the State of New York [prolonged cheers and applause on the Democratic side]; whether it be the man whose great achievement in enforcing the Monroe doctrine provoked the sentiment which the gentleman from Pennsylvania [Mr. DALZELL] read from my speech in the usual garbled method—suppressing the context—no matter whom we nominate, I repeat that the issue on which we will go before the people of this country is the necessity of turning rascals out of office and into jail. [Loud applause and laughter on the Democratic side.]

Sir, the industrial prosperity of this country has been arrested and imperiled by Republican ascendency; but a graver danger threatens us, and that is the moral bankruptcy of this nation. To avert that peril is the mission to which Democrats will address themselves in this campaign, and this mission they will prosecute to triumphant success.

Our platform will demand that the moral law control our Government in its relations with other countries, in its domestic affairs, in chasing fraud from every Department, in maintaining the dignity of this body by insisting that its Members shall be worthy types of American citizenship, in resisting every effort at Executive usurpation, in maintaining common honesty everywhere that its authority may reach.

That, sir, is the supreme issue of this canvass; that is the one on which the Democratic party is unanimous, and because it is unanimous, it will be invincible. [Applause.]

Mr. Speaker, I offer the resolution which I send to the desk. I ask the House to adopt it. If the unmasking and unveiling of the facts connected with the election of 1896 should establish wholesale corruption I can promise it will also end corruption, for it will awaken the public conscience to punish the corrupt and to reestablish the authority of the moral law everywhere; and, as I said on Saturday, when government is built upon that solid foundation justice will be its fruit, glory its decoration, prosperity its possession, immovable security its permanent condition. [Loud and long-continued applause.]

Mr. Speaker, I send this resolution to the desk and ask unanimous consent that it pass. As a privileged question, I send it up and trust that the advocates of justice on the other side will see that it passes unanimously.

Mr. GROSVENOR. Mr. Speaker——

[Cries of "Regular order!"]

The SPEAKER. The gentleman from Ohio [Mr. GROSVENOR] is recognized.

Mr. GROSVENOR. Mr. Speaker, the gentleman from Mississippi [Mr. SPIGHT], who is in control of the time, will please proceed with the business now before the House.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask the gentleman to yield to me for one moment.

Mr. GROSVENOR. For what purpose?

Mr. WILLIAMS of Mississippi. I ask my colleague [Mr. SPIGHT] to yield to me for a moment.

Mr. SPIGHT. Very well.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask unanimous consent that the resolution which has just been sent to the Clerk's desk by the gentleman from New York [Mr. COCKRAN] be now considered by the House.

Mr. GROSVENOR. I make the point of order——

Mr. WILLIAMS of Mississippi. Oh, we can do anything by unanimous consent. [Laughter and applause.]

Mr. BAKER (addressing the Republican side). You people are afraid! [Applause on the Democratic side; jeers and laughter on the Republican side.]

The SPEAKER. The House will be in order. The gentleman from Ohio [Mr. GROSVENOR] has made what is equivalent to an objection. The Chair desires to say to the House—to both sides of the House, and as the Chair conceives, with exact fairness to every Member of the House—that, in the judgment of the Chair, we had better all have a night's sleep. [Laughter.] And now the House will be in order.

The Chair has heard the resolution read. It may or may not present a question of privilege. The Chair, as the presiding officer of the House, having listened to the remarks of the gentleman from Pennsylvania [Mr. DALZELL] and the remarks of the gentleman from New York [Mr. COCKRAN], believes it to be his duty, strictly as a presiding officer, to suggest that to-morrow will come when the sun rises—— [Laughter.]

Mr. COCKRAN of New York. I rise to a parliamentary inquiry. Has the mover of this resolution the right to insist on its present consideration as a privileged matter?

The SPEAKER. The resolution, as the Chair understands, has not been moved.

Mr. COCKRAN of New York. Oh, yes, sir; it was offered and sent up.

The SPEAKER. Unanimous consent was asked for its introduction.

Mr. COCKRAN of New York. Mr. Speaker, I understand that unanimous consent has been asked as a preliminary; but if that be refused—and I understand the Speaker himself as practically making an objection—then I offer it as a privileged resolution, and ask for its immediate consideration.

Mr. WILLIAMS of Mississippi. I make the point that it is privileged, not only as a matter of personal privilege, but as affecting the privileges of the House.

A MEMBER. As a matter of the very highest privilege.

Mr. PAYNE. As I understand, the claim that this constitutes a privileged matter rests on the statement that something has occurred prior to the election of the gentleman from New York to the House of Representatives——

Mr. GROSVENOR. A matter of which the House could not by any possibility take jurisdiction now or at any time.

Mr. COCKRAN of New York. Mr. Speaker, I believe that Mr. Roberts, who was expelled from this House, was married before he was elected.

Mr. GROSVENOR. Not at all.

Mr. COCKRAN of New York. Was he not?

Mr. GROSVENOR. Because at the time he was living in polygamy.

Mr. COCKRAN of New York. That has been claimed, Mr. Speaker, as I understand, by a Republican in the United States Senate, but no Democrat ever considers that his conduct in any period of his life does not concern him in his office. I submit——

The SPEAKER. Does the gentleman claim that this raises a question of privilege?

Mr. COCKRAN of New York. I offer that resolution as privileged.

The SPEAKER. And to that the gentleman from New York [Mr. PAYNE], as the Chair understands, makes the point of order that it does not present a question of privilege, for the reason stated——

Mr. COCKRAN of New York. I trust, Mr. Speaker, that that will not be the judgment of the House and of the Chair, whatever opinion may be held by the gentleman from New York and his colleague behind him.

The SPEAKER. If the House at this time desires upon a question of privilege to debate for an hour or thereabout, the Chair will listen; but will again say, without regard to partisanship [laughter on the Democratic side], the Chair has the right to make the suggestion that he is not only the Speaker, but a Member of the House of Representatives.' [Loud general applause.] The Chair suggests, the resolution having been submitted as a privileged matter and the question of its being privileged having been raised, that the House had better perhaps proceed to the regular order and let the matter go over until to-morrow; but the Chair is ready, if the gentleman chooses——

Mr. COCKRAN of New York. Mr. Speaker, I ask for the present consideration of the resolution.

The SPEAKER. The resolution having been presented and a point of order made upon it, the Chair declines to rule upon the point of order until he has had an opportunity to examine the precedents. [Applause.]

JOINING OF KALORAMA AVENUE.

Mr. BABCOCK. Mr. Speaker, I present the following conference reports and ask that they be printed in the RECORD under the rule.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 127, "An act authorizing the join of Kalorama avenue," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.
J. H. GALLINGER,
S. R. MALLORY,
Managers on the part of the Senate.

The statement of the managers on the part of the House is as follows:

The Senate recedes from its disagreement to the amendment, which leaves the measure identically as passed by the House.

WIDENING OF V STREET NW.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 2621, "An act for the widening of V street NW.," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.
J. H. GALLINGER,
S. R. MALLORY,
Managers on the part of the Senate.

The statement of the managers on the part of the House is as follows:

The Senate recedes from its disagreement to the amendment, which leaves the measure identically as passed by the House.

OPENING OF CONNECTING HIGHWAYS ON THE EAST AND WEST SIDES OF THE ZOOLOGICAL PARK, DISTRICT OF COLUMBIA.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 2710, "An act for the opening of connecting highways on the east and west sides of the Zoological Park, District of Columbia," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.
J. H. GALLINGER,
S. R. MALLORY,
Managers on the part of the Senate.

The statement of the managers on the part of the House is as follows:

The Senate recedes from its disagreement to the amendment, which leaves the measure identically as passed by the House.

TO CONNECT EUCLID PLACE WITH ERIE STREET.

The conference report is as follows.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 2134, "An act to connect Euclid place with Erie street," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.
J. H. GALLINGER,
S. R. MALLORY,
Managers on the part of the Senate.

The statement of the managers on the part of the House is as follows:

The Senate recedes from its disagreement to the amendment, which leaves the measure identically as passed by the House.

EXTENSION OF ALBEMARLE STREET.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 3869, "An act for the extension of Albemarle street." having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.
J. H. GALLINGER,
S. R. MALLORY,
Managers on the part of the Senate.

The statement of the managers on the part of the House is as follows:

The Senate recedes from its disagreement to the amendment, which leaves the measure identically as passed by the House.

EMPLOYMENT OF VESSELS OF THE UNITED STATES FOR PUBLIC PURPOSES.

Mr. GROSVENOR. I yield to the gentleman from Maine [Mr. LITTLEFIELD.]

The SPEAKER. What time does the gentleman yield?

Mr. GROSVENOR. For an hour; but I give notice that I will withdraw the bill in five minutes.

Mr. LITTLEFIELD. I would like to have the gentleman yield indefinitely as to the time.

Mr. GROSVENOR. I can not do that.

Mr. LITTLEFIELD. The gentleman yields me an hour, and I

will take another hour as a member of the committee, if I have occasion to do so.

Mr. WILLIAMS of Mississippi. The gentleman has simply yielded one hour.

Mr. LITTLEFIELD. I am simply saying that it is my purpose this evening to say a few words upon the pending bill, and after I have said a few words upon the pending bill I will talk on another subject, and I will resume in the morning after a few suggestions perhaps that entirely relate to the measure pending, and after that to certain incidents involved in some of the discussion arising in the House during the last few days. Now, I do not want to have the gentleman yield to me simply for an hour and then to use only about five minutes. I do not mean to say that I am going to talk about it, but I want unlimited time when I undertake to discuss some other questions pending, so far as the committee is concerned. Can I have that?

Mr. GROSVENOR. There will not be any objection.

Mr. WILLIAMS of Mississippi. I understand that you are submitting a request.

Mr. LITTLEFIELD. Yes.

Mr. WILLIAMS of Mississippi. Of course you can not get unlimited time.

Mr. LITTLEFIELD. The gentleman has yielded me an hour, and I am also a member of the committee, so I suppose that I would have another hour.

Mr. WILLIAMS of Mississippi. I have no objection to a request being made that the gentleman have two hours, provided that unanimous consent is asked for it, and at the same time coupled with it a request that the gentleman to follow you upon this side, whoever the gentleman may be, shall have the same length of time.

Mr. LITTLEFIELD. That is entirely agreeable to me.

Mr. TAWNEY. I call the attention of the gentleman to the fact that we are proceeding under a rule which gives to every member of the committee an hour. Then the gentleman from Ohio would have no time to yield.

Mr. WILLIAMS of Mississippi. I shall have no objection if there is an equal time yielded to this side.

Mr. LITTLEFIELD. Mr. Speaker, if any limitation is fixed, there ought to be an understanding that an equal time is to be given to those on the other side.

Mr. WILLIAMS of Mississippi. I have no objection to that, Mr. Speaker.

Mr. TAWNEY. Now, conference reports are to be considered, and some provision or reservation ought to be made in this agreement that will afford the House an opportunity to consider those. The House ought to have the right to dispose of them.

Mr. GROSVENOR. The rights of conference reports are preserved in this order.

Mr. TAWNEY. If the argument is to be continued in this way, then there would be four hours for debate.

Mr. GROSVENOR. But that would not interfere with action upon the conference reports.

Mr. TAWNEY. If there be two hours on each side devoted to the consideration of this, there will be no time for the consideration of conference reports.

Mr. LITTLEFIELD. My understanding is that the time is not limited, and there should be the same time allowed to the other side.

Mr. TAWNEY. Mr. Speaker, I ask that this agreement in regard to keeping time contain in it a reservation that they may be taken from the floor for the purpose of considering conference reports, if necessary, when they are ready.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I object to that. If we ought to adjourn Thursday during the day, as is the popular impression now, then the gentleman who followed the gentleman from Maine would be cut out by the necessity of considering conference reports, and we would reach a conclusion of the session without his having been heard at all.

Mr. TAWNEY. I would also include House bills with Senate amendments and Senate bills with House amendments, so that the business session may not be interfered with.

The SPEAKER. The gentleman asks that the gentleman from Maine have leave to address the House without limit and that some one upon the minority have leave to address the House as long as the gentleman from Maine shall address the House, the leave, however, not to interfere with the consideration of conference reports or House bills with Senate amendments or Senate bills with House amendments. Is there objection?

Mr. WILLIAMS of Mississippi. Mr. Speaker, I will have to object to that. I do not see how the second man can ever get in.

Mr. GROSVENOR. Mr. Speaker, I yield one hour to the gentleman from Maine [Mr. LITTLEFIELD].

Mr. PAYNE. Mr. Speaker, if the gentleman from Maine will allow me, I think it would be better all around to do so, and I shall move that when we take a recess at the end of this session this afternoon it be until 8 o'clock to-night. Now, I suggest to the gentleman from Maine whether it would not be better to move that now?

Mr. LITTLEFIELD. Well, anything is agreeable to me.

Mr. PAYNE. The gentleman from Maine will have the floor in case these conference reports do not come in.

Mr. LITTLEFIELD. At 8 o'clock?

Mr. WILLIAMS of Mississippi. Eight o'clock when? We do not want to stay here to-night.

Mr. PAYNE. We do. Mr. Speaker, I move that the House take a recess until 8 o'clock this evening, and on that I move the previous question.

The SPEAKER. The gentleman from New York moves that the House take a recess until 8 o'clock to-night, and on that moves the previous question.

Mr. LITTLEFIELD. Mr. Speaker, may I have just one word?

The SPEAKER. Does the gentleman from New York withhold his motion for the present?

Mr. PAYNE. I withhold the motion for the present.

Mr. LITTLEFIELD. I have no objection whatever to a recess. I only say that I agree entirely with the gentleman from Mississippi. I shall not resume debate this evening after the conclusion of any conference reports, if there be conference reports. I simply take the floor this afternoon in order that when the bill comes up to-morrow I may be entitled to the floor in the first instance. Now, I do not expect to inflict a speech of any undue length on the House, but I would like, if I can arrange it, to speak without limit, so as not to feel embarrassed by time. It is all I care for. Now, I will begin in the morning.

The SPEAKER. Without objection, the Chair desires to state for the information of the House that he is informed that the sundry civil conference report and Military Academy bill will probably be ready by 8 o'clock this evening. The Military Academy bill has not been placed in conference. The Chair is informed further that it is probable that if the House desires to hasten the day of adjournment to Thursday, this evening when it takes a recess it should take a recess until 10 o'clock to-morrow. The Chair simply states this for the information of the House.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, the gentleman will withhold his demand for a moment——

Mr. PAYNE. I withhold the motion.

Mr. WILLIAMS of Mississippi. I have no objection to taking a recess until 10 o'clock to-morrow, but I do object to take a recess until 8 o'clock to-night.

Mr. LITTLEFIELD. If there is any misunderstanding, I wish to repeat that I will not open this debate to-night.

The SPEAKER. The gentleman from Maine [Mr. LITTLEFIELD] is entitled to the floor for sixty minutes. Does the gentleman from Maine yield to the gentleman from New York [Mr. PAYNE]?

Mr. LITTLEFIELD. Yes.

Mr. PAYNE. Mr. Speaker, I move that we take a recess until 8 o'clock to-night, and upon that I demand the previous question.

The SPEAKER. The question is on ordering the previous question.

The question was taken; and on a division (demanded by Mr. WILLIAMS of Mississippi) there were—ayes 135, noes 101.

So the previous question was ordered.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I demand the yeas and nays, and pending that demand I wish to say this: I do not want to obstruct. I never want to do that. I think everyone will bear me out in the statement that I never resort to any sort of filibustering, but the gentleman can accomplish what he desires to accomplish just as well by taking a recess until 10 o'clock to-morrow morning as by taking a recess until 8 o'clock to-night. Then we will all be fresh. As it is, a great many Members have their engagements to-night. To-morrow everyone will be fresh at 10 o'clock, and in that way we can get in two hours' extra work.

Mr. PAYNE. Mr. Speaker, I desire to say to the gentleman right there that we want to get the Military Academy appropriation bill in conference to-night. If the gentleman from Mississippi [Mr. WILLIAMS] can not work during the night, the conferees can. For that reason we want a session to-night.

Mr. WILLIAMS of Mississippi. Is it understood that no other business will be attended to to-night?

Mr. PAYNE. No; it is not.

Mr. WILLIAMS of Mississippi. Well, that will make us all come here to-night. If nothing else be taken up to-night, I have no objection to putting any number of bills in conference. I do not want to be forced, however, to come back here to-night. Let this bill and the sundry civil bill and whatever other bills it is desired to put into conference be taken up to-night, and with the understanding that nothing be done except that, that there be no general debate and no general business conducted, I have no objection to taking a recess until 8 o'clock to-night.

The SPEAKER. The Chair desires, by unanimous consent and without objection, to state to the House that he has been informed that within the next two or three hours the Military Academy

bill will be received from the Senate. That bill is not as yet in conference. The conference report on the post-office appropriation bill has not yet been submitted to the House. The Senate will pass on it first. It has been printed in the RECORD, as is usual in such cases.

The gentleman from Mississippi [Mr. WILLIAMS] has halted the division of the House for a moment to inquire whether some arrangement can not be made. As the Chair understands the gentleman from New York [Mr. PAYNE], he desires to get the Military Academy bill into conference, to receive the post-office appropriation bill, if it should come, as well as the sundry civil appropriation bill, if that should come.

Mr. PAYNE. Mr. Speaker, that is the situation exactly. If some of us are required to come here to-night, I do not know why it is any greater hardship on all of us to come and perform what business there is to be transacted. Gentlemen generally seem to be in great haste to adjourn. As far as I am concerned, I can wait three or four days—I am not anxious, or overanxious, about that, although I would prefer to adjourn. Now, if I am compelled to come here and other Members of the House are compelled to come, why should not all come and have business transacted, if there is business to be done?

Mr. WILLIAMS of Mississippi. If the Chair will indulge me a moment in order that I may ask unanimous consent——

The SPEAKER. The Chair will state that we are proceeding now by unanimous consent.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask unanimous consent that the House now take a recess until 8 o'clock to-night, and that when it reconvenes at 8 o'clock it shall take up the conference report upon the sundry civil bill, the Military Academy bill, and any other conference reports that may be brought to it; that it attend to no other business to-night, and that then the House take a recess until 10 o'clock to-morrow morning.

Mr. TAWNEY. Mr. Speaker, if there are House bills with Senate amendments or Senate bills with House amendments, then the House, under that request, could not transact the business of disposing of those measures.

The SPEAKER. It could not.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 1953. An act to provide for an additional associate justice of the supreme court of the Territory of New Mexico;

H. R. 875. An act for the relief of Harry C. Mix;

H. R. 8790. An act granting a pension to C. Annette Buckel;

H. R. 8285. An act granting an increase of pension to William S. Peck;

H. R. 12666. An act granting an increase of pension to Henry E. W. Campbell;

H. R. 13936. An act granting an increase of pension to John W. Thomas;

H. R. 14491. An act granting an increase of pension to Eli Prebble;

H. R. 14533. An act to change and fix the time for holding the district and circuit courts for the northern division of the eastern district of Tennessee;

H. R. 14673. An act to create a new division of the southern judicial district of Iowa, and to provide for terms of court at Davenport, Iowa, and for a clerk for said court, and for other purposes;

H. R. 14944. An act establishing a regular term of the United States circuit and district courts at Lewisburg, W. Va.;

H. R. 15228. An act establishing a regular term of the United States circuit and district courts at East St. Louis, Ill.; and

H. R. 14700. An act granting an increase of pension to Hamden C. Washburn.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3777. An act granting a pension to Sarah S. Smith;

S. 3035. An act supplemental to and amendatory of an act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900;

S. 4651. An act for the relief of James T. Barry and Richard Cushion, executors of the last will and testament of Martin Dowling, deceased;

S. 5475. An act granting a pension to Mary M. Rice;

S. 3129. An act to promote the circulation of reading matter among the blind;

S. 5369. An act to extend to Peoria, Ill., the privileges of the seventh section of the act of Congress approved June 10, 1880, governing the immediate transportation of merchandise without appraisement;

S. 5255. An act to provide allotments to Indians on White Earth Reservation, in Minnesota;

S. 3338. An act to amend and codify the laws relating to municipal corporations in the district of Alaska;

S. 3117. An act to expedite business in the district court of the United States for the district of Oregon; and

S. 2382. An act providing for the resurvey of certain townships in Routt and Rio Blanco counties, in the State of Colorado.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills and joint resolution:

H. J. Res. 103. Joint resolution providing for printing annually the report of the Director of the Office of Experiment Stations, Department of Agriculture;

H. R. 7190. An act for the relief of the Bank of North Wilkesboro;

H. R. 2866. An act to amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.," approved April 24, 1888;

H. R. 2591. An act for the relief of W. S. Feland, late deputy collector, second Kentucky district;

H. R. 14588. An act to revive and amend an act entitled "An act to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River, in the State of Louisiana, at or near Shreveport;"

H. R. 8692. An act to authorize the apprehension and detention of insane persons in the District of Columbia, and providing for their temporary commitment in the Government Hospital for the Insane, and for other purposes;

H. R. 4570. An act to provide an American register for the steamer *Beaumont;*

H. R. 12220. An act making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes; and

H. R. 15010. An act to amend section 6 of "An act to authorize the construction of a bridge by the New York, Chicago and St. Louis Railroad Company, and the Chicago and Erie Railroad Company across the Calumet River at or near the city of Hammond, Ind., at a point about 1,200 feet east of the Indiana and Illinois State line, and about 100 feet east of the location of the present bridge of the New York, Chicago and St. Louis Railroad Company across said river; also to authorize the construction of a bridge by the Chicago and State Line Railroad Company across said river at the point where said company's railroad crosses said river in Hyde Park Township, Chicago, Ill., being at the location of the present bridge of said company across said river in said township," approved July 1, 1902.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table, and referred to their appropriate committees as indicated below:

S. 280. An act to establish an assay office at Portland, Oreg.—to the Committee on Coinage, Weights, and Measures; and

S. 285. An act to divide the State of Oregon into two judicial districts—to the Committee on the Judiciary.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BARTLETT, from to-night's session, on account of sickness.

To Mr. BUCKMAN, indefinitely, on account of important business.

Mr. Mr. COCHRAN of Missouri, after Wednesday, for the remainder of the session, on account of important business.

ORDER OF BUSINESS.

Mr. PAYNE. Mr. Speaker, I have been informed that the probability is that neither of these bills will reach here this evening in time for a session at 8 o'clock. Relying upon that information, I now ask unanimous consent that we take a recess until 10 o'clock to-morrow morning.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I have no objection to that, but will agree to it willingly.

The SPEAKER. The gentleman from New York asks unanimous consent that the House take a recess until 10 o'clock to-morrow morning. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Accordingly (at 5 o'clock and 25 minutes p. m.) the House took a recess until to-morrow, at 10 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. ESCH, from the Committee on Military Affairs, to which

was referred the House joint resolution (H. J. Res. 149) authorizing the Secretary of War to allow to the Anheuser-Busch Brewing Association a right of way through the eastern limits of the arsenal grounds at St. Louis, Mo., reported the same without amendment, accompanied by a report (No. 2852); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BURKE, from the Committee on Indain Affairs, to which was referred the bill of the House (H. R. 54) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891, reported the same with amendment, accompanied by a report (No. 2854); which said bill, report, and minority views were referred to the House Calendar.

Mr. LOVERING, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 15100) to authorize the construction of a bridge across the Connecticut River between Chicopee and West Springfield, in the State of Massachusetts, reported the same with amendment, accompanied by a report (No. 2855); which said bill and report were referred to the House Calendar.

Mr. CURRIER, from the Committee on Patents, to which was referred the bill of the House (H. R. 13679) amending the statutes relating to patents, reported the same with amendment, accompanied by a report (No. 2856); which said bill and report were referred to the House Calendar.

Mr. OTIS, from the Committee on Patents, to which was referred the bill of the House (H. R. 13355) to amend the copyright laws, reported the same with amendment, accompanied by a report (No. 2857); which said bill and report were referred to the House Calendar.

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 12146) to establish a light on the shoal off Cherry Point, Pianka-tank River, Virginia, reported the same without amendment, accompanied by a report (No. 2858); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 12145) to establish a light beacon at the mouth of Pungoteague Creek, Chesapeake Bay, Virginia, reported the same without amendment, accompanied by a report (No. 2859); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 14040) to authorize the construction of light-house keepers' dwellings at Buffalo Harbor, New York, reported the same without amendment, accompanied by a report (No. 2860); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 12144) to establish a light and fog-signal station at Ragged Point, Potomac River, Virginia, reported the same with amendment, accompanied by a report (No. 2861); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BABCOCK, from the Committee on the District of Columbia, to which was referred the bill of the Senate (S. 5583) to amend an act entitled "An act granting a charter to the General Federation of Women's Clubs," approved March 3, 1901, reported the same without amendment, accompanied by a report (No. 2862); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 15320) to amend "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof in the District of Columbia," approved June 3, 1896, reported the same without amendment, accompanied by a report (No. 2863); which said bill and report were referred to the House Calendar.

Mr. SHERMAN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 1748) to provide for the establishment of a life-saving station at Half Moon Bay, south of Point Montara and near Montara Reef, California, reported the same without amendment, accompanied by a report (No. 2871); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MORRELL, from the Committee on Militia, to which was referred the bill of the House (H. R. 15229) to amend an act entitled "An act to promote the efficiency of the militia, and for other purposes," reported the same without amendment, accompanied by a report (No. 2872); which said bill and report were referred to the House Calendar.

Mr. CHARLES B. LANDIS, from the Committee on Printing, to which was referred the resolution (H. Res. 355) to provide for the printing of 3,000 additional copies of Bulletin No. 45, reported the same without amendment, accompanied by a report (No. 2881); which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SLAYDEN, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 3737) to authorize the President to appoint Capt. Edward O. C. Ord to the grade of major in the United States Army and place him on the retired list, reported the same without amendment, accompanied by a report (No. 2853); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the Senate (S. 3175) granting an increase of pension to Rachel H. Coleman, reported the same without amendment, accompanied by a report (No. 2864); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5263) granting a pension to Annie M. Eopolucci, reported the same without amendment, accompanied by a report (No. 2865); which said bill and report were referred to the Private Calendar.

Mr. FOSTER of Vermont, from the Committee on Claims, to which was referred the bill of the House (H. R. 13049) for the relief of James W. Jones, reported the same with amendment, accompanied by a report (No. 2866); which said bill and report were referred to the Private Calendar.

Mr. PATTERSON of Pennsylvania, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 659) correcting the record of Harris Graffen, reported the same with amendment, accompanied by a report (No. 2868); which said bill and report were referred to the Private Calendar.

Mr. ESCH, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3916) for the relief of James S. Harber, reported the same without amendment, accompanied by a report (No. 2869); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 7531) for the relief of Robert M. Jack, Daniel F. Jack, Henry Hayden, John Kennedy, Wright H. Calkins, and James E. Barrett, reported the same with amendment, accompanied by a report (No. 2870); which said bill and report were referred to the Private Calendar.

Mr. PRINCE, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 57) for the relief of Laura S. Gillingwaters, reported the same without amendment, accompanied by a report (No. 2874); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk and laid on the table, as follows:

Mr. SLAYDEN, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 2330) to correct the military record of Jacob McDowell, reported the same adversely, accompanied by a report (No. 2867); which said bill and report were ordered laid on the table.

Mr. PRINCE, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 14778) for the relief of William P. Drummon, reported the same adversely, accompanied by a report (No. 2873); which said bill and report were ordered laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. WEBB: A bill (H. R. 15437) requiring shippers and manufacturers of medicine for interstate shipment to label said medicine and print thereon the ingredients contained in such medicine—to the Committee on Interstate and Foreign Commerce.

By Mr. BABCOCK: A bill (H. R. 15438) to amend section 653 of the Code of Law for the District of Columbia—to the Committee on the District of Columbia.

By Mr. LAMB: A bill (H. R. 15439) for the purchase and preservation of Jamestown Island, Virginia, and making an appropriation therefor—to the Committee on Military Affairs.

By Mr. HITT: A bill (H. R. 15440) authorizing the construc-

tion of a dam across Rock River at Lyndon, Ill.—to the Committee on Interstate and Foreign Commerce.

By Mr. MCGUIRE: A joint resolution (H. J. Res. 154) amending section 8 of an act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1905, and for other purposes, approved April 21, 1904—to the Committee on Indian Affairs.

By Mr. HILL of Connecticut: A joint resolution (H. J. Res. 155) providing for reprinting Public Documents Nos. 249, 250, and 251, of June 5 and 30, 1834, and March 3, 1835, and Census of Pensioners for Revolutionary or Military Services—to the Committee on Printing.

By Mr. DALZELL: A resolution (H. Res. 357) that for the remainder of this session and for three days after the close thereof general leave to print in the RECORD shall be, and hereby is, given to all Members of the House—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BURNETT: A bill (H. R. 15441) to remove the charge of desertion from the military record of George W. Denson—to the Committee on Military Affairs.

By Mr. BOWERSOCK (by request): A bill (H. R. 15442) granting a pension to Frederick W. Drought—to the Committee on Invalid Pensions.

By Mr. BROUSSARD: A bill (H. R. 15443) for the relief of Marie Gondolfo—to the Committee on War Claims.

Also, a bill (H. R. 15444) for the relief of the heirs of Antonie Giraud and Casimir P. Blanchin—to the Committee on War Claims.

Also, a bill (H. R. 15445) for the relief of the heirs of Henri de Saint-Roman—to the Committee on War Claims.

Also, a bill (H. R. 15446) for the relief of Emil L. Soulie—to the Committee on War Claims.

By Mr. BONYNGE: A bill (H. R. 15447) granting an increase of pension to John F. Mohn—to the Committee on Invalid Pensions.

By Mr. GARDNER of New Jersey: A bill (H. R. 15448) granting an increase of pension to Wilbur F. Vannote—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15449) granting an increase of pension to James M. Smith—to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 15450) for the relief of James M. Bullock—to the Committee on War Claims.

By Mr. JONES of Washington: A bill (H. R. 15451) for the relief of Minerva Carmichael, John M. Beck, and Thomas B. Beck, surviving children of Jeffery Beck and Sarah Beck—to the Committee on War Claims.

By Mr. LESTER: A bill (H. R. 15452) for the relief of the heirs at law of Mary A. and John Cameron, deceased—to the Committee on War Claims.

By Mr. MARSH: A bill (H. R. 15453) granting an increase of pension to Noah Myers—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 15454) granting an increase of pension to Joshua Holcomb—to the Committee on Pensions.

By Mr. NORRIS: A bill (H. R. 15455) for the relief of Ambrose L. Hunting—to the Committee on Military Affairs.

By Mr. OTIS: A bill (H. R. 15456) granting a pension to Margaret Murphy—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 15457) for the relief of Zenas Parker—to the Committee on Claims.

By Mr. PIERCE: A bill (H. R. 15458) for the relief of the trustees of Eldad Church, of Gibson County, Tenn.—to the Committee on War Claims.

By Mr. RICHARDSON of Alabama: A bill (H. R. 15459) for the relief of J. W. Smart, of Jackson County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 15460) for the relief of the estate of Benjamin B. Coffey, deceased, late of Jackson County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 15461) for the relief of the estate of Mrs. Annie E. Montrose, deceased, late of Madison County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 15462) for the relief of the estate of Peter H. Gold, deceased, late of Jackson County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 15463) for the relief of A. H. Langham, of Jackson County, Ala.—to the Committee on War Claims.

By Mr. SIMS: A bill (H. R. 15464) to correct the military record of George W. Jones—to the Committee on Military Affairs.

By Mr. SOUTHARD: A bill (H. R. 15465) granting an increase of pension to William K. Brooker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15466) granting an increase of pension to Isaac B. Snively—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15467) granting an increase of pension to D. W. Conger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15468) granting an increase of pension to Ignatious Saunders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15469) granting an increase of pension to Edwin C. Durfey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15470) granting an increase of pension to John A. Ulrich—to the Committee on Invalid Pensions.

By Mr. THOMAS of North Carolina: A bill (H. R. 15471) for the relief of W. T. Dixon—to the Committee on War Claims.

By Mr. WILLIAMSON: A bill (H. R. 15472) for the relief of Mrs. Ella Hubbell—to the Committee on Claims.

By Mr. WADSWORTH: A bill (H. R. 15473) granting an increase of pension to James W. Capron—to the Committee on Invalid Pensions.

By Mr. LAMAR of Missouri: A bill (H. R. 15474) granting an increase of pension to Samuel F. Hartman—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALLEN: Petition of John W. Hoyt and others, for a modification of the act of March 3, 1903, which provides for a new naval hospital—to the Committee on Naval Affairs.

By Mr. BIRDSALL: Petition of citizens of Dubuque County, Iowa, in favor of legislation providing for the erection of a monument in memory of Commodore John Barry—to the Committee on the Library.

By Mr. BURNETT: Papers to accompany House bill to remove the charge of desertion from the military record of John A. Pierce—to the Committee on Military Affairs.

Also, paper to accompany bill H. R. 15233, granting a pension to Mrs. Martha M. Hawkins—to the Committee on Invalid Pensions.

Also, papers to accompany bill to remove charge of desertion from the military record of George W. Denson—to the Committee on Military Affairs.

By Mr. BUTLER of Pennsylvania (by request): Petition of the East Whitehead Presbyterian congregation, of Frazer, Pa., against sale of liquors at Soldiers' Homes—to the Committee on Alcoholic Liquor Traffic.

By Mr. HILDEBRANT: Papers to accompany bill for the relief of Erskine R. K. Hayes—to the Committee on Claims.

By Mr. HILL of Connecticut: Petition of Mrs. Charles W. Fairbanks, president-general of the National Society, Daughters of the American Revolution, together with other officers of said society, in favor of reprinting certain public documents—to the Committee on Printing.

By Mr. KLUTTZ: Petition of the North Carolina Association of Retail Grocers and General Merchants, protesting against a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. LIND: Resolution of the Chamber of Commerce of Minneapolis, favoring the passage of bill H. R. 7871—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Duluth (Minn.) Board of Trade, favoring the passage of the Quarles-Cooper bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of O. P. Morton Post, No. 171, Grand Army of the Republic, of Minneapolis, Minn., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: Petition of citizens and fishermen of Riggsville, Me., relative to the extermination of dogfish, etc.—to the Committee on the Merchant Marine and Fisheries.

By Mr. MCNARY: Petition of members of Division No. 4, Ancient Order of Hibernians, of West Quincy, Mass., in favor of the bill for the erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.

By Mr. MOON of Tennessee: Papers to accompany bill granting an increase of pension to Joshua Holcomb—to the Committee on Pensions.

By Mr. OTJEN: Resolutions of the Merchants and Manufacturers of Milwaukee, Wis., relative to amending the interstate-commerce laws—to the Committee on Interstate and Foreign Commerce.

By Mr. PADGETT: Papers to accompany bill for relief of Zenas Parker—to the Committee on Claims.

By Mr. PORTER: Papers to accompany bill H. R. 14780, for the relief of Robert C. Machesney—to the Committee on Claims.

By Mr. RICHARDSON of Alabama: Papers to accompany bill

for the relief of estate of Benjamin B. Coffey—to the Committee on War Claims.

Also, papers to accompany bill for relief of John W. Smart—to the Committee on War Claims.

By Mr. SLAYDEN: Petition of the Woman's Literary Club of Mason, Tex., in favor of constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. SMITH of Kentucky: Papers to accompany bill H. R. 1785, granting a pension to Samuel T. Wallace—to the Committee on Invalid Pensions.

By Mr. SMITH of New York: Petitions of A. L. F. Dergo and others, of Gardiner, N. Y., and Charles Frink and others, of Gallupsville, N. Y., favoring passage of bill H. R. 9302—to the Committee on Ways and Means.

By Mr. SULZER: Petition of Frederick Becker, George Smith, and Aug. Bruhns, of New York City, in favor of clause in post-office appropriation bill relative to contract labor—to the Committee on the Post-Office and Post-Roads.

By Mr. THOMAS of North Carolina: Papers to accompany bill for relief of W. T. Dixon—to the Committee on War Claims.

SENATE.

WEDNESDAY, *April 27, 1904.*

The PRESIDENT pro tempore called the Senate to order at 12 o'clock m., and directed the Secretary to read the Journal of yesterday's proceedings.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on the request of Mr. CULLOM, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

Mr. CULLOM. I have agreed to yield to the Senator from New Hampshire [Mr. GALLINGER] to submit some conference reports.

The PRESIDENT pro tempore. There is a conference report, to be submitted by the Senator from West Virginia [Mr. SCOTT], already on the table.

Mr. PLATT of Connecticut. May I inquire whether, this being an opening session of the day, the rules with regard to morning business are to be observed?

The PRESIDENT pro tempore. Yes; but a conference report may be submitted at any time except during the reading of the Journal.

Mr. PLATT of Connecticut. I have some morning business that I am very anxious to dispose of.

The PRESIDENT pro tempore. The Chair will call for morning business presently, after the conference reports have been disposed of.

HOME FOR DISABLED VOLUNTEER SOLDIERS.

Mr. SCOTT submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 136) for the appointment of Board of Managers of the National Home for Disabled Volunteer Soldiers, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In line 11 of the bill insert the following: "John M. Holly, to succeed John L. Mitchell, his term of service expiring April 21, 1904;" and the Senate agree to the same.

N. B. SCOTT,
J. B. FORAKER,
Managers on the part of the Senate.

J. A. T. HULL,
GEORGE W. PRINCE,
JAMES L. SLAYDEN,
Managers on the part of the House.

The report was agreed to.

PROTECTION OF THE PRESIDENT.

Mr. HOAR. Mr. President, I desire to give notice that on the second day of the next session, being the Tuesday after the first Monday in December, I shall ask the Senate to take up the bill for the protection of the President and keep it before the Senate until it is disposed of. I had proposed to bring the bill before the Senate some time during the last few weeks, but I have been prevented by illness.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 14093) to incorporate the Carnegie Institute of Washington.

The message also announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bills:

A bill (H. R. 13521) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes;

A bill (H. R. 14416) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes; and

A bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1905, and for prior years, and for other purposes.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 14500) to ratify and confirm the present right of way of the Oahu Railway and Land Company through the military reservation of Kahuaiki, Territory of Hawaii; and

A bill (H. R. 13633) to regulate the disposal of public lands released and excluded from public forest reservations, and for other purposes.

The message also returned to the Senate, in compliance with its request, the bill (S. 2319) to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras.

EUCLID PLACE AND ERIE STREET.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 2134, "An act to connect Euclid place with Erie street," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

J. H. GALLINGER,
S. R. MALLORY,
Managers on the part of the Senate.

J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.

Mr. GALLINGER. Mr. President, before the conference report is agreed to, I desire to occupy a moment by a statement.

This is one of five bills that the Senate has passed in reference to street extensions. The Senate inserted the provision that one-half of the expense should be paid from the revenues of the District of Columbia and one-half from money in the Treasury of the United States. The Senate did that for the reason that they believed the organic act required that to be done. I wish to read simply one provision from the so-called organic act:

To the extent to which Congress shall approve of said estimates (submitted by the Commissioners through and with the approval of the Secretary of the Treasury) Congress shall appropriate the amount of 50 per cent thereof, and the remaining 50 per cent of such approved estimates shall be levied and assessed upon the taxable property and privileges in said District other than the property of the United States.

Now, Mr. President, the Senate Committee on the District of Columbia has been unable to see why the Government should not pay one-half the expense of street extensions, as well as the building of sewers and other improvements, that are made in this District. The House refused to agree to that amendment and insisted upon a provision that has heretofore been inserted in street-extension bills during the past few years, that the entire expense should be paid from the revenues of the District of Columbia. These are small bills, the expenditure is inconsequential, and reluctantly the Senate committee has yielded to the House so far as that contention is concerned.

Mr. MCCOMAS. Will the Senator from New Hampshire allow me a moment before he takes his seat?

Mr. GALLINGER. Certainly.

Mr. MCCOMAS. I heard the Senator read the organic act in respect to the obligation to divide the expense, which is very clear; and nine times out of ten it has been followed by Congress. The Senator protests against the House proposition to extend these individual streets and have them paid for by the abutters and by the District. Certainly in the capital in the extensions of thoroughfares the wisdom of the organic act of 1878 has been vindicated by time and by the development of the city. I trust the Senator means to say that he will not allow, in so far as he can in his committee, this exception in any way to be taken as a yielding of the proposition he has just stated.

Mr. GALLINGER. I will say to the Senator that so far as I know the Committee on the District of Columbia remain firm in the opinion that their contention is sound.

Mr. McCOMAS. And to sustain the proposition I want to say with deference if they had declined to make the present exception in that way, they might have more clearly emphasized the position of the Senate committee.

Mr. GALLINGER. And yet had the committee insisted upon that, it would have resulted in defeating two or three extensions that will cost a very trifling sum of money that is demanded at the present time by the best interests of the public.

Mr. McCOMAS. I have no doubt of the weight of the consideration which controlled in this case. But I trust the committee will adhere to the proposition that in the capital city the Government shall bear one-half of the work of the thoroughfares and the District the other half, and that placing the whole burden on the District and the abutters will end at some time. It is not just, it is not wise, and will not develop the 7 square miles of this territory as they should be developed.

Mr. STEWART. The opening of the necessary streets to carry out the plan of Washington is a very important question. It involves a great many million dollars' worth of property to be condemned and paid for by the District. It is impossible, under this arrangement, to make such payments as rapidly as the demands of the Government and the people in the growth of the city require. It is unfortunate that any subdivisions were allowed that did not conform to the plan of the city. I protested against it at the time when it was being planned. The principle to be followed has been violated by the Commissioners. The Commissioners have been guilty from time immemorial of allowing subdivisions to be made in conflict with the general system. To open the streets as they should be opened will involve this city in great expense.

The report was agreed to.

KALORAMA AVENUE.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 127, "An act authorizing the joining of Kalorama avenue," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

J. H. GALLINGER,
S. R. MALLORY,
Managers on the part of the Senate.
J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.

The report was agreed to.

EXTENSION OF ALBEMARLE STREET.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 3869, "An act for the extension of Albemarle street," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

J. H. GALLINGER,
S. R. MALLORY,
Managers on the part of the Senate.
J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.

The report was agreed to.

HIGHWAYS CONNECTING ZOOLOGICAL PARK.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 2710, "An act for the opening of connecting highways on the east and west sides of the Zoological Park, District of Columbia," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

J. H. GALLINGER,
S. R. MALLORY,
Managers on the part of the Senate.
J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.

The report was agreed to.

WIDENING OF V STREET.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 2621, "An act for the widening of V street NW.," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

J. H. GALLINGER,
S. R. MALLORY,
Managers on the part of the Senate.
J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,
Managers on the part of the House.

Mr. COCKRELL. What was the amendment of the House?

Mr. GALLINGER. The amendment of the House was stricken out and the Senate provision that one-half of the expenses should be paid from the revenues of the District of Columbia and one-half from the money in the Treasury.

Mr. COCKRELL. Paying it all from the revenues of the District of Columbia.

Mr. GORMAN. The Senate, of course, agrees to the report, but I only want to say that it is a very radical departure from the organic act. I believe that it would be wise to permit this matter to go over until the next session, where it can be thoroughly considered. It is a great hardship upon the property holders within the city proper, and certainly is a violation of the organic act.

Mr. GALLINGER. I will say to the Senator from Maryland that while I fully agree with him on the general proposition, yet it is a fact, which I did not know until very recently, that since the repeal of the highway act, so called, which took place several years ago, all bills passed for the opening of streets have contained the provision that the District of Columbia should pay the entire expense. I think it is all wrong. These five bills, however, carry a trifling appropriation; they are extremely inconsequential matters, and I really feel that we have acted wisely in permitting them to become laws in the form the House insisted upon. At the next session we will take the matter up very seriously concerning other bills that will involve greater amounts.

This matter was submitted to the House, I will say to the Senator, a few days ago, and by a unanimous-consent vote apparently they insisted that the bills should be in this form. I wish it were not so, but we have to face the condition of things as it exists.

Mr. GORMAN. I am aware that the House has insisted and the Senate has agreed in the past in quite a number of cases to this new rule. In fact, we have four bills or more here now only multiplying the exceptions and rather fixing the rule, which I think is very unjust. I do not believe that any further opening of these streets should be made until this matter is adjusted. In the first place, as I said, under the organic act, I think the Government is bound for one-half the cost of all these improvements.

Mr. COCKRELL. I should like to ask the Senator from Maryland what he means by the organic act?

Mr. GORMAN. I mean the act creating the present form of government—the act of 1878, or whatever it was, which provided for the system of government in the District of Columbia and the general control of affairs here.

Mr. COCKRELL. That is not a constitution or anything of that kind. It is a law at the will and pleasure of Congress to do just as they please with reference to the matter.

Mr. GALLINGER. It is frequently alluded to as the organic act.

Mr. GORMAN. I use the familiar expression when I call it the organic act. I think in all fairness the matter should have more thorough consideration. The fact is that the whole country is interested in the proper development of this District and laying it off in streets and squares.

At the same time there are great individual interests, as we all know, particularly in the suburbs of the city; there are syndicates and individuals who desire to have their property developed, and if we are to abandon the old rule of the Government participating in the expenditure and yet have the ownership of the streets, some more proper and equitable arrangement should be made for the expense, not saddling it upon property holders within the old limits.

While the Senator says there are only a few cases now, and they are insignificant in amount, I want to give notice that so far as I am concerned it will not bind me, and it can not be quoted hereafter that because of these three or four bills it is a proper and

fair rule, for I do not believe it is. I think the faith of the Government is pledged otherwise.

Mr. DUBOIS. As a member of the committee of which the senior Senator from New Hampshire is chairman, I concur in his statement that the Senate committee is opposed to this departure, but I do not like the reason assigned by him as to why we should make the change. I belong to another committee of this body where they have made a radical change, in my judgment, in regard to the disposition of Indian lands because the House insists upon it. If the Senate is willing to change the custom in regard to the opening up of streets, if it is willing to saddle the burden upon the District and relieve the Government from it, well and good, but if we are not, I think we should say so and have the contest fought out thoroughly with the House. I think that should be so in regard to all other legislation. If the Senate is standing for a principle it ought not to yield because some local end is to be gained temporarily by yielding. At the same time, while we are constantly yielding we are insisting that we are against the principle which the House is contending for.

It seems to me that the members of this body ought to be much more careful in saddling burdens upon the District than upon their own States. We are the guardians of the people of the District. We are the sole judges as to what disposition shall be made of things affecting them and of the amount of money they are to pay. In our respective States the people can vote against taxation. Here we tax the people of the District, and they have no voice in it except through us. While I would not interfere with the chairman of our committee, I think a halt ought to be called, not only in regard to this departure, but in regard to others, where the Senate is sacrificing a principle for a temporary and local gain or convenience.

Mr. MALLORY. I wish to call the attention of the Senator from Idaho to the fact that this is not a change in the policy of Congress that is suddenly made. It is an attitude which the House has occupied for some years past, and practically they are standing in a consistent attitude so far as the past few years are concerned. The Committee on the District of Columbia of the Senate realize the fact that the House has committed itself in the past few days almost unanimously in opposition to the view which the Senate has adopted. There is no question that, unless we yield, these bills will fail.

Our position is antagonistic to the position which the House has occupied for several years past, at least. I am inclined to think that we sacrifice no principle at all in permitting these bills to go through now. Hereafter, when the attitude of the House is thoroughly understood by the Senate, if it is the will of the Senate that we should antagonize the position of the House and hold that attitude and thereby prevent the opening of streets in the District of Columbia, then we can do so. But this is very suddenly sprung. We can not maintain that the attitude which the House holds now as compared to the attitude which it held in the past is consistent. I can not see any real reason why these bills should not be allowed to pass now.

Mr. DUBOIS. I will say to the Senator from Florida that what I am attempting to do is to emphasize my own position. I do not agree with the position which the House has taken. I think the more we yield to them the weaker becomes our own position, if I am correct in assuming that the Senate does not agree with the position which the House has taken.

Mr. GALLINGER. Just a word, Mr. President. The Senator from Florida [Mr. MALLORY] is absolutely correct in his statement that this is not a new thing. Since the repeal of the highway act, which I think was about seven years ago, every bill which has passed Congress for the opening of streets has been upon the same basis as contemplated in these conference reports. At the same time, I have been opposed to that doctrine, and I am still opposed to it. If it is hereafter thought desirable to make an issue with the House, we can make it. I will say that there are several bills now before the committee, which have been laid aside for the purpose of further and more careful consideration by the committee, involving this same principle.

It is proper I should say that in opening streets in the District in many cases the entire cost has been assessed upon the owners of abutting property. But these are very inconsequential things, and it is very important that these conference reports should be acted upon.

I think the Senator from Idaho [Mr. DUBOIS] will have no difficulty in finding the chairman of the committee in full accord with his views, and the issue can be made in the future at a time when there will be involved a greater expenditure than is involved in these little bills.

I trust that the conference report may be agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 26th instant approved and signed the act (S. 4375) to amend section 24 of the act approved December 21, 1898, entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce."

The message also announced that the President of the United States had on this day approved and signed the act (S. 2385) providing for holding regular terms of the circuit and district courts of the United States at Great Falls, Mont.

EXEMPTION OF PRIVATE PROPERTY AT SEA.

Mr. CULLOM. Mr. President, the joint resolution now before the Senate was passed by the House of Representatives on April 8, 1904, and referred to the Committee on Foreign Relations of the Senate on April 9, 1904, from which committee it was favorably reported on April 13. It provides:

That it is the sense of the Congress of the United States that it is desirable, in the interest of uniformity of action by the maritime states of the world in time of war, that the President endeavor to bring about an understanding among the principal maritime powers, with a view of incorporating into the permanent law of civilized nations the principle of the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerents.

This resolution contains a principle—the exemption of private property at sea—that has been a settled policy of this Government for more than a hundred years.

As early as 1785, before the adoption of the Constitution of the United States, we find that this principle was enunciated in a commercial treaty with Prussia.

Under the Administration of President Madison, in 1823, an effort was made by the United States to induce Great Britain, France, and Russia to adopt the policy of the exemption of all private property at sea without result.

Such an effort was again made under the Administration of President Buchanan.

The declaration of the powers of 1856, known as the "declaration of Paris," was an important step in this direction, abolishing privateering and making a neutral flag cover enemy's goods, except contraband of war; in other words, "free ships make free goods." The United States was not a party to this declaration.

In 1870 Mr. Fish attempted to bring about an understanding among the nations as to the exemption of private property at sea.

In 1871 we entered into a treaty with Italy containing a recognition of the exemption of private property at sea. Article 12 of that treaty provided:

That, in the unfortunate event of war between them, the private property of their respective subjects and citizens, with the exception of contraband of war, shall be exempt from capture or seizure on the high seas or elsewhere by the armed vessels or by the military forces of either party. * * *

This principle was recognized in the war of 1866 between Austria and Prussia.

But with very few exceptions the rule of the capture of private property at sea has been universally followed by almost all of the nations.

Private property on land has long since been exempt from seizure during war, and the same rule should apply to private property at sea.

Great Britain has been the one leading nation that has heretofore declined to subscribe to this doctrine, but Hall, one of the recent recognized authorities on international law, an Englishman, has written quite recently on this subject, and concludes that the time has come when Great Britain must abandon her position favoring the capture of private property at sea; that it is in the interest of Great Britain to do so, because even with her almost unlimited naval forces she is now unable to protect her world-wide commerce in case of war.

President McKinley, in his message to Congress in 1898, said on this subject:

The experiences of the last year bring forcibly home to us a sense of the burdens and the waste of war. We desire, in common with most civilized nations, to reduce to the lowest possible point the damage sustained in time of war by peaceable trade and commerce. It is true we may suffer in such cases less than other communities, but all nations are damaged more or less by the state of uneasiness and apprehension into which an outbreak of hostilities throws the entire commercial world. It should be our object to minimize so far as practicable this inevitable loss and disturbance. This purpose can probably best be accomplished by an international agreement to regard all private property at sea as exempt from capture or destruction by the forces of belligerent powers. The United States has for many years advocated this humane and beneficent principle, and is now in position to recommend it to other powers without the imputation of selfish motives. I therefore suggest for your consideration that the Executive be authorized to correspond with the governments of the principal maritime powers with a view of incorporating into the permanent law of civilized nations the principle of the exemption of all private property at sea not contraband of war from capture or destruction by belligerent powers.

President Roosevelt, in his message of December 7, 1903, renewed President McKinley's recommendation, and added:

I advocate this as a matter of humanity and morals. It is anachronistic when private property is respected on land that it should not be respected at

sea. Moreover, it should be borne in mind that shipping interests represent, internationally speaking, a much more generalized species of private property than is the case with ordinary property on land—that is, property found at sea is much less apt than is the case with property found on land really to belong to any one nation. Under the modern system of corporate ownership the flag of a vessel often differs from the flag which would mark the nationality of the real ownership and money control of the vessel, and the cargo may belong to individuals of yet a different nationality. Much American capital is now invested in foreign ships; and among foreign nations it often happens that the capital of one is largely invested in the shipping of another. Furthermore, as a practical matter it may be mentioned that while commerce destroying may cause serious loss and great annoyance it can never be more than a subsidiary factor in bringing to terms a resolute foe. This is now well recognized by all of our naval experts. The fighting ship, not the commerce destroyer, is the vessel whose feats add renown to a nation's history and establish her place among the great powers of the world.

Mr. President, this seems to be an opportune time for the recognition by the nations of the principle of the exemption of private property at sea, for which the United States has so long contended.

Mr. President, that is all I desire to say at this time upon the joint resolution which has been laid before the Senate.

DIPLOMATIC QUESTIONS DISPOSED OF SINCE 1897.

It is my purpose now to review briefly the diplomatic or international questions disposed of since 1897 and to give a brief account of what has been accomplished through the conduct of our foreign relations for the past seven years.

Under the McKinley-Roosevelt Administrations more important diplomatic questions have been brought to a successful conclusion than under any two previous Administrations in the history of the United States.

HAWAIIAN ISLANDS.

The acquisition of the Hawaiian Islands was the first important achievement in the conduct of our foreign relations after William McKinley became President on the 4th of March, 1897.

For three-quarters of a century American statesmen had discussed and attempted to bring about the annexation of the islands to the United States, but without result. Daniel Webster, when Secretary of State, in 1853 said that it is obvious from the circumstances connected with their position that the interests of the United States require that no other power should colonize or possess the Sandwich Islands or exercise over their government an influence which would lead to a partial or exclusive control in matters of navigation or trade.

The Hawaiian Islands were finally annexed by joint resolution of Congress approved by President McKinley July 7, 1898. They were organized as a Territory of the United States and are now enjoying the prosperity incident to our country generally.

The geographical position of the islands, situated as they are in the Pacific, between our own western coast and the countries of the Far East, the splendid harbor and coaling station on the island of Hawaii, our increasing interests and commerce with the Orient, make the islands of the greatest importance to the United States.

Half a century ago that great statesman, William H. Seward, said that—

> The Pacific Ocean, its shores, its islands, and the vast region beyond will become the chief theater of events in the world's hereafter.

As we look back on the events which have transpired in the Far East in the past few years in the struggle among the great nations for supremacy in the Orient and on what is taking place there to-day, Secretary Seward's words seem to be almost prophetic.

It seems to be destined that the United States will one day become the predominating power in the Pacific.

The acquisition of the Hawaiian Islands was the first step which gave to the United States a foothold in the Pacific and was the beginning of our great expansion under the McKinley Administration.

The first grave international question confronting President McKinley after the passage of the Dingley tariff act, which so successfully restored prosperity to the United States, was our threatened relations with Spain.

Conditions in Cuba since 1823 had caused the United States great concern. Revolution succeeded revolution, and it seemed inevitable that Spain, owing to her own misgovernment, would lose control of Cuba.

The last revolution commenced in 1895, and if prompt measures had been taken it might have been settled by the Cleveland Administration and the war with Spain averted. But this, like many other great international questions, remained to be settled under the succeeding Republican Administration.

Realizing the seriousness of the war, President McKinley used every effort at his command to avert it, but the inhuman warfare waged by Spain on the island, her treatment of the Cubans, finally culminating in the destruction of the battle ship *Maine*, so aroused the people of the United States that nothing but the absolute independence of the island of Cuba would avail. This could only be accomplished by war, and accordingly after thirty-three years of continued peace we were again at war, this time, however, not to save our own Union or for any selfish purpose, but to free an oppressed people.

No need for me to review the brief history of that war. It continued but a little over three months and resulted in a complete victory for the United States.

The peace protocol was signed at Washington August 12, 1898, and the final treaty of peace with Spain was concluded at Paris December 10, 1898, and, after considerable opposition, was ratified by the Senate February 6, 1899.

By that treaty Spain relinquished her claim of sovereignty over Cuba and ceded to the United States Porto Rico and other islands under Spanish sovereignty in the West Indies and the Island of Guam in the Ladrones.

By the treaty also Spain ceded to the United States the Philippine Archipelago, for which we agreed to pay $20,000,000 in gold.

By the treaty of peace, therefore, the United States became responsible for the future of Cuba and acquired the island of Porto Rico and the Philippines.

Our acquisition of Porto Rico and the Philippines, while important to the United States, has given to the people of those islands a better government, more liberty, greater prosperity than they ever enjoyed in their previous history.

PORTO RICO.

To Porto Rico we have given practically the same government as we have to our own Territories. The governor of the island is appointed by the President, but by law we have provided that Porto Rico shall have a local legislature elected by her own people authorized to pass laws for the local government of the island. We have provided Porto Rico an admirable judiciary, composed principally of native Porto Ricans.

We have given to Porto Rico the benefit of free trade with the United States, which has in no small measure contributed to her prosperous condition.

The Porto Ricans are a quiet, orderly people, apparently perfectly satisfied to remain under our flag, and they have given to the United States no embarrassment.

THE PHILIPPINES.

More than four years have passed since the flag of the United States was raised over the Philippine Islands.

When we assumed control of the islands, under the treaty of peace with Spain, the natives were in a state of revolution against the authority of the Spanish Government. That revolution continued for a time against the sovereignty of the United States, notwithstanding the Filipino people were assured that—

> We come not as invaders and conquerors, but as friends, to protect the natives in their homes, in their employment, and in their personal and religious rights.

But at last peace has been restored, a comparatively small army of some 15,000 soldiers remaining to secure order. We have provided the Philippines with a complete civil government and as large a measure of local self-government as they are capable of exercising.

President Roosevelt well summed up the Philippine situation in his message at the beginning of the second session of the Fifty-seventh Congress, wherein he said that—

> Civil government has now been introduced. Not only does each Filipino enjoy such rights to life, liberty, and the pursuit of happiness as he has never before known during the recorded history of the islands, but the people, taken as a whole, now enjoy a measure of self-government greater than that granted to any other oriental by any foreign power and greater than that enjoyed by any other oriental enjoyed under their own government, save the Japanese alone. * * *
>
> No policy ever entered into by the American people has vindicated itself in a more signal manner than the policy of holding the Philippines.

While the acquisition and government of the Philippine Islands have caused the United States much trouble and expense, still our possession of those islands is advantageous in many respects. From a business standpoint the trade and commerce of the Philippines is not unimportant. Their imports for the year 1902 amounted to $41,105,034 and their exports were $27,157,087. As a result of returning prosperity under American rule the exports of the Philippine Islands have increased nearly $12,000,000 during the year 1903. With prosperity and development, under American rule, it is difficult to estimate what the total trade of the Philippines will be in the years to come. The resources of the islands are boundless, and it is not unsafe to say that the total value of the trade, exports and imports, will eventually amount to several hundred millions annually.

From the standpoint of trade, of securing foreign markets for our own products, the acquisition of the Philippines will prove a profitable investment for the United States.

But this is not all. Their geographical position near China and Japan will prove an advantage to the United States in securing control of those rich markets. It has been said that Manila in no far distant day will become the great commercial center of the Orient.

In addition to all this, as Hawaii was the first step toward our becoming the predominating power in the Pacific, so the acquisition of the Philippines is another important advance in that direction.

CUBA.

In order that no selfish motive might be imputed to the United States in entering upon the war with Spain, five days before the passage of the resolution declaring war against Spain a resolution was passed by Congress stating that—

The United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over the island of Cuba, except for the pacification thereof and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

We have kept this pledge to the very letter. It has been well said that—

There is no other instance in modern history where such a declaration of self-negation was first made and then completely fulfilled.

This bright record of disinterested and national faith will grow sweeter and sweeter in the memory of those who pride themselves as the sons of a great, free, and honorable nation.

We retained control of Cuba for a time until she was in a condition to establish her own government; we assisted her in establishing a republican government; we only asked that she should pledge us not to enter into any compact with a foreign power which would tend to impair the independence of Cuba or permit a foreign power to obtain lodgment in or control over any portion of the island; not to assume or contract any public debt to repay which the ordinary revenues of the island would be inadequate, and giving the United States the right to intervene for the maintenance of her independence.

These pledges which we exacted of Cuba are substantially the important provisions of the so-called "Platt amendment." They are in the interest of Cuba more perhaps than they are in the interest of the United States. With these exceptions, Cuba is as independent of the United States as she is of the rest of the world.

Cuba has adopted the provisions of the so-called "Platt amendment" as a part of her fundamental law, and a treaty has been concluded and recently ratified by the Senate embodying these pledges in the form of an international compact.

We not only engaged in war to free Cuba from Spanish misrule, necessitating the expenditure of millions of money and the sacrifice of the lives of hundreds of American soldiers, but the Government of the United States, after establishing Cuba as an independent republic, under the constant urging of President Roosevelt, provided for reciprocal commercial relations with that island in order to give to Cuba material prosperity and to bring the island into closer commercial relations with the United States.

This reciprocity treaty has been ratified by the Senate and carried into effect by Congress, and provides in brief that Cuban products shall be admitted into our ports at a reduction of 20 per cent below the Dingley tariff act, in return for which Cuba grants concessions on American products varying from 20 to 40 per cent, which will enable the United States to secure a large part of the Cuban market.

To enable the United States to maintain the independence of Cuba and to protect her people, as well as for the defense of our own country, Cuba has leased to the United States two splendid coaling stations, Guantanamo and Bahia Honda.

These stations are not only of value for the defense of our own country, but they are very important from a strategic standpoint in the defense of an isthmian canal, when it shall be constructed.

RESULTS OF THE WAR WITH SPAIN.

The termination of the war with Spain freed Cuba and gave to the United States Porto Rico and the Philippines. But there were more important results. That short, though momentous, conflict, small though it was in comparison with our own civil war, had almost as important an effect upon the subsequent history and policy of the United States.

Our war with Spain brought the nation to a self-consciousness as no other event in our history has done. That conflict aroused us to a realization of the fact that more than a century of remarkable internal industrial development had rendered us an important factor in the world's system.

Under the Administrations of McKinley and Roosevelt the United States has obtained a position among the nations of the world which it never occupied in any former period of our national life. Eight years ago we were not considered or consulted in the policies or politics of the world. To-day we are regarded by the other nations as one of the great leading nations of the world and are consulted as a factor in the settlement of the policies and the disposition of the important questions arising among the nations.

Mr. President, the simple fact that this nation is a factor and is so recognized by other nations is of no very great consequence, except as it may influence other nations in their conduct toward us, and this nation may exert its power among other nations for the uplifting of mankind. The world is slowly moving toward the recognition of the doctrine that governments are made by and for the people and not the people for the government.

In securing the freedom of Cuba a question which had been before succeeding Administrations since 1823 was finally and for all time disposed of.

ALASKAN BOUNDARY.

The long-pending controversy between the United States and Great Britain over the boundary between Alaska and Canada is another very important diplomatic question which has been settled under this Administration.

The treaty of 1868 between the United States and Russia, by which we acquired Alaska, in describing the boundary of Alaska adopted the description contained in the treaty of 1825 between Great Britain and Russia. Years ago, however, it was demonstrated that the boundary described in the treaty of 1825 was incorrect as a geographical fact.

While the country remained unsettled the definite boundary was not so material, but since the first Cleveland Administration the Alaskan boundary has been an important subject of dispute. The feeling over the boundary among our people in Alaska, Washington, and our extreme northwestern States, as well as among the people of Canada, had become very bitter.

A provisional boundary was agreed upon in 1878 and in 1899 for revenue purposes, but this was only a temporary arrangement and unsatisfactory.

By executive agreement in 1899 a joint high commission was created by the Governments of the United States and Great Britain for the purpose of disposing of all unsettled questions between the United States and Canada, embracing twelve subjects, among which was the Alaskan boundary controversy. The joint high commission made considerable progress in adjusting these questions, but failing to reach an agreement as to the Alaskan boundary the commission adjourned without disposing of any of the subjects in controversy.

In view of our long and undisputed occupation of the territory in question, President Roosevelt declined to allow the reference of the Alaskan boundary controversy to a regular arbitration at The Hague court, but instead he proposed the creation of a judicial tribunal, composed of an equal number of members from each country, feeling confident that our claim would be successfully established by such a body. Against much opposition and many predictions of failure, on January 24, 1903, a treaty between the United States and Great Britain was signed providing for such a tribunal.

The treaty was ratified and the members of the tribunal appointed. Assembling on September 3, 1903, and being presided over by the lord chief justice of England, it reached a conclusion on October 20, resulting in a complete victory for the United States and sustaining every material contention of our Government.

Thus was confirmed the wisdom of President Roosevelt's action, peacefully settling this irritating controversy, which was believed by some would eventually cause war between the United States and Great Britain and which certainly stood as an obstacle to the maintenance of peaceful relations with Canada.

The settlement of the Alaskan boundary controversy and the restoration of good relations with our northern neighbor has proved one of the most notable diplomatic triumphs of our Government.

Mr. MORGAN. May I ask the Senator a question?

Mr. CULLOM. Certainly.

Mr. MORGAN. Are not citizens of the United States claiming that they have been very badly damaged by that treaty, and are they not now making claims for reclamation against the United States for having their property, which they built there under the flag, excluded from our boundaries?

Mr. CULLOM. In answer to the Senator from Alabama, Mr. President, I will say that I know of but one claim, which is that of a corporation of some kind which had an establishment on an island that was given up by the United States to Canada. That claim has been before the Committee on Foreign Relations, as the Senator is aware, and an allowance has been recommended by that committee for payment to those people of what was regarded as proper compensation for the damage sustained by them.

Mr. MORGAN. Will the Senator state what was the amount of the claim?

Mr. CULLOM. The claim as presented amounted to over $200,000.

Mr. MORGAN. How much was the allowance?

Mr. CULLOM. The allowance was something over $80,000.

Mr. MORGAN. Was that passed by the Senate?

Mr. CULLOM. I am not sure. The bill has been in the hands of the junior Senator from Massachusetts [Mr. LODGE]. It may have been passed, but I am not aware whether or not it has been.

INTERNATIONAL ARBITRATION.

No previous Administration and no country have done more toward the settlement by peaceful methods, rather than by war, of the differences which arise among nations than have the Administrations of Presidents McKinley and Roosevelt.

The Hague international conference for peace was an important step in the direction of international arbitration.

When the Czar of Russia issued his invitation to the nations in 1898 to unite in a conference to consider the subject of disarming and the promotion of peace, President McKinley was one of the first to give response, and he sent to the conference at The Hague a commission of our most able diplomats and expert military men.

That conference adopted conventions with respect to the customs of war on land, the adaption to maritime warfare of the principles of the Geneva convention of 1864, and other declarations of less importance.

The result of the conference was in a measure disappointing, but it accomplished one important work. When the delegates assembled, it became apparent that the divergence of views made difficult any agreement on most subjects, but, through the earnest efforts of the American delegates, an agreement was reached on the subject of arbitration, and a convention was signed creating a permanent court of arbitration at The Hague, which was one of the valuable achievements of that historic gathering.

While we all recognize that there are some political questions which it may not be proper to submit to The Hague Tribunal, still the conclusion of that convention is a great step in advance for the promotion of peace, as it was a recognition by the leading nations of the earth that arbitration is the best method of settling their disputes.

The second international conference of American states, representing the various republics of North, Central, and South America, adopted a convention, submitting to arbitration at The Hague all claims for pecuniary loss or damage which may be presented by their respective citizens and which can not be amicably adjusted through diplomatic channels when they are of sufficient importance to justify arbitration. That conference also unanimously agreed to a protocol giving the adhesion of the North, Central, and South American republics to The Hague conventions.

It is gratifying to us as Americans to know that our Government was the first to show to the world its faith in the efficiency and utility of The Hague Tribunal. During the Administration of President McKinley the claim of the Roman Catholic Church of the Upper California, known as "the Pious Fund claim against Mexico," accruing since 1869, was submitted for decision to the Permanent Court of Arbitration at The Hague. The decision of the court rendered in 1902 awarded to the claimants the sum of $1,420,682, and provided for the payment by Mexico perpetually of an annuity of $43,000.

This decision was a satisfactory solution of the controversy over the so-called "Pious Fund of the Californias."

Again, during the last year President Roosevelt, who had been invited to settle the controversy between three of the powerful nations of Europe and the feeble American Republic of Venezuela, declined the trust so flattering to his reputation for integrity and impartiality and referred them to the court at The Hague as an appropriate place to settle their differences. The outcome of that submission has not proved satisfactory to many of us, but the settlement there made was better than a continued resource to warlike measures. The principle announced in the award does not meet with our approval, but another case of similar character may lead to a different decision, and one adverse ruling should not destroy our confidence in the judicial method as the best means of adjusting our international controversies.

It is not the least among the deeds which distinguish the Administrations of McKinley and Roosevelt that they have always striven for peace in their relations with other rulers and sought to promote good will among the nations.

PANAMA CANAL.

The diplomatic complications which had for years stood in the way of an interoceanic canal connecting the two great oceans have been finally disposed of during the last two Republican Administrations, and the practical work of constructing the canal is about to commence under the Administration of President Roosevelt.

A canal across the Isthmus connecting the Atlantic with the Pacific Ocean, in the interest of the commerce of the world, has been the dream of the ages. For almost three-quarters of a century an interoceanic canal has been a policy of every party and almost of every Administration.

In 1850 the Clayton-Bulwer treaty was entered into between the United States and Great Britain. That treaty contemplated that the canal should be constructed by private capital under the joint protectorate of the two Governments; its effect was to prevent the United States itself from constructing the canal and having exclusive jurisdiction over it. A few years after the conclusion of the Clayton-Bulwer treaty it was found that that treaty stood almost as an effectual barrier against the construction of any canal across the Isthmus, and hence it was that almost every Administration, both Republican and Democratic, sought, but in vain, to secure its peaceful abrogation.

It remained for the McKinley-Roosevelt Administrations, through the diplomacy of Secretary Hay, to successfully negotiate the Hay-Pauncefote treaty with Great Britain, by which the Clayton-Bulwer treaty was finally superseded and the United States given authority to build a canal and assume the responsibility of safeguarding and regulating its neutral use by all the nations of the world on terms of equality.

The way was thus opened for the negotiation of a treaty with one of the two Governments which had sovereignty over the two available canal routes, Colombia or Nicaragua. Congress expressed its preference for the Panama route. A treaty with Colombia was ratified, and rejected by Colombia. The State of Panama seceded and regained her independence, and is now a complete and independent Republic. A new treaty was negotiated with Panama, much superior to the one which Colombia had rejected, which gives to the United States every concession which we desire or could ask for the construction of a canal. The property of the Panama Canal Company has been purchased. That purchase has been finally consummated, the necessary money appropriated, a commission for the actual construction of the canal appointed, and is now in Panama making the preliminary investigation.

Mr. MORGAN. May I ask the Senator by what act the money has been appropriated?

Mr. CULLOM. By the so-called "Spooner Act."

Unless something unforeseen occurs, within a few years the canal will be constructed and in operation.

Mr. President, the discussion in this Senate of the Colombian treaty and afterwards of the Panama treaty, together with all the facts in relation to the Panama revolution, its success and recognition by our Government, are so recent and fresh in our minds that I shall not discuss it further than to say that the President in dealing with Colombia has pursued an honest, straightforward, and open course, as he does in all things.

This is only another illustration of the success of the Roosevelt Administration in bringing to a triumphant termination a question which other Presidents had failed to settle.

Thus under the short three years of President Roosevelt's Administration more progress has been made toward the construction of an interoceanic canal than in three-quarters of a century of our previous history.

TRIUMPH OF OUR EASTERN DIPLOMACY.

During the past few years the situation in the Far East, and especially in China, has been a delicate and most critical one. The acquisition of Hawaii and the Philippines gives to the United States great interest in the important events transpiring in the Orient.

The United States has stood for the open door in China, and as a result of the diplomacy and influence of Secretary Hay freedom of commerce has been secured and the division of China among the powers has been prevented.

The McKinley and Roosevelt Administrations have continued the beneficent policy which in earlier years has guided our Government toward China. While we have felt it necessary to protect our country from the large labor immigration which threatened it, our action in this respect has been with the consent of China through treaty agreements and the passage of additional laws in harmony with existing treaties.

In our relations with that great Empire we have pursued a disinterested policy of disavowal of territorial aggrandizement and a disposition to respect the rights of that Government and confine our interests to the peaceful development of trade. We have not hesitated on all proper occasions to assert our influence to preserve its independence and prevent its dismemberment.

For centuries China had been a hermit nation, successfully resisting foreign influence and invasion, but gradually on one pretext or another she was compelled to open her ports, and Great Britain, Russia, and Germany had gained special advantages and exceptional privileges in portions of China, and under the guise of spheres of interest were exercising considerable control over an important part of that Empire. It seemed probable that not only would these nations absorb the trade of China, but that the Empire itself would be dismembered and divided among the powers.

To prevent this and to secure for the United States, if possible, a part of the valuable market of China, Secretary Hay advanced the so-called "open-door policy" and successfully carried it out.

In September, 1899, Secretary Hay addressed communications to the Governments of Great Britain, Russia, Germany, Italy, and

Japan, suggesting that as he understood it to be the settled policy and purpose of those countries not to use any privileges which may be granted them in China as a means of excluding any commercial rival and that freedom of trade for them in that ancient Empire means freedom of trade for all the world alike he considered that the maintenance of this policy is alike urgently demanded by the commercial communities of these several nations and that it is the only one which will improve existing conditions and extend their further operations. He further suggested that it was the desire of this Government that the interests of its citizens should not be prejudiced through exclusive treatment by any of the controlling powers within their respective spheres of interest in China and that it hopes to retain there an open market for all the world's commerce, remove dangerous sources of international irritation, promote administrative reform, etc. He accordingly suggested a declaration by each of them in regard to the treatment of foreign trade and commerce in their spheres of interest.

Without inconsiderable delay the Governments of Great Britain, Russia, Germany, Italy, and Japan replied to Secretary Hay's circular note, giving cordial and full assurance of the principles suggested by our Government.

Thus was successfully begun the since famous open-door policy of the United States in China.

But this great triumph in the interest of freedom of commerce of the world in China was followed by the famous boxer outbreak in 1900.

For some years prior to 1900 the antiforeign sentiment had been growing in China. The people of China, or a portion of them, had become so thoroughly and unreasonably incensed against foreigners that the Chinese Government seemed unable or unwilling to check the open outbreaks, which were of frequent occurrence and which finally culminated in the very serious boxer troubles. The German minister was murdered in the streets of Peking, the legations were attacked and were in a state of siege—entirely cut off from outside communications—for nearly a month.

The boxer outbreak and the siege of the legations of Peking were made the occasion of a joint international expedition for the relief of the diplomatic representatives and other foreigners whose lives were imperiled. These occurrences took place at a time when Congress was not in session and the eminence of the danger did not admit of delay. The dispatch of a division of the American Army, composed of all arms of the service, and fully equipped for a campaign was one of the most extreme acts of Executive authority in the history of the United States. But when our diplomatic representatives and scores of American citizens were besieged and threatened by an infuriated mob President McKinley did not hesitate to assume the responsibility and act with promptness. Duty and patriotism called for the immediate transfer to China of a portion of the army then in the Philippines. The hearty approval which the people of the United States gave to this prompt and courageous proceeding attested the correctness of the President's action.

In the midst of the intense excitement throughout the world, when the downfall of the Empire of China seemed almost certain, Secretary Hay, with the foresight which so distinguishes his official acts, issued a circular note on July 3, 1900, to all the powers having interest in China, stating the position of the United States, that it would be our policy to find a solution which would bring permanent safety and peace to China, preserve its territorial and administrative entity, protect all rights guaranteed by treaty and international law, and safeguard for the world the principle of equal and impartial trade with all parts of the Chinese Empire. This note clearly stated the fixed policy of the United States, and during that exciting period gave notice to the world that the United States would not permit the dismemberment of China.

This had not been the policy of some of the European nations, yet it was so much in harmony with the principles of international justice that it met with the approval of the world.

After relieving the legations and the suppression of the Boxer troubles by the allied powers, there followed a long negotiation between the allied powers and China; and an enormous and exorbitant demand was made by the allies as an indemnity, which China would probably never be able to pay. The representatives of the United States in this negotiation constantly intervened to reduce the demands of the great powers of Europe and cut down to a reasonable limit the enormous indemnity they were seeking to exact. Finally, on December 7, 1901, the final protocol was signed, imposing very heavy and humiliating burdens on China; and it has been the province of the United States to do what it properly could to alleviate these burdens.

Since the signing of the final protocol we have negotiated with China the most liberal commercial treaty which China has with any other foreign government.

Mr. MORGAN. Before the Senator passes from that view of the subject I wish to ask him whether or not that protocol or any other protocol signed by the Secretary of State or approved by the President has ever been laid before the Senate or before Congress for its ratification?

Mr. CULLOM. The treaty between the United States and China has been laid before the Senate and ratified.

Mr. MORGAN. I speak of the protocol.

Mr. CULLOM. I am not aware that the protocol has been submitted to the Senate.

Mr. MORGAN. Does the Senator consider that that is obligatory upon the United States, it never having been ratified by the Senate or in any wise ratified by Congress?

Mr. CULLOM. Mr. President, I should rather think it is obligatory; but still I think it ought, perhaps, to be ratified.

Mr. MORGAN. I agree with the Senator, Mr. President, that it is binding now; but I will not refer to other acts of the diplomatic department of the Government of the United States equally as binding that we have set aside as being not obligatory upon us.

Mr. CULLOM. Mr. President, it is not my purpose to discuss anything that is outside of the subject I am discussing, or any question which might be asked relative to it.

Mr. MORGAN. Very well.

Mr. CULLOM. That treaty, Mr. President, recently ratified by the Senate, has strengthened the open-door policy, removed the troublesome and uncertain system of internal taxation known as "likin," given increased privileges to our diplomatic and consular officers and to our citizens in China, and has opened as places of international trade and residence the cities of Mukden and Antung, which are just now in the possession of the Russian army. These cities are important trade centers and of considerable strategic value commercially in the province of Manchuria, in which province exclusive rights and privileges were given to Russia against the vigorous protests of the United States.

This treaty marks an important step in the modernizing of China and in the opening of that country to foreign commerce and trade.

From a commercial standpoint, the Chinese market is one of the most valuable in the world. That great country has 400,000,000 inhabitants, nearly one-fourth of the entire world, and its imports amount to more than $200,000,000 per annum. The United States has comparatively but a small part of this great market, although we have recently largely increased our trade with China.

Secretary Hay has very recently gained another diplomatic triumph in the interest of China. It had been apparent for some time that war between Russia and Japan was inevitable, and it was realized that that war might seriously impair the integrity of China and the benefits of the open-door policy.

Secretary Hay, on February 10, 1904, addressed to the Governments of Russia, Japan, and China, and to other powers interested in China, a note of the following tenor:

> It is the earnest desire of the Government of the United States that in the military operations which have begun between Russia and Japan, the neutrality of China, and in all practicable ways her administrative entity, shall be protected by both parties, and that the area of hostilities shall be localized and limited as much as possible, so that undue excitement and disturbance of the Chinese people may be prevented and the least possible loss to the commerce and peaceful intercourse of the world may be occasioned.

This measure was recognized as so wise and was so generally commended by the nations of the world that not only has it been accepted by the neutral nations, but it has been accepted by Russia and Japan themselves.

These measures of our Government respecting China are of the greatest significance and importance, because they not only tend to the peace of the world, but to preserve the extensive territory and enormous population of that Empire to the free and untrammeled trade and commerce to all countries.

Too much credit can not be given to the Administration of President Roosevelt for the splendid manner in which this delicate and complicated Chinese and Eastern question has been managed by the admirable statesmanship and diplomacy of his great Secretary of State.

The open-door policy of Secretary Hay has succeeded; an opportunity has been given to secure enlarging markets for the products of our growing industries; the territorial integrity and the complete sovereignty of the Government of China have been assured, but the Eastern problem has not yet been finally settled.

There is still serious trouble in the Far East. Russia and Japan are now in the midst of a great struggle, both on land and sea. What the result of that struggle will be no one now can foretell. Whichever nation is finally victorious, it will probably change the map of the East, and whatever its results, it will have an important bearing on the future, certainly of China and Japan, and possibly of Russia.

But it is not for me to discuss at this time the cause of that war, or to give an opinion as to whether Japan was justified in going to war with Russia.

We are at peace with both Russia and Japan. Our relations to both nations in the years gone by have been of the most amicable

and friendly character. We have never in our history had serious trouble with either nation, and there is no reason, either in the cause of that war or the character of the participants, why the United States should assume any other than a strictly neutral position.

Immediately after the outbreak of the war, on February 11, 1904, President Roosevelt issued his proclamation, declaring that war unhappily exists between Japan on the one side and Russia on the other, that the United States are on terms of friendship and amity with both the contending powers and the persons inhabiting their several dominions, and that the United States assumes a neutral position, and proclaiming the strictest rules of neutrality for the government of our nation and its people in the important conflict.

TREATIES.

An unusually large number of very important treaties have been concluded and proclaimed under the Administrations of Presidents McKinley and Roosevelt.

Under the Administration of President Roosevelt alone more than thirty treaties and international agreements have been concluded.

The most important of such treaties are the ones I have specially referred to—the Hay-Pauncefote treaty (superseding the Clayton-Bulwer treaty), the treaty with Great Britain for the settlement of the Alaskan boundary, the treaty with Panama for the construction of an interoceanic canal, the commercial treaty with China, the commercial treaty with Cuba, and the treaties negotiated at The Hague conference.

But there have been other important treaties. There have been concluded and proclaimed extradition treaties with Peru, Switzerland, Belgium, Chile, Denmark, Servia, Brazil, Guatemala, Orange Free State, Argentine Republic, Great Britain, Bolivia, and an extradition and supplementary extradition treaty with Mexico.

The supplementary extradition treaty with Mexico is specially important as providing for the extradition of bribe givers and bribe takers, a precedent thereby being established for the crime of bribery being made an extraditable offense.

President Roosevelt well said in his last annual message that there can be no crime more serious than bribery; that other offenses violate one law, while corruption strikes at the foundation of all law.

An important treaty, establishing friendly relations with Spain and containing provisions general in treaties of friendship, has been ratified and proclaimed.

Water-boundary conventions have been concluded with Mexico; property conventions with Great Britain and Guatemala; a convention with Spain for the cession to the United States of certain outlying islands in the Philippines; a trade-mark convention with Guatemala; a consular convention with Greece; a commercial convention with Ethiopia; a treaty with Mexico for the arbitration of the Pious Fund, and a number of other less important conventions and diplomatic arrangements, which I can not stop to enumerate, have in the past few years been concluded and proclaimed.

SAMOA.

An important treaty with Great Britain and Germany has been concluded, by which Great Britain retired from Samoa and Germany and Great Britain renounced in favor of the United States all claim to the island of Tutuila and its outlying islets, Germany retaining the other islands in the Samoan group.

This was the final settlement of the vexatious Samoan question, which had been handed down from previous Administrations. Internal disturbances in Samoa had long ago made it necessary for the nations to intervene in order to protect the interests of their own citizens in Samoa. Germany, Great Britain, and the United States, having the largest interests, had exercised a tripartite scheme of supervision over the Samoan Islands. This tripartite government proved to be a failure and was a constant source of annoyance to the United States. The only alternative remaining was for the United States to withdraw from the islands in order to save ourselves from greater embarrassment. This we did by the treaty I have referred to, retaining only the island on which is situated the valuable harbor of Pagopago, which is said to be the best anchorage in the Pacific and which had been leased to the United States twenty years previously by the then King of the Samoan Islands.

This was a satisfactory settlement of the Samoan question to the United States, and it disposed of a situation which might eventually have led to the most serious complications with Germany.

RECIPROCITY.

Under the third section of the Dingley tariff act, the President is given authority to make limited reciprocity arrangements with countries producing argols, spirits, champagne, wines, and painting and statuary, reducing by proclamation the duties on such articles coming to the United States in return for reciprocal concessions on our products by other countries.

Under authority of that section of the Dingley Act, the President has concluded and proclaimed reciprocity arrangements with France, Germany, Portugal, and Italy. These reciprocity arrangements now in force have in every instance materially increased our commerce with those countries, have enabled the President to prevent serious discriminations against some of our important products, and have not in the least interfered with or injured any American industry.

CONSULAR SERVICE.

Before closing I may be permitted to say a few words in commendation of our diplomatic and consular service.

Under the Administrations of Presidents McKinley and Roosevelt able men have been accredited as ambassadors and ministers to the different countries of the world, and who have been of material assistance to the Administration in conducting the foreign intercourse of the United States.

The consular service of the United States is constantly increasing in efficiency. Presidents McKinley and Roosevelt have appointed a corps of consuls to represent our commercial interests abroad who have displayed unusual ability in the discharge of the varied and important duties that consuls of the United States have to perform. In China and Central and South America the consular officers have been called upon to perform delicate and trying duties of a diplomatic character, and have discharged those duties with rare tact and ability.

I am informed by the Department of State that in detecting and preventing attempts to defraud the customs (which is a part of the duties of our consuls) one consular officer alone has increased the receipts from customs nearly $1,000,000 a year since 1898, a total of $6,000,000 in six years. There are 330 consular officers who are carrying on the same kind of work. They are for the most part equally energetic and efficient, and it is estimated that fully $10,000,000 have been saved to the revenues of the United States by the active, intelligent, and persistent efforts of our consuls abroad. It has been said that this branch of our service alone has saved about ten times its total cost to the Government.

Our consuls form a series of intelligent observers throughout the world, and their reports are often of the highest value, not only to the Government itself, in times of war, but to the manufactures of the United States by largely increasing the sale of their products abroad.

Notwithstanding the fact that there has been considerable agitation for the passage of a bill reorganizing the service, I believe that even under the present system the consular service of the United States is the equal, if not the superior, of that of any nation in the world.

CONCLUSION.

Mr. President, under the beneficent administration of Republican Presidents the Union became consolidated into one nation, and in the recent crisis through which our own nation and the nations of the world have been passing, the party of Lincoln and Grant and Blaine and McKinley and Roosevelt is still faithful to duty and manifests the wisdom and statesmanship necessary to meet every emergency and wisely dispose of all questions with an eye single to the welfare of the people, the stability of the Union and the good of mankind.

The Republican party has not been unmindful of the teachings of its great leaders on the essential principles of its organization.

The nation is no longer a house divided against itself; it has followed the teachings of the Father of his Country in being mindful of our relations with foreign countries, in adopting the policy of extending our commercial relations with as little political connection as possible.

That great and wise patriot warned the people of the United States, in his Farewell Address, against "interweaving our destiny with that of any part of Europe, of entangling our peace and prosperity in the toils of European ambition, rivalship, interests, honor, or caprice." We are exhorted to "steer clear of permanent alliances with any portion of the foreign world."

Mr. President, in the conduct of our foreign relations we have followed the advice of the first President in his Farewell Address.

The policy of this nation now is and ought to be absolute neutrality between the nations of the world, whether at peace or at war, honest and straightforward in our intercourse with all.

The struggle now going on between Russia and Japan is a calamity which the nations greatly regret, and all the nations would rejoice if that war would cease, and I am sure this Government would gladly do anything possible, by the consent of the contending powers, to effect a settlement on fair terms to each.

Mr. President, I have no authority to speak for the Republican party or for the Republican Administration—I speak only for myself—but I believe I voice the judgment of both the people and our Administration when I say they are for peace with all the

nations and are not in favor of a policy of aggression in order to secure expansion of territory in any direction.

The policy of Washington is the policy of the Republican party.

In this campaign year, on the one hundred and twenty-third year of our constitutional history, it is well to look seriously about us, and in the confidence of the people do our whole duty by the nation intrusted for the time being to our care.

Mr. President, a word about our President and Secretary of State. In guiding and caring for the interests of the country the nation is in safe and able hands; never in our history has the nation been more fortunate. Our President is always on the alert, never permitting any advantage to be gained over the United States, but always just to other nations and interests. With Theodore Roosevelt as President and John Hay as Secretary of State the people may rest in the assurance that our international rights will be cared for, the honor of the nation well guarded, and, so far as our interests may be affected by our foreign policy, they will be wisely conserved.

Mr. MORGAN obtained the floor.

The PRESIDENT pro tempore. Will the Senator from Alabama pardon the Chair for a moment?

Mr. MORGAN. Certainly.

LIGHT-HOUSE AT CAPE HATTERAS, NORTH CAROLINA.

The PRESIDENT pro tempore. The Chair lays before the Senate the bill (S. 2319) to provide for the construction of a light-house and fog signal at Diamond Shoals, on the coast of North Carolina, at Cape Hatteras, returned by the House of Representatives in compliance with the request of the Senate. If there be no objection, the bill will be indefinitely postponed. The Chair hears none.

HOUSE BILL REFERRED.

The bill (H. R. 15122) for the extension of School street southward to Kenesaw avenue, and for other purposes, was read twice by its title on motion of Mr. CLAPP, and referred to the Committee on the District of Columbia.

WILLIAM W. WHEELER.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of William W. Wheeler *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

POST-OFFICE BUILDING AT PORTLAND, OREG.

The PRESIDENT pro tempore. On yesterday, in the order to print the papers relating to the leasing and fitting up of a temporary post-office building at Portland, Oreg., the Chair did not order the printing of the illustrations accompanying the communication. If there be no objection, he will do so now. The Chair hears none.

ORDER OF BUSINESS.

Mr. KEAN. I rise to morning business. From the Committee to Audit and Control the Contingent Expenses of the Senate I wish to report favorably four resolutions authorizing the employment of messengers by four different committees of the Senate which have no messengers at the present time.

Mr. MORGAN. Mr. President, what is the order of business?

The PRESIDENT pro tempore. Morning business.

Mr. MORGAN. What part of it?

The PRESIDENT pro tempore. The Chair is going to recognize the Senator from Colorado [Mr. TELLER] as soon as the regular morning business is disposed of.

Mr. MORGAN. What part of the morning business is in order, if the Chair will allow me?

The PRESIDENT pro tempore. Petitions and memorials.

PETITIONS AND MEMORIALS.

Mr. MALLORY presented a memorial of the Building and Trades Council, American Federation of Labor, of Jacksonville, Fla., relative to a settlement of the labor troubles in the State of Colorado; which was referred to the Committee on the Judiciary.

Mr. PERKINS presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying that the management of forest reserves and all forests upon Government land be vested in the Bureau of Forestry, Department of Agriculture; which was referred to the Committee on Public Lands.

He also presented petitions of the Band of Hope of Eureka; of the congregation of the Methodist Episcopal Church of Ferndale; of Independence Lodge, Independent Order of Good Templars, of Blue Lake; of the congregation of the Methodist Episcopal Church of Blue Lake; of the congregation of the First Congregational Church of Humboldt County, and of the congregation of the Congregational Church of Hydesville, all in the State of California, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. NELSON presented a petition of the Northwestern Lumbermen's Association, praying for the enactment of legislation to prevent unjust discrimination of traffic rates between different sections and localities; which was referred to the Committee on Interstate Commerce.

Mr. FOSTER of Washington presented a petition of Labor Union No. 131, United Brotherhood of Carpenters and Joiners, of Seattle, Wash., praying for the enactment of legislation to develop teh American merchant marine; which was referred to the Committee on Commerce.

He also presented a memorial of sundry citizens of Tacoma, Wash., relative to a settlement of the labor troubles in the State of Colorado; which was referred to the Committee on the Judiciary.

He also presented a petition of Mount Pleasant Grange, Patrons of Husbandry, of Mount Pleasant, Wash., praying for the enactment of legislation to provide for increased appropriations for State agricultural experiment stations; which was referred to the Committee on Agriculture and Forestry.

Mr. PLATT of New York presented a petition of Shirt and Laundry Workers' Local Union, American Federation of Labor, of Buffalo, N. Y., praying for the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Relief Corps of New York City, praying for the enactment of legislation to increase the pensions of army nurses; which was referred to the Committee on Pensions.

He also presented a petition of the Woman's Relief Corps of Mexico, N. Y., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of sundry citizens of the State of New York, praying for the enactment of legislation to purchase a national forest reserve in the White Mountains of New Hampshire; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Chatham, N. Y., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of the New Century Art Club, of Jamestown, N. Y., and a petition of the Rochester Art Club, of Rochester, N. Y., praying for the enactment of legislation regulating the erection of buildings on the Mall in the District of Columbia; which were referred to the Committee on Appropriations.

Mr. FULTON presented a memorial of sundry citizens of Portland, Oreg., relative to a settlement of the labor troubles in Colorado; which was referred to the Committee on the Judiciary.

Mr. SPOONER presented petitions of West Side Monday Club, of Beloit; of Ruth N. Angell, of Sun Prairie, and of sundry citizens of La Valle, all in the State of Wisconsin, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. PENROSE presented a petition of the congregation of the First Baptist Church of Forest City, Pa., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of De Soto Council, No. 315, Knights of Columbus, of Philadelphia, Pa., praying that an appropriation of $50,000 be made for the erection of a statue of Commodore John Barry at Washington, D. C.; which was ordered to lie on the table.

He also presented a petition of the congregation of the Westminster Presbyterian Church of Wilkesbarre, Pa., and a petition of the Woman's Association of Philadelphia, Pa., praying for the enactment of legislation providing for the closing on Sunday of the Lewis and Clark Centennial Exposition; which were ordered to lie on the table.

He also presented a petition of the Pittsburg and Allegheny Indian Association of the State of Pennsylvania, praying for the enactment of legislation granting lands in severalty to the landless Indians of northern California; which was referred to the Committee on Public Lands.

He also presented a petition of Rear-Admiral Henry F. Picking Naval Garrison, No. 4, Army and Navy Union, of Erie, Pa., praying that an appropriation of $10,000 be made to erect a memorial at that city to perpetuate the memory of Capt. Charles Vernon Gridley and First Lieut. John P. V. Gridley; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Southern District Convention, Order of United American Mechanics, of Harrisburg, Pa., and of sundry citizens of Philadelphia, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented the petition of William Platt Pepper, of Philadelphia, Pa., praying an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of

Utah; which was referred to the Committee on Privileges and Elections.

He also presented a paper to accompany the bill (S. 5588) to grant jurisdiction and authority to the Court of Claims in the case of Milton S. Johnson; which was referred to the Committee on Claims.

He also presented a memorial of the Irish-American Club of Wilkesbarre, Pa., remonstrating against the ratification of a treaty of arbitration between the United States and Great Britain; which was referred to the Committee on Foreign Relations.

He also presented a petition of the District of Columbia Society, Sons of the American Revolution, of Washington, D. C., praying for the enactment of legislation providing for the printing of a work published by the Government of the Republic of France, containing valuable historical information of the soldiers of France who assisted in establishing American independence; which was referred to the Committee on Printing.

Mr. FRYE presented a petition of the Live Stock Exchange of Chicago, Ill., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Tuesday Club of Oakland, Me., and a petition of the Berwick Woman's Club, of South Berwick, Me., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

REPUBLIC OF CUBA.

Mr. PLATT of Connecticut. I have a communication addressed to me by Col. Clarence R. Edwards, United States Army, Chief of the Bureau of Insular Affairs, of the War Department, transmitting a compilation prepared in that bureau setting forth in detail the documentary history of the inauguration of the Cuban Republic, and also a brief but comprehensive review of the administration of the government of intervention in Cuba under military occupation. It is sent to me with the request that it be printed as a document. I move that the communication and accompanying paper be printed as a document.

The motion was agreed to.

TRANSPORTATION OF INTOXICATING LIQUORS.

Mr. GALLINGER. I present a statement prepared by Edwin C. Dinwiddie, legislative superintendent of the American Anti-Saloon League, in support of the Hepburn-Dolliver bill, relating to the interstate transportation of intoxicating liquors. I move that the statement be printed as a document.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 3042) to amend an act relating to the sale of gas in the District of Columbia, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. CLARK of Wyoming, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 13481) to ratify and amend an agreement with the Indians residing on the Shoshone or Wind River Indian Reservation, in the State of Wyoming, and to make appropriations for carrying the same into effect, reported it with amendments, and submitted a report thereon.

Mr. DILLINGHAM, from the Committee on the District of Columbia, to whom was referred the bill (S. 4848) to amend section 552 of the Code of Laws for the District of Columbia, relating to incorporation, reported it without amendment, and submitted a report thereon.

EMPLOYMENT OF MESSENGERS.

Mr. KEAN. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report the resolution submitted by the Senator from Kansas [Mr. LONG] on the 23d instant. I will state that this and the three following resolutions are to provide for messengers to committees which now have no messengers. I ask unanimous consent for its present consideration.

The resolution was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on the University of the United States be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate, at the rate of $1,440 per annum, until otherwise provided by law.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, submitted by Mr. BALL on the 22d instant, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Ventilation and Acoustics be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate, at the rate of $1,440 per annum, until otherwise provided by law.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, submitted by Mr. ALLEE on the 20th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Indian Depredations be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate, at the rate of $1,440 per annum, until otherwise provided for by law.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution submitted by Mr. SMOOT on the 26th instant, submitted it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That the Select Committee on Standards, Weights, and Measures be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate at the rate of $1,440 per annum, until otherwise provided for.

OKLAHOMA SCHOOL BONDS.

Mr. KEAN. From the Committee on Territories, to whom was referred the bill (H. R. 11122) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and for other purposes, I report it favorably, and ask unanimous consent for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. MALLORY. I wish to inquire whether this is a House bill?

Mr. KEAN. It is a House bill.

Mr. MALLORY. Reported by what committee?

Mr. KEAN. The Committee on Territories. I will state that the only change is that the present law provides that the Territory shall not issue bonds bearing interest at a higher rate than 4 per cent, and at that rate they are unable to sell the bonds.

Mr. MALLORY. Has the Territorial legislature asked for the passage of the bill?

Mr. KEAN. I do not know about that, but the Delegate has.

Mr. MALLORY. This is a bill, then, originating in Congress and is not the ratification of an act which has passed the Territorial legislature?

Mr. KEAN. I do not understand that it is. It merely authorizes the school districts, when they comply with the existing law, to borrow money at a greater rate of interest than 4 per cent. That is all there is in the bill.

Mr. MALLORY. At a greater rate than 4 per cent?

Mr. KEAN. At a greater rate than 4 per cent.

Mr. BATE. But not to exceed 6 per cent.

Mr. KEAN. And not to exceed 6 per cent. That is all there is in the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNA R. WIDMAYER AND EDGAR H. BATES.

Mr. DILLINGHAM, from the Committee on the District of Columbia, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 2303) entitled "A bill for the relief of Anna R. Widmayer and Edgar H. Bates," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims in pursuance of the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

E. G. RATHBONE.

Mr. PLATT of Connecticut. I wish to make a report from the Committee on Cuban Relations. There was referred to it the petition of E. G. Rathbone, asking that his conduct as an official in Cuba might be investigated by the committee, as also the circumstances of his trial there. In considering it the committee find two preliminary questions—questions of law: First, whether this Congress has any jurisdiction of the subject, and, second, if it has, whether any relief can be afforded in case the allegations of the petition should be found to be true. The committee have therefore instructed me to ask that it be discharged from the further consideration of the subject, and that the petition, with all the exhibits which have been filed with the committee, may be referred to the Committee on the Judiciary.

Mr. HOAR. I do not wish to interpose an objection nor to ask at this time for an explanation or debate; but I desire to say that in letting this reference go I do not want to have the Judiciary Committee precluded by what may be claimed to be a judgment of the Senate as to whether they are the proper tribunal to investigate this matter. I therefore, with that caveat, will allow the matter to pass.

Mr. TELLER. Mr. President, I wish to say a word in reply to what the Senator from Massachusetts has said. I believe it was the consensus of opinion on the part of the members of the committee which considered this matter yesterday that the committee could not take it up, and we knew of no way of granting the relief if we did. It was suggested, and I think with great propriety, that it should go to the Judiciary Committee, not so much, per-

haps, to take up this case as to see whether some law could not be provided for such cases if they should arise in the future. I think that was the real purpose of the committee in reporting in favor of sending the matter to the Judiciary Committee.

Mr. HOAR. I do not understand the Senator to claim that it is a matter which had better be discussed at great length now?

Mr. TELLER. Oh, no.

Mr. HOAR. So I say, let the reference be made; but if the Judiciary Committee find that it is not a matter about which the committee can do anything, I do not want to have them precluded by an order of the Senate.

Mr. TELLER. I understand this order is like any other. The committee will take up the subject and consider whether they will do anything with it. They will not do anything of course at this session.

The PRESIDENT pro tempore. The Senator from Connecticut, from the Committee on Cuban Relations, asks that the committee be discharged from the further consideration of the petition to which he has referred, and that the petition and the accompanying papers be referred to the Committee on the Judiciary. It will be so ordered, in the absence of objection.

JULIA A. HENDERSON.

Mr. McCUMBER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 10077) granting a pension to Julia A. Henderson, to report it without amendment; and I ask unanimous consent for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of the Interior to place on the pension roll the name of Julia A. Henderson, widow of George W. Doty, late captain, United States Navy, and pay her a pension at the rate of $30 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DISEASES OF CATTLE.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the joint resolution (H. J. Res. 150) providing for the publication of 50,000 copies of the Special Report on the Diseases of Cattle, to report it without amendment, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

VENEZUELAN ARBITRATIONS.

Mr. PLATT of New York. I am instructed by the Committee on Printing to report a resolution, and I ask unanimous consent for its present consideration.

The resolution was considered by unanimous consent, and agreed to, as follows:

Resolved, That there be printed for the use of the Department of State 250 copies of the report of the recent Venezuelan arbitrations, prepared by Jackson H. Ralston, umpire of the Italian-Venezuelan Mixed Claims Commission, for the Department of State.

PROTECTION OF FOREST RESERVES AND NATIONAL PARKS.

Mr. DEPEW. From the Committee on Forest Reservations and the Protection of Game, I report back without amendment the bill (H. R. 7296) for the protection of the public forest reserves and national parks of the United States; and I ask for its present consideration.

The Secretary read the bill.

Mr. TELLER. That presents a very important constitutional question as to the jurisdiction over some of the reserves in this country, and the bill ought not to be taken up at this time. I do not know from what committee it comes.

Mr. DEPEW. From the Committee on Forest Reservations and the Protection of Game.

The PRESIDENT pro tempore. Objection being made, the bill goes to the Calendar.

Mr. TELLER. I wish simply to say that I have no objection to giving for this purpose all the power the Constitution will authorize us to give, but on some of the reservations this is to be done absolutely without the assent of the State, and the criminal jurisdiction is entirely under the State.

Mr. DEPEW. I will say in just a word that the bill passed the House unanimously, and it is a bill which came from the Department of the Interior, I understand.

Mr. TELLER. It does not add any weight to it that it came from the Department of the Interior.

GEORGE G. LOVETT.

Mr. BLACKBURN. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 3440) to revoke sentence and establish the military record of Capt. George G. Lovett, Company K, One hundred and eighty-seventh Regiment Pennsylvania Volunteers, war of the rebellion of 1861 to 1865, to report it favorably without amendment.

Mr. PENROSE. I ask for the present consideration of the bill just reported.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized, directed, and instructed to place on the roll as captain of Company K, One hundred and eighty-seventh Regiment Pennsylvania Volunteers, war of the rebellion, the name of George G. Lovett, from March 3, 1865, until August 3, 1865, or the discharge of said Company K, and that the said George G. Lovett, captain of Company K, shall have the same pay and allowance and emoluments as if he had been in active command, and that any military trial, court-martial, or other causes that may have debarred the said Capt. George G. Lovett from service in the interval from March 3, 1865, until the discharge and muster out of his company and regiment on August 3, 1865, be, and the same is hereby, declared null and void, and that the said Capt. George G. Lovett is hereby restored to his former status as captain of Company K, One hundred and eighty-seventh Regiment Pennsylvania Volunteers.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

Mr. COCKRELL. There is always one clause that is put in such bills, "that no pay, bounty, or other emoluments shall accrue by virtue of this act."

Mr. BLACKBURN. It is the pay clause to which the Senator alludes.

Mr. COCKRELL. Yes.

Mr. BLACKBURN. Let that go out. The Senator from Pennsylvania does not object.

Mr. COCKRELL. That is the universal rule.

Mr. BLACKBURN. We want to conform to the rule.

The PRESIDENT pro tempore. The Senator from Kentucky proposes to strike out the clause which will be read.

The SECRETARY. It is proposed to strike out, beginning in line 9, the following:

And that the said George G. Lovett, captain of Company K, shall have the same pay, allowance, and emoluments as if he had been in active command.

The amendment was agreed to.

Mr. COCKRELL. Then I move to add at the end the following proviso:

Provided, That no pay, bounty, or other emoluments shall accrue by virtue of this act.

That makes it correspond with all the other bills of this kind.

Mr. BLACKBURN. There is no objection to that.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REFERENCE OF CLAIMS TO THE COURT OF CLAIMS.

Mr. WARREN, from the Committee on Claims, to whom were referred the following bills:

A bill (S. 49) for the relief of the trustees of the Methodist Episcopal Church South, of Warrenton, Mo.;

A bill (S. 115) for the relief of the trustees of the Methodist Episcopal Church of Winfield, W. Va.;

A bill (S. 116) for the relief of the trustees of the Methodist Episcopal Church South, of Winfield, W. Va.;

A bill (S. 117) for the relief of the trustees of the Methodist Episcopal Church South, of Guyandotte, W. Va.;

A bill (S. 226) for the relief of the trustees of the Cumberland Presbyterian Church (colored) of Huntsville, Ala.;

A bill (S. 230) for the relief of the trustees of the Methodist Episcopal Church of Newhaven, Ky.;

A bill (S. 231) for the relief of the trustees of the Christian Church of Nicholasville, Ky.;

A bill (S. 633) for the relief of the trustees of the Cedar Run Baptist Church, of Culpeper County, Va.;

A bill (S. 634) for the relief of the trustees of Ebenezer Methodist Episcopal Church, of Culpeper County, Va.;

A bill (S. 635) for the relief of the trustees of Washington Street Methodist Episcopal Church South, of Alexandria, Va.;

A bill (S. 637) for the relief of the trustees of the Christian Church of Fredericksburg, Va.;

A bill (S. 640) for the relief of the trustees of the Opequon Presbyterian Church, of Kernstown, Va.;

A bill (S. 641) for the relief of the trustees of the Grove Presbyterian Church, of Morrisville, Va.;

A bill (S. 642) for the relief of the trustees of the Oak Grove Methodist Episcopal Church, of Norfolk County, Va.;

A bill (S. 643) for the relief of the trustees of Fletcher Chapel, in King George County, Va.;

A bill (S. 644) for the relief of the trustees of the Colored Methodist Episcopal Church of Winchester, Va.;

A bill (S. 645) for the relief of the trustees of the Presbyterian Church of Highland County, Va.;

A bill (S. 646) for the relief of the First Baptist Church of Alexandria, Va.;

A bill (S. 647) for the relief of the wardens and vestrymen of Old Merchant's Hope Episcopal Church, of Prince George County, Va.;
A bill (S. 648) for the relief of the trustees of the Methodist Episcopal Church South, of Fredericksburg, Va.;
A bill (S. 649) for the relief of the trustees of the Methodist Episcopal Church South, of Morrisville, Va.;
A bill (S. 650) for the relief of the trustees of Mount Holly Baptist Church, of Fauquier County, Va.;
A bill (S. 651) for the relief of the trustees of New Salem Baptist Church, of Culpeper County, Va.;
A bill (S. 738) for the relief of the trustees of the First Baptist Church of Jefferson City, Mo.;
A bill (S. 756) for the relief of the trustees of the Baptist Church of Gauley Bridge, W. Va.;
A bill (S. 757) for the relief of the trustees of St. Mark's Protestant Episcopal Church, of St. Albans, W. Va.;
A bill (S. 758) for the relief of the trustees of the Baptist Church of Charlestown, W. Va.;
A bill (S. 806) for the relief of Howard Lodge, No. 13, Independent Order of Odd Fellows, of Gallatin, Tenn.;
A bill (S. 863) for the relief of the trustees of the United Brethren Church of Boonsboro, Md.;
A bill (S. 864) for the relief of La Grange Lodge, No. 36, Independent Order of Odd Fellows, of Boonsboro, Md.;
A bill (S. 865) for the relief of the trustees of the German Reformed Church of Middletown, Md.;
A bill (S. 866) for the relief of the trustees of the Methodist Episcopal Church of Frederick County, Md.;
A bill (S. 867) for the relief of the trustees of the Methodist Episcopal Church of Boonsboro, Md.;
A bill (S. 868) for the relief of the trustees of the Methodist Episcopal Church of Oldtown, Allegany County, Md.;
A bill (S. 913) for the relief of the trustees of the African Methodist Episcopal Church, of Marietta, Ga.;
A bill (S. 1384) for the relief of the University of the State of Missouri;
A bill (S. 1466) for the relief of the trustees of the Emory Methodist Episcopal Church South and of the Methodist Episcopal Church, Washington district, Baltimore conference;
A bill (S. 1534) for the relief of the trustees of the Methodist Episcopal Church of Springfield, Mo.;
A bill (S. 1535) for the relief of the trustees of the Cumberland Presbyterian Church, of Syracuse, Mo.;
A bill (S. 1552) for the relief of the trustees of the Baptist Church of Redbanks, Miss.;
A bill (S. 1610) for the relief of the trustees of the Baptist Church of Crab Orchard, Ky.;
A bill (S. 1611) for the relief of the trustees of the Colored Baptist Church of Lebanon, Ky.;
A bill (S. 1632) for the relief of the Catholic Church of Brownsville, Tex.;
A bill (S. 1637) for the relief of the trustees of the Baptist Church of Columbia, Ky.;
A bill (S. 1668) for the relief of Elk Branch Presbyterian Church, of Jefferson County, W. Va.;
A bill (S. 1669) for the relief of the trustees of the Methodist Protestant Church of Middleway, W. Va.;
A bill (S. 1670) for the relief of the trustees of the Methodist Episcopal Church of Summit Point, W. Va.;
A bill (S. 1672) for the relief of the trustees of St. John's Protestant Episcopal Church, of Harpers Ferry, W. Va.;
A bill (S. 1673) for the relief of the trustees of St. John's Catholic Church, of Summerville, W. Va.;
A bill (S. 1674) for the relief of the trustees of the Methodist Episcopal Church of Mill Creek, W. Va.;
A bill (S. 1677) for the relief of the trustees of the Methodist Episcopal Church of Charlestown, W. Va.;
A bill (S. 1709) for the relief of the trustees of the Methodist Episcopal Church South, of Fox Hill, Va.;
A bill (S. 2025) for the relief of the trustees of the Methodist Episcopal Church South, of Harrisonville, Mo.;
A bill (S. 2413) for the relief of the vestry and wardens of St. James Church, of Wilmington, N. C.;
A bill (S. 2522) for the relief of the trustees of the Free Church of Burlington, W. Va.;
A bill (S. 2583) to compensate A. Van De Vyver, bishop of the diocese of Richmond, Va., for the demolition, removal, and rebuilding of the Roman Catholic Church on the Government reservation at Old Point, Va.;
A bill (S. 2639) for the relief of the New Hope Madison Church;
A bill (S. 2640) for the relief of the Presbyterian Church of Batesville, Miss.;
A bill (S. 2759) for the relief of Mount Oliver Protestant Methodist Church, of Alexandria County, Va.;
A bill (S. 2760) for the relief of the trustees of Chestnut Fork Old School Baptist Church, of Culpeper County, Va.;
A bill (S. 2761) for the relief of the vestry of St. Stephen's Protestant Episcopal Church, of Culpeper, Va.;
A bill (S. 2762) for the relief of the vestry of St. Paul's Episcopal Church, of Culpeper County, Va.;
A bill (S. 2763) for the relief of the trustees of Berea Baptist Church, of Stafford County, Va.;
A bill (S. 2764) for the relief of Andrews Chapel, of Stafford County, Va.;
A bill (S. 2765) for the relief of the trustees of Methodist Episcopal Church South, at Sudley, Prince William County, Va.;
A bill (S. 2766) for the relief of the trustees of Black Lick Church, in Fairfax County, Va.;
A bill (S. 2767) for the relief of the Culpeper Baptist Church, at Culpeper, Va.;
A bill (S. 2768) for the relief of the trustees of Calvary Protestant Episcopal Church;
A bill (S. 2769) for the relief of the trustees of the Methodist Episcopal Church South, of the town of Culpeper, Va.;
A bill (S. 2770) for the relief of the vestry of St. Mark's Episcopal Church, Fairfax County, Va.;
A bill (S. 2771) for the relief of the vestry of Aquia Protestant Episcopal Church, of Stafford County, Va.;
A bill (S. 2772) for the relief of the trustees of Hartwood Presbyterian Church, of Stafford County, Va.;
A bill (S. 2773) for the relief of the trustees of the Waterford Baptist Church, Waterford, Loudoun County, Va.;
A bill (S. 2774) for the relief of the trustees of Union Church, of Falmouth, Stafford County, Va.;
A bill (S. 2775) for the relief of the trustees of Broad Run Baptist Church;
A bill (S. 2776) for the relief of the trustees of Mount Horeb Methodist Episcopal Church South, of Fauquier County, Va.;
A bill (S. 2777) for the relief of the vestry of the Episcopal Church of Remington, Fauquier County, Va.;
A bill (S. 2778) for the relief of the trustees of the Methodist Episcopal Church South, of Marshall, Va.;
A bill (S. 2779) for the relief of the trustees of Zoar Baptist Church, of Bristersburg, Fauquier County, Va.;
A bill (S. 2780) for the relief of the Presbyterian Church at Warrenton, Va.;
A bill (S. 2781) for the relief of the vestry of Lambs Creek Protestant Episcopal Church;
A bill (S. 2782) for the relief of the trustees of Round Hill Church, of King George County, Va.;
A bill (S. 2783) for the relief of Pohick Church, in Fairfax County, Va.;
A bill (S. 2784) for the relief of the vestry of St. Paul's Episcopal Church, of Alexandria, Va.;
A bill (S. 3005) for the relief of the trustees of the Presbyterian Church of Beverly, W. Va.;
A bill (S. 3006) for the relief of the trustees of the Presbyterian Church of Hardy County, W. Va.;
A bill (S. 3056) for the relief of the Presbyterian Church of Strasburg, Shenandoah County, Va.;
A bill (S. 3057) for the relief of the St. Thomas Episcopal Church, of Middletown, Frederick County, Va.;
A bill (S. 3058) for the relief of the Mount Zion Methodist Episcopal Church, of Middletown, Frederick County, Va.;
A bill (S. 3059) for the relief of the Methodist Episcopal Church of Middletown, Frederick County, Va.;
A bill (S. 3200) for the relief of the trustees of Trinity Episcopal Church, of Martinsburg, W. Va.;
A bill (S. 3214) for the relief of the Germantown Baptist Church, of Shelby County, Tenn.;
A bill (S. 3215) for the relief of the trustees of the Baptist Church of Jefferson City, Tenn.;
A bill (S. 3241) for the relief of the Primitive Baptist Church (colored), of Huntsville, Ala.;
A bill (S. 3402) for the relief of Oak Grove Methodist Church, at Reams Station, in Dinwiddie County, Va.;
A bill (S. 3450) for the relief of the First Presbyterian Church of Knoxville, Tenn.;
A bill (S. 3472) for the relief of the Muhlenberg Evangelical Lutheran Church, of Harrisonburg, Rockingham County, Va.;
A bill (S. 3581) for the relief of the trustees of the Methodist Church of Prospect, Tenn.;
A bill (S. 3585) for the relief of the trustees of the Presbyterian Church at Strawberry Plains, Tenn.;
A bill (S. 3586) for the relief of the trustees of Mill Creek Baptist Church, of Davidson County, Tenn.;
A bill (S. 3587) for the relief of Hiram Lodge, No. 7, Free and Accepted Masons, of Franklin, Tenn.;
A bill (S. 3590) for the relief of the trustees of the Cumberland Presbyterian Church, of Clarksville, Tenn.;
A bill (S. 3591) for the relief of the trustees of the Cumberland Presbyterian Church, of Charleston, Tenn.;

A bill (S. 3592) for the relief of the trustees of the Methodist Episcopal Church South, of Chattanooga, Tenn.;

A bill (S. 3643) for the relief of the trustees of the Baptist Church of Pine Bluff, Ark.;

A bill (S. 3708) for the relief of the St. James Episcopal Church, Marietta, Ga.;

A bill (S. 3745) for the relief of the Presbyterian Church of Lovettsville, Va.;

A bill (S. 3746) for the relief of Salem Baptist Church, of Clarke County, Va.;

A bill (S. 3748) for the relief of the Mount Zion Church of United Brethren, of Frederick County, Va.;

A bill (S. 3940) for the relief of the trustees of the Old School Presbyterian Church, of Helena, Ark.;

A bill (S. 4012) for the relief of the trustees of the Missionary Baptist Church, at Gravelly Springs, Ala.;

A bill (S. 4013) for the relief of the trustees of the Methodist Episcopal Church South, of Warrenton, Va.;

A bill (S. 4355) for the relief of the Methodist Church of Kossuth, Miss.;

A bill (S. 4411) for the relief of the trustees of the Presbyterian Church of Smyrna, Tenn.;

A bill (S. 4422) for the relief of the Methodist Episcopal Church South, of Clarksburg, W. Va.;

A bill (S. 4642) for the relief of the trustees of the Christian Church of Pleasant Hill, Cass County, Mo.;

A bill (S. 4700) for the relief of the trustees of the Missionary Baptist Church, of Waterloo, Ala.;

A bill (S. 4707) for the relief of the Baptist Church at Williamsburg, Va.;

A bill (S. 4724) for the relief of Wildey Lodge, No. 27, Independent Order of Odd Fellows, of Charlestown, W. Va.;

A bill (S. 4763) for the relief of the trustees of the Big Bethel African Methodist Episcopal Church, of Atlanta, Ga.;

A bill (S. 4830) for the relief of the vestry and wardens of St. Stephen's Protestant Episcopal Church, of Cedar Run, Fauquier County, Va.;

A bill (S. 4870) for the relief of the trustees of the Christian Church of Danville, Ky.;

A bill (S. 4871) for the relief of the trustees of the Baptist Church at Somerset, Ky.;

A bill (S. 4994) for the relief of the trustees of the Methodist Episcopal Church South, of Springfield, Mo.;

A bill (S. 5017) for the relief of the Methodist Episcopal Church South, of Cleveland, Tenn.;

A bill (S. 5020) for the relief of Humboldt Female College, of Gibson County, Tenn.;

A bill (S. 5021) for the relief of the Cumberland Presbyterian Church of Tullahoma, Tenn.;

A bill (S. 5286) for the relief of the Methodist Episcopal Church South, of Bryantsville, Ky.;

A bill (S. 5301) for the relief of the Christian Church of Corinth, Miss.;

A bill (S. 5347) for the relief of the trustees of Smiths Grove Methodist Episcopal Church (formerly Poplar Spring Methodist Episcopal Church), of Dinwiddie County, Va.;

A bill (S. 5360) to compensate the Presbyterian Church at Lumber Bridge, N. C., for the church edifice destroyed by the Army in 1865;

A bill (S. 5389) for the relief of the trustees of the Wytheville Presbyterian Church, Wytheville, Va.; and

A bill (S. 5631) for the relief of the Presbyterian Church and Masonic Hall, of Platte City, Mo.—

Reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the claims of the trustees of the Methodist Episcopal Church South of Warrenton, Mo. (S. 49); the trustees of the Methodist Episcopal Church of Winfield, W. Va. (S. 115); the trustees of the Methodist Episcopal Church South of Winfield, W. Va. (S. 116); the trustees of the Methodist Episcopal Church South of Guyandotte, W. Va. (S. 117); the trustees of the Cumberland Presbyterian Church (colored) of Huntsville, Ala. (S. 226); the trustees of the Methodist Episcopal Church of Newhaven, Ky. (S. 230); the trustees of the Christian Church of Nicholasville, Ky. (S. 231); the trustees of the Cedar Run Baptist Church, of Culpeper County, Va. (S. 633); the trustees of Ebenezer Methodist Episcopal Church, of Culpeper County, Va. (S. 634); the trustees of Washington Street Methodist Episcopal Church South, of Alexandria, Va. (S. 635); the trustees of the Christian Church of Fredericksburg, Va. (S. 637); the trustees of the Opequon Presbyterian Church, of Kernstown, Va. (S. 640); the trustees of the Grove Presbyterian Church, of Morrisville, Va. (S. 641); the trustees of the Oak Grove Methodist Episcopal Church, of Norfolk County, Va. (S. 642); the trustees of Fletcher Chapel, in King George County, Va. (S. 643); the trustees of the Colored Methodist Episcopal Church, of Winchester, Va. (S. 644); the trustees of the Presbyterian Church of Highland County, Va. (S. 645); the First Baptist Church of Alexandria, Va. (S. 646); the wardens and vestrymen of Old Merchants Hope Episcopal Church, of Prince George County, Va. (S. 647); the trustees of the Methodist Episcopal Church South of Fredericksburg, Va. (S. 648); the trustees of the Methodist Episcopal Church South of Morrisville, Va. (S. 649); the trustees of Mount Holly Baptist Church, of Fauquier County, Va. (S. 650); the trustees of New Salem Baptist Church, of Culpeper County, Va. (S. 651); the trustees of the First Baptist Church of Jefferson City, Mo. (S. 738); the trustees of the Baptist Church of Gauley Bridge, W. Va. (S. 756); the trustees of St. Mark's Protestant Episcopal Church, of St. Albans, W. Va. (S. 757); the trustees of the Baptist Church of Charlestown, W. Va. (S. 758); Howard Lodge, No. 13, Independent Order of Odd Fellows, of Gallatin, Tenn. (S. 806); the trustees of the United Brethren Church of Boonsboro, Md. (S. 863); La Grange Lodge, No. 36, Independent Order of Odd Fellows, of Boonsboro, Md. (S. 864); the trustees of the German Reformed Church of Middletown, Md. (S. 865); the trustees of the Methodist Episcopal Church of Frederick County, Md. (S. 866); the trustees of the Methodist Episcopal Church of Boonsboro, Md. (S. 867); the trustees of the Methodist Episcopal Church of Oldtown, Allegany County, Md. (S. 868); the trustees of the African Methodist Episcopal Church, of Marietta, Ga. (S. 913); the University of the State of Missouri (S. 1384); the trustees of the Emory Methodist Episcopal Church South, and of the Methodist Episcopal Church, Washington district, Baltimore Conference (S. 1466); the trustees of the Methodist Episcopal Church of Springfield, Mo. (S. 1534); the trustees of the Cumberland Presbyterian Church, of Syracuse, Mo. (S. 1535); the trustees of the Baptist Church of Red Banks, Miss. (S. 1552); the trustees of the Baptist Church of Crab Orchard, Ky. (S. 1610); the trustees of the Colored Baptist Church, of Lebanon, Ky. (S. 1611); the Catholic Church of Brownsville, Tex. (S. 1632); the trustees of the Baptist Church of Columbia, Ky. (S. 1637); Elk Branch Presbyterian Church, of Jefferson County, W. Va. (S. 1668); the trustees of the Methodist Protestant Church of Middleway, W. Va. (S. 1669); the trustees of the Methodist Episcopal Church of Summit Point, W. Va. (S. 1670); the trustees of St. John's Protestant Episcopal Church, of Harpers Ferry, W. Va. (S. 1672); the trustees of St. John's Catholic Church, of Summerville, W. Va. (S. 1673); the trustees of the Methodist Episcopal Church of Mill Creek, W. Va. (S. 1674); the trustees of the Methodist Church of Charlestown, W. Va. (S. 1677); the trustees of the Methodist Episcopal Church South of Fox Hill, Va. (S. 1709); the trustees of the Methodist Episcopal Church South of Harrisonville, Mo. (S. 2025); the vestry and wardens of St. James Church, of Wilmington, N. C. (S. 2413); the trustees of the Free Church of Burlington, W. Va. (S. 2522); A. Van De Vyver, bishop of the diocese of Richmond, Va., for the demolition, removal, and rebuilding of the Roman Catholic Church on the Government reservation at Old Point, Va. (S. 2583); the New Hope Madison Church (S. 2639); the Presbyterian Church of Batesville, Miss. (S. 2640); Mount Olivet Protestant Methodist Church, of Alexandria County, Va. (S. 2759); the trustees of Chestnut Fork Old School Baptist Church, of Culpeper County, Va. (S. 2760); the vestry of St. Stephen's Protestant Episcopal Church, of Culpeper, Va. (S. 2761); the vestry of St. Paul's Episcopal Church, of Culpeper County, Va. (S. 2762); the trustees of Berea Baptist Church, of Stafford County, Va. (S. 2763); Andrews Chapel, of Stafford County, Va. (S. 2764); the trustees of Methodist Episcopal Church South, at Sudley, Prince William County, Va. (S. 2765); the trustees of Black Lick Church, in Fairfax County, Va. (S. 2766); the Culpeper Baptist Church, at Culpeper, Va. (S. 2767); the trustees of Calvary Protestant Episcopal Church (S. 2768); the trustees of the Methodist Episcopal Church South, of the town of Culpeper, Va. (S. 2769); the vestry of St. Mark's Episcopal Church, of Fairfax County, Va. (S. 2770); the vestry of Aquia Protestant Episcopal Church, of Stafford County, Va. (S. 2771); the trustees of Hartwood Presbyterian Church, of Stafford County, Va. (S. 2772); the trustees of the Waterford Baptist Church, Waterford, Loudoun County, Va. (S. 2773); the trustees of Union Church, of Falmouth, Stafford County, Va. (S. 2774); the trustees of Broad Run Baptist Church (S. 2775); the trustees of Mount Horeb Methodist Episcopal Church South, of Fauquier County, Va. (S. 2776); the vestry of the Episcopal Church of Remington, Fauquier County, Va. (S. 2777); the trustees of the Methodist Episcopal Church South, of Marshall, Va. (S. 2778); the trustees of Zoar Baptist Church, of Bristersburg, Fauquier County, Va. (S. 2779); the Presbyterian Church at Warrenton, Va. (S. 2780); the vestry of Lambs Creek Protestant Episcopal Church (S. 2781); the trustees of Round Hill Church, of King George County, Va. (S. 2782); Pohick Church, in Fairfax County, Va. (S. 2783); the vestry of St. Paul's Episcopal Church, of Alexandria, Va. (S. 2784); the trustees of the Presbyterian Church of Beverly, W. Va. (S. 3005); the trustees of the Presbyterian Church of Hardy County, W. Va. (S. 3006); the Presbyterian Church of Strasburg, Shenandoah County, Va. (S. 3056); the St. Thomas Episcopal Church, of Middletown, Frederick County, Va. (S. 3057); the Mount Zion Methodist Episcopal Church, of Middletown, Frederick County, Va. (S. 3058); the Methodist Episcopal Church of Middletown, Frederick County, Va. (S. 3059); the trustees of Trinity Episcopal Church, of Martinsburg, W. Va. (S. 3200); the Germantown Baptist Church, of Shelby County, Tenn. (S. 3214); the trustees of the Baptist Church of Jefferson City, Tenn. (S. 3215); the Primitive Baptist Church, colored, of Huntsville, Ala. (S. 3241); Oak Grove Methodist Church, at Reams Station, in Dinwiddie County, Va. (S. 3402); the First Presbyterian Church, of Knoxville, Tenn. (S. 3450); the Muhlenberg Evangelical Lutheran Church, of Harrisonburg, Rockingham County, Va. (S. 3472); the trustees of the Methodist Church of Prospect, Tenn. (S. 3551); the trustees of the Presbyterian Church at Strawberry Plains, Tenn. (S. 3555); the trustees of Mill Creek Baptist Church, of Davidson County, Tenn. (S. 3586); Hiram Lodge, No. 7, Free and Accepted Masons, of Franklin, Tenn. (S. 3587); the trustees of the Cumberland Presbyterian Church of Clarksville, Tenn. (S. 3590); the trustees of the Cumberland Presbyterian Church of Charleston, Tenn (S. 3591); the trustees of the Methodist Episcopal Church South, of Chattanooga, Tenn. (S. 3592); the trustees of the Baptist Church of Pine Bluff, Ark. (S. 3643); the St. James Episcopal Church, Marietta, Ga. (S. 3708); the Presbyterian Church of Lovettsville, Va. (S. 3745); Salem Baptist Church, of Clarke County, Va. (S. 3746); the Mount Zion Church of United Brethren, of Frederick County, Va. (S. 3748); the trustees of the Old School Presbyterian Church, of Helena, Ark. (S. 3940); the trustees of the Missionary Baptist Church of Gravelly Springs, Ala. (S. 4012); the trustees of the Methodist Episcopal Church South, of Warrenton, Va. (S. 4013); the Methodist Church of Kossuth, Miss. (S. 4355); the trustees of the Presbyterian Church of Smyrna, Tenn. (S. 4411); the Methodist Episcopal Church South, of Clarksburg, W. Va. (S. 4422); the trustees of the Christian Church of Pleasant Hill, Cass County, Mo. (S. 4642); the trustees of the Missionary Baptist Church of Waterloo, Ala. (S. 4700); the Baptist Church at Williamsburg, Va. (S. 4707); Wildey Lodge, No. 27, Independent Order of Odd Fellows, of Charles Town, W. Va. (S. 4724); the trustees of the Big Bethel African Methodist Episcopal Church, of Atlanta, Ga. (S. 4763); the vestry and wardens of St. Stephen's Protestant Episcopal Church, of Cedar Run Parish, Fauquier County, Va. (S. 4830); the trustees of the Christian Church of Danville, Ky. (S. 4870); the trustees of the Baptist Church at Somerset, Ky. (S. 4871); the trustees of the Methodist Episcopal Church South, of Springfield, Mo. (S. 4994); the Methodist Episcopal Church South, of Cleveland, Tenn. (S. 5017); Humboldt Female College, of Gibson County, Tenn. (S. 5020); the Cumberland Presbyterian Church, of Tullahoma, Tenn. (S. 5021); the Methodist Episcopal Church South, of Bryantsville, Ky. (S. 5286); the Christian Church of Corinth, Miss. (S. 5301); the trustees of Smith's Grove Methodist Episcopal Church (formerly Poplar Spring Methodist Church), of Dinwiddie County, Va. (S. 5347); the Presbyterian Church at Lumber Bridge, N. C., for the church edifice destroyed by the Army in 1865 (S. 5360); the trustees of the Wytheville Presbyterian Church, Wytheville, Va. (S. 5389); the Presbyterian Church and Masonic Hall of Platte City, Mo. (S. 5631), now pending in the Senate, together with all the accompanying papers, be, and the same are hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, and generally known as the "Tucker Act." And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

REGULATION OF IMMIGRATION.

Mr. LODGE. From the Committee on Immigration, in behalf of the chairman, I report a joint resolution amending an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903, and I ask for its present consideration.

The joint resolution (S. R. 73) amending an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903, was read the first time by its title, and the second time at length, as follows:

Resolved, etc., That the words "Secretary of the Treasury," wherever used in the act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903, or in amendments thereto, or in prior acts in relation to alien immigration, be stricken out and the words "Secretary of Commerce and Labor" inserted in lieu thereof.

The PRESIDING OFFICER (Mr. KEAN in the chair). Is there objection to the consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HENRY PHILIPPS SEED AND IMPLEMENT COMPANY.

Mr. HANSBROUGH. I am authorized by the Committee on Agriculture and Forestry, to whom was referred the bill (S. 5544) to authorize payment to the Henry Philipps Seed and Implement Company for seed furnished to and accepted by the Department of Agriculture during the fiscal year 1902, to report it favorably without amendment.

Mr. FORAKER. That is a very short bill of only six or eight lines, and I ask for its present consideration.

The Secretary read the bill.

Mr. NELSON. I desire to ask a question about the bill.

The PRESIDING OFFICER. Is there objection to its present consideration?

Mr. NELSON. Before I make an objection I wish to know whether it relates to a case that is now pending in the courts.

Mr. FORAKER. No; not at all.

Mr. NELSON. It is not a case that is in court.

Mr. FORAKER. No.

Mr. NELSON. There is a suit pending in reference to some seeds procured by the Agricultural Department.

Mr. FORAKER. This has nothing to do with anything of that kind, so far as I know.

Mr. NELSON. Is there a letter recommending it?

Mr. FORAKER. There is a letter from the Secretary of Agriculture recommending that this amount be paid.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole. It proposes to pay to the Henry Philipps Seed and Implement Company, of Toledo, Ohio, for seeds furnished to the Department of Agriculture during the fiscal year 1902, accepted by the Department, and distributed by order of the Secretary of Agriculture, $3,633.11.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. FRYE introduced a bill (S. 5662) granting an increase of pension to John C. Stevens; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BATE (by request) introduced a bill (S. 5663) to amend sections 4924 and 4927 of the Revised Statutes of the United States, relating to patents; which was read twice by its title, and referred to the Committee on Patents.

He also (by request) introduced a bill (S. 5664) to amend sections 4924, 4925, 4926, and 4927 of the Revised Statutes of the United States, relating to patents; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 5665) to enable Samuel H. Jenkins, formerly of New York, N. Y., and now of Chattanooga, Tenn., to make application to the Commissioner of Patents for the extension of letters patent; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 5666) for the relief of the trustees of Union University, of Murfreesboro, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5667) for the relief of the trustees of Union University, of Murfreesboro, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

Mr. PETTUS introduced a bill (S. 5668) for the relief of the creditors of the Deposit Savings Association, of Mobile, Ala.; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCUMBER introduced a bill (S. 5669) granting an increase of pension to Alexander Hay; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5670) granting an increase of pension to James William Stickley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5671) granting a pension to Eliza H. Britton;

A bill (S. 5672) granting an increase of pension to Samuel Shadman (with an accompanying paper);

A bill (H. R. 5673) granting a pension to Ira D. Coover (with an accompanying paper); and

A bill (S. 5674) granting an increase of pension to Lemuel McMichael.

Mr. PLATT of Connecticut introduced a bill (S. 5675) granting an increase of pension to Joseph J. Quinn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 5676) for the relief of Indian Traders Marion Wescott, F. F. Green, and J. A. Leige, assignee of Joseph F. Gauthier, a Menominee Indian trader, with the Menominee Indians of Wisconsin; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CULLOM introduced a bill (S. 5677) authorizing the construction of a dam across Rock River at Lyndon, Ill.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CLARK of Wyoming (for Mr. CLAPP) introduced a bill (S. 5678) granting a pension to Margaret McKee Pentland; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DICK introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Military Affairs:

A bill (S. 5679) for the relief of Edward Byrne;

A bill (S. 5680) for the relief of John A. Wanless;

A bill (S. 5681) for the relief of William H. W. Krebs, late first lieutenant, Seventeenth Infantry, United States Army;

A bill (S. 5682) for the relief of John W. Lewis; and

A bill (S. 5683) for the relief of Harlow L. Street.

Mr. DICK introduced a bill (S. 5684) for the relief of John F. Lewis; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PENROSE introduced a joint resolution (S. R. 74) amending an act entitled "An act granting permission to officers and enlisted men of the Army and Navy of the United States to wear the badges adopted by certain military societies," approved September 25, 1890; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PERKINS. I introduce a joint resolution, which I ask may be printed in the RECORD.

The joint resolution (S. R. 75) to modify the act of March 3, 1903, providing for a new naval hospital, was read the first time by its title, and the second time at length, as follows:

Whereas the provision in the naval appropriation bill approved March 3, 1903, which appropriated $125,000 toward the erection of a new naval hospital is construed by the Secretary of the Navy to locate the same on the old Observatory grounds, on which account, and for many reasons deemed important, the Washington Board of Trade, the committee on parks and reservations, the Washington Business Men's Association, and the executive council of the National University committee have earnestly, by resolution, protested, as have many leading citizens through the press and by letter against the location of said hospital on said grounds; and

Whereas it is now impossible to give to such claims and appeals the attention they should have: Therefore,

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Navy is hereby authorized and required to delay the erection of said hospital until the subject of location shall have been further considered and determined by Congress.

Mr. PERKINS. I move the reference of the joint resolution, with the accompanying petition, to the Committee on Public Buildings and Grounds.

The motion was agreed to.

Mr. PLATT of Connecticut introduced a joint resolution (S. R. 76) providing for the reprinting of public documents Nos. 249, 250, and 251, of June 5 and 30, 1834, and March 3, 1835, and a census of pensioners for Revolutionary or military services; which was read twice by its title.

Mr. PLATT of Connecticut. The joint resolution is supported by a petition of the National Society of the Daughters of the American Revolution for the printing of these documents. I move that the joint resolution and accompanying petition be referred to the Committee on Printing.

The motion was agreed to.

AMENDMENTS TO OMNIBUS CLAIMS BILL.

Mr. NEWLANDS submitted an amendment, intended to be proposed by him to the bill (H. R. 9548) for the allowance of cer-

tain claims for stores and supplies, reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the "Bowman Act;" which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Claims.

Mr. LODGE submitted an amendment intended to be proposed by him to the bill (H. R. 9548) for the allowance of certain claims for stores and supplies by the Court of Claims under the provisions of the act of Congress approved March 3, 1883, and commonly known as the "Bowman Act;" which was referred to the Committee on Claims.

JOHN R. WORMAN—WITHDRAWAL OF PAPERS.

On motion of Mr. PENROSE, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers in the case of John R. Worman, accompanying Senate bill 6917, Fifty-seventh Congress, second session, and Senate bill 5488, Fifty-eighth Congress, second session.

JANE A. WARD—WITHDRAWAL OF PAPERS.

On motion of Mr. SPOONER, it was

Ordered, That leave be granted Jane A. Ward to withdraw from the files of the Senate the papers in her case, filed during the Fifty-seventh Congress, there having been no adverse report thereon.

EMPLOYMENT OF MESSENGER.

Mr. FULTON submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Canadian Relations be, and it is hereby, authorized to employ a messenger to be paid from the contingent fund of the Senate at the rate of $1,440 per annum until otherwise provided by law.

ORDER OF BUSINESS.

Mr. McCUMBER. Mr. President, I wish to ask unanimous consent that at 4 o'clock this afternoon the Senate shall proceed to the consideration of unobjected pension bills on the Calendar. I will state that it will not take more than half an hour, in my opinion, to complete them all. A great many Senators desire to have these bills considered, and it would take more time to call them up severally. In order to get them through so they can be engrossed and enrolled we shall have to pass them rather early in the day, provided we are to adjourn to-morrow.

Mr. TELLER. I suggest to the Senator from North Dakota to withhold that request for a little while. I desire to make a few remarks to the Senate.

Mr. McCUMBER. I shall make the request subject to the remarks of the Senator from Colorado.

Mr. TELLER. But the Senator from Mississippi [Mr. McLAURIN] expects to follow me.

Mr. LODGE. Before the request is put, I should like to get some idea about the distribution of time after the Senator from Colorado and the Senator from Mississippi have concluded. I have a measure in charge which I feel bound to bring before the Senate—a public measure relating to the Philippines, making some very important amendments. I should like to ask the Senator from Iowa, the chairman of the Committee on Appropriations, what the prospects are in regard to final adjournment, so that we may have some knowledge as to the time before us.

Mr. ALLISON. As respects the appropriation bills, I should think that an adjournment could be taken to-morrow without disturbing the situation in regard to that particular feature of our business. I do not know how many other measures there may be pending. I understand that the important bill——

Mr. LODGE. Mr. President, can we have order? It is impossible to hear what the Senator from Iowa is saying, and I want to hear him.

Mr. ALLISON. I understand that there are at least one or two important conference reports that must be disposed of before we can adjourn. One, especially, is the canal-zone bill, which, I understand, has not yet been agreed to in conference. I learn that it is absolutely essential that that bill shall be passed in some form at the present session. I do not know when the conferees will be able to agree. There may be some other bills of importance that ought to be passed.

Mr. TELLER. Will the Senator allow me to interrupt him?

Mr. ALLISON. Certainly.

Mr. TELLER. I wish to say that so far as my remarks go I will, of course, give way to conference reports or anything of that character.

Mr. ALLISON. So I understand.

Mr. TELLER. I do not want to interfere with the regular business of the Senate.

Mr. ALLISON. I understand.

These important matters of course must be arranged or known about before any agreement can be made as to the hour of adjournment or the day. I feel quite sure that if the Senator from North Dakota will refrain from asking a time specially for pension bills there will be an opportunity later to-day.

Mr. LODGE. Before the Senator from Iowa takes his seat, I understand what it comes to is this, that there ought to be some Panama legislation. Of course he does not undertake to define what it is, but he thinks there ought to be some Panama legislation before we adjourn.

Mr. ALLISON. So I understand.

Mr. GALLINGER. Mr. President, it will be recalled that I have exhibited the most remarkable patience, having given notice almost a week ago that I would move an executive session. Now, Mr. President——

Mr. MORGAN. The morning business has not been concluded yet.

The PRESIDING OFFICER. The morning business is not yet closed. This debate is proceeding by unanimous consent.

Mr. GALLINGER. The matter has been discussed. I will take but a moment, and then the morning business can proceed.

I had a distinct understanding this morning with three Senators who desire to speak that after they conclude I will move an executive session; and I want now to say that if I can get the floor for that purpose after the Senator from Colorado and the Senator from Mississippi have concluded I will move an executive session, and I do not wish to make any agreement that would necessitate coming out of executive session to consider any bill.

Mr. McCUMBER. Mr. President——

Mr. ALLISON. I call for the regular order, whatever it is.

The PRESIDING OFFICER. The regular order is the presentation of concurrent or other resolutions. Is there further morning business?

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho rise for morning business?

Mr. HEYBURN. I do.

Mr. McCUMBER. Mr. President, I rise to a point of order. To my request there has been no formal objection yet made. I am not going to urge the matter, but——

The PRESIDING OFFICER. The Chair understood the Senator from Colorado in effect to object.

Mr. McCUMBER. He has not objected; and if he does object I want to have him do it.

Mr. TELLER. I will object for the present. I think the Senator ought to wait.

Mr. McCUMBER. That is all. I simply wanted to know that the Senator objects.

PAYETTE-BOISE IRRIGATION PROJECT.

Mr. HEYBURN. I submit an order, and ask for its present consideration.

The order was read, as follows:

Ordered, That 1,000 additional copies of Senate Document No. 247 be printed for the use of the Senate document room.

Mr. HEYBURN. I will state that this request comes from the Reclamation Bureau, and that the copies are for the use of the Senate Document Room.

The order was considered by unanimous consent, and agreed to.

THE NEW PANAMA CANAL COMPANY.

Mr. MORGAN submitted the following resolution, which was read:

Resolved, That the Attorney-General is hereby directed to inform the Senate, at his earliest convenience, of the present state of the negotiation or agreement between the New Panama Canal Company and the Government of the United States, together with a copy of any agreement or agreements that have been made or proposed by said parties or either of them, touching the sale of the property of the said canal company, since March 11, 1903; and that he also transmit to the Senate copies of all papers relating thereto that are or have been in his possession and under his control, so as to inform the Senate fully as to the entire transaction.

2. Whether there is any agreement or understanding with the New Panama Canal Company or with any person acting for it, that an accounting will be made of the work done upon the canal by said canal company, from the date of the report of the Isthmian Canal Company, estimating the value of its property and holdings at $40,000,000, or from any later date, and whether the United States is placed under any obligations to pay the sum ascertained upon such accounting.

3. Whether any and what agreement has been made with the New Panama Canal Company to the effect that there is exempt from the property purchased or to be purchased from said company, the treasury assets of said company, including deposits of money, outstanding credits, and investments in bonds; and any such assets, money, or investments in bonds or other property belonging to the Panama Railroad Company; and the value of the property so excluded from the contract of purchase.

Mr. KITTREDGE. Mr. President——

The PRESIDING OFFICER. What is the request of the Senator from Alabama?

Mr. MORGAN. I have no request to make, Mr. President. The resolution goes over under the rule.

Mr. KITTREDGE. Very well; let it go.

The PRESIDING OFFICER. The resolution will go over and be printed.

EMPLOYMENT OF MESSENGER.

Mr. BURROWS submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Select Committee on the Examination and Disposition of Documents be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate at the rate of $1,440 per annum, until otherwise provided for.

EXPORTATIONS TO PHILIPPINE ISLANDS.

Mr. BURROWS. I am directed by the Committee on Finance, to whom was referred the bill (H. R. 13088) to relieve obligors on bonds given to the United States upon the exportation to the Philippine Islands prior to November 20, 1901, of articles subject to internal-revenue tax, to report it favorably without amendment. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COLVILLE INDIAN RESERVATION.

Mr. STEWART. Mr. President——

The PRESIDING OFFICER. Is there further morning business?

Mr. STEWART. Mr. President——

The PRESIDING OFFICER. Does the Senator rise to morning business?

Mr. STEWART. No; but I will state for what purpose I rise, if I can have the opportunity for a moment.

There is a bill on the table, which has passed the House of Representatives, to permit the construction of a smelter on the Colville Indian Reservation. The subject has been considered by the Committee on Indian Affairs, and a like bill reported. I ask that the bill from the House of Representatives may be laid before the Senate, and passed. I am sure nobody will object to it.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 11586) to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes; which was read the second time by its title, and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ORDER OF BUSINESS.

The PRESIDING OFFICER. Morning business is closed. The Senator from Colorado [Mr. TELLER] is entitled to the floor.

Mr. FOSTER of Washington. Mr. President——

Mr. MARTIN. Will the Senator from Colorado yield to me for a moment that I may ask for the consideration of a bill? It will only occupy a very few minutes.

Mr. TELLER. I do not know whether the request I am about to make will be objected to, but under the circumstances it seems to me, as it is now a quarter before 2 o'clock, that it would be well to allow Senators who have little uncontested cases to dispose of to secure their consideration before 2 o'clock, at which time I propose to take the floor. I have so many requests from Senators who wish to have bills considered that if I yield to them I should not be able to get through by 2 o'clock.

Mr. MCCREARY. I have one of those little uncontested cases, Mr. President, which I should like to have considered.

The PRESIDING OFFICER. The Chair has recognized the Senator from Colorado [Mr. TELLER].

Mr. TELLER. I ask that unobjected cases on the Calendar may be considered until 2 o'clock, and at that time I shall resume the floor.

The PRESIDENT pro tempore. Then the Chair will recognize the Senator from Washington [Mr. FOSTER].

Mr. BAILEY. Do I understand that unanimous consent has been given to the request preferred by the Senator from Colorado [Mr. TELLER]?

The PRESIDING OFFICER. The Chair did not understand that any unanimous consent had been asked for.

Mr. BAILEY. Yes; the Senator from Colorado did ask for unanimous consent.

Mr. TELLER. I did made that request.

The PRESIDING OFFICER. Unanimous consent, then, is asked by the Senator from Colorado that the Senate proceed until 2 o'clock with the consideration of unobjected bills on the Calendar. Is that the request?

Mr. TELLER. Yes; and I give notice that at that time I shall desire to resume the floor.

The PRESIDING OFFICER. Is there objection to the request?

Mr. ALLISON. I shall not object to the request, but I shall object to any prolonged use of the time except for the purpose already indicated.

The PRESIDING OFFICER. The Chair hears no objection to the request of the Senator from Colorado, and it is agreed to.

PUYALLUP ALLOTTED LANDS.

Mr. FOSTER of Washington. I ask unanimous consent for the present consideration of the bill (H. R. 9891) giving the consent of Congress to the removal of the restrictions on the sale of Puyallup allotted lands, and confirming and legalizing sales thereof since March 3, 1903.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Lands with an amendment, to strike out all after the enacting clause and insert:

That the act of Congress approved March 3, 1893 (27 Stat., p. 633), authorizing the sale of the Puyallup allotted lands, with restriction upon alienation "for a period of ten years from the date of the passage" thereof, shall be taken and construed as having expressed the consent of the United States to the removal of restriction upon alienation by said Puyallup Indians to their allotted lands from and after the expiration of said period shall be given effect of having been made without any restrictions upon the power of the allottee to alienate his land.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill confirming the removal of restrictions upon alienation by the Puyallup Indians of the State of Washington of their allotted lands."

SMITH R. MERSHON.

Mr. MCCREARY. I ask unanimous consent for the consideration at this time of the bill (S. 4504) for the relief of Smith R. Mershon.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with an amendment, in line 6, after the words "sum of," to strike out "three hundred and eight dollars" and insert "one hundred and ninety-two dollars and fifty cents;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Smith R. Mershon the sum of $192.50, for services rendered as custodian of a distillery warehouse in Lincoln County, Ky., seized by a United States revenue officer and held for seventy-seven days by said Smith R. Mershon under the orders of the said United States revenue officer.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

E. H. MURRELL.

Mr. MARTIN. I ask unanimous consent for the present consideration of the bill (S. 1836) for the relief of E. H. Murrell.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. MARTIN. Mr. President, there is an amendment reported from the Committee on Claims, which I will send to the desk. It seems to have been omitted in the printing of the bill, but it will be found in the report of the committee.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 5, after the name "Murrell," it is proposed to strike out:

the sum of $11,900, said amount having been collected by the Treasury agents of the United States from property in New Orleans, La., belonging to him and by them turned over to the Freedman's Bureau.

And to insert:

the sum of $7,046.20, said sum to be received by the said E. H. Murrell in full satisfaction of all claims against the United States for the occupancy of his property in the city of New Orleans, La., or for collection of rents for the same, during the military occupancy of the city of New Orleans by the Federal forces during the war of 1861 to 1865, up to October 28, 1865.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward H. Murrell, the sum of $7,046.20, said sum to be received by the said E. H. Murrell in full satisfaction of all claims against the United States for the occupancy of his property in the city of New Orleans, La., or for collection of rents for the same, during the military occupancy of the city of New Orleans by the Federal forces during the war of 1861 to 1865, up to October 28, 1865.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EUGENE PATENAUDE.

Mr. PROCTOR. I ask unanimous consent for the present consideration of the bill (S. 4573) for the relief of Eugene Patenaude.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with amendments, in line 7, after

the words "on the," to strike out "3d day of November" and insert "23d day of September;" and, at the end of the bill, to insert:

That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, $500 for the payment of this claim.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Eugene Patenaude, of Colchester, Chittenden County, Vt., the sum of $500, in full for injuries sustained by him by reason of his being shot and severely wounded on the 23d day of September, 1901, at said Colchester, by a stray bullet fired by an unknown member of Eleventh Regiment United States Cavalry while at target practice.

That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, $500 for the payment of this claim.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

PETER B. PHILLIPS.

Mr. LONG. I ask unanimous consent for the present consideration of the bill (H. R. 6049) granting an increase of pension to Peter B. Phillips.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Peter B. Phillips, late of Company G, Thirteenth Regiment Illinois Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

INFORMATION AND DISPLAY BUREAU AT ELLIS ISLAND.

Mr. OVERMAN. I ask unanimous consent for the present consideration of the bill (S. 4118) authorizing the Commissioner-General of Immigration, under the direction of the Secretary of Commerce and Labor, to establish, in connection with the immigrant station at Ellis Island, an information and display bureau, for the purpose of aiding in the distribution of immigrants, and for other purposes. The bill has been reported unanimously by the Committee on Immigration and has been recommended by the Department.

The PRESIDING OFFICER. The bill will be read for information subject to objection.

The Secretary read the bill.

Mr. ALDRICH. From what committee does that bill come?

The PRESIDING OFFICER. From the Committee on Immigration.

Mr. ALDRICH. It strikes me, from the reading of it, that it is a pretty important bill, and I think it had better not be considered now.

The PRESIDING OFFICER. Objection being made, the bill goes over.

OSCAR M. PARSONS.

Mr. SCOTT. I ask unanimous consent for the present consideration of the bill (H. R. 940) granting a pension to Oscar M. Parsons.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Oscar M. Parsons, helpless and dependent son of Thomas Parsons, late of Company B, Twelfth Regiment West Virginia Volunteer Infantry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. ANKENY. I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 29) providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. GALLINGER. I call for the regular order, Mr. President.

The PRESIDING OFFICER. The regular order being demanded, the Senator from Colorado [Mr. TELLER] is recognized.

DEVELOPMENT OF AMERICAN MERCHANT MARINE.

Mr. FRYE. Will the Senator from Colorado yield to me for a few moments?

Mr. TELLER. I yield to the Senator from Maine if the bill he desires to call up does not lead to any discussion.

Mr. FRYE. I do not imagine that it will. I ask the Chair to lay before the Senate the bill providing for a commission to investigate and recommend legislation for the development of the American merchant marine.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 7056) creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes; which was read twice by its title.

Mr. BAILEY. I will say to the Senator from Maine that that bill will provoke a controversy. It is, in my judgment, intended to collect data upon which to predicate a ship-subsidy measure, and I feel that it should be resisted.

Mr. FRYE. If the bill is not passed now, of course it is useless, because it provides for a report at the next session of Congress.

Mr. BAILEY. I hope it will never pass, because the only result of its passage, if it results in anything, will be a ship-subsidy bill.

Mr. FRYE. That is not my opinion. My opinion is that it will result in a recommendation for discriminating duties.

Mr. BAILEY. Mr. President, I testify my great confidence in the Senator from Maine by accepting that assurance, and so far as I am concerned I will not object to the bill.

Mr. FRYE. I simply say that it is my judgment that it will result in a recommendation for discriminating duties.

Mr. BAILEY. The Senator from Maine will control the appointment of at least a part of those who are to make the investigation.

Mr. FRYE. The Senator from Maine will appoint as one of that commission the Senator from Massachusetts [Mr. LODGE], who has already introduced a bill for discriminating duties and has announced himself as in favor of such duties; and there will be two Democrats on the commission.

Mr. BAILEY. Reserving, of course, any expression about discriminating duties, I will say that they are incomparably better than a ship subsidy, and if this bill offers a way to escape a subsidy I am willing for it to pass.

Mr. FRYE. I beg the Senator to let the bill pass anyhow.

Mr. BAILEY. Very well.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. ALLISON. Regular order, Mr. President.

Mr. HANSBROUGH. Mr. President——

Mr. TELLER. I understand the Senator——

Mr. WARREN. Will the Senator from Colorado yield to me for a few moments to present a report?

Mr. TELLER. Is it a conference report?

Mr. WARREN. Yes; and I desire to say that I have been standing in my place for some time endeavoring to attract the attention of the Presiding Officer of the Senate, but I have been unable to succeed. I regret that the business of the Senate is in such a condition at this moment that I am unable to secure recognition except through the courtesy of the Senator who has the floor.

The PRESIDING OFFICER. The conference report will be received.

Mr. WARREN. I present the report of the committee of conference on the Military Academy appropriation bill.

The PRESIDING OFFICER. The report will be read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 5, 6, 7, 15, and 22.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 8, 9, 10, 11, 12, 14, 16, 17, 19, 20, 21, 24, 25, and 26, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: Of the matter inserted by said amendment strike out the word "forty-five" and insert in lieu thereof the word "forty-seven;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: Of the matter inserted by said amendment strike out the word "six" and insert in lieu thereof the word "one;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment and insert in lieu thereof the following: "fifty-three thousand and ninety-six;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amend-

ment as follows: In line 4 of said amendment, after the word "available," insert "immediately and;" in line 8 of said amendment, after the word "available," insert "except for purchase of lands and water rights;" and after the word "dollars," in line 12, insert "including the one hundred thousand dollars appropriated by act of June 28, 1902;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: Beginning in line 4 of said amendment strike out the following: "construction of such buildings as are most immediately necessary," and insert in lieu thereof the following: "necessary construction of cadet barracks and such buildings as shall be needed to replace buildings removed in such construction of cadet barracks;" and the Senate agree to the same.

F. E. WARREN,
R. A. ALGER,
JO. C. S. BLACKBURN,
Managers on the part of the Senate.
R. WAYNE PARKER,
F. W. MONDELL,
WM. SULZER,
Managers on the part of the House.

The report was agreed to.

LOUISIANA PURCHASE EXPOSITION.

Mr. ALDRICH. I ask unanimous consent at this time to submit a report.

The PRESIDING OFFICER. The report will be received.

Mr. ALDRICH. I am directed by the Committee on Finance, to whom was referred the bill (H. R. 11135) amending an act approved March 3, 1901, entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States, by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri," to report it favorably without amendment.

Mr. COCKRELL. I desire to state to the Senator from Colorado [Mr. TELLER] who has the floor that the bill just reported is in regard to the exhibits at the Louisiana Purchase Exposition, in which all the foreign ministers here are very much interested. It will only take a moment to pass it.

Mr. TELLER. Is it a Senate or a House bill?

Mr. COCKRELL. It is a House bill.

Mr. TELLER. Under those circumstances, it being a House bill, I feel that I ought to yield, if its consideration does not require much time.

Mr. COCKRELL. It will only take a moment. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes that section 10 of the act approved March 3, 1901, entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri," be so amended as to read:

SEC. 10. That all articles which shall be imported from foreign countries for the sole purpose of exhibition at said exposition, upon which there shall be a tariff or custom duty, shall be admitted free of payment of duty, customs fees, or charges, under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exposition to sell, for delivery at the close thereof, any goods or property imported for and actually on exhibition in the exposition building or on the grounds, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when sold or withdrawn for consumption in the United States, shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of withdrawal; and on articles which shall have suffered diminution or deterioration from incidental handling and necessary exposure, the duty, if paid, shall be assessed according to the appraised value at the time of withdrawal for consumption, and all penalties prescribed by law shall be applied and enforced against the person who may be guilty of any illegal sale or withdrawal.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REPEAL OF DESERT-LAND ACT, ETC.

Mr. HANSBROUGH. Mr. President——

Mr. GALLINGER. Regular order, Mr. President.

The PRESIDING OFFICER. The Senator from Colorado [Mr. TELLER] has the floor.

Mr. HANSBROUGH. I ask the Senator if he will not kindly yield to me to have a House bill taken up? It has been amended by the Senate Committee on the District of Columbia, and unanimously reported.

Mr. TELLER. I am going to yield for the bill of the Senator from North Dakota, but I hope no Senator will ask me to yield, not on my account, but because the Senator from Mississippi [Mr. MCLAURIN] is to follow me, and I do not think I have a right to delay him.

The PRESIDING OFFICER. The Chair had recognized the Senator from Washington [Mr. ANKENY] when the regular order was demanded. He has a short bill which he desires to have passed.

Mr. GALLINGER. I ask for the regular order, Mr. President.

Mr. HANSBROUGH. Do I understand the Senator from Colorado [Mr. TELLER] to object?

Mr. TELLER. I understand the Senator from New Hampshire [Mr. GALLINGER] has objected.

Mr. HANSBROUGH. Is it an objection to the consideration of the bill?

Mr. GALLINGER. I call for the regular order.

The PRESIDING OFFICER. The regular order is demanded. The Senator from Colorado will proceed.

Mr. TELLER. Mr. President, I realize that in the closing hours of a session, no matter how important the subject may be and how well it may be presented, it is very difficult to get any consideration for it, and I know that I can not present this subject so as to attract the attention of the membership of this body generally. It is not a political speech that I am going to make. I am going to speak on a subject that interests the people of the section of country in which I live more than any question that has been before Congress during this session, and that is public lands.

During this session we have been regaled by some remarkable speeches. We have had conditions in the States where the Government owns lands described in a way that has never existed. Statements have been made here, credited to the public press and public officials, of a very damaging character with reference to the present land laws. Criticisms have been made of land laws existing twenty or twenty-five years ago and long since either repealed or modified and their character very much changed, and they have been cited as objections to the existing law. Among others, there has been cited a statement I made in a report about twenty years ago as Secretary of the Interior in reference to the commutation of homesteads. The conditions then existing justified that statement. It was made upon a law not now in existence and which has not been in existence for the last fourteen or fifteen years.

The distinguished Senator from Montana [Mr. GIBSON], in a very carefully prepared speech, which I intended to refer to in detail if I could have got the floor ten days ago when the Senate had time to consider these things, which ought to be considered, quoted not only from the report I made, but from the report of various other Secretaries of the Interior and Commissioners of the General Land Office. I think practically all of them were upon the old law of the commutation of homesteads and preemptions existing prior to 1885.

Mr. President, it was my fortune to spend three years in administration of the land laws. In the first place, I want to say that I have had more than forty-three years of acquaintance with the actual operations of these several acts, and I have seen a great part of the western section of the country occupied by settlers under those laws. When I came again into the Senate from the Interior Department I became a member of the Committee on Public Lands. Realizing that there was some necessity for a change in the land laws, I, with some other members of the committee, went to work to make them. We commenced to make the changes in 1886, and continued in 1887, 1888, and 1889, and in 1891 there was practically a revision of the entire system.

It has ever been the policy of this Government to get the public lands into the hands of the people. It never was supposed until recently that the Government of the United States was to remain a great landholder and would reserve from occupation by the public a vast area of land under the pretense that it was valuable as a forest reserve or for any other purpose. So far as there has been within the last ten years a disposition to set apart land either for parks or for forest reserves or for any other purpose save that of settlement it is a departure from the policy adopted by this Government when it passed its first land law in 1796. Nay, more, it is an abandonment of the policy which the Congress of the Confederation adopted in reference to the Northwest Territory.

I had expected, if time would permit, to take up the statutes and show what the policy of the Government had been. First it was to sell the public lands. I am prepared to present to the Senate the statutes, but in the concluding hours of the Senate I do not feel justified in doing so. Consequently I will omit much of what I should like to say and might properly have said in reply to statements made not only on this floor, but in the other branch of the Congress; and, as a rule at least, they have been made by men who had the least knowledge or acquaintance with the subject on which they were speaking.

The first policy of the Goverment was, as I say, to sell the public lands, to give them to the settler for a consideration. First it was $2 an acre, and finally a dollar and a quarter an acre, and this policy went on by special acts very largely until 1841, when the preemption law was passed. In 1841 and 1842 the legislation

assumed a phase that it maintained, with the exception of the homestead law, up to 1891. A preemption settlement could be made by going upon the land and putting upon it evidence of an intent to occupy it. Then the settler could go on and cultivate it and pay for it at a dollar and a quarter an acre within a given time, any time after six months' occupation.

Mr. President, I wish to say that the States of Illinois, Iowa, Wisconsin, Michigan, and Indiana were practically settled under that law. On June 7, 1862, the Congress of the United States enacted the most beneficial law concerning public lands that it has ever enacted, either before or since. It was not perfect, but it was a declaration made by the Government of the United States, in an hour when it needed money more than it ever needed it at any hour in its history or ever will, that the public lands belonged to the people of the United States, that the Government of the United States was but the trustee, and that the people should take those lands, and all that they were required to do was to live on them for a period of five years.

Realizing that it would not be possible always for a man to live upon the land that length of time without great inconvenience, Congress provided in that law for a commutation of the homestead without any limitation as to the time. This remained the law until 1891 (except that some modifications had been made of that law at different times, of which I have not time now to speak), when the law was amended by providing that the settler could not commute, as he had before that time, except after a residence of fourteen months.

The Senators who composed the Committee on Public Lands at that time were Senators who had lived in the western section of the country and who knew something about the operations of the former law, and they knew that in a great many cases there would arise a necessity for the homesteader to commute. I will not have time to go into details, but those conditions have been recognized again and again by statute and by rules adopted in the Interior Department, where this law was being administered. We have provided by statute that the homestead settler might extend his time or that he might take it in less time. Those Senators, I think myself, were as well qualified to pass upon the question as any newspaper editor that I know of.

Mr. HANSBROUGH. Will the Senator from Colorado yield to me for a moment?

Mr. TELLER. I yield to the Senator from North Dakota.

Mr. HANSBROUGH. Let me call the attention of the Senator to the fact that about nine-tenths of the material that finds its way into the newspapers in favor of the repeal of these land laws emanates from the bureau established in this city for the purpose of promulgating that kind of material, and that it is published largely in eastern newspapers or in newspapers in States that are not public-land States, where the editors can not know anything about the practical workings of the law.

Mr. TELLER. I will say to the Senator that I have in mind and will address myself to that feature of the matter in a very few moments. I wanted to say that the Committee on Public Lands, having had experience, knew that if any settler went upon a piece of land and lived upon it for fourteen months, there was no question but that he intended to make it his home. There could be no presumption that he had gone there for anything else than to make it his home. And the whole policy of the Government up to that time had been to make it easy for the settler to go and make a home on the public lands, and not difficult.

Within the last five years there have appeared in the public journals various attacks on the existing laws. We have been told that they have been used to enable capitalists to secure large areas of the public lands, and that as administered they were not beneficial to the public at large.

These attacks appeared in every section of the country. As the Senator from North Dakota says, they were more numerous and more virulent in that section of the country where there were no public lands, and where there never had been any public lands. They were somewhat virulent even in the section where the public-land laws had been in operation and where they increased their operation from the fact that the lands had been appropriated and were in the hands of private parties.

It was obvious to any thinking person that there was somewhere an agency or an influence at work directing these different attacks. They were practically the same, whether they appeared in a New York journal or in a southern journal or in a New England journal. All of them abounded in the declaration that the people who were filing on homesteads were committing perjury and fraud against the Government. Recently—and I am going to omit much that I had intended to say on this subject and come to that point at once—there has appeared an unusual attack.

We are told all at once that the Government of the United States has now provided a system by which homes can be made upon the public lands by virtue of what is called the "reclamation act," and, therefore, in order that the public may have the benefit of the reclamation act the other land laws should be repealed; and that there is no other way by which the public can have the benefit of the reclamation act than by the repeal of all the land laws. And why? Because it was said that under the desert-land act—and I do not know but that some of them said the same with reference to the timber act; of course that did not apply to desert lands, but I have noticed that the majority of the people who have been discussing this question scarcely know the difference between desert land and timber land—that under the desert-land act the land was appropriated in such a way that the beneficent action of Congress in passing the reclamation act would not have the full force and effect, and the people would not get the benefit of it. So they demanded that there should be no more land entered, either under the desert act or the preemption act or the homestead act, except the settler should live for five years straight on that land, and in many cases the demand was also that the homestead laws should be wiped out.

I have on my table a periodical published in the State of California. It is called "The Maxwell Talisman." This paper has provided, I may say, the bulk, the great majority of the newspaper articles that have appeared in the last five years, or ever since it was established, which I think was four or five years ago. It is vicious in its attack upon Members of this body. It has been virulent in its attack upon the settler, and if one should read the paper for a length of time and believe it he would conclude that the western settler was of all men the vilest and the meanest, committing perjury when it would be just as easy for him to acquire what he wants without it.

I do not like to speak of individuals, but Mr. Maxwell has been so active in this matter that I feel it is necessary, in order that there may be a fair understanding of the conditions by the Senate and the country, to say that Mr. Maxwell has devoted himself professedly to the question of securing the repeal of these land laws. I have no doubt he gave some attention to the passage of the reclamation act, and I understand now that he insists that he is entitled to most of the credit for that legislation. The reclamation bill in some shape has been before the Senate for many years, and I confess I never heard of Mr. Maxwell's relation to it until after the bill was passed, and I do not, therefore, believe he was a factor of any consequence in the passage of the act.

Mr. DUBOIS. I desire to say that the junior Senator from Wyoming [Mr. WARREN] or I had the honor of presiding at, I think, every meeting of the committee which framed the reclamation act, and so far as I am concerned I never knew of any contribution that Mr. Maxwell made to help us in the framing of that act. I did not know, so far as I was concerned, that he was interested in the passage of the reclamation act. I see the Senator from Wyoming here. I imagine that his experience was the same as my own.

Mr. WARREN. The statement as made by the Senator from Idaho is correct.

Mr. HANSBROUGH. I think the Senate perhaps will agree that I had some small part in the drafting and handling of the irrigation act as it passed the Senate.

I want to state, in line with what the Senator from Colorado has said, that I met Mr. Maxwell but twice prior to the passage of the irrigation act, and that I did not know that he was under pay to secure the passage of the act until about a year ago, or a little less than a year ago, when I read in a speech which was made by a gentleman residing in the West that the land-grant railroad companies were paying Mr. Maxwell an annual salary, a very large salary, to secure the passage of irrigation legislation, and that they were continuing to pay that salary after the irrigation act passed. I did not know that Mr. Maxwell had any connection with the movement for irrigation until after the law was put on the statute books.

Mr. TELLER. I do not know what the railroad people paid Mr. Maxwell as a salary, and I never heard, during the whole controversy as to whether the nation should take hold of this question or not, that any railroad company or any railroad officer or any of the stockholders of a railroad was on the side of the Government in favor of that kind of legislation.

I knew that those railroad companies, or some of them at least, were great land proprietors. I had knowledge that the Government of the United States had in a few years, commencing about 1864, and continuing perhaps for ten years, donated to the railroads an area greater than that of the entire thirteen colonies. Something more than 200,000,000 acres of public lands were donated to those corporations by the Government. I have always said and always believed that if the Government had donated to the railroads, instead of the lands themselves, $5 an acre for all the lands it gave them, and had reserved the land for the people, the country would have been richer and greater, and the people would have had advantages which they have not had by this donation of the land to the railroad companies.

Mr. Maxwell appeared before the House recently and testified

that there were six railroad companies that had paid $6,000 a year for the last five years, I think, and one railroad company—not quite so large I suppose, or not quite so much interested in this matter—had paid $3,000 a year, and that there were others—who they were he did not state—who had contributed in addition to that sum, so that the aggregate contribution had been about $50,000 a year.

Mr. WARREN. May I interrupt the Senator from Colorado?

Mr. TELLER. I yield to the Senator from Wyoming.

Mr. WARREN. I think it is but just to the railroads, and the Senator, I think, will agree with me, to say that we can hardly believe that when making these contributions of funds the contributors expected that the money would be used in the very extreme and abusive manner in which some of it is being used. As an instance of that I should like to have read at the desk a paragraph from a newspaper, which was contributed, I understand, by a person who is employed by this fund.

Mr. TELLER. By Mr. Maxwell?

Mr WARREN. By Mr. Maxwell's fund, which he testified to.

The Secretary read as follows:

That land frauds have been carried on for years in Wyoming and are even now a daily occurrence is an open secret, known as well by the mass of the people as by the Land Office and other officials having detailed knowledge of the operations of the big cattle companies and others who have taken advantages of the intricacies of the existing laws to acquire large tracts of land fraudulently in this State.

Mr. WARREN. If the Senator will permit me, the article read is from Public Opinion, which we all know contains extracts from other papers; and this particular one was taken from the Denver Times. Upon inquiry I am informed that both the transmission of this material to the Denver Times and the fact that it is clipped from the Denver Times and published in Public Opinion are through agencies and instrumentalities, the cost of which is paid from this fund alluded to by the Senator.

Now, I feel sure that those who have contributed to that fund will not state that the public officials of Wyoming are corrupt, and that the public officials in Washington who review the cases are corrupt, and that frauds in Wyoming land offices are of daily occurrence, when as a matter of fact a fraudulent entry in that State is a very rare occurrence; and I challenge anybody and everybody to produce any evidence to the contrary. That matter has been fully investigated in the Interior Department in Washington, and in the speech which I had the privilege of making not long since I quoted from that report, giving the percentage of fraud, which was remarkable only because it was so very, very small. So I think the fund, while being used in a manner which I think is scandalous, is nevertheless being perverted from the purpose of those who contribute it, although I do not commend the parties who are contributing that fund.

Mr. TELLER. Mr. Maxwell stated before the committee that the purpose of this fund was to secure the enactment of what we call the "reclamation act," but, as stated by the Senator from North Dakota, he admitted that those contributions were still being made, notwithstanding the reclamation bill has long since become a law.

Mr. President, perhaps two months ago, when this question of the repeal of the land laws was up, I made the statement on the floor that the people back of this enterprise, this syndicate of publishers, the people who had been declaring against the present laws and charging fraud upon everybody connected with the matter, including the officials as well as settlers, were backed by those who own land and had it to sell.

I had at that time some information on this subject of an entirely personal and secret character, and I knew I was not mistaken. Subsequently Mr. Maxwell went before the House committee, and, realizing that the fact was before the committee and members of the committee had been acquainted with the fact that he was receiving large contributions, he admitted that he had received for so many years, I think, about $50,000 a year and was still receiving these contributions.

Mr. HANSBROUGH. Will the Senator yield to me?

Mr. TELLER. Certainly.

Mr. HANSBROUGH. I suggest to the Senator that Mr. Maxwell's statement on that line be publicly read at the desk. It is a very brief statement.

Mr. TELLER. If the Senator has it, I should like to have it read. I have it not here.

Mr. HANSBROUGH. It is the exact language used by Mr. Maxwell.

Mr. TELLER. Then I will ask to have it read.

The PRESIDING OFFICER (Mr. BALL in the chair). The Secretary will read as requested.

The Secretary read as follows:

Mr. HITCHCOCK. I want to perfect some information I asked for. When you gave the names of the railroads that have contributed to these funds you did not state the amounts they contributed.

Mr. MAXWELL. Six thousand dollars for each of the transcontinental lines and the Burlington, and $3,000 for the Rock Island.

Mr. HITCHCOCK. That makes how much altogether?

Mr. MAXWELL. Thirty-nine thousand dollars.

Mr. HITCHCOCK. Now, for what purpose was that money used?

Mr. MAXWELL. It has been used for the expenses of the National Irrigation Association, and there has only been a part which has been available by that association for the circulation of its literature and the maintenance of our press bureau and the educational campaign which we have been carrying on for the last five years.

Mr. HITCHCOCK. That is an annual contribution?

Mr. MAXWELL. Yes, sir.

Mr. HITCHCOCK. Has been going on for five years?

Mr. MAXWELL. Yes, sir.

Mr. HITCHCOCK. And still continues?

Mr. MAXWELL. And still continues.

Mr. HITCHCOCK. Six thousand dollars each for the transcontinental lines, and six of them?

Mr. MAXWELL. I include the Burlington.

Mr. FRENCH. What one pays less than $6,000?

Mr. MAXWELL. The Rock Island.

Mr. FRENCH. That pays $3,000?

Mr. MAXWELL. The funds of the association are drawn also from many different directions; this fund is only a part.

Mr. MARSHALL. What part?

Mr. MAXWELL. I think the fund exceeds $50,000 altogether.

Mr. MARSHALL. Annually?

Mr. MAXWELL. Yes, sir.

* * * * * * *

Mr. HITCHCOCK. Referring to this $50,000 fund, who controls the disposition of that; do you?

Mr. MAXWELL. We do.

Mr. TELLER. Mr. President, I can give Mr. Maxwell credit for claiming that this fund was not for the purpose of repealing these laws. Still he has been the most active agent in that interest. I will venture to say that 75 per cent of the attacks on the present system that have been in the public press have first appeared in his paper, published at Los Angeles. They can practically all of them, so far as I have been able to follow them up, be traced to that origin.

Now, I am not a railroad man, nor am I one of those who believe that railroad companies may not do meritorious acts as well as other people; but I want to ask the Senators now if they believe that these railroad companies, some of them owning large areas of public lands under the donation of which I have spoken, have been contributing year after year, before the passage of the reclamation law and after, for the express purpose of securing to the people an opportunity to make homes under that law?

There is no one who believes that to be the case. There is no one who supposes that the board of directors of a railroad company will vote money out of their treasury for a charity, and do it year after year, and face their stockholders. They are not charitable organizations. They have no right to do it under the law, and if they answer to their stockholders for a misappropriation of funds, they will answer by saying, "We believe that it will benefit us." How, Mr. President? By creating a market for their lands when there is no other place for settlers to go except upon the land owned either by the State itself, which it has received from the General Government or by these different railroads.

Mr. FULTON. Will the Senator from Colorado permit me——

Mr. TELLER. I certainly will.

Mr. FULTON. I call the Senator's attention to another feature of this repeal that will operate very greatly to the advantage of the land-grant railroads. If they shall succeed in securing the repeal of the timber and stone act, then there will be but two methods by which they can acquire timber land. One will be by the homestead law, and of course the Senator knows how difficult it is for one to go upon a tract of land that is heavily timbered and live up to and absolutely conform to the requirements of the homestead act. Consequently these land-grant railroads whose lands have been incorporated into forest reserves will have the exchange scrip or, as we call it for want of a better term, the forest-reserve scrip, which can be used in taking up timber lands. They have something like 2,000,000 acres of that scrip, I understand, which at once will become very valuable if the right of private entry of timber lands is done away with. That, consequently, will net them a vast sum of money, because people will have to purchase it in order to enter the timber lands.

Mr. TELLER. The Senator from Oregon is correct about that. It is too patent to go into an argument about, that the railroad companies were trying to bring about a condition of affairs that would enhance the value of their lands. I repeat, if they were not doing that, then they were violating the law and robbing their stockholders, and no defense could be made by them to their stockholders except that they were enhancing the value of their land by this donation.

We heard from the Senator from Montana [Mr. GIBSON] about a condition that he said existed in that State that I myself had not believed existed in any part of the United States. I believe the Senator received his incentive and his information largely from Mr. Maxwell and men of his class.

I wish to say a word or two before I pass from this point as to the interest of Mr. Maxwell and his associates, no matter who they are, in this subject of reclamation. We have now in the Treasury of the United States about $16,000,000, comprising the receipts of the Land Office for several years.

Mr. HANSBROUGH. About $18,000,000 now.

Mr. TELLER. It is about $18,000,000. And now it is proposed by these devotees of reclamation, these enthusiasts on the subject, to repeal, first, the timber law and, second, the commutation act and the desert-land act, and then there is no cash coming into the Treasury of the United States from the sale of public lands. We are then left with this magnificent enterprise of reclamation, which, if it is carried out as it ought to be, will take not only the eighteen or twenty million dollars, but very much more than that; and we are left with that and that alone to carry out the purpose of the law.

It can not be that men of Mr. Maxwell's intelligence or the men who back him believe that if the timber act and the stone act are repealed, and if the desert-land act and the commutation act are repealed, a sufficient sum of money will come into the Treasury of the United States from public lands to be worthy of attention on the part of the Government or the people who are depending on the Government to make reclamation of the desert.

Every act they have performed and every step they have taken has been an intelligent step toward depriving the people of every opportunity to take public lands and compel the people either to go without land or to apply to them. Referring to the State of Montana, I call attention to the fact that more than 17,000,000 acres of land in that State belonged, and most of it to-day belongs, to a great railroad corporation.

While the owners of the stock in the Great Northern Railroad Company may not have any interest directly in the grant, they have an interest in all of the land owned by the Northern Pacific, and they thus have an interest in that 17,000,000 acres. The Great Northern was not a land-grant railroad, but the Northern Pacific was. To-day the Great Northern controls the Northern Pacific. It controls also the Burlington. The reason why the Burlington is a contributor to the fund is because the Federal Government has already deeded away its lands under a grant which was made years ago. The great moving power has been the Great Northern road. The Great Northern road has an interest in this land such as no other corporation has.

The Santa Fe road has extensive interests, with a great public-land interest acquired both directly and indirectly from the old Atlantic and Pacific. I have not had time to go over the facts carefully, because I find there is much difficulty in the Land Office in arriving at a correct statement. I have not been able to ascertain just how much land these different railroad companies own; but I know that until recently the railroad companies owned 3,000,000 acres of land in the State of Colorado, and last year, if I am not mistaken, they sold more than 100,000 acres of land to the people of that State.

Mr. STEWART rose.

Mr. TELLER. Does the Senator desire to interrupt me?

Mr. STEWART. I would not interrupt the Senator, but I want to give him a parallel.

Mr. TELLER. All right.

Mr. STEWART. In 1868 I became satisfied that the lands were being taken by speculators and not by entrymen under the preemption law. I made a speech against it and talked against it as such an abuse as no man ever heard of. That was discussed all over the country; the papers published it; it came out in the magazines. I thought that was sufficient. I got a small appropriation through, creating some more clerks for the Land Office. Mr. Wilson was the Commissioner then. I went down and asked him, in the first place, if he would do it if I got the money with which to employ additional clerks. That was done. They made a synopsis of all the laws referred to in the speech I made in the Senate. I wanted to get at the particulars as to what had been disposed of under the preemption act. A table was prepared, and it will show that over half of the land that was sold under the preemption act went to speculators in this way.

There were surveys made through the Mississippi Valley, and the surveys were spread out rapidly with the advance of settlement. They had a law by which, after the surveys had been made a certain length of time, the land should be offered at public sale, and after it had been offered at public sale it should be subject to private entry. So there would be a million acres of land surveyed before the settlers got there; it would be offered at public sale, there would be no bidders, and it would be bought up by townships and some by county after county. In Iowa an immense part of the State was bought up in this way by speculators and sold within a year or two at $10 an acre.

I had a table of the whole business prepared, and when that table was published members of Congress got extra copies of it and sent it all over the country. That information showed how speculators were making money, and that settlers instead of getting the land at $1.25 an acre under the preemption law were paying $10 and $12 an acre for it, and sometimes as high as $15 for a large portion of the land. As soon as that was published the law authorizing it to be sold at public auction at a certain time after the surveys were made was repealed.

But the general interest of the press in this question reminds me of the general interest taken in preserving that law whereby men became very rich. I could name some of them now. Great fortunes were made by having the surveys extended ahead of the settlement. That system spread all over the Mississippi Valley. When by this manipulation they had it made subject to private entry, they would buy it and settlers would come in and have to pay large prices. A little over half of the land up to that date had been manipulated in that way. After the passage of the preemption law in 1841, over half of the land that had been disposed of under that law up to 1870, up to the time I published that table, had been sold and bought up at private entry and then sold at enormous prices to settlers.

But nothing stopped this howl except the publication of the facts. There was one great firm in Cleveland where they issued a paper for that purpose. This is a very similar kind of howl, and there must be something behind it. The facts brought out here remind me of what was behind that other howl. There was at that time a patriotic howl of this character. When we have land laws in conflict with what has been the experience in speculations in the West and there is a howl against them it is well enough to examine the source, and I am glad that we are developing the patriotism of these publications.

Mr. TELLER. I cited the case of Mr. Maxwell to show that in my judgment the railroads are not moved by an interest in the public, but by their own interests in the property that they want to sell. The Senator from Nevada alludes to the fact that public lands had been offered and then were subject to private entry after they had been offered. After they had been offered any person who could pay a dollar and a quarter an acre could walk in and buy. If he had enough money, he could buy a quarter section, or a township, if he saw fit. That continued to be the law until 1891. In 1891 the act to which I have referred, and which I took part in preparing, was repealed except as to the State of Missouri.

Mr. STEWART. That is true. The law continued in force after the publication of this table, after the exposé. No President would stop it at once.

Mr. TELLER. No; the surveys in advance were stopped in that way.

Mr. STEWART. Yes; as quickly as that was done.

Mr. TELLER. There were thousands and tens of thousands of acres accumulated in that way by the wealthy people of the country, which was against the public interest, but that has not been the condition for many, many years.

Mr. STEWART. No.

Mr. TELLER. I can refer to some very large holdings in Illinois, and I can show that they were purchased under that private-entry law fifty or sixty years ago.

Now, we did not repeal that law as to Missouri for the reason that the senior Senator from Missouri [Mr. COCKRELL] came before the committee and said, "The land in Missouri is open to private entry and has been open to private entry for many years, and occasionally a piece is sold. There has been no abuse of it; there has been no aggregation of large amounts of land." And we omitted Missouri because the condition was different there perhaps from any other section. I asked the Senator the other day whether the failure to repeal the private-entry law had been injurious to the people of that State, and he informed me that it had not.

Mr. COCKRELL. It has been beneficial, instead of injurious.

Mr. STEWART. It was a poor part of the State.

Mr. TELLER. Since 1891 it has not been possible for anybody to make a private entry in that way; but in 1885, in the State of Colorado, there were about 40,000 or 50,000 acres taken in one neighborhood, and a dollar and a quarter was paid for it. It has been lying there open to private entry or to preemption, because it was open to preemption, and it was also open to homestead. It had been surveyed at least twenty years and nobody had cared to take it. Finally some cattlemen went in there and took it all up, as they had a right to do; and no blame could be attached to them or anybody as long as the law existed. One of those concerns has the biggest holding I know of in the State of Colorado, and it is only 16,400 acres. When anybody tells me that the State of Colorado has suffered by these laws, I deny it.

I went to Colorado when not one foot of it had ever been surveyed. Whether it was a Mexican grant or whether it was a public land, it was still unsurveyed.

I have seen it surveyed, and I have seen it entered. I want to contradict the statement made here on this floor that a large per-

centage of it has been illegally and improperly entered. There was some controversy some years ago in southern Colorado. A controversy arose out of the fact that the people had taken coal lands as agricultural lands. The Government had returned it as agricultural land, and the people had a right to take it, and did take it. One case went to the Supreme Court of the United States, where it was alleged that there had been some fraudulent transaction in two quarter sections, and the Supreme Court sustained the title of these holders, saying that the Government had not shown any bad faith nor any corrupt proceeding on their part in the matter. The cry of fraudulent entries will always be made, and it has been made from time to time.

Now, Mr. President, I want to call the attention of the Senate to the fact that if a man takes a homestead, or under the preemption law he takes a preemption claim, or under the desert law takes a desert-land claim, and does not comply with the law the law provides a way by which any man who wants that land can file on it and then come to the Land Office and assert that the law has not been complied with. So every interest in the neighborhood is alive to see that the land is properly entered, and if the land is valuable surely somebody will question the right of a man who is securing it without compliance with the full provisions of the law.

I wish to say a word or two about the homestead law. In 1877, when I was somewhat younger than I am now, but a member of the Senate, a bill came from the House providing for the first desert-land act except one. There had been an act passed some years before applying to two or three counties of California, and then came the act of 1877. At that time there was no necessity in Colorado for a desert-land act. Very little land had been taken.

The opportunity to go upon the public land was open to everybody, and the streams that were used for irrigation could be tapped with very little expense. As I said then, I repeat now, I have known many a farmer to go out upon the prairie and take his homestead and his preemption as he desired, or both, as he could take ultimately, and take his time, and make his own ditch and put the water upon his land with practically no outlay of money whatever. I saw land well watered for 25 cents an acre in those days. I have seen as many acres of that State as any man in it or out of it, and to-day I know of no quarter section that you could put water on for $25 or $30 an acre.

It is said the homestead settler must go upon the land and live there five years. Mr. President, that is an inhibition; that is a prohibition of the right of the settler to go upon the public land. To-day he can not do it unless he combines with others to make homes. Fifty settlers or a hundred settlers combining, in no part of the country I am acquainted with, can make a ditch without help from outside.

It was said the other day in the House of Representatives that there was no land left that settlers would desire to go upon. Mr. President, within 50 miles of the capital of Colorado there is land that, if water were put on it, would be worth $50 or $75 an acre. It will cost every dollar of that amount to put water on it.

Settlers in that section of the State going upon the land when they did not expect to cultivate so much have since cultivated over 40 acres, and have got water for that purpose. They have within the last ten years put in all their own earnings. Nothing has been done by the money of capitalists, but the farmers themselves have increased their water facilities by an expenditure of more than $2,000,000.

So far as I am concerned, I should infinitely prefer seeing the reclamation law to-day repealed to seeing the settlers of my State compelled to rely upon the Government alone for the water to be used on their farms. We have bored through the Continental Divide; we are taking the water that ran originally to the Pacific Ocean, and turning it into the Gulf of Mexico. That can not be done, Mr. President, except by combinations of capital and combinations of men.

Mr. CLARK of Wyoming. Will the Senator from Colorado permit me to interrupt him just at this point?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Wyoming?

Mr. TELLER. I do.

Mr. CLARK of Wyoming. I should like to ask the Senator, from his experience and from his knowledge of the situation, whether he believes it possible for a settler to go onto the present unoccupied public domain and make it productive for much less, if any less, money than he would require either in money or in labor to purchase a farm in the agricultural States, so speaking?

Mr. TELLER. In reply to that question, Mr. President, I will say that there are portions of Colorado to-day where you can buy a farm with water on it more cheaply than you can take for nothing 160 acres and put water on it.

In 1882 there was a settlement made in western Colorado upon what is called the Grand River, which runs west and through the Colorado River into the Gulf of California. A large number of settlers went into that valley, which is one of the most fertile valleys on the continent. They went there with the promise that a great eastern corporation would put in a ditch during the summer. They could not raise the slightest thing, except prairie grass, and even that was scarce during that season. You could not have a garden; you could not have even good pasture, unless your cattle went on the mountains. Two or three hundred settlers built their cabins and waited for the company to bring in the water.

There was a provision of law which authorized the Secretary of the Interior under such circumstances to extend the time of settlers for living on their homesteads. Being then Secretary of the Interior, I extended the time of those settlers. What else was there to do? Would it have been just to adhere to the letter of the law, requiring that these men should live upon their homesteads? There was nothing there for them to do. A man could not earn a dollar, because nobody wanted his labor. He had nothing to sell. A year afterwards the ditch company put the water in, and there is nowhere in the world a better specimen of the benefits of the application of water to desert land than in that valley. For miles up and down that river, on both sides of it, is a community as intelligent as any community you can find in New England, in New York, in Pennsylvania, or in any other State. They have there public schools equal to those of any State in the Union. They have orchards and vineyards and fields of grain and everything that goes to make a community great and good.

I had promised that I would not extend my remarks so as to interfere with the Senator from Mississippi [Mr. McLAURIN] or with the Senator from New Hampshire [Mr. GALLINGER], but I have before me data which, I suppose, if I should put in form and discuss would take me a couple of hours longer. I have information here that would show that the statement made on this floor and elsewhere, that the country is being, in the language of the street, "gobbled up" by the cattle owners and others is untrue. With rare exceptions, in this country the farms are growing smaller with every decade. They are smaller than they were twenty or thirty years ago, and they continue to grow smaller as land grows more valuable and products become easier to market and the opportunity for intensive farming increases.

Mr. STEWART. I hope the Senator from Colorado will insert in his remarks all of the material to which he refers.

Mr. TELLER. There is an exception as to this increase in the number of farms, but as a rule they have very largely increased. When they speak about farms, they take the number of farmers and then divide the number of acres to get the aggregate. There is a very large increase in Montana, and there is a slight increase in Colorado. The increase in Colorado comes from the fact that in Colorado a great number of acres of land have been patented in recent years to the old Mexican grant claimants. The increase of acreage in the State of Montana comes from the fact that the railroad, with 17,000,000 acres, has been selling its lands to the people of Montana.

I will venture to say that an examination of the condition of farm lands of the West—I mean now in the land States, as we call them—will show that their condition, so far as a large acreage is concerned, is perhaps less than it has been in the past; that the farms are smaller and not larger, whatever may be said to the contrary.

There is another instance of remarkable increase, and that is in the State of Nevada. The farms there have increased very greatly in area in the last ten years.

Mr. CLARK of Wyoming. The Senator refers to individual farms?

Mr. TELLER. Yes; I am speaking of individual farms. Mr. President, I do not pretend to know how that has happened in Nevada. That is one of the States with which I am not familiar.

Mr. HANSBROUGH. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. TELLER. Certainly.

Mr. HANSBROUGH. I want to state that I had occasion the other day to look up the figures with respect to the number of desert-land entries in Nevada and the number of commuted homestead entries in Nevada, and I was surprised, in view of the fact that my friend the junior Senator from Nevada [Mr. NEWLANDS] wants these land laws repealed so very badly, to find that since 1881 only seventy men have taken desert-land entries in that State and only ten men have taken commuted homestead entries in that State.

Mr. WARREN. In the entire State?

Mr. HANSBROUGH. In the entire State of Nevada. Those are a good many people for Nevada, but those are the facts.

Mr. NEWLANDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. NEWLANDS. I hope the Senator from Colorado will kindly yield to me.

Mr. TELLER. I will yield for a question, but not for the Senator to make a speech.

Mr. NEWLANDS. I think it will be necessary for me to take the floor for ten or fifteen minutes, in view of the statement just made by the Senator from North Dakota [Mr. HANSBROUGH].

Mr. TELLER. Then I shall decline to yield to the Senator, because I believe I can hold the floor quite as profitably in this interest as the Senator can for the next ten or fifteen minutes.

Mr. NEWLANDS. Very well. In asking the Senator to yield I wished simply to give him warning as to the amount of time I desire to occupy, so that he might cut me off if he chose to do so.

Mr. TELLER. I have an idea that I know something about this public-land question.

Mr. President, the Senator from North Dakota [Mr. HANSBROUGH] presented some figures to the Senate, which appeared in the RECORD some days since, to which I wish to call attention, and it will only take a moment to do so. That Senator presented a statement showing the acreage and the various classes of public lands specified as disposed of between July 1, 1881, and June 30, 1902, inclusive—twenty-two years. In that time there were proved up for final homestead after five years residence 77,487,849 acres and of commuted homesteads 19,000,000 acres. After hearing the Senator from Montana [Mr. GIBSON], I thought I would inquire at the General Land Office as to how much desert land had been taken in that State since 1877.

By the way, I think I ought to have stated that in 1891 we reduced the area of desert land one-half and made very rigid laws as to the proof of water having been put on. From 1877 down to 1902 1,284,000 acres of land were taken in the State of Montana and under the desert-land act. If you were to listen to the Senator from Montana, you would suppose a million a year had been taken—one-seventeenth of what the railroad company owns. Divide it for the twenty-seven years and it is inconsequential.

What is true of Montana is true of Colorado, and what is true of Colorado is true of many other sections. If you get at the naked facts, you will find what I am going to assert here before I conclude. I am going to assert it, and if anybody wants an investigation into the matter it will be easy to get provision for it through this body. I assert that the movement for the repeal of these land acts is incited and supported in the interest of the men who now own land and not in the interest of the men who want to own land.

The Senator from Oregon [Mr. FULTON] says there are $2,000,000 of scrip out. There is more than $5,000,000 of scrip out. I must say a word about that scrip.

Mr. FULTON. I only referred to the amount of "forest-reserve scrip," so called. I think I said $2,000,000. I am inclined to believe that I underestimated it. There are millions of other scrip that would be benefited in the same way.

Mr. TELLER. By some process, which escaped my attention, there was a provision put into some of the appropriation acts, as I recollect, that if a settler lived inside of a forest reserve he might exchange that land for land outside. No; it was not confined to the settler, but applied to the owner of land as well. If my attention had been called to it I should have tried to confine the provision to the settlers.

What was the result of that, Mr. President? Great forest reserves were made over the land owned by railroad companies. Thereupon the railroad companies exchanged the land inside of forest reserves for scrip, which they could locate somewhere else, and they took the scrip and went on the finest white-pine lands there was left on the continent in the State of Idaho. They filed that scrip which they had received for land that could not be sold for more than a dollar or a dollar and a quarter an acre, and for it they received land worth from four to six dollars an acre. Two hundred thousand acres of that land were offered for sale in this city within the last month by an agent of the railroad company.

Mr. HEYBURN. Mr. President——

The PRESIDING OFFICER. Will the Senator from Colorado yield to the Senator from Idaho?

Mr. TELLER. I yield to the Senator from Idaho.

Mr. HEYBURN. When the Mount Rainier Reservation was created no effort was made to determine what portion of it, if any, was mineral land, but the railroad company exercised the right of exchange without regard to whether or not the land within the Mount Rainier Reservation was mineral land and belonged to the railroad company.

Mr. CLARK of Wyoming and others. They scripped it all.

Mr. TELLER. Then I suppose they did scrip mineral lands to which they were not entitled as well as other land. Repeal the homestead law, repeal the desert-land law, and you will make it impossible for a man to get land anywhere unless he owns scrip. He may wait, you say, for the Government to build the irrigating canals. Mr. President, in my judgment there will not be an acre of land irrigated under the reclamation law in the next ten years. These enterprises which the Government has inaugurated are great big enterprises.

Mr. NEWLANDS. Mr. President, will the Senator permit an interruption there?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. TELLER. I will yield for a question, but I will not yield for a speech from the Senator from Nevada.

Mr. NEWLANDS. Will the Senator permit a statement?

Mr. TELLER. I will if it is a brief statement.

Mr. NEWLANDS. The Senator states that under the reclamation act there will be no land opened up for settlement within the next ten years.

Mr. TELLER. I did not say that. I said "in my judgment."

Mr. NEWLANDS. That was the Senator's judgment. I have to say that there is an irrigation project now in process of completion in Nevada, and some 50,000 acres of that land, out of a total of 400,000 acres, will be opened up to entry within a few months.

Mr. DUBOIS. Will the Senator from Colorado allow me to say a word just there?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Idaho?

Mr. TELLER. I yield.

Mr. DUBOIS. I want to illustrate the very pertinent idea suggested by the Senator from Colorado [Mr. TELLER], which is all the more pertinent since the remarks of the Senator from Nevada [Mr. NEWLANDS]. If, as the Senator from Colorado says, the commutation clause of the homestead law is repealed, the desert-land law is repealed, and the timber and stone act is repealed, there will be no more money flowing into the reclamation fund, because there will be no land law except the plain homestead law. There are now about $18,000,000 in the reclamation fund derived from the proceeds of the sales of public lands.

Mr. CLARK of Wyoming. Under those laws.

Mr. DUBOIS. Yes; and that is the only way by which money can be secured to be put in this fund, and there will be practically none received under the homestead law.

Of this $18,000,000 in the fund at the present time—I take that amount for illustration—$2,700,000 of it has been set aside to reclaim the Minidoka project, in Idaho. That money can not be used for any other purpose except for that one project. Other amounts have been set aside taking up almost all of the $18,000,000. It will take several years at least to complete the Minidoka project. After that project is completed settlers will take the lands thus made available and pay back to the Government the cost of reclaiming the land, and they will pay it back in installments covering ten years. So that the statement which the Senator from Colorado made is almost literally true, that you render ineffective and inoperative the great reclamation act if you destroy and wipe out these land laws.

Mr. NEWLANDS Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. TELLER. I am not going to yield to the Senator to make a speech. I am going to quit, and he can make a speech if he can get the floor.

Mr. NEWLANDS. Will the Senator yield so that I can make a statement as long as that of the Senator from Idaho?

Mr. TELLER. Go ahead.

Mr. NEWLANDS. I wish to say, Mr. President, that before the repeal of the commutation clause of the homestead act, or the repeal of the desert-land act, or the modification of these laws can be accomplished, there will be at least $30,000,000 in this fund. That $30,000,000 constitutes a revolving fund, for almost as rapidly as the money is spent it is returned by the sale of lands which are reclaimed.

I insist upon it that even if we only have $30,000,000 in that fund by this process of revolving it will eventually reclaim all the lands that are possible of reclamation in the arid region. I regard it as of much more importance——

Mr. TELLER. I can not yield further.

Mr. NEWLANDS. Just one second, in order that I may complete the sentence.

I regard it as much more important to save this great domain for actual settlers and home builders than to increase a fund, which, by the time this modification in the way of reform takes place, will reach $30,000,000, and which will, by this process of revolving, accomplish the entire work.

Mr. TELLER. Mr. President, if the Senator from Nevada and those who think with him had their way, all those laws would have been repealed before to-day. They have pending here a bill for their repeal, and that is what they intended to do when this Congress met. When we were howled at from every side, and all the newspapers of the land, following this man Maxwell's Talisman, published his statements all over the country, it was

expected to startle Senators and compel those living in sections of the country knowing nothing about the subject to repeal those laws instanter. There would not have been a dollar left, in my judgment, if the men who are back of this scheme had been successful. That is what they intended to do—to prevent any money going into that reclamation fund.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Wyoming?

Mr. TELLER. Yes.

Mr. WARREN. I desire to say right there that a similar bill to repeal these identical laws was introduced, pushed, and reported to this body in the last session of Congress.

Mr. TELLER. Mr. Maxwell went before the committee and made the statement—whether the Senator from Nevada was present or not I do not know—that the friends of this repeal had considered this question even before the reclamation act passed and thought it was better to not make the effort for repeal then, but to wait.

Mr. President, when any man comes here and says that this proposed appeal is in the interest of the public, in my judgment he makes a great mistake. I know that in my State, where there has been no stealing of the public land, there is no sentiment for the repeal of these laws, which have been modified from what they were years ago, and in my judgment even the wisdom of the Senator from Nevada can not make them any safer and better than they are now. At all events, Mr. President, I prefer to leave them as they are rather than to trust Mr. Maxwell and his syndicate of railroads, even though they may be backed by Senators.

Mr. NEWLANDS. If the Senator will permit me, I was not on the committee before which Mr. Maxwell appeared. I will state to the Senator from Colorado that while I believe that these statements regarding fraud in the land laws are exaggerated, I also believe that frauds have existed and that frauds are now being accomplished not so much against the letter as the spirit of the law, and it is my desire to see the existing laws so modified as to make fraud impossible and to prevent the waste of the public domain.

My view from the start has been a very moderate one, and that is that we have not been as provident in the administration of our great estate, the public domain, as we ought to have been; that no laws are perfect; that the present laws are not perfect; that they require modification in the interest of honest administration and home building. That is my position. I have no sympathy whatever with the attacks made upon Senators in this body who differ with me. I am controlled in my opinion by no man or set of men; but I am for land reform.

Mr. TELLER. The Senator talks about land reform. He assumes that there are defects in these laws which I assert are not there. He insists that under those laws large areas of land have gone into private hands, which I deny.

I have heard it stated that in the State of Colorado there were large areas controlled by individual owners. There were; but they came from the railroad grants. The large areas in Montana also came from the railroad grants. I have the proof right here that they are not the result of the operation of the desert-land act, but I am not going to stop to read it. I will, however, ask permission to put it in the RECORD.

The PRESIDING OFFICER. The Chair hears no objection.

Mr. TELLER. I will also ask permission to put into the RECORD the statistics with respect to Colorado, and also statistics showing the areas of farms. The statistics are taken from the census reports, so that there will be no question about them.

The PRESIDING OFFICER. The Chair hears no objection to the request of the Senator from Colorado.

[See Appendix.]

Mr. TELLER. Mr. President, I will conclude by saying that it has been possible to aggregate large tracts of land in private holdings, first, because of the railroad grants, amounting to 200,000,000 acres, an area, as I said before, equal to that of the thirteen original colonies. More than a hundred million acres of this land has already been patented to the railroad companies, and more is to be patented. Second, in the great amount of land donated under laws to the States.

I have a statement as to the holdings in Colorado, to which I wish briefly to call attention. It shows that with the 3,000,000 acres of railroad land, with the 1,342,000 acres in Mexican grants, with the million under the Carey Act, with the 500,000 for internal improvements, and with the 3,000,000, almost the 4,000,000, acres of school land that has been for sale by the State, there is a large area, about 10,000,000 acres of land, in Colorado that can pass into the hands of private holders otherwise than through the operation of the land laws, and it does so pass into their hands; and while these people who are howling about the land laws may declare that land passes into these holdings by virtue of those laws, the fact is, those laws can not be so manipulated and have not been for the last twelve or fourteen years as to bring about such a result.

Mr. President, I am going to quit. I regret that I could not have had time to show by the statistics the absurdity of the statements made, particularly in the speech of the Senator from Montana [Mr. GIBSON], and in published statements made and read in the House of Representatives within the last week.

APPENDIX.

LAND GRANTED TO RAILROAD COMPANIES.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 2, 1904.

Hon. H. M. TELLER, *United States Senate, City.*

SIR: In further response to your letter of the 25th ultimo, I have to advise you that the area of lands granted by Congress to States, Territories, and corporations to aid in the construction of railroads is estimated at 197,000,000 acres, of which a quantity estimated at 35,000,000 acres has been forfeited by subsequent legislation, leaving the estimated area of unforfeited railroad grants 162,000,000 acres. Up to and including June 30, 1903, there had been patented, on account of railroad grants, 103,736,451.58 acres, of which 2,296,871.93 acres are in the State of Colorado, in which State the estimated area of railroad grants is 3,000,000 acres.

I have further to say that the actual amount granted railroads can not be definitely stated until all grants have been adjusted.

The further inquiries contained in your letter will form the subjects of future communications.

Very respectfully, W. A. RICHARDS, *Commissioner.*

LAND AREAS IN MONTANA AND OTHER STATES.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 4, 1904.

Hon. HENRY M. TELLER, *United States Senate.*

SIR: In reply to your verbal request of this date, relative to the area of public lands disposed of in the several States and Territories, and separately in the State of Montana, under the desert-land acts of March 3, 1877, and March 3, 1891, I have to advise you that up to and including March 3, 1891, the original entries embraced 6,852,699.02, and the final entries, 1,660,793.66 acres.

From March 4, 1891, to June 30, 1903, inclusive, the area of original desert entries amounted to 5,639,194.06 acres, and of the final entries to 1,839,119.04 acres.

The area of original desert entries in the State of Montana from March 3, 1877, to March 3, 1891, inclusive, amounted to 1,056,815.40 acres, and the area of final entries to 357,645.87 acres. The area of original desert entries from March 4, 1891, to June 30, 1903, inclusive, amounted to 2,087,386.88 acres, and the area of final entries to 704,142.03 acres.

Very respectfully, W. A. RICHARDS, *Commissioner.*

The facts are more clearly brought out in the following tabulated statement:

	Entries in States and Territories.		Entries in Montana.	
	Original.	Final.	Original.	Final.
March 3, 1877, to March 3, 1891	6,852,699.02	1,660,793.66	1,056,815.40	357,645.87
March 4, 1891, to June 30, 1903	5,639,194.06	1,839,119.04	2,087,386.88	704,142.03
Total	12,491,893.08	3,499,912.70	3,144,202.28	1,061,787.90

PATENTED LAND IN COLORADO.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 6, 1904.

Hon. H. M. TELLER, *United States Senate.*

MY DEAR SENATOR: In further reply to your letter of the 25th ultimo, requesting information as to the quantity of land patented, etc., in Colorado since its organization as a Territory, to and including June 30, 1903, I have to state, as to your first inquiry, that as no record has been kept as to area of lands patented, either as a whole or by States or Territories, it is impossible to furnish you with even an approximate statement of the lands patented in Colorado, and to comply with your request would require the services of a large force of clerks for an indefinite period. The following statement is, however, submitted: Total area of Colorado, 66,348,160 acres; area of lands donated to the State, Spanish and Mexican private grants, grants to railroad companies and unappropriated lands to July 1, 1904, 47,730,847 acres; area disposed of by entries made under the various land laws to June 30, 1903, 18,617,313 acres.

To the sixth inquiry:

Donations of land to Colorado.

	Acres.
School lands (secs. 16 and 36 or indemnity therefor), estimated	3,715,555
Academies and seminaries	46,080
Agricultural colleges	90,000
Public buildings	32,000
Penitentiaries	32,000
Internal improvements	500,000
Salt Springs and contiguous lands	46,080
Desert lands (title to vest after proof of reclamation)	1,000,000
Total	5,461,715

To the seventh inquiry:

Private land grants in Colorado.

Baca Float No. 4	99,488
Nolan	48,778
Vigil and St. Vrain (Las Animas)	79,249
Beaubien and Miranda (Maxwell land grant), approximately	365,000
Sangre de Cristo, approximately	750,000
Tierra Amarilla, approximately	100,000
Total	1,342,515

Replies to inquiries Nos. 2, 3, 4, 5, and part of 7 were made by letters of March 31 and April 2, 1904.

Very respectfully, W. A. RICHARDS, *Commissioner.*

Disposal of land in State of Colorado.

Fiscal year.	Original entries of land under the homestead laws.	Commuted homesteads.[a]
	Acres.	Acres.
1864	45,224.80	
1865	24,197.99	
1866	31,265.14	
1867	18,315.86	
1868	6,754.70	
1869	6,609.49	
1870	68,986.59	
1871	93,301.39	
1872	46,579.39	
1873	65,641.07	
1874	83,796.82	
1875	67,955.35	
1876	63,351.05	
1877	38,046.52	
1878	84,994.30	
1879	65,302.42	
1880	98,092.26	
1881	115,550.99	
1882	136,408.88	12,205.96
1883	210,800.43	14,518.24
1884	198,394.92	21,170.68
1885	176,214.39	18,060.58
1886	281,801.14	16,242.93
1887	801,574.79	31,480.19
1888	1,007,554.08	106,245.75
1889	526,377.04	242,732.16
1890	350,907.91	153,060.78
1891	289,015.86	50,040.17
1892	348,554.36	25,836.17
1893	416,772.19	23,356.32
1894	234,580.42	12,842.85
1895	251,150.90	15,446.37
1896	170,533.61	6,507.86
1897	172,628.76	4,026.72
1898	192,812.13	6,348.55
1899	234,665.50	6,309.60
1900	312,784.53	9,381.89
1901	380,698.36	21,551.71
1902	504,903.90	22,623.39
1903	542,245.83	24,807.76
Total	8,765,406.06	844,796.63

[a] Sec. 2301, Rev. Stat.; sec. 2, act of June 15, 1880.

Statement, by fiscal years, of the area of public lands in Colorado disposed of under acts specified below.

Fiscal year.	Timber and stone.[a]	Original timber culture.[b]	Final timber culture.	Timber-culture entries commuted to cash under act Mar. 3, 1891.	Desert-land act.[c]	
					Original.	Final.
	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
1874		2,272.24				
1875		3,453.82				
1876		6,514.22				
1877		3,023.33				
1878		15,474.73				
1879		15,962.03				
1880		29,269.83				
1881		26,473.31				
1882		47,436.05	160.00			
1883		58,685.02				
1884		137,933.07	160.00			
1885		204,983.61	240.00			
1886		719,947.05	480.00			
1887		1,437,636.59	559.00			
1888		970,281.39	700.00			
1889		336,545.68	1,113.72			
1890		206,537.07	3,080.00			
1891		96,932.90	4,700.32	5,759.92	5,216.90	
1892		6,147.52	5,318.73	33,802.45	24,840.00	7,860.71
1893	5,845.38	3,634.18	8,748.44	37,620.67	22,726.10	2,629.75
1894	6,256.96	1,504.45	55,317.47	7,537.93	15,171.91	1,354.59
1895	2,280.00	80.00	71,093.94	5,265.69	10,264.47	2,782.78
1896	3,712.54	119.71	61,289.22	1,661.60	13,503.66	6,569.72
1897	2,987.54		58,931.34	1,175.00	8,091.38	7,697.15
1898	3,419.63		51,488.24	795.20	10,352.97	11,309.98
1899	2,887.95		58,160.38	440.00	14,149.52	9,288.07
1900	14,855.25		44,404.83	80.00	24,222.34	10,860.49
1901	21,223.32		57,287.06		30,592.17	7,551.06
1902	31,656.61		41,681.89	155.80	61,475.54	8,375.11
1903	39,691.18		32,456.28	160.00	72,074.44	8,582.13
Total	134,796.36	4,330,647.80	557,430.86	94,454.26	312,621.49	84,385.54

[a] Acts of June 3, 1878, and August 4, 1892.
[b] Acts of March 13, 1874, and June 14, 1878.
[c] Acts of March 3, 1877, and March 3, 1891, section 2.

Number of acres entered in Colorado from 1893 to 1902, inclusive.

Year.	Pre-emptions.[a]	Original.[a]	Homesteads.[b]		Timber culture.[c]		
			Commuted.	Final.	Original.	Commuted.	Final.
1893	41,430.58	416,772.19	23,356.32	237,807.65	3,684.18	37,620.67	8,748.44
1894	10,679.36	234,580.42	12,722.85	222,774.26	1,504.45	7,537.93	55,317.47
1895	2,640.54	251,150.90	15,446.37	174,083.91	80.00	5,265.69	71,093.00
1896	3,299.30	170,533.61	6,507.86	143,640.01	119.71	1,661.60	61,289.22
1897	742.01	172,628.76	4,026.72	101,683.18		1,175.00	58,931.34
1898	160.44	192,812.13	6,348.55	110,887.37		795.20	51,488.24
1899	592.98	234,665.50	6,309.60	138,361.53		440.00	58,160.38
1900		312,784.53	9,381.89	155,267.83		80.00	44,404.83
1901	160.00	380,698.36	21,551.71	133,267.35			57,287.06
1902	480.00	504,903.90	22,623.39	159,149.54		155.80	41,681.89
Total.	60,185.22	2,891,530.26	128,275.26	1,556,872.65	5,388.34	54,731.89	508,401.87

Year.	Desert land.[d]		Timber and stone.[e]	Mineral lands.[e]	Aggregate, all classes.
	Original.	Final.			
1893	22,726.10	2,629.75	5,845.38	10,896.35	890,803.79
1894	15,171.91	1,354.59	6,256.96	8,461.39	427,061.60
1895	10,294.47	2,782.78	2,280.00	5,209.29	482,919.70
1896	13,503.66	6,593.72	3,712.54	12,157.39	311,592.09
1897	8,091.38	7,697.15	2,987.54	12,223.63	326,896.57
1898	10,352.97	11,309.98	3,419.63	17,682.20	327,779.19
1899	14,149.52	9,288.07	2,887.95	10,616.81	409,068.22
1900	24,222.34	10,860.49	14,855.25	15,591.10	781,660.49
1901	30,592.17	7,551.06	21,223.32	18,006.79	655,435.77
1902	61,475.54	8,375.11	31,656.61	21,600.33	1,041,141.33
Total.	210,490.06	68,442.70	95,105.18	132,385.28	5,654,298.75

[a] Act of June 2, 1862. [b] Act of May 20, 1862. [c] Act of June 14, 1878.
[d] Act of March 3, 1877. [e] Act of June 3, 1878.

Area and number of farms.[a]

Census.	Number of farms in United States.	Total acreage of farms.	Average acreage of farms.
1850	1,449,073	293,560,614	203.0
1860	2,044,077	407,212,538	199.0
1870	2,659,985	407,735,041	153.0
1880	4,008,907	536,081,835	133.7
1890	4,564,641	623,218,619	136.5
1900	5,737,372	838,591,774	146.2

[a] Does not include Alaska and Hawaii.

Number, total acreage, and average acreage of farms in certain States and Territories, 1850 to 1900, in ten-year periods.

State or Territory.	Census.	Number of farms.	Total acreage.	Average acres per farm.
Alabama	1850	41,904	12,137,681	289
	1860	55,128	19,104,545	346
	1870	67,382	14,961,178	222
	1880	135,804	18,856,334	138.8
	1890	157,772	19,853,000	125.8
	1900	223,230	20,685,427	92.7
Arizona	1850			
	1860			
	1870	172	21,807	127
	1880	767	135,573	176.8
	1890	1,426	1,297,033	909.6
	1900	5,800	1,935,327	333.2
Arkansas	1850	17,758	2,598,214	146
	1860	39,004	9,573,706	245
	1870	49,424	7,597,296	154
	1880	94,433	12,081,547	127.7
	1890	124,760	14,891,356	119.4
	1900	178,094	16,636,719	93.1
California	1850	872	3,803,985	4,466
	1860	18,716	8,730,094	466
	1870	23,724	11,427,105	482
	1880	35,934	16,593,742	461.8
	1890	52,894	21,427,293	405
	1900	72,542	28,828,951	397.4
Colorado	1850			
	1860			
	1870	1,738	320,346	184
	1880	4,506	1,165,373	258.6
	1890	16,389	4,508,941	280.6
	1900	24,700	9,474,588	383.6
Florida	1850	4,304	1,595,289	371
	1860	6,598	2,920,228	444
	1870	10,241	2,373,541	232
	1880	23,438	3,297,324	140.7
	1890	34,228	3,674,486	107.4
	1900	40,814	4,363,891	106.9
Georgia	1850	51,759	22,821,279	441
	1860	62,003	26,650,490	430
	1870	69,956	23,647,941	338
	1880	138,626	26,043,282	187.9
	1890	171,071	25,200,435	147.3
	1900	224,691	26,392,057	117.5
Idaho	1850			
	1860			
	1870	414	77,139	186
	1880	1,885	327,798	173.9
	1890	6,603	1,302,256	197.2
	1900	17,471	3,204,903	183.4
Iowa	1850	14,805	2,736,064	185
	1860	61,163	10,069,907	165
	1870	116,282	15,541,793	134

Number, total acreage, and average acreage of farms, etc.—Continued.

State or Territory.	Census.	Number of farms.	Total acreage.	Average acres per farm.
Iowa	1880	185,351	24,752,700	133.5
	1890	201,903	30,491,541	151
	1900	228,662	34,574,337	151.2
Kansas	1850			
	1860	10,400	1,778,400	171
	1870	59,202	5,655,879	148
	1880	138,561	21,417,468	154.6
	1890	166,617	30,214,456	181.3
	1900	173,098	41,632,970	240.7
Indian Territory	1850			
	1860			
	1870			
	1880			
	1890			
	1900	45,505	7,269,081	159.7
Louisiana	1850	13,422	4,989,043	372
	1860	17,328	9,298,576	536
	1870	28,481	7,024,817	247
	1880	48,282	8,273,506	171.3
	1890	69,294	9,544,219	137.7
	1900	115,989	11,059,127	95.4
Michigan	1850	34,080	4,383,890	129
	1860	62,423	7,090,834	113
	1870	98,786	10,019,142	101
	1880	154,300	13,807,240	89.7
	1890	172,344	14,785,636	85.8
	1900	203,261	17,531,698	86.4
Minnesota	1850	157	28,881	184
	1860	18,181	2,711,968	149
	1870	46,500	6,483,928	139
	1880	92,286	13,403,019	145.1
	1890	116,851	18,663,045	159.7
	1900	154,059	26,248,498	169.7
Mississippi	1850	33,960	10,490,419	309
	1860	42,840	15,839,624	370
	1870	68,023	13,121,113	193
	1880	101,772	15,855,402	155.8
	1890	144,318	17,572,547	121.8
	1900	220,803	18,240,736	82.6
Missouri	1850	54,458	9,732,670	179
	1860	92,792	19,934,810	215
	1870	148,398	21,707,220	146
	1880	215,575	27,879,276	129.3
	1890	258,043	33,780,220	129.3
	1900	284,880	33,997,873	119.3
Montana	1850			
	1860			
	1870	851	139,537	164
	1880	1,519	405,683	267.1
	1890	5,003	1,964,197	350.6
	1900	13,370	11,844,454	885.9
Nebraska	1850			
	1860	2,789	631,214	226
	1870	12,301	2,073,781	169
	1880	63,387	9,944,826	156.9

Number, total acreage, and average acreage of farms, etc.—Continued.

State or Territory.	Census.	Number of farms.	Total acreage.	Average acres per farm.
Nebraska	1890	113,608	21,593,444	190.1
	1900	121,525	29,911,779	246.1
Nevada	1850			
	1860	94	58,118	617
	1870	1,066	208,510	201
	1880	1,404	530,862	378.1
	1890	1,277	1,661,416	1,301
	1900	2,184	2,565,647	1,174.7
New Mexico	1850	3,750	290,571	77
	1860	5,086	1,414,909	278
	1870	4,480	833,549	186
	1880	5,053	631,131	124.9
	1890	4,458	787,882	176.7
	1900	12,311	5,130,878	416.8
Dakota Territory	1850			
	1860	123	26,448	215
	1870	1,720	302,376	176
	1880	17,435	3,800,656	218
North Dakota	1890	27,611	7,680,333	277.4
	1900	45,332	15,542,640	342.9
South Dakota	1890	50,158	11,398,460	227.2
	1900	52,622	19,070,616	362.4
Oklahoma	1890	8,826	1,606,423	182
	1900	62,495	15,719,258	251.5
Oregon	1850	1,164	432,808	372
	1860	5,806	2,060,530	355
	1870	7,587	2,389,252	215
	1880	16,217	4,214,712	259.9
	1890	25,530	6,909,883	270.7
	1900	35,837	10,071,328	281
Utah	1850	926	46,849	51
	1860	3,635	89,911	25
	1870	4,908	148,381	30
	1880	9,452	655,524	69.4
	1890	10,517	1,323,705	125.9
	1900	19,387	4,116,951	212.4
Washington	1850			
	1860	1,390	386,156	275
	1870	3,127	649,139	208
	1880	6,529	1,409,421	215.9
	1890	18,056	4,179,190	231.4
	1900	33,202	8,490,297	256
Wisconsin	1850	20,177	2,976,658	148
	1860	69,270	7,893,587	114
	1870	102,904	11,715,321	114
	1880	134,322	15,353,118	114.3
	1890	146,402	16,787,988	114.7
	1900	169,795	19,862,727	117
Wyoming	1850			
	1860			
	1870	175	4,341	25
	1880	457	124,433	272.3
	1890	3,125	1,830,432	585.7
	1900	6,095	8,124,536	1,333

LANDS DISPOSED OF UNDER VARIOUS LAWS.

Statement showing the acreage of public lands of the various classes specified below disposed of between July 1, 1881, and June 30, 1902, inclusive, in the several States and Territories.

State or Territory.	Timber and stone lands.	Final desert entries.	Commuted homesteads under section 2301, Revised Statutes.	Final homesteads.	State selections approved for educational and public purposes.	Railroad grants patented.	Wagon-road grants patented.	Swamp lands approved.
	Acres.	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*	*Acres.*
Alabama			211,963.00	3,424,503.55	156,958.29	107,140.63		17,722.96
Alaska				1,960.45				
Arizona	200.00	221,906.29	72,187.39	236,469.31	36,890.14	1,533,429.67		
Arkansas	29,998.92		123,695.29	4,015,708.18		204,717.66		62,080.43
California	1,951,412.04	292,417.66	822,732.69	3,831,690.60	522,868.94	4,574,454.48		410,618.00
Colorado	134,796.36	84,385.54	831,296.21	2,690,844.46	983,587.33	2,539,113.82		
Dakota Territory			3,279,172.08	4,447,599.70				
Florida	247.51		196,507.89	1,873,128.95	121,582.09	436,393.71		8,563,373.55
Idaho	329,512.37	446,048.85	206,462.27	1,675,628.41	585,743.20	659,269.70		
Illinois			160.00	831.01				3,752.62
Indiana				509.35				1,122.62
Iowa	39.49		6,449.24	69,021.35		80,184.32		15,407.23
Kansas			2,246,315.82	7,292,154.72	31,456.89	3,503,032.72		
Louisiana	34,635.57		164,823.28	1,709,611.15	127,408.32	1,086,989.47		693,932.85
Michigan	50,440.40		211,145.12	911,993.72		30,699.35		10,027.65
Minnesota	557,358.73		732,732.13	4,962,212.99	272,073.02	2,455,309.50		2,070,517.39
Mississippi			127,691.62	1,922,739.14	100,791.23	136,645.78		270,267.73
Missouri			28,408.11	2,150,434.37	12,348.00	4,228.64		44,344.35
Montana	171,976.83	1,284,431.26	383,120.77	1,573,776.74	961,621.16	6,611,082.73		
Nebraska			2,292,663.46	7,009,201.02	96,868.65	3,538,046.49		
Nevada	1,381.11	22,525.28	1,823.02	38,938.24	2,020,797.43	1,703,077.57		
New Mexico		175,251.55	109,831.01	998,136.18	831,164.31	409,819.69		
North Dakota	2,856.86	1,878.74	1,668,858.74	3,674,955.43	751,202.77	9,054,015.28		
Ohio			139.41	274.89				611.24
Oklahoma			1,074,465.73	6,070,949.00	292,571.05			
Oregon	1,447,472.27	90,356.25	529,895.00	2,940,670.73	458,928.35	2,964,710.89	1,179,139.96	340,506.55
South Dakota	8,313.16	400.00	306,450.63	3,533,931.91	810,449.73			
Utah	240.00	258,394.47	42,528.79	904,869.16	1,062,913.21	2,036,217.38		
Washington	1,295,041.55	35,642.21	777,618.99	3,737,278.51	767,243.73	7,970,101.93		
Wisconsin	51,483.27		204,180.60	1,406,143.60		964,777.61		213,068.62
Wyoming	101,637.76	811,669.65	142,455.28	745,983.94	1,015,643.70	5,435,473.32		
July 1, 1902, to June 30, 1903	6,169,044.17	3,693,307.76	16,882,488.57	73,910,849.76	12,008,883.52	58,040,909.34	1,179,139.96	12,657,359.79
	1,760,000.00	265,000.00	2,195,000.00	3,577,000.00	644,000.00	5,760,000.00	57,000.00	2,910,000.00
Total	7,965,044.17	3,958,307.76	19,077,488.57	77,487,849.76	12,652,883.52	63,800,909.34	1,236,139.96	15,567,359.79

WHAT IS MEANT BY AN ACRE-FOOT.

DENVER, COLO., *July 14, 1903.*

Hon. H. M. TELLER, *Denver, Colo.*

DEAR SIR: The "acre-foot" is a term used by engineers to indicate the amount of water that would cover each acre 1 foot deep. It would therefore amount to 43,560 cubic feet, hence, 10 acre-feet would cover 10 acres 1 foot in depth, or 1 acre 10 feet deep. The term was used because cubic foot was not applicable for such a purpose.

In taking a considerable tract of land a depth of 1½ feet in addition to the rainfall is sufficient at the same time for individual use or for him to have at least 2 cubic feet in depth available. He may lose some of this, but it may go by his neighbors and other ditches, so that even if the individual is wasteful, it does not necessarily mean that the community is extravagant.

Trusting that this will answer your question, but, if not, I shall be glad to go into it in fuller detail, I remain,

Respectfully, yours, L. G. CARPENTER, *State Engineer.*

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bill and joint resolution:

A bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes; and

A joint resolution (H. J. Res. 136) for appointment of members of Board of Managers of the National Home for Disabled Volunteer Soldiers.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 3165) providing for second and additional homestead entries, and for other purposes;

A bill (S. 3182) to pay certain Choctaw (Indian) warrants held by James M. Shackelford;

A bill (S. 4955) to provide for the appointment of an additional assistant appraiser at the port of Boston;

A bill (S. 5169) making Lewes, Del., a subport of entry;

A bill (H. R. 7264) to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras;

A bill (H. R. 12899) constituting Coal City, Grundy County, Ill., a port of delivery; and

A joint resolution (S. R. 67) providing for the printing of Senate Document No. 240, relating to the beet-sugar industry of the United States.

KLAW & ERLANGER.

Mr. MCLAURIN obtained the floor.

Mr. PLATT of New York. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Mississippi yield to the Senator from New York?

Mr. MCLAURIN. If it is only for a report, I will yield.

Mr. PLATT of New York. It will not take five minutes.

Mr. MCLAURIN. I can not yield for anything except to make a report.

Mr. PLATT of New York. I wish to report a bill and have it passed.

Mr. MCLAURIN. I can not yield for that purpose. The Senator from New Hampshire [Mr. GALLINGER] desires to move an executive session, and it is somewhat by his courtesy that I have the floor.

Mr. GALLINGER. If it is agreeable to the Senator from Mississippi, I will join with him in allowing this report to be made and the bill to be considered.

Mr. MCLAURIN. I yield for that purpose.

Mr. PLATT of New York. I thank the Senators very much. I am directed by the Committee on Finance, to whom was referred the bill (H. R. 15128) to authorize the Secretary of the Treasury to cancel a certain bond of Klaw & Erlanger, to report it without amendment, and I ask unanimons consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of the Treasury, upon the production of satisfactory evidence to him of the destruction by fire of certain theatrical scenery, property, and apparel imported under the provisions of paragraph 645 of the tariff act of July 24, 1897, to cancel a certain bond executed by the firm of Klaw & Erlanger.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JUNEAU (ALASKA) PORT OF ENTRY.

Mr. FRYE (Mr. KEAN in the chair). Will the Senator from Mississippi, who is a very courteous gentleman, yield to me for one minute?

Mr. MCLAURIN. If the Senator from New Hampshire has no objection, I will do so.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 1925) providing for the removal of the port of entry in the customs collection district in Alaska from Sitka, Alaska, to Juneau, Alaska, to report it favorably without amendment.

The Treasury Department is very anxious to have the bill passed, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. FRYE. I am obliged to the Senator from Mississippi.

Mr. MCLAURIN. The Senator from Maine is welcome.

PENSION POLICY, TRUSTS, ETC.

Mr. MCLAURIN. Mr. President, in the present rattled condition of the Republican party the public prints announce that a consultation of the leaders with the head of the party has resulted in an edict that hereafter the tactics of those who would defend the Administration must be to assail the Democratic party rather than to rely upon the rectitude and legality of the conduct of the Republican Administration. This is an implied and almost express admission that the Republican position is indefensible.

When attention is directed to the unauthorized executive legislation contained in the pension order of March 28, 1904, arbitrarily fixing the age of 62 as the period when disability to perform manual labor invariably suddenly fixes itself upon a man, and when it is shown that the fixing of this or any other age limit for pensions is exclusively a prerogative of Congress, the Republicans impliedly admit it by retorting that Mr. Cleveland's Administration did a like thing when it fixed the age limit at 75.

Indeed, the indefensibility of this Administration has manifested itself throughout in the effort to draw attention from its delinquencies and even violations of law and usurpations by attempting to show some parallel case in the instance of some Democrat. They have become so accustomed to it that I imagine when they are called for trial in the final judgment for admittance to the courts of glory or consignment to the lower regions, and are presented with a long list of their sins, they will undertake to justify themselves by saying that there are Democrats equally sinful.

If the Republican Administration is as it ought to be, if it is such that it can permit the light to be thrown in on it and let all the people in the country view its workings, it has no need of comparing itself with a Democratic Administration, unless it holds that a Democratic Administration is such an exemplar of purity, capability, and efficiency that anything which approaches it must necessarily pass muster.

In discussing the pension order made by the Commissioner, I do not impugn the integrity of the Commissioner; I do not impute to him corrupt motives. The trouble I think grows out of the fact that the Administration has been permitted to do so many things unwarranted by law, and has arrogated to itself so much unconstitutional and unlawful authority that it has reached the opinion that it is not bounded by any constitutional or legislative restraints.

The order of the Commissioner is not a rule or a regulation, but an order making a law, or rather changing a law, or, to be more accurate, abrogating a law. The law enacted by Congress says:

SEC. 2. That all persons who served ninety days or more in the military or naval service of the United States during the late war of the rebellion and who have been honorably discharged therefrom, and who are now or who may hereafter be suffering from any mental or physical disability or disabilities of a permanent character, not the result of their own vicious habits, which so incapacitates them from the performance of manual labor as to render them unable to earn a support, shall upon making due proof of the fact, according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the list of invalid pensioners of the United States, and be entitled to receive a pension not exceeding $12 per month and not less than $6 per month, proportioned to the degree of inability to earn a support; and in determining such inability each and every infirmity shall be duly considered, and the aggregate of the disabilities shown be rated, and such pension shall commence from the date of the filing of the application in the Bureau of Pensions, after the passage of this act, upon proof that the disability or disabilities then existed, and shall continue during the existence of the same.

This clearly, to every unbiased mind, puts every case on its individual merits and leaves it to him who is appointed to try the case to determine when due proof of the fact of disability is made in each particular case, so that it must stand alone on its own merits. But the Commissioner's order says that when applicants reach the age of 62 they are not required to make any proof; but that the burden of proof shall shift to the Government to show that they are not disabled, notwithstanding the law requires them to show that they are disabled.

The Government itself is granting the gratuity, and it is idle

to suppose that the Government would constitute itself a defendant to rebut a prima facie case against its gratuity.

It never was supposed by Congress that, in authorizing the Secretary of the Interior, who is a ministerial officer of the executive department, to make rules and regulations for the taking of proof, it was conferring upon him legislative power. Indeed, it is beyond the constitutional power of Congress to delegate to the Secretary of the Interior the power to make laws.

Congress can establish courts with judicial functions, and it can confer ministerial authority upon the Secretary of the Interior, but it can not authorize either the courts or the executive and ministerial officers to make laws.

Manifestly the rules and regulations mentioned in the law as being within the authority of the Secretary of the Interior to make had reference to mode and form, and time and circumstance, and not to substance.

The case of Hamilton *v.* Dillin (21 Wallace), cited by the Senator from Wisconsin, sustains this position.

In 1861 Congress authorized the President to declare certain States to be in insurrection and to prohibit commercial intercourse between them and the other States of the Union, but authorized him to license such persons as he chose to trade with the people of the insurrectionary States in such articles and for such time as he should name under the rules and regulations to be made by the Secretary of the Treasury.

He licensed the plaintiff in that case to trade in the prohibited territory in cotton on condition that he would obey the rule and regulation made by the Secretary of the Interior to pay 4 cents a pound upon all the cotton bought and sold by him. The plaintiff accepted the conditions, paid the amount required for the license, and afterwards sued for its recovery from the surveyor of the port at Nashville. The Supreme Court, on page 89, said:

> These public acts of the executive department must be construed as one system. The license of the President to hold commercial intercourse can not be separated, in determining this controversy, from the Treasury regulations which were adopted for the government of that intercourse.

On page 91, the court said:

> The Government chose to impose this condition. It supposed it had a right to do so. No one was bound to accept it. No one was compelled to engage in the trade. Not the least compulsion was exercised. The plaintiffs endeavor to put the case as if they were obliged to pay this exaction to save their property. This is not a true view of it.

On page 92 the court says:

> It is conceded that in many cases the power to make rules and regulations on a particular subject is a limited power, having respect to mode and form and time and circumstance, and not to substance. But it must also be conceded that in other cases the power is much more extensive and substantial.

This shows that the rule is as first stated, and the other cases make the exception. The court illustrates the exception by referring to the several powers granted in the Constitution, and then says, on page 93:

> The extensive effect given to these clauses is undoubtedly largely due to the character of the instrument and that of the donee of the powers, to wit, the Legislature of the United States, to whom the grant of a power means the grant of a branch of sovereignty. It shows, however, that the rule of construction depends, at least in some sort, upon the nature of the subject-matter.

It is one thing for the people in convention assembled to apportion the power of government among three separate departments, conferring upon each a branch of sovereignty, and another thing to authorize the imposing of a condition upon the granting of a license, and still another thing to authorize a ministerial officer to make rules and regulations for the taking of testimony to prove a certain fact.

Indisputably it was the intention of Congress that the disability mentioned in the act should be proved like other facts are proved—by evidence; and it will not be denied by a good lawyer that the known laws of evidence were to be applied, that the laws of evidence as they existed at the time of the passage of the act were to control.

Evidence is said to include all the means by which any issue or fact the truth of which is submitted to investigation is proved or disproved. Proof is the effect of the evidence.

In arriving at proof resort is sometimes had to presumptions. There are presumptions of law and presumptions of fact. Presumptions of law are divided into conclusive and disputable, but as Republican Senators admit that the presumption sought to be established by the Executive order is not a presumption of law, I do not deem it necessary to discuss presumptions of law. These presumptions—that is, of law—are presumptions that are fixed by law and that are either conclusive or disputable. The trial court charges them to the jury.

Greenleaf on Evidence, section 44, speaking of presumptions of fact, says:

> They are in truth but mere arguments, in which the major premise is not a rule of law; they belong to any and every subject-matter, and are to be judged by the common and received tests of the truth of propositions and the validity of arguments. They depend upon their own natural force and efficacy in generating belief or conviction in the mind, as derived from those connections, which are shown by experience, irrespective of any legal relations. They differ from presumptions of law in this essential respect, that while those are reduced to fixed rules, and constitute a branch of the particular system of jurisprudence to which they belong, these merely natural presumptions are derived wholly and directly from the circumstances of the particular case, by means of the common experience of mankind, without the aid or control of any rules of law whatever.

It is thus seen that presumptions of fact are not rules laid down by a superior to an inferior, but they are deductions drawn by the trier of the issue of fact in each individual case.

Congress thought the exclusive prerogative of prescribing presumptions pertained to it, and, therefore, in March, 1896, enacted that the continued and unexplained absence of an enlisted man or officer from his home and family for a period of seven years, during which period no intelligence of his existence had been received, should create the presumption that he was dead.

What was the necessity of this if the Secretary of the Interior could make such a law of presumption? Congress enacted that the loss of the sight of both eyes, or the loss of both hands, or the loss of both feet constituted total and permanent helplessness, for which a pension was granted, and in the same section provided that if any other injury resulted in total and permanent helplessness, the ex-soldier should be pensioned.

This shows that it was understood by Congress that if any particular physical defect is to be held as constituting total helplessness or disability, it must be prescribed by Congress; otherwise the trier of the question of disability or total and permanent helplessness must hear all the evidence applicable to that particular case and decide for himself whether the helplessness or disability exists.

Mr. MALLORY. Will the Senator from Mississippi permit me to suggest to him also that in the act of March 3, 1885, Congress provided:

> That all applicants for pensions shall be presumed to have had no disability at the time of enlistment; but such presumption may be rebutted.

Mr. McLAURIN. Just so. I am indebted to the Senator.

If the Commissioner were himself hearing the case and the mere fact of the age of 62 were in that particular case sufficient to satisfy his mind that the applicant is disabled, from his finding there would be no appeal; but if he has submitted the question to some one else to try it, that other ought to be permitted to consider every fact and circumstance bearing upon the question, untrammeled by any arbitrary rules of decision laid down by the Commissioner or the Secretary of the Interior.

Chancellors are authorized by legislative enactment to make rules to govern trials in the courts over which they preside, but they are not thereby authorized to change the law, nor to make rules affecting the force and legal effect of the evidence. The act of Congress proceeds upon the presumption or assumption that every applicant is able to earn a support, else there would be no sense in requiring him to prove disability to do so. He must establish his disability by the proof in his individual case if the law is to govern. If the Executive order is to govern, it repeals the law, and he need not establish his disability.

The idlest yet is the pretense that the Commissioner has ascertained, by his handling of pension applications, that 62 years is the age when disability invariably suddenly obtains. If the Commissioner were examining all men of the age of 62, while he would not have legal right to make a law on the subject, he could assert with some degree of assurance that he finds that at 62 years of age men are invariably disabled.

But no men appear before him for examination except those who claim to be disabled. He can only ascertain of those claiming disability the proportion of the disabled to those who do not prove disability. The able-bodied do not appear before him for examination. Therefore he can not better than other men have the means of knowing the proportion of disabled to the able-bodied men at the age of 62 years.

I am going to digress here far enough to read an article in Public Policy, edited by one who claims to have been a private soldier in the Third Michigan Infantry and a second lieutenant in the Twenty-first Michigan Infantry from 1861 to 1865.

I do not adopt this as a part of my speech, but I read it for the purpose of showing to the Senate and to the country the view that is taken of this pension order by one, at least, of the ex-Union soldiers who fought in the war between the States. Here is what he said. It is headed "The largest bribe ever paid for votes:"

> We shall undoubtedly be severely criticised for calling the recent service-pension order a bribe for votes. We are willing to submit to the criticism if our characterization of this order can be serviceable in securing the repudiation of the order by those having the power to do so. From all that has been said upon this subject we present four articles in this issue:
>
> 1. "Billions for pensions."
> 2. "The service-pension order."
> 3. "Rescind the pension order."
> 4. "The President and pensions."
>
> We have always felt the manner in which pensions have been authorized

and paid to the Union soldiers of the civil war to be robbery—robbery of the people who are taxed for the purpose of the payment; robbery of the soldiers in whose behalf the payment is solicited and authorized. This robbery is the only stain on the honor of those who fought in 1861-1865 that a government of the people, by the people, for the people might not perish.

This payment to them and their beneficiaries forty years after the conflict of nearly $140,000,000 annually, and the payment to them since 1866 of the enormous amount of $2,960,158,000, as shown by the table given in the article, "Billions for pensions," robs every soldier of all prestige for his loyalty and patriotism and reduces him to the level of a despised Hessian, bought by money to fight as ordered. The disgrace is deeper dyed than even this. The payment of this money not only teaches that loyalty and patriotism have their price and are things to be paid for; it also teaches that the political action of American citizens has its price and can be openly bought for cash openly paid.

No intelligent person can suppose for a moment that pension laws would have been enacted and pension payments made, as has been done, had there been no vote-winning consideration to influence such actions. Nor can there be any reasonable doubt that its supposed power to win votes was the determining cause that led to the issuing of the recent service-pension order, committing the Government to the payment of some $7,000,000 annually for many years as a bribe for the votes it may win. Our prayer is that the American people and the loyal soldiers of 1861-1865 will resent this latest insult to their honor in ways that will forever render its repetition impossible.

If pension payments were designed solely to compensate those who suffer from disabilities caused by army service, they would be based upon such disability and not blindly given to all soldiers, regardless of their present earning capacity or their need of financial assistance. Proof of the need of pension should include proof of existing incapacity to earn a comfortable living or to obtain such a living from property owned, as well as proof of service rendered. Were pension payments based on such considerations they would be a genuine expression of the gratitude of the people, and could in no way place upon the recipient the stigma of receiving a price for his loyalty or patriotism.

Pension payments so made would not exceed an aggregate of $40,000,000 annually. They would not be a burden upon the resources of the people, nor would they lower the honor of American citizenship.

We appeal to our comrades of 1861-1865 to repudiate this last bribe for their votes with insistent energy and demand that this disgraceful order be repealed by Executive action or by a more drastic method—an act of Congress.

To prevent any criticism of our views on this subject, based on the supposition that we are not of those who may be benefited by this order, we state that our service record can be found as that of a private soldier in the Third Michigan Infantry, and a second lieutenant, Twenty-first Michigan Infantry, 1861-1865.

But I have said more than I intended to say on this branch of the subject. It is not because I object to the granting of pensions in meritorious applications, but it is because I object to the exercise of legislative power by an executive or judicial officer that I criticise this legislative order.

Congress is the representative of the people. Its power and authority is the power and authority of the people, and they, the people, have a right to demand of those who discharge its functions that they shall neither surrender its power nor lower its dignity. Through Congress alone can the people be heard. The heads of governments are always reaching out for more power and more authority, and the Congress upon whom is devolved the duty of resisting such encroachment by the head of this Government would be unworthy of the people and unworthy of itself were it to surrender any of its legal functions or dignity.

Without a Congress to make laws for and limit the powers of the Executive, we would have as unlimited a monarchy as that of Russia under whatever title the head of the Government might be denominated. The Constitution has seen proper to establish this branch of the Government and to define its powers, its authority, and its duties, and no man is worthy of a seat in it who is willing to surrender to either of the other departments of Government any of the powers or authority confided to it, or to neglect the duties imposed upon this body.

While I am on the subject of this pension order, I will take this occasion to say that my greatest objection to the entire pension system is its inequality. The Senator from Wisconsin [Mr. SPOONER], who rose above politics, yet could see nothing that redounds to the advantage of the Democratic party nor anything of the usurpations of the Republican party, however boldly they stood out before his face, said in his speech a few days ago that the pension laws were enacted by a generous and just Congress. I do not question the generosity of Congress; I deny the justice of Congress in pension legislation.

Equality of treatment by the laws is justice, yet when pensions are being distributed between Union soldiers and officers, the private soldier receives less than one-half as much as the officer under the same circumstances and in the same condition of case. It is not equality, and therefore not justice. There can be no reason for it. It will not do to say that the officer rendered more service to the country, and, therefore, is entitled to more pension, because the pension is not predicated upon service.

To prove this it is only necessary to refer to the fact that there is no service-pension law, and if there were such a law, then there could still be no reason for such inequality. The Government is not paying the pensioners for service rendered. The salary paid to the officers and soldiers during the war was the payment they received for their services, understood to be such by the Government and themselves when they enlisted or were commissioned in the service.

But the pension is a testimonial of the gratitude of the country to those who fought its battles. Will any man contend that the Government owes a greater debt of gratitude to its officers in the Army than to its private soldiers? I would hear him speak. The private soldier carried his knapsack, his rifle, his blanket on the march, and when night came he stood guard while the officer slept comfortably in his tent, whether the elements were propitious, the earth frozen with cold, flooded with rain, or making music to the falling of sleet.

With benumbed hands he held his gun, while he walked on feet aching from cold, in wet clothing frozen until they crackled, for hours on sentry duty, and when the "imminent deadly breach" came he stood in the very front of danger, and for this he received $13 per month, while the salaries of officers reached into the hundreds. Can it be possible that there is a less debt of gratitude to him than to such officers?

As I have said, it can not be put upon the ground that the services of the officers redounded to greater advantage to the country, for this is not a payment for services but a tribute of the gratitude of the Government. But if there are any to make such claim, I refer them to the case of the poor widow who threw into the treasury her two mites, making a farthing, while others threw in large sums of money, yet the Saviour said that she gave more than they all, because while they contributed of their abundance she of her want cast in all of her living.

If the Secretary of the Interior or the Commissioner of Pensions had a right to change the pension laws, as is assumed in the order under discussion, I call upon him to change it so that the private soldier and the officer shall receive the same amount of pension in the same condition of case, taking all the money that is appropriated for pensions and distributing it equally between the pensioners, both officers and men, and to that extent raising the pension of the private soldier to an amount equal to what the officer shall receive.

There is another thing that is unjust. It is unjust to require men to make certain proof in order to entitle them to pension, and then pass private acts giving pensions, and that in larger amounts, to others who have not conformed and who can not conform to such requirements. The pension laws ought to be equal and uniform. There ought not to be such a thing as a private pension. All men under like circumstances and like condition ought to be benefited alike, and there ought to be no private pension giving to one when others equally as meritorious are denied.

While the Commissioner of Pensions or the Secretary of the Interior is making pension laws, I invite his attention to the correction of this flagrant injustice. Of course I know he has no constitutional or legal power or authority to do this, but he has just as much authority to do this as he has to make an order fixing the age of 62 as that at which all men invariably suddenly become disabled. But Congress has the power to correct this injustice, and it ought to do so.

While Republican Senators have been quick to charge that Democrats have been influenced by partisan considerations in what we have said, no such charge can lie at their door, for they have said so; yet we must be pardoned for hesitating to believe that they entirely understand themselves when they disclaim any partisan motives.

Disrobed of partisan considerations, surely the speech of the Senator from Wisconsin would have been on a different key. In eulogy of the present Administration he defends the President against any assault that could be made upon him for prosecuting the merger trust case. He selects to defend where nobody had accused. He fancies a charge against the President and answers it. He says that this trust was discovered by some western governors, I believe. But whoever discovered it, the Attorney-General found it out and pursued the trust, which goes to the credit of the President of the United States as that much duty performed.

What about the beef trust raising the price of beef to the poor to starvation heights, and the steel trust, and the sugar trust, and the oil trust? The Senator from Iowa [Mr. DOLLIVER] says there are 318 trusts. What has he done with the other 317? They are surely not hidden; for if the Senator from Iowa could find them, why could not the President find them?

But, says the Senator from Wisconsin, the President appointed an arbitration board at the request of the coal barons and coal strikers to arbitrate their difference, and this is a great feat of American statesmanship. But has it done anything to destroy the coal trust—to prevent the recurrence of conditions which existed when there was fear all over the land that there would be millions of people frozen to death for want of fuel, and when a carload of coal couldn't run through the country because it would be seized by freezing people, rich and poor alike, in protection of their lives?

The Senator from Wisconsin extols the President as a trust destroyer because he has instituted legal proceedings against one trust out of 318, admitted by the Senator from Iowa to exist.

Why has not the sugar-refining trust been prosecuted by legal

proceedings? It seems to be so much in favor with both the Executive and the Republican majority in Congress that a special session of Congress was called for its benefit.

Enough recalcitrant Republicans were found to join the Democrats to put on an amendment to the Cuban reciprocity bill that would hold the hands of the sugar trust out of the pockets of the people; but another expedient was found in the negotiation and ratification of the treaty that would feed the greed of the sugar trust, and that it might be carried into effect a special session of Congress was called to enact a law for its effectuation.

When one Republican extols the President as a trust destroyer, because he instituted legal proceedings against one trust, and another virtually defends the trusts, it is not surprising that the Republican leaders should consider themselves reduced to that extremity where the only way they can find to defend the conduct of their party is to attract attention from it by alleging that Democrats have been as guilty as they. Listen to this from the Senator from Iowa:

> Whatever may be said in condemnation of the trust evil, there are mighty few thoughtful citizens who have ever had any temptation to kill them off by remedies which have never failed to produce the industrial misfortune out of which we escaped in 1896.

That is to say, that if you kill off the trusts you will revert to conditions of 1896; therefore you should not kill off the trusts. The same Senator said, in discussing the Democratic proposition that the protective tariff is the mother of trusts:

> I do not deny that free trade may be counted upon with reasonable certainty to cripple, if not destroy, almost any industry which it comes in contact with.

Thereby treating the trusts as an industry that ought not to be destroyed.

The Democratic proposition is not between free trade and protection for protection's sake. The proposition is to reasonably revise the tariff. Republicans say they ought to be permitted to revise it; they have been permitted to revise it, and it has not been revised; they have for two Administrations had both the executive and legislative departments of Government, and there has been no revision. And they now whip with the party lash every man who dares to utter any desire for the revision of the tariff.

If the Senator from Iowa is correct in his assertion that free trade would cripple if not destroy the trusts, then the trusts have not only been created but have been kept alive by a protective tariff.

Given the markets of this country, the trusts have raised the prices of their goods to such an extortionate amount that they have thereby raised the money to fight legitimate competition in other countries, and they are waging a war of extermination against all competing industries in other countries.

For instance, the trusts sell in foreign countries the products of the trusts at from 25 to 125 per cent cheaper than they sell the same articles at home, the purpose being to drive their competitors out of business in foreign countries, so that the purchasers here will have no place to look for relief from the extortionate prices demanded of them from the trusts.

At this point I wish to read just a short extract on the question of protection from a book entitled "Thomas H. Benton," by Theodore Roosevelt:

> Political economists have pretty generally agreed that protection is vicious in theory and harmful in practice; but if the majority of the people in interest wish it, and it affects only themselves, there is no earthly reason why they should not be allowed to try the experiment to their heart's content. The trouble is that it rarely does affect only themselves; and in 1828 the evil was peculiarly aggravated on account of the unequal way in which the proposed law would affect different sections.
>
> It purported to benefit the rest of the country, but it undoubtedly worked real injury to the planter States, and there is small ground for wonder that the irritation over it in the region so affected should have been intense.

The Senator from Wisconsin demands to know wherein the President is unsafe. Personally I do not criticise the President, but as a President I think it is hardly necessary to point out to a reading public wherein he is unsafe. He entered into the domain of a republic with which we were at peace and refused to permit it to exercise sovereignty over its own territory. He took as a pretext a treaty that we made in 1846 with that country, wherein the United States guaranteed to defend the sovereignty of that Government and to keep open the channels of commerce between the two oceans.

Does any man in his senses believe that it was the intention of the Government of New Granada, when that treaty was made, that the Government of the United States should exclude the Government of New Granada from its own territory or from the exercise of sovereignty over its own territory? Treaties are to be construed like any other contracts, by the intention of the contracting parties.

Nobody believes that such was the intention, either of the United States or of New Granada, of which Colombia is the successor, and all this for the purpose of protecting what was alleged to be the rights of a French corporation composed exclusively of citizens of France. If not done for the purpose of protecting the alleged rights of the Panama Canal Company, why does the President say that the "plan" "was fitly to end in further injury to the citizens of a friendly nation, whose enormous losses in their generous efforts to pierce the Isthmus have become a matter of history?"

If that is not its meaning, what is its significance? And it can not be supposed that the President sent to Congress a message in an important matter like this, if in any matter, containing idle and meaningless language. It will not with any degree of reason be contended that Great Britain, Germany, Russia, France, Austria, or Italy would have submitted to the treatment to which Colombia was subjected without war.

If that is so, and the President were to take it into his head to override one of these great powers, as he did Colombia, we would at once be involved in a war. Is not such a man unsafe? But it may be answered that there is no danger of his undertaking such a thing with one of the great powers of the world. Then, would you make our nation stand in the attitude of a swaggering bully, dominating and domineering small countries and standing in awe and dread of great powers?

Indeed, I rather caught from the speech of the Senator from Wisconsin that we would be afraid to treat France as we have treated Colombia; for while we invaded Colombia and segregated her territory, we must handle very delicately the New Panama Canal Company. For if that canal company were to undertake to raise its price, as I catch from the speech of the Senator, above that agreed upon with the United States because of some supposed advantage in the event we pay the price to the Government of Panama, we would dare not proceed to pay that company the amount agreed upon, $40,000,000, and cut the canal, but we would have to stand the raise which they would make lest we might become involved with France.

When Mr. McKinley died and Mr. Roosevelt was inducted into office Mr. Roosevelt permitted it to be given out that he intended to execute the policies of the late President through Mr. McKinley's chosen appointees and advisers. I doubt not he was sincere in this, but he was in office only a little while when through some cause Mr. McKinley's old appointees found themselves misplaced until it has come about that one who was in close personal and political relation with the late President McKinley is at a disadvantage before this Administration.

True enough, it is not necessary to carry out the late President McKinley's policies nor to retain his appointees and friends and advisers in order to constitute one a safe man for the executive office; but surely when one is so unstable and uncertain that in one moment he is proclaiming allegiance to the policies and advisers of his predecessor and in the next is removing his advisers and pursuing other and contrary policies, he is not such a safe man as is described by the Senator from Wisconsin. He is not a safe man who refused expressly to obey a plain statute of Congress approved by him, such refusal at the risk of provoking war, although with a weak republic. Nor is he a safe man who treats the appointing power as a personal perquisite of the Executive.

In this Government the laws are supposed to be made for and in behalf of the people, and all power and authority and discretion vested in the President of the United States is intended to be used entirely and exclusively for the benefit of the people, and not in any measure or degree as the personal property of the Executive.

He is not a safe man who would arbitrarily take a captain of the Army, as a mark of favoritism, and jump him over more than 800 officers, thereby putting upon each one of these officers the stigma of incompetency, inefficiency, or unworthiness. He is not a safe man who would take an ex-penitentiary convict, guilty of a furtive crime, and make him a United States marshal in one of the Territories.

No man is worthy to be President of the United States who desires to be President of the United States. It is an office that ought neither be sought nor declined; it has too many responsibilities, too many cares, and too much work, if faithfully and efficiently administered, for any worthy man to desire it. If its functions are properly and faithfully performed, the incumbent must forget his individual affairs during the time of his incumbency of the office, and forget everything else pertaining to temporal affairs except the good of all of the people of the entire country.

But, Mr. President, I have detained the Senate longer than it was my intention, as I purposed to say only a few words in reference to the encroachments of the executive upon the legislative department of the Government.

ADDITIONAL JUDGES IN INDIAN TERRITORY.

Mr. PLATT of Connecticut submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide

for additional United States judges therein, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment to the bill of the House, and agree to the same with an amendment as follows, to wit:

In lieu of the matter inserted by the Senate amendment insert the following:

"That there shall be appointed by the President, by and with the advice and consent of the Senate, four additional judges of the United States court in the Indian Territory, one for the northern district, one for the western district, one for the central district, and one for the southern district. And said judges shall have all the authority and exercise all the powers, perform like duties, and receive the same salary as other judges of said court, and shall each serve for a term of four years from date of appointment, unless said offices are sooner abolished by law. Neither the additional judges, nor their successors in office, shall be members of the court of appeals for the Indian Territory, but they shall hold such courts in their respective districts as may be directed by the court of appeals of the Indian Territory, or majority of the judges thereof in vacation: *Provided*, That none of said judges shall have power to appoint clerks of courts, United States commissioners, or United States constables in said districts, and hereafter at least three terms of court shall be held in each year, at each place of holding court in the Indian Territory, the time to be fixed in the manner now provided by law.

SEC. 2. All the laws of Arkansas heretofore put in force in the Indian Territory are hereby continued and extended in their operation so as to embrace all persons and estates in said Territory, whether Indians, freedmen, or otherwise, and full and complete jurisdiction is hereby conferred upon the district courts in said Territory in the settlements of all estates of decedents, the guardianships of minors and incompetents, whether Indians, freedmen, or otherwise.

The sum of twenty thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of salaries of the judges hereby authorized, the same to be immediately available.

And the House agree to the same.

Amend the title so as to read: "A bill to provide for additional United States judges in the Indian Territory, and for other purposes."

O. H. PLATT,
C. D. CLARK,
A. O. BACON,
Managers on the part of the Senate.
JOHN J. JENKINS,
LOT THOMAS,
JOHN S. LITTLE.
Managers on the part of the House.

The PRESIDENT pro tempore. In the absence of objection, the report will be agreed to.

Mr. BAILEY. Mr. President, I did not know that the conference report had been agreed to.

The PRESIDENT pro tempore. The Chair will regard the question as an open one, then.

Mr. BAILEY. If I understood the reading of the report correctly, these new judges are not permitted to act as members of the court of appeals.

Mr. PLATT of Connecticut. That is correct.

Mr. BAILEY. It is rather singular that this court in banc, as it now exists, should review the decisions of these new judges, and yet that these new judges should not be permitted to review the decisions of those holding precisely equal authority with themselves.

Mr. PLATT of Connecticut. That was the provision of the House bill, and, after a somewhat strenuous conference, we felt obliged to take it.

Mr. FORAKER. Does this provision apply to the four judges already in office?

Mr. BAILEY. No; these are four additional judges, for the appointment of whom we provided only a few days ago. We sent that bill to the House, and they have sent it back here, providing for the additional judges and also establishing certain places at which court shall be held.

Mr. FORAKER. I was inquiring as to the four judges who are already in office. Are they the four who were provided for two or three years ago?

Mr. BAILEY. No; sixteen years ago we organized a court in the Indian Territory, and Congress has increased the number of judges until I believe the Territory is now divided into four districts, each having a judge, and those four judges, sitting in banc, now constitute the court of appeals. The anomaly which this bill presents is it appoints four more judges equal in authority and in all other respects, except they are not permitted to serve as members of the court of appeals.

Mr. President, I am free to say that I believe, as I have always believed, that that court of appeals ought to be abolished. I have stated on this floor once before during the present session that the court in banc is to-day obsolete in almost every enlightened civilized system of jurisprudence, and I regret that the Territorial court of appeals was not entirely abolished.

Mr. PLATT of Connecticut. The Senator from Texas, if he has served on conference committees, must know how difficult it is to come to an agreement. I assure that Senator that the managers on the part of the Senate have had very great trouble to arrive at an agreement at all. This is the best that can be done. It might be better in some respects, but the imperious necessity for the appointment of four additional judges in that Territory was such that we felt we must come to an agreement, and this is the best that we could do.

The PRESIDENT pro tempore. The question is on agreeing to the report of the committee of conference.

The report was agreed to.

CIVIL GOVERNMENT IN THE PHILIPPINES.

Mr. LODGE. I move that the Senate proceed to the consideration of House bill 14623, known as the "Philippine government bill." It is not my purpose to ask the Senate to go on with the bill at present. I merely move that it be taken up, and when it shall have been taken up I shall yield.

Mr. KEAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from New Jersey?

Mr. LODGE. As I have stated, I should like to have the bill taken up, and then I shall yield.

The PRESIDENT pro tempore. The Senator from Massachusetts moves that the Senate proceed to the consideration of the bill referred to by him, the title of which will be stated.

The SECRETARY. A bill (H. R. 14623) to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an act approved March 8, 1902, entitled "An act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an act approved March 2, 1903, entitled "An act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.

Mr. DUBOIS. Mr. President——

The PRESIDENT pro tempore. The question is on the motion of the Senator from Massachusetts [Mr. LODGE] to proceed to the consideration of the bill named by him.

The motion was agreed to.

Mr. DUBOIS. Mr. President, I rose to the motion of the Senator from Massachusetts, and I thought the Chair had recognized me, as I was anxious to be heard.

Mr. LODGE. It is not a debatable motion.

Mr. DUBOIS. The Senator from Massachusetts moved to take up a certain bill, and I should like to know what the bill is.

Mr. LODGE. It is the Philippines bill.

Mr. DUBOIS. Mr. President——

Mr. LODGE. I am aware that there is to be discussion upon the bill. I merely asked that it be taken up, and then, if opportunity offers, of course it will be open to debate. The bill has not even been read. I am not asking to have it read now, as I do not propose to go on with it at this time.

Mr. DUBOIS. Very well. I will say to the Senator from Massachusetts, however, that there will be discussion on the bill.

Mr. LODGE. I merely wished to have the bill taken up. Of course, a motion to take it up is not debatable.

PROPOSED CONSIDERATION OF PENSION BILLS.

Mr. KEAN. I should like to ask unanimous consent for the consideration of a pension bill.

Mr. GALLINGER. Mr. President——

Mr. KEAN. I will say to the Senator from New Hampshire that circumstances prevented me from asking the consideration of the bill while other Senators were making such requests.

Mr. COCKRELL. Let us consider all of the pension bills or none.

Mr. KEAN. This is only one.

Mr. COCKRELL. Let us consider them all together.

Mr. MCCUMBER. I hope we shall get all the pension bills disposed of this evening.

Mr. COCKRELL. I shall object to the consideration of any particular pension bill now. Let us have them all taken up and passed, so as to give every Senator a fair chance.

Mr. MCCUMBER. Mr. President——

Mr. GALLINGER. I yield to the Senator from North Dakota for a request.

Mr. McCUMBER. I ask unanimous consent at this time that if the Senate be in session at 7.30 o'clock this evening, it then proceed to the consideration of unobjected pension bills on the Calendar until 8 o'clock.

Mr. WARREN. Unless we shall in the meantime——

Mr. COCKRELL. Why not take up the pension bills now?

Mr. McCUMBER. The Senator from New Hampshire [Mr. GALLINGER] desires an executive session now. I understand the intention is to hold an evening session or else to continue in session until 8 o'clock this evening. We can easily complete the Pension Calendar in half an hour.

Mr. WARREN. If the Senator will make that request after we shall have spent a couple of hours upon the Calendar in the consideration of unobjected bills, I shall not object; but I do not want an order of that kind to be made until we have first had an opportunity to consider the Calendar of unobjected cases.

The PRESIDENT pro tempore. Objection is made.

Mr. GALLINGER. I move that the Senate proceed to the consideration of executive business.

The PRESIDENT pro tempore. Will the Senator from New Hampshire withhold that motion until the Chair can lay before the Senate a bill from the House of Representatives?

Mr. GALLINGER. Certainly.

OAHU RAILWAY AND LAND COMPANY.

The bill (H. R. 14500) to ratify and confirm the present right of way of the Oahu Railway and Land Company through the military reservation of Kahauiki, Territory of Hawaii, was read the first time by its title.

Mr. FORAKER. I ask unanimous consent that the Senate may now proceed to consider that bill.

The PRESIDENT pro tempore. The bill will be read the second time at length, subject to objection.

The Secretary read the bill, as follows:

Be it enacted, etc., That the deeds from the authorities of Hawaii, dated the 29th day of April, 1903, and the 4th day of February, 1899, respectively, to the Oahu Railway and Land Company, conveying a right of way 40 feet wide for a railway of said company through the military reservation of Kahauiki, district of Kona, Oahu, Hawaiian Islands, be, and the same are hereby, ratified and confirmed.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 4713) to authorize the Spuyten Duyvil and Fort Morris Railroad Company and its lessee, the New York Central and Hudson River Railroad Company, to build and maintain bridges or other structures for their railroad across the Spuyten Duyvil Creek and the Harlem River north of the Harlem River pier and bulkhead line as now established in the city of New York; and

A bill (S. 5504) to amend an act entitled "An act to authorize the counties of Sherburne and Wright, Minn., to construct a bridge across the Mississippi River," approved March 29, 1904.

The message also announced that the House had passed with amendments the bill (S. 5092) to amend an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas; in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes.

The message also announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to the following bills:

A bill (S. 76) granting a pension to Mary H. Cornell;

A bill (S. 128) granting an increase of pension to Clara M. Gihon;

A bill (S. 3489) granting a pension to Annie Colt McCook; and

A bill (S. 3734) granting an increase of pension to Martha W. Cushing.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore.

A bill (S. 2698) to establish a life-saving station at or near the entrance of Tillamook Bay, Oregon; and

A bill (S. 5557) to authorize the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, to construct a bridge across the Connecticut River between Chicopee and West Springfield, in said county and Commonwealth.

EXECUTIVE SESSION.

Mr. GALLINGER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After four hours and fifty minutes in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14754) providing for the restoration or maintenance of channels, or of river and harbor improvements, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 9891) giving the consent of Congress to the removal of the restrictions on the sale of Puyallup allotted lands, and confirming and legalizing sales thereof since March 3, 1903.

The message further announced that the House had passed the bill (H. R. 12533) to authorize the Paragould and Memphis Railroad Company to construct a bridge across St. Francis River; in which it requested the concurrence of the Senate.

The message also announced that the House had passed with amendments the bill (S. 4401) to grant to the State of Minnesota certain lands for forestry purposes; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes; and

A bill (H. R. 12833) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes.

TRINITY RIVER (TEXAS) IMPROVEMENT.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 5092) to amend an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas.

The amendments of the House of Representatives were, to strike out all after the enacting clause and insert:

That the provision in an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas, is hereby so amended as to authorize the Secretary of War to expend so much as may be necessary of the funds appropriated in the construction of one lock and dam on the river between the mouth and section 1.

And to amend the title so as to read: "An act to amend 'An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes,' approved June 13, 1902, making appropriation for improving Trinity River, Texas."

Mr. CULBERSON. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

ST. FRANCIS RIVER BRIDGE.

The bill (H. R. 12533) to authorize the Paragould and Memphis Railroad Company to construct a bridge across St. Francis River was read twice by its title.

Mr. STONE. I ask unanimous consent that the bill may be put upon its passage. It is merely to construct a bridge across the St. Francis River.

The PRESIDENT pro tempore. Does the Senator from Arkansas say that the bridge is all right?

Mr. BERRY. It is all right; and I have authority from the Committee on Commerce to report it, if necessary. I join in the request of the Senator from Missouri that unanimous consent be given for its present consideration.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ORDER OF BUSINESS.

Mr. COCKRELL. I hope we will now take up unobjected cases on the Calendar, the pension bills and other bills that are House bills, and dispose of them all. We can do it in a few minutes.

Mr. KEAN. What bills?

Mr. COCKRELL. Unobjected House bills and pension bills.

Mr. CULLOM. I do not want any iron-bound rule as to the kind of bills. If there are Senate bills not objected to they should be considered also.

Mr. COCKRELL. I mean House bills unobjected to. What is the use of wasting our time in passing Senate bills?

Mr. CULLOM. If the Senator please, I think we can get a little bill passed, where there is no objection to it at either end of the Capital, even if it is a Senate bill. I want to have those bills included.

Mr. COCKRELL. Well, then, we may go on and do nothing.

Mr. WARREN. I hope the request of the Senator from Missouri may be granted. There are four small claims bills, the four together amounting to less than $2,000, that have come from the House, and unless they are passed at once of course they can not reach the President in time. I should be glad to have those bills considered, that they may be disposed of before we proceed to the consideration of pension bills.

Mr. BLACKBURN. That is right.

Mr. WARREN. I ask unanimous consent to take up those four House claims bills. They are unobjected to. I have the numbers here.

Mr. MALLORY. There are a number of House bills which have been on the Calendar for some time that are just as important as those bills, as far as I know. I do not see why we should not include all unobjected House bills.

Mr. McCUMBER. Mr. President——

Mr. PETTUS. Was not unanimous consent given to take up the Calendar of unobjected House bills on the request of the Senator from Missouri?

The PRESIDENT pro tempore. The Chair did not so understand it.

Mr. McCUMBER. I ask unanimous consent that the Senate proceed to the consideration of unobjected House pension bills on the Calendar, and also the four claims bills which were mentioned by the Senator from Wyoming.

Mr. COCKRELL. I suggest as an amendment the request I made before. It is plain that we can pass every one of those bills, and we could have passed many of them while we have been wasting time—unobjected House pension bills and other unobjected House bills.

Mr. FORAKER. I have in charge an unobjected House bill, and I want to get consideration for it at some time.

The PRESIDENT pro tempore. The Senator from Missouri asks unanimous consent that the Senate proceed to the consideration of unobjected House bills on the Calendar.

Mr. CULLOM. I do not see any reason why we should not take up the Calendar and dispose of all the unobjected cases. We can do it in a little while. It does not make any difference whether they are Senate bills or House bills, provided they are unobjected to.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Missouri?

Mr. CULLOM. I object, unless unobjected bills generally are included.

MARTHA W. CUSHING.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3734) granting an increase of pension to Martha W. Cushing, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate agree to the House amendment.

N. B. SCOTT,
P. J. McCUMBER,
Conferees on the part of the Senate.

H. C. LOUDENSLAGER,
GEORGE R. PATTERSON,
Conferees on the part of the House.

The report was agreed to.

MARY H. CORNELL.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 76) granting a pension to Mary H. Cornell, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate agree to the House amendment.

N. B. SCOTT,
P. J. McCUMBER,
Conferees on the part of the Senate.

H. C. LOUDENSLAGER,
GEORGE R. PATTERSON,
Conferees on the part of the House.

The report was agreed to.

ANNIE COLT M'COOK.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3489) granting a pension to Annie Colt McCook, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

P. J. McCUMBER,
N. B. SCOTT,
Conferees on the part of the Senate.

H. C. LOUDENSLAGER,
GEORGE R. PATTERSON,
Conferees on the part of the House.

The report was agreed to.

CLARA M. GIHON.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 128) granting an increase of pension to Clara M. Gihon, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate agree to the House amendment.

P. J. McCUMBER,
N. B. SCOTT,
Conferees on the part of the Senate.

H. C. LOUDENSLAGER,
GEORGE R. PATTERSON,
Conferees on the part of the House.

The report was agreed to.

FORESTRY GRANT TO MINNESOTA.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 4401) to grant to the State of Minnesota certain lands for forestry purposes, which was, on page 2, line 6, after the word "lands," to insert:

And provided further, That the land hereby granted shall be cared for and managed by the State of Minnesota, and shall be used for forestry purposes only; and if the said land, or any part thereof, shall cease to be so used the said lands or such part shall revert to the United States and become a part of the public domain.

Mr. NELSON. I move that the Senate concur in the House amendment.

The motion was agreed to.

ORDER OF BUSINESS.

Mr. McCUMBER. I move that the Senate proceed to the consideration of unobjected House pension bills on the Calendar. I make that as a motion, not as a request.

Mr. WARREN. Is that motion in order, Mr. President?

Mr. McCUMBER. I simply make the motion in order that I may get a hearing. That is all.

The PRESIDENT pro tempore. The Chair hardly thinks a motion of that kind could be entertained, being a motion for the immediate consideration of a number of cases.

Mr. WARREN. I move to take up the Calendar of unobjected cases.

Mr. McCUMBER. That is what I said.

Mr. WARREN. If I am in order, I ask that we take up the Calendar for the consideration of unobjected bills.

Mr. PLATT of Connecticut. That is no more in order than the prior motion.

Mr. McCUMBER. My motion was to take up the unobjected House pension bills upon the Calendar.

The PRESIDENT pro tempore. The Senator can undoubtedly make a motion to proceed to the consideration of one particular pension bill, but the Chair doubts if the Senator can make a motion to proceed to the consideration of a dozen or twenty or a hundred bills.

Mr. PLATT of Connecticut. The Senator can as well make that motion as the Senator from Wyoming can make a motion to proceed to the consideration of all the cases on the Calendar.

The PRESIDENT pro tempore. The Chair, of course, has no right to lay the entire Calendar before the Senate for its consideration.

Mr. KEAN. The unfinished business, being the Philippines bill, is before the Senate, and is in order.

Mr. CULLOM. Is it in order, Mr. President, to ask that the Senate proceed to the consideration of unobjected cases—not to make a motion, but to ask unanimous consent?

The PRESIDENT pro tempore. Undoubtedly it is.

Mr. CULLOM. I make that request.

The PRESIDENT pro tempore. The Senator from Illinois asks unanimous consent that the Senate proceed to the consideration of unobjected cases on the Calendar. The Chair would suggest to the Senator that he add "under Rule VIII."

Mr. CULLOM. I include that in the request.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Illinois?

Mr. CLARK of Wyoming and Mr. MALLORY. I object.

Mr. KEAN. Then the unfinished business is the Philippine bill, is it not, Mr. President? The Senator from Massachusetts [Mr. LODGE], who is in charge of the bill, not being present, I do not want him to lose his rights.

Mr. CULBERSON. Mr. President, if there is nothing before the Senate, I ask unanimous consent for the present consideration of the bill (S. 5304) for the relief of the heirs of George T. Howard. Of course, I shall not insist on it if some order is adopted for the general consideration of bills.

Mr. SPOONER. Will the Senator indicate the character of the bill for which he asks consideration?

Mr. CULBERSON. It is a small claims bill. I was about to suggest that if any agreement is reached to take up the Calendar or to take up the Calendar of unobjected House bills, or something of that kind, I shall not insist on the consideration of this bill; but it seems to me that we are without business just now, and I think we might as well pass the Senate bill to which I have called attention.

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. The Chair has promised to recognize the Senator from Wyoming [Mr. WARREN].

Mr. CULBERSON. I yield to the Senator from Wyoming.

The PRESIDENT pro tempore. The Senator from Wyoming.

Mr. WARREN. Mr. President, I do not like to object to the consideration of any bill, but I do not like to go home from this Senate and undertake to explain to my people and to the country that, while we have had a long winter session, we have not once taken up the Calendar and proceeded regularly under it. I am unwilling to give my consent to take up even pension bills, if no others can be taken up. I am willing to take the responsibility of objecting to them.

I am willing to take up unobjected House bills as such, or to take up the Calendar of unobjected business as a whole; but I object to taking up any business at this time which gives individual preference. All ought to stand on the same line, either all House bills or all Senate bills, or both, as the case may be—unobjected cases; otherwise we had better not go to the Calendar at all, in my judgment.

Mr. COCKRELL. This is the first Congress that I recall where the Senate did not take up unobjected House bills and pass them. That has been the universal rule.

Mr. WARREN. Always.

Mr. COCKRELL. It has been done time and again, and before the close of a session unobjected House bills would all be disposed of. I think it is a courtesy due to the other House, as we ask them to pass our bills. We could have passed every one of the House bills on the Calendar by this time. I know every one of them, and I have got every one of them marked.

Mr. STEWART. Is it in order to proceed to the consideration of the Calendar under Rule VIII.

Mr. CULLOM. I will withdraw the objection I made to the request for the consideration of House bills.

Mr. COCKRELL. I ask for the consideration of unobjected House bills, to be taken up in their regular order; but if a bill leads to any discussion I shall certainly object to it.

The PRESIDENT pro tempore. The Senator from Missouri asks unanimous consent that the Senate proceed to the consideration of unobjected House bills on the Calendar. Is there objection? The Chair hears none, and that order is made.

ESTATE OF GEORGE W. SAULPAW.

The bill (H. R. 1518) for the relief of the estate of George W. Saulpaw was announced as next in order.

Mr. COCKRELL. That bill will lead to discussion.

The PRESIDENT pro tempore. The bill will be passed over.

MUTUAL INVESTMENT FIRE INSURANCE COMPANY.

The bill (H. R. 2871) to incorporate the Mutual Fire Insurance Company of the District of Columbia was announced as next in order.

Mr. ALLISON. I think that bill will certainly take time, and I object to its consideration.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

ESTATE OF WARREN MITCHELL.

The bill (H. R. 1700) for the relief of the legal representatives of Warren Mitchell, deceased, was announced as next in order.

Mr. COCKRELL. Let that bill be passed over; it will lead to discussion.

The PRESIDENT pro tempore. It will be passed over.

UNION PIONEER MINING AND TRADING COMPANY.

The bill (H. R. 6780) authorizing the Union Pioneer Mining and Trading Company to construct and maintain a bridge across the Catalla Creek, in the district of Alaska, was announced as next in order.

Mr. NELSON. I think that bill had better go over.

Mr. PERKINS. I will say to the Senator from Minnesota that that bill was reported favorably from the Committee on Commerce, by the Senator from Arkansas [Mr. BERRY], and it is on the Calendar, and is a House bill. I hope it will be considered and passed at this time.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, in section 2, on page 2, after the word "river," at the end of line 13, to insert the following proviso:

Provided, That any bridge constructed under this act and according to its limitations shall be a lawful structure and shall be known and recognized as a post route, and the same is hereby declared to be a post route, upon which, also, no higher charge shall be made for the transportation over the same of the mails, the troops, or munitions of war of the United States than the rate per mile paid for transportation over railroads or public highways leading to the said bridge.

So as to make the section read:

SEC. 2. That such bridge shall be constructed as a drawbridge, and the draw shall be opened promptly upon reasonable signal for the passage of boats. And whatever kind of bridge is constructed, the said company shall maintain thereon, at its own expense, from sunset to sunrise, during the season of navigation, such lights or other signals as the Light-House Board shall prescribe; and the United States shall have the right of way across said bridge and approaches for postal telegraph and other purposes; and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies, and said bridge shall be so constructed and operated as not to interfere with the navigation of said river: *Provided*, That any bridge constructed under this act and according to its limitations shall be a lawful structure and shall be known and recognized as a post route, and the same is hereby declared to be a post route, upon which, also, no higher charge shall be made for the transportation over the same of the mails, the troops, or munitions of war of the United States than the rate per mile paid for transportation over railroads or public highways leading to the said bridge.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read the third time.

The bill was read the third time, and passed.

UNIVERSITY OF ARIZONA.

The bill (H. R. 6493) to ratify and confirm act No. 47 of the legislative assembly of the Territory of Arizona was considered as in Committee of the Whole.

Mr. KEAN. That bill is all right, and I hope it will be passed.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

DISTRICT TAX LAW.

The bill (H. R. 8690) to amend the law relating to taxation in the District of Columbia was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PURE-FOOD BILL.

The bill (H. R. 6295) for preventing the adulteration or misbranding of foods or drugs, and for regulating traffic therein, and for other purposes, was announced as next in order on the Calendar.

Mr. KEAN. Let that bill be passed over.

Mr. HEYBURN. I move that the Senate proceed to the consideration of that bill.

Mr. COCKRELL. I hope that motion will be voted down.

Mr. PLATT of Connecticut. Let us take a vote on it.

Mr. KEAN. That motion is contrary to the unanimous-consent agreement.

Mr. SPOONER. That violates the unanimous-consent agreement, Mr. President.

Mr. COCKRELL. The Senator should not violate the agreement.

The PRESIDENT pro tempore. Unanimous consent was given to consider unobjected House bills. This is an objected House bill, and so the motion is not in order. Objection being made, the bill will be passed over.

JOHANN A. KILLIAN.

The bill (H. R. 10688) for the relief of Johann A. Killian was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LIFE-SAVING MEDAL TO JOHN HORN.

The bill (H. R. 10306) to authorize a duplicate medal to be struck off and presented to John Horn, of Detroit, Mich., for life-saving, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ESTATE OF MARY KEATING.

The bill (H. R. 10511) for the relief of the estate of Mary Keating was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ESTATE OF MARY P. GILMORE.

The bill (H. R. 6921) for the relief of the estate of Mary P. Gilmore was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PHARMACY IN THE INDIAN TERRITORY.

The bill (H. R. 23) in relation to pharmacy in the Indian Territory was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COLUMBIA BREWING COMPANY, OF SHENANDOAH, PA.

The bill (H. R. 3393) for the relief of the Columbia Brewing Company, of Shenandoah, Pa., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ATLANTIC AND PACIFIC RAILROAD OF NEW MEXICO.

The bill (H. R. 5755) for the relief of small-holding settlers within the limits of the grant of land to the Atlantic and Pacific Railroad Company in the Territory of New Mexico was announced as next in order on the Calendar.

Mr. CULBERSON. That bill will probably lead to some inquiry at least.

Mr. HANSBROUGH. I do not think the Senator will object to that bill. It has been examined thoroughly by the committee and certainly there is no objection to it.

Mr. CULBERSON. I am compelled, Mr. President, to ask either for the reading of the report or to object to the bill.

Mr. HANSBROUGH. Could not a very small portion of the report be read? I can send it to the desk.

Mr. CULBERSON. I object.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

ALLEGHENY COLLEGE, MEADVILLE, PA.

The bill (H. R. 10208) for the relief of Allegheny College, at Meadville, Pa., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JACOB SWIGERT.

The bill (H. R. 7535) for the relief of Jacob Swigert, late deputy collector, seventh Kentucky district, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXEMPTION OF PRIVATE PROPERTY AT SEA.

The joint resolution (H. J. Res. 102) relating to the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerent powers, was considered as in Committee of the Whole.

Mr. CULLOM. I hope that joint resolution will be passed.

Mr. CULBERSON. I desire to know from the chairman of the Committee on Foreign Relations if that joint resolution has been reported unanimously by his committee?

Mr. CULLOM. I think it was actually unanimously reported some time ago. It is the same resolution on which I spoke today.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALEXANDER S. ROSENTHAL.

The bill (H. R. 9457) for the relief of Alexander S. Rosenthal was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

G. H. DEAREN.

The bill (H. R. 11337) for the relief of G. H. Dearen was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GRANDE RONDE RESERVATION, OREG.

The bill (H. R. 11966) to ratify and amend an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect, was considered as in Committee of the Whole.

The bill was reported from the Committee on Indian Affairs with an amendment, in section 2, page 6, line 21, after the word "this," to strike out "treaty" and insert "agreement;" so as to read:

SEC. 2. That for the purpose of carrying the provisions of this act into effect, the Secretary of the Interior shall be, and he is hereby, authorized and directed to sell, under such rules and regulations as he may prescribe, and at such times and places as he may designate, and shall, within thirty days after the ratification of this agreement, advertise all that part of the Grande Ronde Reservation remaining unallotted on the date of the said agreement, excepting the 440 acres of land reserved for Government uses at the time their allotments in severalty were made, said unallotted lands approximating 25,791 acres.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The preamble was agreed to.

EDWARD J. FARRELL.

The bill (H. R. 10516) for the relief of Edward J. Farrell was announced as the next business in order on the Calendar, and was read.

Mr. KEAN. Let us have the report read. It seems to be a bill which releases land under water in the city of New York. It is rather an important bill. I should like to have the report read.

Mr. CULBERSON. There is no report.

Mr. KEAN. There must be some reason for it.

Mr. COCKRELL. Let the bill be passed over.

Mr. KEAN. It involves land under water. It seems to me it is rather a serious matter of legislation.

Mr. COCKRELL. Let the bill go over.

The PRESIDENT pro tempore. The bill will go over.

ADOLPH WEINHOLD.

The bill (H. R. 13218) for the relief of Adolph Weinhold was considered as in Committee of the Whole. It proposes to remit the forfeiture which may have attached to lot 15 in block 4 in A. E. Randle's subdivision of land in the District of Columbia by reason of the fact that Adolph Weinhold was an alien when he obtained a deed to it.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHECKS OF DISTRICT DISBURSING OFFICERS.

The bill (H. R. 13773) to provide for the settlement of certain outstanding checks drawn by the disbursing officers of the District of Columbia was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMENDMENT OF DISTRICT CODE.

The bill (H. R. 4085) to amend an act entitled "An act to establish a code of law for the District of Columbia" was considered as in Committee of the Whole. It proposes to add to the code the following section:

SEC. 833a. Whoever, being in possession of personal property received upon a written and conditional contract of sale, with intent to defraud, sells, conveys, conceals, or aids in concealing the same, or removes the same from the District of Columbia without the consent of the vendor, before performance of the conditions precedent to acquiring the title thereto, shall be punished by a fine of not more than $100, or by imprisonment for more than ninety days.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRAUDULENT SALE OF MERCHANDISE.

The bill (H. R. 5067) to prevent the fraudulent sale of merchandise was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with amendments.

The first amendment of the Committee on the District of Columbia was to strike out section 1, as follows:

That a sale of any portion of a stock of merchandise in the District of Columbia, otherwise than in the ordinary course of trade in the regular and usual prosecution of the seller's business, or a sale of an entire stock of merchandise in gross, in the District of Columbia, will be presumed to be fraudulent and void as against the bona fide creditors of the seller, unless the seller and purchaser shall, at least ten days before the sale, make a full detailed inventory showing the quantity and, so far as possible, with the exercise of reasonable diligence, the cost price to the seller, of each article to be included in the sale; and unless such purchaser shall, at least ten days before the sale, in good faith, make full, explicit inquiry of the seller as to the names and places of residence or places of business of each and all of the creditors of the seller and the amount owing each creditor; and unless the purchaser shall at least ten days before the sale, in good faith, notify or cause to be notified, personally or by registered mail, each of the seller's creditors of whom the purchaser has knowledge, or can, with the exercise of reasonable diligence, acquire knowledge of said proposed sale, and of the said cost price of the merchandise to be sold, and of the price proposed to be paid therefor by the purchaser. The seller shall at least ten days before such sale fully and truthfully answer, in writing, under oath, each and all of said inquiries.

And to insert in lieu thereof the following:

That it shall be the duty of every person who shall bargain for or purchase any stock of goods, wares, or merchandise in bulk, for cash or credit, within the District of Columbia, to demand and receive from the vendor thereof, and if the vendor be a corporation then from a managing officer or agent thereof, at least five days before the consummation of such bargain or purchase and at least five days before paying or delivering to the vendor any part of the purchase price or consideration therefor, or any promissory note or other evidence of indebtedness therefor, a written statement, under oath, containing the names and addresses of all of the creditors of said vendor, together with the amount of indebtedness due or owing, or to become due or owing, by said vendor to each of such creditors, and if there be no such creditors, a written statement, under oath, to that effect; and it shall be the duty of such vendor to furnish such statement at least five days before any sale or transfer by him of any stock of goods, wares, or merchandise in bulk.

The amendment was agreed to.

The next amendment was, to insert the following as a new section:

SEC. 2. That after having received from the vendor the written statement, under oath, mentioned in section 1, the vendor shall, at least five days before the consummation of such bargain or purchase, and at least five days before paying or delivering to the vendor any part of the purchase price or consideration therefor, or any promissory note or other evidence of indebtedness for the same, in good faith notify or cause to be notified, personally or by wire or by registered letter, each of the creditors of the vendor named in said statement of the proposed purchase by him of such stock of goods, wares, or merchandise; and whenever any person shall purchase any stock of goods, wares, or merchandise in bulk, or shall pay the purchase price or any part thereof, or execute or deliver to the vendor thereof or to his order, or to any person for his use, any promissory note or other evidence of indebtedness for said stock, or any part thereof, without having first demanded and received from his vendor the statement, under oath, as provided in section 1, and without also having notified or caused to be notified all of the creditors of the vendor named in such statement as in this section prescribed, such purchase, sale, or transfer shall, as to any and all creditors of the vendor, be conclusively presumed fraudulent and void.

The amendment was agreed to.

The next amendment was to insert the following as a new section:

SEC. 3. That any sale or transfer of a stock of goods, wares, or merchandise out of the usual or ordinary course of the business or trade of the vender, or whenever thereby substantially the entire business or trade theretofore conducted by the vender shall be sold or conveyed, or attempted to be sold or conveyed, to one or more persons, shall be deemed a sale or transfer in bulk, in contemplation of this act.

The amendment was agreed to.

Mr. BAILEY. Mr. President, I presume the bill is confined in its operation to the District of Columbia. I will ask whether it is.

Mr. COCKRELL. Entirely so.

Mr. HANSBROUGH. It is entirely confined to the District of Columbia. A similar law is on the statute book of almost every State. It is very much needed in the District. The bill has been gone over very carefully.

Mr. COCKRELL. The bill provides:

That it shall be the duty of every person who shall bargain for or purchase any stock of goods, wares, or merchandise in bulk, for cash or credit, within the District of Columbia——

Mr. MALLORY. It is confined to the District of Columbia. I will move an amendment to the title so as to read "in the District of Columbia."

Mr. BAILEY. Yes.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

On motion of Mr. HANSBROUGH, the title was amended so as to read: "A bill to prevent the fraudulent sale of merchandise in the District of Columbia."

PREVENTION OF CRUELTY TO ANIMALS.

The bill (H. R. 10417) to prevent cruelty to certain animals in the District of Columbia was announced as the next business in order on the Calendar.

Mr. LODGE. I am entirely in sympathy with the purpose of the bill, but it is a very elaborate bill, and it goes so far as to provide that a man who innocently purchases in another State a horse with a docked tail can not bring him into the District. It seems to me to be going too far. I think it is a bill which ought to be considered more, and I object to its consideration.

Mr. SCOTT. I hope the Senator will withdraw his objection to the bill. I certainly will feel, if he does not, that I shall have to object to bills right straight along.

Mr. PLATT of Connecticut and other Senators. Oh, no.

Mr. LODGE. There is no use at all of saying that.

Mr. SCOTT. It is a bill which has been carefully considered by the Committee on the District of Columbia, both in the House and in the Senate, and I do not believe that any man who sympathizes with a dumb animal will object to the bill.

Mr. BAILEY. I very much question the right to prohibit the bringing of personal property from one State or District into another, when it does not affect the health, morals, or good order of the place into which it is brought.

I myself believe that the practice of docking horses is a cruel and useless one. Cruelty is always bad, and when it is useless it is doubly bad. But it looks to me like the friends of the bill ought to remove it from all possible valid legal objections, and I do incline to the belief that the State of West Virginia, for instance, could not forbid the bringing into that State from the State of Massachusetts of personal property which does not affect the health, morals, or peace of that State. It seems to me to be going a long way.

Mr. SCOTT. Why will not the Senator amend the bill?

Mr. LODGE. I am perfectly willing to do that.

Mr. SCOTT. Let us amend the bill.

Mr. COCKRELL. I hope we will observe the rule that where there is an objection the bill will be passed over. We have passed all the House bills but four, until we come to the pension bills. Let this bill be laid aside. If we do not have time to consider it at this session, nothing will spoil until next session, and then we will pass it, after full discussion.

Mr. SCOTT. I will agree that the bill may go over, with the understanding that if we have time either to-night or to-morrow it will be called up.

Mr. BAILEY. I should like to see passed a bill to prevent the docking of horses.

Mr. LODGE. Mr. President, I desire to say a single word. The Senator from Texas expressed perfectly my objection to the bill. I think docking is a cruel and useless practice, and that we ought to stop it in the District. I am heartily in favor of it, but when you say that an innocent purchaser who buys a horse with a docked tail in New York or Massachusetts, or anywhere else you please, shall not bring his property with him into the District, I think you are entering upon pretty dangerous ground.

Mr. GALLINGER. Mr. President, on the other hand I wish to say to the Senator from Massachusetts that if the bill is only made applicable to the District and persons are permitted to bring in horses from Virginia and Maryland and other States, it will be an utterly useless legislative act.

Mr. SCOTT. Yes.

Mr. GALLINGER. And it might as well be abandoned.

Mr. COCKRELL. Let us have the next case on the Calendar.

Mr. PLATT of Connecticut. The regular order!

The PRESIDENT pro tempore. The bill will be passed over.

EXTENSION OF WYOMING AVENUE.

The bill (H. R. 14424) for the extension of Wyoming avenue to Twenty-third street west was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHOCTAW AND CHICKASAW TOWN-SITE FUND.

The bill (H. R. 12382) authorizing the payment of the Choctaw and Chickasaw town-site fund, and for other purposes, was considered as in Committee of the Whole.

The PRESIDENT pro tempore. The bill has heretofore been read in full to the Senate.

Mr. PLATT of Connecticut. It need not be read again. The Senator from Texas [Mr. BAILEY] objected to it, but he now withdraws his objection.

Mr. BAILEY. I find upon examination that this money is a joint fund belonging to both the Choctaw and Chickasaw Indians. Therefore it would be difficult, at least, if not impossible, to apply a part of it to a separate Chickasaw indebtedness without adjusting the equities between the two tribes, and I will not attempt to do it.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OX BOW POWER COMPANY.

The bill (H. R. 11972) to authorize the Ox Bow Power Company, of South Dakota, to construct a dam across the Missouri River was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TRANSFER OF CERTAIN MILITARY ROLLS AND RECORDS.

The joint resolution (H. J. Res. 29) providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH E. CONATT.

The bill (H. R. 13605) granting an increase of pension to Elizabeth E. Conatt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth E. Conatt, widow of Harrison Conatt, late of Company H, Fourth Regiment Iowa Volunteer Cavalry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELLA F. KENNEALY.

The bill (H. R. 15183) granting a pension to Ella F. Kennealy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ella F. Kennealy, helpless and dependent daughter of David Kennealy, late of the U. S. S. *Alleghany*, *Wissahickon*, and *Princeton*, United States Navy, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ARMOUR W. PATTERSON.

The bill (H. R. 15148) granting an increase of pension to Armour W. Patterson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Armour W. Patterson, late of Company A, First Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH A. COX.

The bill (H. R. 15126) granting an increase of pension to Joseph A. Cox was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph A. Cox, late of Company A, Second Regiment Illinois Volunteer Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN TRADER.

The bill (H. R. 11335) granting an increase of pension to John Trader was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Trader, late of Company B, Sixteenth Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMMA A. WEBSTER.

The bill (H. R. 7497) granting a pension to Emma A. Webster was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma A. Webster, widow of Israel B. Webster, late captain Company I, Tenth Regiment Kentucky Volunteer Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LAWRENCE LE BRON.

The bill (H. R. 15076) granting an increase of pension to Lawrence Le Bron was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lawrence Le Bron, late of Company E, Eleventh Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GRACE DRESSEL.

The bill (H. R. 5725) granting a pension to Grace Dressel was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Grace Dressel, widow of Fritz Dressel, late musician, Eighth Regiment United States Infantry, and to pay her a pension of $12 per month and $2 per month additional on account of the minor child of said Fritz Dressel until she reaches the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS L. SWEENEY.

The bill (H. R. 14512) granting an increase of pension to Thomas L. Sweeney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas L. Sweeney, late of Company F, Forty-second Regiment United States Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

STEPHEN M. FERGUSON.

The bill (H. R. 13592) granting an increase of pension to Stephen M. Ferguson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "seventy-two" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Stephen M. Ferguson, late lieutenant-colonel Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

AARON TAYLOR.

The bill (H. R. 4771) granting a pension to Aaron Taylor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Aaron Taylor, late of Company H, Eleventh Regiment United States Infantry, and to pay him a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JACOB REITZEL.

The bill (H. R. 5012) granting an increase of pension to Jacob Reitzel was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob Reitzel, late of Company C, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRIET J. WOODBURY.

The bill (H. R. 7373) granting a pension to Harriet J. Woodbury was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harriet J. Woodbury, widow of Everett T. Woodbury, late of Company E, Fourteenth Regiment Michigan Volunteer Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JENNIE A. BROWN.

The bill (H. R. 14524) granting a pension to Jennie A. Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jennie A. Brown, widow of James M. Brown, late of Company I, One hundred and fortieth Regiment New York Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL H. PHILLIPS.

The bill (H. R. 14521) granting an increase of pension to Samuel H. Phillips was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel H. Phillips, late of Company A, Forty-ninth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALEXANDER P. NELSON.

The bill (H. R. 14572) granting an increase of pension to Alexander P. Nelson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alexander P. Nelson, late first lieutenant Company K, Eighty-fourth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AZARIAH S. ELWOOD.

The bill (H. R. 14541) granting an increase of pension to Azariah S. Elwood was considered as in Committee of the Whole. It

proposes to place on the pension roll the name of Azariah S. Elwood, late assistant surgeon, Fortieth Regiment Iowa Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PRINCE A. GATCHELL.

The bill (H. R. 14531) granting an increase of pension to Prince A. Gatchell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Prince A. Gatchell, late captain Company E, First Regiment Maine Volunteer Heavy Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMMA W. HAYS.

The bill (H. R. 13805) granting a pension to Emma W. Hays was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma W. Hays, widow of Joseph H. Hays, late first lieutenant, Thirtieth Regiment United States Infantry, and to pay her a pension of $17 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MATTHIAS RIDENOUR.

The bill (H. R. 14859) granting an increase of pension to Matthias Ridenour was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Matthias Ridenour, late of Company H, Thirty-second Regiment Ohio Volunteer Infantry, and to pay him a pension $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LESLIE C. ARMOUR.

The bill (H. R. 14001) granting an increase of pension to Leslie C. Armour was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Leslie C. Armour, late of Company B, Second Regiment United States Cavalry, war with Spain, and to pay him a pension of $17 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNIE HYNES.

The bill (H. R. 13816) granting a pension to Annie Hynes was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Annie Hynes, widow of Patrick J. Hynes, late hospital steward, Second Regiment New Jersey Volunteer Infantry, war with Spain, and to pay her a pension of $12 per month and $2 per month additional on account of the minor child of Patrick J. Hynes until she reaches the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JANE K. CARPENTER.

The bill (H. R. 12268) granting an increase of pension to Jane K. Carpenter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jane K. Carpenter, widow of Ezra D. Carpenter, late second lieutenant Company B, Eighteenth Regiment Connecticut Volunteer Infantry, and to pay her a pension at the rate of $17 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD M. FOWLER.

The bill (H. R. 12604) granting a pension to Edward M. Fowler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward M. Fowler, late coal passer, United States Navy, and to pay him a pension of $30 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANTOINETTE I. SAWYER.

Tho bill (H. R. 6338) granting an increase of pension to Antoinette I. Sawyer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Antoinette I. Sawyer, widow of Charles F. Sawyer, late sergeant-major and adjutant Fourth Regiment Maine Volunteer Infantry, and to pay her a pension of $17 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM T. SPENCER.

The bill (H. R. 14631) granting a pension to William T. Spencer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William T. Spencer, late of Company D, Sixth Regiment United States Volunteer Infantry, and to pay him a pension at the rate of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AUGUSTUS FINLEY.

The bill (H. R. 14630) granting a pension to Augustus Finley, now known as Davis, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Augustus Finley, now known as Davis, late of Company I, One hundred and thirty-sixth Regiment United States Colored Volunteer Infantry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MYRON IMAS.

The bill (H. R. 14612) granting an increase of pension to Myron Imas was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Myron Imas, late of Company H, Fifty-seventh Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM L. BEVERLY.

The bill (H. R. 14611) granting a pension to William L. Beverly was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William L. Beverly, late scout and spy, United States Volunteers, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALFRED B. SCOVILL.

The bill (H. R. 14592) granting an increase of pension to Alfred B. Scovill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alfred B. Scovill, late of Company A, Forty-sixth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

IDA DIAMOND.

The bill (H. R. 12629) granting a pension to Ida Diamond was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ida Diamond, widow of Constantine Diamond, late of the U. S. S. *Monongahela*, United States Navy, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMBROSE L. HENDEE.

The bill (H. R. 7145) granting an increase of pension to Ambrose L. Hendee was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ambrose L. Hendee, late of Company F, Eighty-fifth Regiment New York Volunteer Infantry, and to pay him a pension of $17 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARMON P. COLE.

The bill (H. R. 2577) granting an increase of pension to Harmon P. Cole was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harmon P. Cole, late of Company A, Fifth Regiment Michigan Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DEGRAPHENREED P. M'KINLEY.

The bill (H. R. 14490) granting a pension to Degraphenreed P. McKinley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Degraphenreed P. McKinley, late of Captain Gyles's independent company Putnam County Missouri Home Guards, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY GOOD.

The bill (H. R. 13490) granting an increase of pension to Henry Good was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Good, late second lieutenant Company E, One hundred and seventy-first Regiment Pennsylvania Drafted Militia Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY TAGGART.

The bill (H. R. 15204) granting an increase of pension to Mary Taggart was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Taggart, widow of James C. Taggart, late first lieutenant Company I, Seventy-first Regiment New York Militia Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Maggie Taggart, helpless and dependent child of said James C. Taggart, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Mary Taggart the name of said Maggie Taggart shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Mary Taggart.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE B. HARTLEY.

The bill (H. R. 4152) granting an increase of pension to George B. Hartley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George B. Hartley, late of Company K, Seventy-ninth Regiment Indiana Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

IRA WALDO.

The bill (H. R. 3924) granting an increase of pension to Ira Waldo was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ira Waldo, late of Company I, Sixth Regiment Iowa Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM M. CROW.

The bill (H. R. 698) granting an increase of pension to William M. Crow was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William M. Crow, late of Company B, Sixth Regiment Tennessee Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ORSON BURLINGAME.

The bill (H. R. 12402) granting a pension to Orson Burlingame was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Orson Burlingame, late of Company G, Second Regiment New York Veteran Volunteer Cavalry, and to pay him a pension of $12 per month, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment, without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE S. NOLAND.

The bill (H. R. 13736) granting a pension to George S. Noland was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George S. Noland, late of Company G, Second Regiment South Carolina Volunteer Infantry, war with Spain, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROSE B. NOA.

The bill (H. R. 1093) granting a pension to Rose B. Noa was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rose B. Noa, dependent mother of Loveman Noa, late cadet United States Navy, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MERCY J. WILDER.

The bill (H. R. 14865) granting an increase of pension to Mercy J. Wilder was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mercy J. Wilder, widow of George O. Wilder, late first lieutenant Company C, Fifteenth Regiment, and Company G, Twentieth Regiment, Massachusetts Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH B. YOUNT.

The bill (H. R. 14464) granting an increase of pension to Elizabeth B. Yount was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth B. Yount, widow of David Yount, late captain Companies H and C, Sixty-ninth Regiment Indiana Volunteer Infantry, and to pay her a pension of $17 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DANIEL WHITE.

The bill (H. R. 14437) granting an increase of pension to Daniel White was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel White, late of Company N, Sixth Regiment West Virginia Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ENOCH J. EVANS.

The bill (H. R. 2976) granting an increase of pension to Enoch J. Evans was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Enoch J. Evans, late of Company H, First Regiment West Virginia Volunteer Infantry, and to pay him a pension of $12 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET J. RANDOLPH.

The bill (H. R. 9107) granting a pension to Margaret J. Randolph was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret J. Randolph, widow of William F. Randolph, late pilot, United States Navy, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY M'CREARY.

The bill (H. R. 10285) granting an increase of pension to Henry McCreary was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry McCreary, late of Company B, Fourth Regiment Delaware Volunteer Infantry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ABRAHAM HARRIS.

The bill (H. R. 13586) granting an increase of pension to Abraham Harris was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abraham Harris, late of Company F, Eighth Regiment United States Infantry, war with Mexico, and to pay him a pension of $20 dollars per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH BROOMALL.

The bill (H. R. 10284) granting a pension to Elizabeth Broomall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth Broomall, widow of Joseph Broomall, late of Company E, Fifth Regiment Delaware Volunteer Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JACOB CHRONISTER.

The bill (H. R. 5711) granting an increase of pension to Jacob Chronister was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob Chronister, late of Company I, Thirty-fourth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN BRADY.

The bill (H. R. 14508) granting an increase of pension to John Brady was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Brady, late of Company C, One hundredth Regiment Indiana Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES W. LEE.

The bill (H. R. 14484) granting an increase of pension to Charles W. Lee was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles W. Lee, late captain Company A, Third Regiment Indiana Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN GIDEON.

The bill (H. R. 14894) granting an increase of pension to John Gideon was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Gideon, late of Company A, Thirty-eighth Regiment Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALLEN R. HARRIS.

The bill (H. R. 14890) granting an increase of pension to Allen R. Harris was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Allen R. Harris, late first lieutenant and adjutant Fifty-first Regiment Indiana Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM HUFFMAN.

The bill (H. R. 14884) granting an increase of pension to William Huffman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Huffman, late of Company I, First Regiment Kentucky Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY DINGLER.

The bill (H. R. 14882) granting a pension to Mary Dingler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Dingler, dependent mother of George Neville, late of Company F, Twenty-third Regiment New Jersey Volunteer Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCIS STADLER, JR.

The bill (H. R. 14876) granting an increase of pension to Francis Stadler, jr., was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Francis Stadler, jr., late of Company D, Seventh Regiment New Jersey Volunteer Infantry, and to pay him a pension of $72 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PETER LANDER.

The bill (H. R. 4572) granting an increase of pension to Peter Lander was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Peter Lander, late of Company F, First Regiment Vermont Volunteer Cavalry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALEXANDER ADAMS.

The bill (H. R. 4379) granting an increase of pension to Alexander Adams was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alexander Adams, late of Company A, One hundred and thirty-ninth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY E. HOUGHTON.

The bill (H. R. 13173) granting an increase of pension to Mary E. Houghton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Houghton, widow of Moses B. Houghton, late colonel Third Regiment Michigan Volunteer Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM P. CRAWFORD.

The bill (H. R. 13437) granting a pension to William P. Crawford was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William P. Crawford, late first lieutenant Company C, Fortieth Regiment United States Volunteer Infantry, war with Spain, and to pay him a pension of $20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN S. EDGAR.

The bill (H. R. 9365) granting an increase of pension to John S. Edgar was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. Edgar, late of Battery D, Fifth Regiment United States Artillery, and to pay him a pension of $72 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JULIA R. BRAXTON.

The bill (H. R. 4891) granting a pension to Julia R. Braxton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Julia R. Braxton, widow of Hiram F. Braxton, late second lieutenant Company A, Twenty-fourth Regiment Indiana Volunteer Infantry, and to pay her a pension of $15 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EVERTON J. CONGER.

The bill (H. R. 14336) granting an increase of pension to Everton J. Conger was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Everton J. Conger, late lieutenant-colonel First District of Columbia Volunteer Cavalry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES W. SMITH.

The bill (H. R. 14201) granting an increase of pension to James W. Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James W. Smith, late of Company H, Thirty-seventh Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES A. MORRISON.

The bill (H. R. 8280) granting an increase of pension to James A. Morrison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James A. Morrison, late of the U. S. S. *Valley City*, United States Navy, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN M. STONER.

The bill (H. R. 9901) granting a pension to John M. Stoner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John M. Stoner, late of Company C, Second Regiment Arkansas Volunteer Cavalry, and Company A, First Battalion Arkansas Volunteer Infantry, and to pay him a pension of $30 per month, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment, without any reduction or rebate on account of former alleged overpayments or erroneous payments of pension.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM SPIEGELBERG.

The bill (H. R. 7085) granting an increase of pension to William Spiegelberg was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Spiegelberg, late first lieutenant Company F, Nineteenth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM W. DENNIS.

The bill (H. R. 13373) granting an increase of pension to William W. Dennis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William W. Dennis, late of Company D, Third Battalion, Eighteenth Regiment United States Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT H. BETTS.

The bill (H. R. 9623) granting an increase of pension to Robert H. Betts was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert H. Betts, late of Company C, Thirty-eighth Regiment Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MADISON C. STAVES.

The bill (H. R. 3921) granting an increase of pension to Madison C. Staves was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Madison C. Staves, late of Company K, Eleventh Regiment Iowa Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ABSALOM SHILTS.

The bill (H. R. 9773) granting an increase of pension to Absalom Shilts was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "Company," to strike out the letter "G" and insert the letter "C;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Absalom Shilts, late of Company C, One hundred and seventy-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

GEORGE SMITH.

The bill (H. R. 9477) granting an increase of pension to George Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Smith, late of Company H, Fourth Regiment United States Artillery, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH J. MEAD.

The bill (H. R. 14639) granting an increase of pension to Joseph J. Mead was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph J. Mead, late of Company G, One hundred and seventieth Regiment Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY E. DUNFORD.

The bill (H. R. 14702) granting a pension to Mary E. Dunford was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Dunford, dependent mother of Jesse M. Dunford, late of Company G, Fifth Regiment United States Infantry, war with Spain, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALLAN DUNNING.

The bill (H. R. 14641) granting a pension to Allan Dunning was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Allan Dunning, helpless and dependent son of Henry W. Dunning, late of Sixth Independent Battery, Wisconsin Volunteer Light Artillery, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NANCY SMALLWOOD.

The bill (H. R. 10851) granting an increase of pension to Nancy Smallwood was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nancy Smallwood, widow of James B. Smallwood, late of Company A, Seventh Regiment, and first lieutenant Company I, Forty-seventh Regiment Kentucky Volunteer Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Margaret Smallwood, helpless and dependent daughter of said James B. Smallwood, the additional pension herein granted shall cease and determine.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HEINRICH ERBSTOESER.

The bill (H. R. 10846) granting an increase of pension to Heinrich Erbstoeser was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Heinrich Erbstoeser, late of Company A, Sixth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY LEFFLER.

The bill (H. R. 9394) granting an increase of pension to Mary Leffler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Leffler, widow of John Leffler, late of Company B, Fifteenth Regiment Pennsylvania Volunteer Cavalry, and to pay her a pension of $12 per month in lieu of that she is now receiving, and $2 per month additional on account of the minor child of said John Leffler until he reaches the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM HOUGENDOBLER.

The bill (H. R. 14870) granting an increase of pension to William Hougendobler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Hougendobler, late of Company E, Seventy-ninth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CEPHAS H. JOHN.

The bill (H. R. 13620) granting an increase of pension to Cephas H. John was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Cephas H. John, late of Company C, Seventy-seventh Regiment Illinois Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS C. WILEY.

The bill (H. R. 14802) granting an increase of pension to Thomas C. Wiley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas C. Wiley, late captain Company H, Second Regiment Kentucky Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. SHRADER.

The bill (H. R. 14801) granting a pension to John W. Shrader was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Shrader, late of Captain Coffee's company, Florida Volunteers, war with Mexico, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SYMPHOROSA BARTLEY.

The bill (H. R. 14747) granting an increase of pension to Symphorosa Bartley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Symphorosa Bartley, widow of Milton Bartley, late of Lieutenant Denman's detachment of United States mounted riflemen, war with Mexico, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PARK AVERY.

The bill (H. R. 14638) granting an increase of pension to Park Avery was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Park Avery, late of Company H, Twelfth Regiment Vermont Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN PICKERING.

The bill (H. R. 12348) granting an increase of pension to John Pickering was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Pickering, late of Company C, One hundred and thirty-eighth Regiment Ohio Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BARTLETT J. MINGUS.

The bill (H. R. 12861) granting an increase of pension to Bartlett J. Mingus was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Bartlett J. Mingus, late of Company I, First Regiment Ohio Volunteer Heavy Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD TAYLOR.

The bill (H. R. 14578) granting a pension to Edward Taylor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward Taylor, late of the U. S. steamships *Lancaster* and *Baltic*, Mississippi Marine Brigade, and to pay him a pension of $20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET G. HOWARTH.

The bill (H. R. 12702) granting an increase of pension to Margaret G. Howarth was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret G. Howarth, widow of Richard S. Howarth, late of Company D, Ninety-seventh Regiment Pennsylvania Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DANIEL M. CANDOR.

The bill (H. R. 12197) granting an increase of pension to Daniel M. Candor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel M. Candor, late of Company A, Thirtieth Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMELIA COSTER.

The bill (H. R. 12006) granting an increase of pension to Amelia Coster was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Amelia Coster, widow of Leon Coster, late of Company F, Seventeenth Regiment Massachusetts Volunteer Infantry, and to pay her a pension of $16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISAAC W. WATERS.

The bill (H. R. 12177) granting an increase of pension to Isaac W. Waters was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac W. Waters, late of Company K, Forty-ninth Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT R. KEYS.

The bill (H. R. 14511) granting an increase of pension to Robert R. Keys was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert R. Keys, late of Company B, Third Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES W. CRARY.

The bill (H. R. 11086) granting an increase of pension to Charles W. Crary was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles W. Crary, late captain Company H, Ninety-eighth Regiment New York Volunteer Infantry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT ELLIOTT.

The bill (H. R. 13000) granting an increase of pension to Robert Elliott was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert Elliott, late of Company C, Fortieth Regiment Kentucky Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SOLON D. MOORE.

The bill (H. R. 9338) granting an increase of pension to Solon D. Moore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Solon D. Moore, late second lieutenant Company I, Third Regiment Kentucky Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM LEONARD.

The bill (H. R. 11397) granting an increase of pension to William Leonard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Leonard, late of Company K, One hundred and sixth Regiment New York Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN S. ALLISON.

The bill (H. R. 10334) granting an increase of pension to John S. Allison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. Allison, late of Company G, One hundred and sixth Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DANIEL SMITH.

The bill (H. R. 11827) granting an increase of pension to Daniel Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel Smith, late of Company I, Forty-third Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN F. HAWTHORN.

The bill (H. R. 6537) granting an increase of pension to Benjamin F. Hawthorn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin F. Hawthorn, late of Company K, One hundred and fortieth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $17 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GILBERT A. KENNEY.

The bill (H. R. 1305) granting an increase of pension to Gilbert A. Kenney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Gilbert A. Kenney, late of Company K, Tenth Regiment Rhode Island Volunteer Infantry, and Company C, Second Regiment Rhode Island Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY J. GRANNIS.

The bill (H. R. 2124) granting an increase of pension to Henry J. Grannis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry J. Grannis, late of Company C, Twelfth Regiment Iowa Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PHEBE A. DAW.

The bill (H. R. 14992) granting a pension to Phebe A. Daw was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Phebe A. Daw, widow of Joseph Daw, late of Company K, Twenty-second Regiment Michigan Volunteer Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCIS ROGERS.

The bill (H. R. 14938) granting a pension to Francis Rogers was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Francis Rogers, late of Company C, Fifth Regiment United States Cavalry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS MAHERS.

The bill (H. R. 13886) granting an increase of pension to Thomas Mahers was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Mahers, late of Battery C, Fourth Regiment United States Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN B. HOBDAY.

The bill (H. R. 14204) granting a pension to John B. Hobday was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John B. Hobday, late commissary-sergeant Fifty-sixth Regiment New York National Guard Infantry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM FLAIG.

The bill (H. R. 11013) granting an increase of pension to William Flaig was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Flaig, late of Company D, Eighty-second Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM KIMBROUGH.

The bill (H. R. 14637) granting an increase of pension to William Kimbrough was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Kimbrough, late of Company I, Forty-fourth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DELANA A. LYNCH.

The bill (H. R. 13272) granting a pension to Delana A. Lynch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Delana A. Lynch, widow of Thomas J. Lynch, late of Company G, One hundred and twentieth Regiment Illinois Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELLEN A. WILSON.

The bill (H. R. 4398) granting a pension to Ellen A. Wilson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellen A. Wilson, widow of William P. Wilson, late first-class fireman, United States Navy, war with Spain, and to pay her a pension of $12 per month, and $2 per month additional on account of each of the minor children of said William P. Wilson until they reach the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMANUEL PECK.

The bill (H. R. 13404) granting a pension to Emanuel Peck was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emanuel Peck, late of Company F, Fourth Regiment Pennsylvania Reserve Volunteer Infantry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM C. CRUMBAUGH.

The bill (H. R. 13347) granting an increase of pension to William C. Crumbaugh was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William C. Crumbaugh, late of Company E, First Regiment Potomac Home Brigade Maryland Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN HEGARTY.

The bill (H. R. 11262) granting a pension to John Hegarty was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Hegarty, late of Company C, Twenty-sixth Regiment United States Volunteer Infantry, war with Spain, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL R. HAZEN.

The bill (H. R. 11336) granting an increase of pension to Samuel R. Hazen, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel R. Hazen, late of Company G, One hundred and fortieth Regiment New York Volunteer Infantry, and to pay him a pension of $16 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GARRET I. POST.

The bill (H. R. 13391) granting an increase of pension to Garret I. Post was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Garret I. Post, late of Company H, Twenty-fifth Regiment New Jersey Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PETER CREAGER.

The bill (H. R. 8716) granting an increase of pension to Peter Creager was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Peter Creager, late of Company I, Twentieth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN RICHMOND.

The bill (H. R. 9354) granting an increase of pension to John Richmond was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Richmond, late of Company C, One hundred and forty-second Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL B. LOEWENSTINE.

The bill (H. R. 11486) granting an increase of pension to Samuel B. Loewenstine was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel B. Loewenstine, late of Company K, First Regiment Kentucky Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM WELLS.

The bill (H. R. 11374) granting an increase of pension to William Wells was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Wells, late of Company A, Eighty-ninth Regiment Indiana Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS ELLMAKER.

The bill (H. R. 5829) granting an increase of pension to Thomas Ellmaker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Ellmaker, late of the U. S. S. *St. Marys*, United States Navy, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWIN A. MORRIS.

The bill (H. R. 6111) granting an increase of pension to Edwin A. Morris was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edwin A. Morris, late of Company F, Sixth Regiment Michigan Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES E. PHILLIPS.

The bill (H. R. 6718) granting an increase of pension to James E. Phillips was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James E. Phillips, late of Company I, Ninety-fourth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT J. TATE.

The bill (H. R. 2675) granting an increase of pension to Robert J. Tate was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert J. Tate, late of Company A, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, and to pay him a pension of $16 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SMITH BILDERBACK.

The bill (H. R. 2499) granting an increase of pension to Smith Bilderback was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Smith Bilderback, late second lieutenant Company F, Thirty-fourth Regiment New Jersey Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM BASNETT.

The bill (H. R. 3431) granting an increase of pension to William Basnett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Basnett, late of Company D, Third Regiment Missouri State Militia Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. ROMAINE.

The bill (H. R. 3036) granting an increase of pension to William H. Romaine was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Romaine, late captain Company D, One hundred and seventy-fourth Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

IRA MESERVE.

The bill (H. R. 740) granting an increase of pension to Ira Meserve was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ira Meserve, late of Company F, Twelfth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN S. MILLER.

The bill (H. R. 4582) granting an increase of pension to John S. Miller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. Miller, late of Company F, Eleventh Regiment Rhode Island Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANK BROCK.

The bill (H. R. 934) granting an increase of pension to Frank Brock was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frank Brock, late of Company F, One hundred and seventh Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN M'CONNELL.

The bill (H. R. 5309) granting an increase of pension to John McConnell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John McConnell, late of Capt. D. D. Henrie's company, D, District of Columbia and Maryland Volunteer Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SOLOMON F. HALLETT.

The bill (H. R. 4903) granting an increase of pension to Solomon F. Hallett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Solomon F. Hallett, late of Company I, One hundred and twenty-third Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CAROLINE M'GIMSEY.

The bill (H. R. 14640) granting an increase of pension to Caroline McGimsey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Caroline McGimsey, widow of Francis M. McGimsey, late of Company H, One hundred and fifty-first Regiment Indiana Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES R. FLETCHER.

The bill (H. R. 14636) granting an increase of pension to James R. Fletcher was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James R. Fletcher, late of Battery A, Fourth Regiment United States Artillery, Florida Indian war, and to pay him a pension of $16 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM NEUBERG.

The bill (H. R. 14343) granting an increase of pension to William Neuberg was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Neuberg, late of Company B, One hundred and seventy-fifth Regiment New York Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY J. WAUGH.

The bill (H. R. 487) granting an increase of pension to Mary J. Waugh was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary J. Waugh, widow of Andrew Waugh, late of Company D, Twentieth Regiment Pennsylvania Volunteer Cavalry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HUMPHREY M. GLINES.

The bill (H. R. 749) granting an increase of pension to Humphrey M. Glines was considered as in Committtee of the Whole. It proposes to place on the pension roll the name of Humphrey M. Glines, late of Company C, Eleventh Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DANIEL A. BUTLER.

The bill (H. R. 4584) granting an increase of pension to Daniel A. Butler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel A. Butler, late of Company E, Third Regiment Massachusetts Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third, and passed.

ELIZA WORKMAN.

The bill (H. R. 5565) granting a pension to Eliza Workman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eliza Workman, widow of William F. Workman, late of Company H, Seventh Regiment West Virginia Volunteer Cavalry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ARCHIE C. FISK.

The bill (H. R. 14308) granting an increase of pension to Archie C. Fisk was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Archie C. Fisk, late captain and assistant adjutant-general, United States Volunteers, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PETER C. WOOD.

The bill (H. R. 14153) granting an increase of pension to Peter C. Wood was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Peter C. Wood, late captain Company A, and first lieutenant Company F, Forty-ninth Regiment United States Colored Volunteer Infantry, and to pay him a pension of $36 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

KING KERLEY.

The bill (H. R. 14141) granting an increase of pension to King Kerley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of King Kerley, late of Captain Bennett's company, First Regiment Tennessee Volunteer Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CALVIN HITT.

The bill (H. R. 13911) granting an increase of pension to Calvin Hitt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Calvin Hitt, late of Company I, Stevenson's regiment, New York Volunteers, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES E. CHAPPELL.

The bill (H. R. 3107) granting an increase of pension to James E. Chappell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James E. Chappell, late first lieutenant Company G, Fifty-eighth Regiment Indiana Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ERASTUS J. HORTON.

The bill (H. R. 6182) granting a pension to Erastus J. Horton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Erastus J. Horton, late of Company A, Sixth Regiment Michigan Volunteer Cavalry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES E. ARNETT.

The bill (H. R. 10029) granting a pension to Charles E. Arnett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles E. Arnett, late of Company C, Second Regiment Arkansas Volunteer Infantry, war with Spain, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HELIM THOMPSON.

The bill (H. R. 4602) granting an increase of pension to Helim Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Helim Thompson, late of Company E, Forty-fourth Regiment New York Volunteer Infantry, and to pay him a pension of $36 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GRANT OF LANDS TO OHIO.

The bill (H. R. 11444) to grant certain lands to the State of Ohio was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with an amendment, after the first word "That," to strike out the words "all the land above described is granted unto the State of Ohio," and insert:

The following-described lands in township 6 south, range 3 east, in Mercer County, Ohio, be, and the same are hereby, granted to the State of Ohio, to wit: The southeast quarter of the southeast quarter of section 2, township 6 south, range 3 east, 40 acres; the south half of the southwest quarter of section 3, township 6 south, range 3 east, 80 acres; the east half of the northeast quarter of section 8, township 6 south, range 3 east, 80 acres; the southwest quarter of the northeast quarter of section 8, township 6 south, range 3 east, 40 acres; the northwest quarter of section 8, township 6 south, range 3 east, 160 acres; the southwest quarter of section 8, township 6 south, range 3 east, 160 acres; the northeast quarter of section 9, township 6 south, range 3 east, 160 acres; the southeast quarter of section 9, township 6 south, range 3 east, 160 acres; the northwest quarter of section 9, township 6 south, range 3 east, 160 acres; the east half of the southwest quarter of section 9, township 6 south, range 3 east, 80 acres; the southwest quarter of section 10, township 6 south, range 3 east, 160 acres; the northeast quarter of section 11, township 6 south, range 3 east, 160 acres; the southeast quarter of section 11, township 6 south, range 3 east, 160 acres; the east half of the southwest quarter of section 11, township 6 south, range 3 east, 80 acres; the northwest quarter of section 17, township 6 south, range 3 east, 160 acres; the east half of the southwest quarter of section 17, township 6 south, range 3 east, 80 acres; also the whole of section 7, township 6 south, range 4 east, in Auglaize County, Ohio, 694 acres; also the north half of the southwest quarter of section 27, township 7 south, range 5 east, in Shelby County, Ohio, 80 acres; and containing in all 2,694 acres, more or less.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The committee reported to strike out the third, fourth, fifth, sixth, and seventh whereas of the preamble; so as to make the preamble read:

Whereas the State of Ohio in the years 1828 to 1844, inclusive, constructed the Miami and Erie Canal; and

Whereas the State of Ohio, for the purpose of supplying the said canal with water, built and constructed certain artificial lakes or reservoirs known as the Mercer County Reservoir, in Mercer and Auglaize counties, and the Loramie Reservoir in Auglaize and Shelby counties, the former being completed and flooded with water about the year 1842 and the latter about the year 1844; and

Whereas it has recently come to the knowledge of the authorities of the State of Ohio that the title to the land above described is in the United States and not in the said State of Ohio: Therefore,

The amendment to the preamble was agreed to.

The PRESIDING OFFICER (Mr. KEAN in the chair). This completes the Calendar under the special order.

SHOSHONE OR WIND RIVER INDIAN RESERVATION.

Mr. CLARK of Wyoming. It completes the printed Calendar. However, there is upon the Calendar the bill (H. R. 13481) to ratify and amend an agreement with the Indians residing on the Shoshone or Wind River Indian Reservation, in the State of Wyoming, and to make appropriations for carrying the same into effect. I have a copy of the bill here.

Mr. CULLOM. I desire to make a remark about this bill. The Senator from Wyoming came to me two or three days ago and asked me to allow him to call up the bill and have it considered when I got the floor to speak. This morning when I got the floor there was such confusion that I was a little bit worried, and I did not do exactly right by the Senator. I hope, therefore, the bill will be passed now.

Mr. CLARK of Wyoming. I appreciate the Senator's courtesy. It is a House bill, with some minor amendments, reported from the Committee on Indian Affairs.

Mr. HANSBROUGH. I desire to state that the Senator from Illinois apologized to me in private for having stated that I talked twice as much as any other Senator in the Chamber.

Mr. CULLOM. The Senator proved to me that he had not quite done so.

The PRESIDING OFFICER. The bill called up by the Senator from Wyoming will be read.

Mr. PETTUS. There is objection made.

The PRESIDING OFFICER. Does the Chair understand the Senator from Alabama to object? This is a House bill and comes under the unanimous-consent agreement.

Mr. COCKRELL. What is the bill? Let it be read.

Mr. PETTUS. I did not know that it is a House bill.

Mr. CLARK of Wyoming. It is a House bill.

The PRESIDING OFFICER. And it is under the agreement, the Chair will state to the Senator from Alabama. It will be read, subject to objection.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Indian Affairs with amendments.

The first amendment was, on page 11, line 2, after the word "Wyoming," to insert "for the consideration hereinafter named."

The amendment was agreed to.

The next amendment was, on page 12, line 22, before the word "thousand," to strike out "one hundred and seventy" and insert "fifty;" so as to read:

That at least $50,000 of the moneys derived, etc.

The amendment was agreed to.

The next amendment was, on page 18, article 4, line 4, after the words "one hundred," to insert "and fifty."

The amendment was agreed to.

The next amendment was, on page 19, to strike out the last section, section 6.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The preamble was agreed to.

PREVENTION OF CRUELTY TO ANIMALS.

Mr. SCOTT. I ask leave now to call up the bill (H. R. 10417) to prevent cruelty to certain animals in the District of Columbia. It was laid over a few moments ago, and I shall ask to have it amended.

The PRESIDING OFFICER. The Chair understood the bill to be objected to by the Senator from Texas [Mr. BAILEY].

Mr. FORAKER. The Senator from Texas announced that he had no objection, except only——

Mr. SCOTT. With the amendment I am about to offer the bill will be acceptable.

Mr. FORAKER. The Senator from Massachusetts [Mr. LODGE] also objected, but——

Mr. SCOTT. The Senator from Massachusetts objected, but he is satisfied with the amendment. In line 5, after the word "docked," I move to strike out down to the word "horses," in line 6.

Mr. PETTUS. I object to the further consideration of the bill.

The PRESIDING OFFICER. The Senator from Alabama objects.

ORDER OF BUSINESS.

Mr. CULLOM. The Senator from Wyoming [Mr. WARREN] is expecting a bill from the House in a very few moments.

Mr. WARREN. It is a bill to correct one of the appropriation bills already passed, and I am promised that it will be here within two or three minutes.

Mr. FOSTER of Washington. In the meantime I should like to call up a bill (S. 3843) providing for the hearing of cases upon appeal in the circuit court of appeals for the ninth district in the State of Washington.

The PRESIDING OFFICER. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bill and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 15527) making appropriation for national trophy and medals for rifle contests; and

A joint resolution (H. J. Res. 149) authorizing the Secretary of War to allow to the Anheuser-Busch Brewing Association a right of way through the eastern limits of the arsenal grounds at St. Louis, Mo.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills:

A bill (H. R. 1925) providing for the removal of the port of entry in the customs collection district in Alaska from Sitka, Alaska, to Juneau, Alaska;

A bill (H. R. 11122) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and for other purposes;

A bill (H. R. 11135) amending an act approved March 3, 1901, entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri;"

A bill (H. R. 11586) to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes;

A bill (H. R. 13088) to relieve obligors on bonds given to the United States upon the exportation to the Philippine Islands prior to November 20, 1901, of articles subject to internal-revenue tax;

A bill (H. R. 13521) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes;

A bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes; and

A bill (H. R. 15128) to authorize the Secretary of the Treasury to cancel a certain bond of Klaw & Erlanger.

RIGHT OF WAY IN ARSENAL GROUNDS AT ST. LOUIS.

Mr. COCKRELL. I ask that the joint resolution just received from the House be laid before the Senate.

The joint resolution (H. J. Res. 149) authorizing the Secretary of War to allow to the Anheuser-Busch Brewing Association a right of way through the eastern limits of the arsenal grounds at St. Louis, Mo., was read twice by its title.

Mr. COCKRELL. I ask unanimous consent that the joint resolution may be put on its passage. It has been favorably reported from the House, and has passed the House. It is recommended by the Secretary of War, and is only about ten lines long. Let it be read, and I know no one will object to it.

The PRESIDING OFFICER. The joint resolution will be read.

The Secretary read the joint resolution; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TROPHY AND MEDALS FOR RIFLE CONTESTS.

The PRESIDING OFFICER. The Chair lays before the Senate a bill from the House of Representatives.

The bill (H. R. 15527) making appropriation for national trophy and medals for rifle contests was read twice by its title.

Mr. WARREN. I ask unanimous consent for the present consideration of that bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COAL-LAND LAWS OF ALASKA.

Mr. HANSBROUGH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2814) to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment, and agree to the bill as passed by the Senate with an amendment as follows:

On page 3, line 11, strike out the words "thirty days" and insert in lieu thereof the words "six months;" and the Senate agree to the same.

H. C. HANSBROUGH,
KNUTE NELSON,
Managers on the part of the Senate.

JOHN F. LACEY,
F. W. MONDELL,
JOHN L. BURNETT,
Managers on the part of the House.

The report was agreed to.

RECESS.

Mr. CULLOM. The chairman of the Committee on Appropriations [Mr. ALLISON] has been compelled to leave the Senate Chamber. He has requested me to make a motion that the Senate take a recess until half past 10 o'clock to-morrow morning. I now make that motion.

The motion was agreed to; and (at 11 o'clock and 3 minutes p. m.) the Senate took a recess until to-morrow, Thursday, April 28, 1904, at 10.30 o'clock a. m.

AFTER THE RECESS.

The Senate reassembled, at the expiration of the recess, at 10.30 o'clock a. m.

ENROLLED BILLS SIGNED.

The PRESIDENT pro tempore announced his signature to the following enrolled bills; which had previously been signed by the Speaker of the House of Representatives:

A bill (H. R. 1925) providing for the removal of the port of entry in the customs collection district in Alaska from Sitka, Alaska, to Juneau, Alaska;

A bill (H. R. 11122) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and for other purposes;

A bill (H. R. 11135) amending an act approved March 3, 1901, entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri;"

A bill (H. R. 11586) to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes;

A bill (H. R. 13088) to relieve obligors on bonds given to the United States upon the exportation to the Philippine Islands prior to November 20, 1901, of articles subject to internal-revenue tax;

A bill (H. R. 13521) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes;

A bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes; and

A bill (H. R. 15128) to authorize the Secretary of the Treasury to cancel a certain bond of Klaw & Erlanger.

RIVER AND HARBOR IMPROVEMENTS.

Mr. BERRY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14754) providing for the restoration or maintenance of channels or of river and harbor improvements, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, and 58.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In the language proposed to be inserted strike out the words "the following sums be and the same are" and insert in lieu thereof the following: "the sum of three million dollars be and the same is;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the language proposed insert "or to protect and preserve any existing Government work in the interest of navigation;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"SEC. 3. That in order to repair the damage caused by the flood of 1903, and to restore and continue the improvement in the levee system of the Mississippi River interrupted by that flood, the Secretary of War may, as recommended by the Mississippi River Commission, enter into contract or contracts for levee work upon the Mississippi River between Cairo and the Head of the Passes during the fiscal year ending June 30, 1905, to the extent of one million dollars, to be paid for out of the appropriation for that stretch of the river, authorized by the river and harbor act of 1902, for the fiscal year ending June 30, 1906, when the appropriation for the last-named fiscal year shall become available."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"SEC. 4. That no appropriations heretofore or hereafter made for improving harbors and deepening channels shall be used for the construction of Government dredges for use on the Great Lakes or on the Atlantic coast north of Cape Henry, unless there shall be a specific appropriation for that purpose: *Provided, however*, That this provision shall not apply to any dredge the construction of which has heretofore been authorized by the Secretary of War."

And the Senate agree to the same.

S. B. ELKINS,
KNUTE NELSON,
JAMES H. BERRY,
Managers on the part of the Senate.
T. E. BURTON,
B. B. DOVENER,
J. H. BANKHEAD,
Managers on the part of the House.

The report was agreed to.

EMPLOYMENT OF MESSENGER.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted on this calendar day by Mr. BURROWS, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Select Committee on the Examination and Disposition of Documents be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate at the rate of $1,440 per annum, until otherwise provided for.

PUYALLUP INDIAN RESERVATION.

Mr. COCKRELL. I move that the bill (S. 2112) authorizing the Indian allottees in the Puyallup Indian Reservation, State of Washington, to alienate allotted lands, confirming title to allotted lands sold since March 3, 1903, and for other purposes, being Order of Business 769 on the Calendar, be indefinitely postponed, a House bill on the same subject having passed the Senate.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills and joint resolutions:

A bill (S. 2263) to require the employment of vessels of the United States for public purposes;

A bill (S. 5597) to amend an act entitled "An act providing for public printing and binding and the distribution of public documents;

A joint resolution (S. R. 36) accepting a reproduction of the bust of Washington from certain citizens of the Republic of France, and tendering the thanks of Congress to the donors therefor; and

A joint resolution (S. R. 71) directing the Secretary of the Treasury to institute an investigation relative to the use of the waters of the Colorado River for irrigation, and to report to Congress thereon.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 4573) for the relief of Eugene Patenaude.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 14468) to authorize the sale and disposition of surplus or unallotted lands in the Yakima Indian Reservation, in the State of Washington; and

A bill (H. R. 14622) prohibiting the selection of timber lands in lieu of lands in forest reserves.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the President pro tempore:

A bill (S. 127) authorizing the joining of Kalorama avenue;

A bill (S. 2134) to connect Euclid place with Erie street;

A bill (S. 2621) for the widening of V street NW.;

A bill (S. 2710) for the opening of connecting highways on the east and west sides of the Zoological Park, District of Columbia;

A bill (H. R. 940) granting a pension to Oscar M. Parsons;
A bill (H. R. 6049) granting an increase of pension to Peter B. Phillips;
A bill (H. R. 7056) creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes;
A bill (H. R. 7535) for the relief of Jacob Swigert, late deputy collector, Seventh Kentucky district;
A bill (H. R. 7718) for the relief of the estate of Artemus E. Gibson;
A bill (H. R. 10077) granting a pension to Julia A. Henderson;
A bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes;
A bill (H. R. 14093) to incorporate the Carnegie Institution of Washington;
A bill (H. R. 14500) to ratify and confirm the present right of way of the Oahu Railway and Land Company through the military reservation of Kahauiki, Territory of Hawaii;
A joint resolution (H. J. Res. 136) for appointment of members of Board of Managers of the National Home for Disabled Volunteer Soldiers; and
A joint resolution (H. J. Res. 150) providing for the publication of 50,000 copies of the Special Report on the Diseases of Cattle.

CIVIL GOVERNMENT OF THE PHILIPPINE ISLANDS.

Mr. LODGE. I ask for the regular order.

The PRESIDENT pro tempore. The regular order is the unfinished business.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14623) to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an act approved March 8, 1902, entitled "An act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an act approved March 2, 1903, entitled "An act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.

Mr. DUBOIS. I should like to inquire how the bill comes up?

The PRESIDENT pro tempore. It is the unfinished business. It was taken up on motion yesterday.

Mr. COCKRELL. To-day.

The PRESIDENT pro tempore. To-day, rather.

Mr. DUBOIS. So it is the same day?

Mr. LODGE. It is the same day.

Mr. DUBOIS. Very well.

The PRESIDENT pro tempore. The Senator from Massachusetts demanded the regular order, and this was the regular order.

Mr. LODGE. Let the bill be read.

Mr. CULBERSON. Before the bill is read, I desire to ask if this is the House bill and if the Senate bill has been substituted for it?

Mr. LODGE. The House bill was substituted for the Senate bill.

Mr. CULBERSON. I desire to call the attention of the chairman of the committee to a fact which he has probably noticed, that the House bill is not identical with the Senate bill.

Mr. LODGE. I understand that; and I propose, after the bill has been read, to offer committee amendments making the House bill correspond to the Senate bill.

The Secretary read the bill.

Mr. LODGE. There are two or three small committee amendments, which will lead to no debate, that I ask to have made.

On page 3, at the end of line 18, I move to strike out the word "property" and insert "real estate;" so as to make the proviso read:

Provided, That the entire indebtedness of any municipality shall not exceed 5 per cent of the assessed valuation of the real estate in said municipality, and any obligation in excess of such limit shall be null and void.

The amendment was agreed to.

Mr. LODGE. On page 4, line 12, after the word "well," I move to strike out the word "as."

The amendment was agreed to.

Mr. LODGE. In line 20 of the same page, after the word "form," I move to insert "of guaranty of income or interest."

The amendment was agreed to.

Mr. LODGE. That concludes the committee amendments. I now ask that the bill may be temporarily laid aside in order that the Senator from Iowa [Mr. ALLISON]——

Mr. FORAKER. I have an amendment that I wish to offer before the bill is laid aside.

Mr. LODGE. Certainly; excuse me. The Senator from Ohio has an amendment to offer.

Mr. STEWART. I wish to suggest to the chairman of the committee some difficulties about the mining portion of the bill.

Mr. FORAKER. Will the Senator from Nevada allow me to offer my amendment? It will be accepted, and then I will yield.

Mr. STEWART. Certainly.

Mr. FORAKER. I move to amend the bill by inserting at the end of section 1—that is, at the end of line 3, page 2—the following:

And all the provisions of this section are hereby made applicable to Porto Rico.

Mr. LODGE. I accept that amendment. It is simply to give the same bonding privileges to Porto Rico that the bill confers on the Philippine Islands. I mean public bonding.

Mr. STEWART. Before the bill passes from the consideration of the Senate I wish to call the attention of the chairman——

The PRESIDENT pro tempore. Will the Senator from Nevada allow the amendment of the Senator from Ohio to be considered first?

Mr. STEWART. Certainly.

The PRESIDENT pro tempore. The Senator from Ohio offers an amendment, which will be stated.

The SECRETARY. On page 2, after the words "District of Columbia," in line 3, insert:

And all the provisions of this section are made applicable to Porto Rico.

Mr. HALE. Let that be offered and be considered as pending. I do not want to agree that it shall be adopted nem. con.

The PRESIDENT pro tempore. It will be considered as pending.

Mr. LODGE. Now I renew my request.

Mr. STEWART. Will the Senator allow me to make just one suggestion?

Mr. DUBOIS. I wish to make an inquiry of the Senator from Massachusetts.

Mr. LODGE. Certainly.

The PRESIDENT pro tempore. The Senator from Nevada has been recognized.

Mr. STEWART. The bill contains a great many changes in the mining laws, and it would make it very difficult for American miners to understand them. For instance, the measurement is in meters instead of feet, and many Americans, otherwise intelligent, may not know the extent of a claim measured in meters. Besides, the claims are in rectangular form, and no right is given to follow the vein upon the dip beyond the side lines. It is true that in Mexico the claims are located in rectangular form, but by our usage the miner who has discovered a vein has a preference right to locate a side claim to insure his right to follow the dip beyond the side lines of his location. I think it would have been better to have made the law conform more clearly to the American mining law, because if mining is to be done in the Philippines Americans must do it, and the law ought to be made for American miners.

Mr. LODGE. All that was done elaborately in the other bill. This is a mere modification of the phrases in the other bill, that is all. The mining law is already in existence. But I do not desire to discuss the bill. The Senator from Idaho [Mr. DUBOIS] is on the committee and desires to make an inquiry.

Mr. DUBOIS. I desire to call the attention of the Senator from Massachusetts particularly to section 6. I assume that the bill will not be called up for passage at this session, because it will be debated a good deal, but I am somewhat bothered about section 6.

The Senator will recall that the boards of trade in Manila and the Americans there who are doing business are all insistent that Chinese cooly labor shall come into the Philippine Archipelago. Of course that is resisted very strenuously by the Senator from Massachusetts, as well as by others on the committee.

There are in the Philippine Islands, I think we all agree, at least 40,000,000 acres of public lands susceptible of cultivation. It is very rich land and is all especially adapted to sugar raising. Forty million acres is almost or quite twice as much land as there is altogether in such a State as Indiana. It is a vast empire. This provision, to my mind, seems to give to the Philippine Commission entire authority to administer as they see fit the immigration laws of the United States. I am quite sure that was not intended; but I wish to call the attention of the Senator from Massachusetts to it, so that, if my objection is well taken, before the bill comes up at some time that part of it can be carefully looked at.

Mr. LODGE. Mr. President, I am just as strongly opposed to the admission of Chinese into the Philippine Islands as the Senator from Idaho or anybody could possibly be.

Mr. DUBOIS. I understand that.

Mr. LODGE. I would not knowingly permit anything to pass which would facilitate their entrance into those islands.

As I understand this section, it is simply to put the administration of the laws of the United States in the hands of the Philippine government and that the taxes, the capitation taxes, whatever they are, may go into the Philippine treasury. It does not modify the laws of the United States at all; it simply shifts the administration.

But if the Senator can devise any amendment which he thinks will strengthen that section or make it clear, I hope he will do so. I would rather strike out the section than have any doubt whatever on that point.

Mr. DUBOIS. Very well.

Mr. LODGE. I will say that I do not expect in the closing hours to-day to pass this bill, because I am aware that there is to be a good deal of debate upon section 4. I merely desire to get the bill read and certain formal amendments adopted. I now ask that the bill be temporarily laid aside in order that the Senator from Iowa [Mr. ALLISON] may make a statement in regard to the appropriation bills.

Mr. ALLISON. Mr. President——

Mr. HEYBURN. Before the bill is laid aside I desire to move an amendment to it.

The PRESIDENT pro tempore. The Senator from Iowa was recognized.

Mr. HEYBURN. I would like to offer the amendment before the bill is laid aside.

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. HEYBURN. I will ask the Senator to yield to me for a moment.

Mr. ALLISON. I have the floor through the courtesy of the Senator from Massachusetts, and——

Mr. HEYBURN. I do not want to have the bill laid aside until I can move an amendment, and I wish to have the opportunity to do so.

Mr. HALE. It can be brought up again immediately.

Mr. LODGE. It can be brought up immediately.

Mr. ALLISON. The bill will not be permanently displaced.

Mr. HEYBURN. Very well.

STATEMENT OF APPROPRIATIONS.

Mr. ALLISON. Mr. President, I wish in these closing hours of the session to present some statements respecting the appropriations for the fiscal year 1905. I have here two or three tables relating to the appropriations made at the present session of Congress.

The first is a table which was prepared by the clerk of the Committee on Appropriations of the Senate and the clerk of the Committee on Appropriations of the House, and is the usual statement of appropriations at the end of every session.

I ask that it may be printed in the RECORD with one or two other tables explanatory, which I will also ask may be printed in the RECORD. Last year similar tables and explanations were made and printed as a separate document. I do not know but that ought to be done now.

Mr. COCKRELL. Let it be done this year in the same way.

Mr. ALLISON. Therefore I ask unanimous consent at this time that that order may be made.

The PRESIDENT pro tempore. The Chair hears no objection, and the tables will be printed in the RECORD.

Mr. ALLISON. And as a document.

The PRESIDENT pro tempore. And as a document.

Mr. ALLISON. This table discloses that the total appropriations for the fiscal year ending June 30, 1905, including all deficiencies and permanent appropriations, are, in round numbers, $28,000,000 in excess of the appropriations for the current year.

Mr. COCKRELL. Mr. President, we understand on both sides what these table are; that they are made out and are sanctioned by a Republican and a Democrat, so that there is nothing political or partisan in them.

Mr. ALLISON. The Senator is right. These tables are carefully prepared by the clerk of the Committee on Appropriations of the Senate and the clerk of the Committee on Appropriations of the House, and are absolutely correct. They are taken from the records and assented to by all political parties, if there are more than two.

Mr. President, as I was saying, this table discloses appropriations for the fiscal year 1905 of $28,000,000 in excess of the appropriations for the current year.

It is interesting, perhaps, to ascertain also the items of which this excess is made up, which I will allude to presently.

I also have here a comparison of the appropriations for the fiscal years 1901, 1902, 1903, 1904, and the appropriations as finally agreed to for next year. I ask that this table may be also inserted in the RECORD and in the document.

The PRESIDENT pro tempore. The Chair hears no objection.

Mr. ALLISON. I have another table which discloses the increases made for the next fiscal year over the appropriations made for the current year, aggregating, as I stated before, $28,000,000.

These increases are found chiefly in two or three items.

The first item to which I call attention is the increase in the appropriations for the District of Columbia, amounting in all to $2,383,643, of which $300,000 is an appropriation for the elimination of grade crossings in this city, made necessary by the changes as respects the railroad depots in the city.

Another increase of $50,000 is for the municipal building, authorized two years ago.

There is also an appropriation of $428,000 of the highway bridge across the Potomac, which was authorized four or five years ago.

But the chief item of increase is for the filtration plant, the amount appropriated being $968,000 over the appropriation of last year. This appropriation will complete the filtration plant and make it available for use certainly by December of this year.

So these increases in the appropriations for the District of Columbia are for absolutely necessary purposes, and I take it that there is no Member on either side of this Chamber who will say, now or hereafter, that these appropriations were unwise or unnecessary.

There are minor items running through the different bills, but the next item of importance is an increase of $16,128,000 for the Navy. For the construction of the new Navy there is appropriated an increase, in round numbers, of $7,000,000, and for the Naval Academy building, two and a half million dollars.

Another item of this increase is the appropriation for public works at navy-yards and stations of $2,463,000. I will not go into details respecting these items. I will merely say that the largest of them consists of two items, one for Subig Bay, having another name, which the Senator from Maine can give.

Mr. HALE. Olongapo.

Mr. ALLISON. Olongapo, which is the new naval station at Manila.

Mr. HALE. In Philippine waters.

Mr. ALLISON. In Philippine waters, 40 miles, more or less, from Manila.

Mr. HALE. Yes.

Mr. ALLISON. One of the other largest items is for the purchase of land by way of enlargement of the naval station at Norfolk, Va., and for an increase of the improvements at that navy-yard; and there are other minor items aggregating in all $15,000,000, or within $1,000,000 of the total increase of this year.

I take it that these increases in detail, whether as respects the increase of the Navy authorized some years ago for the construction of ships and which will be expended upon ships now under construction, or whether applied to the increase of expenditures at our navy-yards and our naval stations, will be approved on both sides of this Chamber.

So, of the $28,000,000, $16,000,000 is practically for the increase of the efficiency of the Navy.

The next large item of increase is for the postal service, which is $19,000,000. This increase in the postal service is made up of a few large items—increase of compensation to postmasters, made necessary by an increase in the service; clerks to postmasters; mail transportation, an item of $4,000,000, being a fixed item of increase by reason of the increased weight of the mail transported.

The next item of increase, which is the largest of the $19,000,000, is for letter carriers and clerks in charge of substations for rural free delivery, which amounts, in round numbers, to $8,000,000. This is a service which I believe is not criticised in this Chamber. If it is criticised here, it is in a friendly way, and I am sure that it is not criticised in any rural region of the country.

Mr. CULLOM. What is the total increase, I will ask the Senator from Iowa?

Mr. ALLISON. Nineteen million dollars is the total increase for the postal service, and $8,000,000 of this increase over the current fiscal year is for letter carriers and clerks at substations in the rural free-delivery service. So these items which I have named and other items, amounting in all to $18,275,000 of this $19,000,000, is for a service in which the public is interested and about which I have heard no criticism.

The appropriations for the postal service were made by the Committee on Post-Offices and Post-Roads. I am glad to say now, at the end of this session, that that committee, one of the ablest in the Senate, passed that bill through this body without criticism from any member of the committee as respects the items of appropriation. So I take it that committee was reasonably careful in analyzing and scrutinizing the various items, and especially will that appear when we see here the items of increase over the appropriations of the current year.

These two items of appropriation, for the Navy and Post-Office,

account for $25,000,000 of the total increase of appropriations for the next year over the appropriations for the current year.

The permanent annual appropriations are also increased $8,832,000, but these increases are practically upon paper. They are not increases that go to the substance. The largest increase is $5,000,000 for the national bank note redemption account. That is a flexible account, whereby bank notes redeemed are appropriated for, and then the deposits made by the national banks reimburse the appropriation. So, although appearing to be an increase in the permanent annual appropriation, it is merely a matter of bookkeeping, and this increase in the permanent appropriation of $5,000,000 is, as I have said, on paper.

Mr. GORMAN. Will the Senator from Iowa state the gross amount of the permanent appropriations? I did not catch the figures on account of the confusion in the Chamber.

Mr. ALLISON. The gross amount of the permanent appropriations for the next year is $141,471,820.

Mr. GORMAN. I thank the Senator.

Mr. ALLISON. And the appropriations for the current year are $132,589,820, making an increase for next year of $8,882,000. I have accounted for that by stating that the chief item of increase is that of the bank-note redemption fund.

There is another increase of $2,250,000, which is known as the "reclamation fund." There is a permanent appropriation provided for by law relating to irrigation, whereby the annual funds that are paid into the Treasury from the sale of public lands are set aside for purposes of irrigation. That fund, I understand, which is in the Treasury, will be $18,000,000 when this appropriation is effective. Though it is in the Treasury it is segregated, and no part of this reclamation fund can be used for any other purpose; but it can not be charged in any sense as an appropriation against the current revenues, because its disposition was provided for four or five years ago by the joint action of the Senate and House of Representatives setting these receipts aside for that purpose.

Mr. STEWART. I suggest to the Senator from Iowa, in that connection, that it might be well to state that as the people take the land they pay for the irrigation, and that money is put into this fund.

Mr. ALLISON. Yes. I did not state that, because I supposed the Senate was familiar with it. Of course, when the arid lands are irrigated and sold the proceeds of the sales go again into that fund, and in that way it is a kind of endless chain or a revolving current, whereby in the future large sums of money will be expended by the Treasury, but they will be returned to the Treasury. So it is probable that at some time in the future—just when, I do not know—this segregation of receipts for this specific purpose will be discontinued.

There is only one other item of increase in the permanent appropriations of importance, and that is the supply of arms to the National Guard and militia of the country. That is increased for the next year $750,000, arising out of laws on the statute book placed there two years ago, I think, whereby the War Department was required to furnish the National Guard and the militia of the country with small arms.

Thus it will be seen that these increases and the amount of the total increase disclose that the appropriations are made for necessary and proper purposes under existing law.

There are some other items in connection with these appropriations to which I ought to allude, and especially, perhaps, to the appropriation for pensions. The appropriations for the current year 1904, including the deficiencies for this year, will be greater than the appropriations for 1905.

Mr. CULLOM. Are they greater than they were last year?

Mr. ALLISON. They are greater this year than they will be next year, unless there is a deficiency next year, which there probably will be.

We have also increases in the deficiencies for this year. These increases are made up of only one or two items of importance, the chief item being for the St. Louis exposition, which certainly will not be criticised in a party sense. It seemed to be necessary that that appropriation should be made, although there is a hope and an expectation that the whole amount of this appropriation for the St. Louis exposition will be refunded to the Treasury largely within this fiscal year and during the beginning of the next fiscal year.

So I hope there will be no special weight attached to this appropriation for the St. Louis exposition—the Louisiana Purchase Exposition, I believe I should properly call it.

Mr. COCKRELL. The Louisiana Purchase Exposition is the proper name.

Mr. ALLISON. That is its technical name. I believe the appropriation for that exposition is a pleasure to the people of the United States, being in commemoration of that great event which had for its father Thomas Jefferson, for whom, in one of the appropriation bills, we have provided at this late day a suitable memorial in the form of a statue.

Mr. ALDRICH. I wish to ask the Senator from Iowa if he has made any estimate of the total cost to the United States of the Louisiana Purchase Exposition, including the exhibits of the Government and the appropriations, direct and indirect?

Mr. ALLISON. I have not made such an estimate, but a little figuring will enable us to ascertain the total cost of the Louisiana Purchase Exposition. As I remember, we appropriated during previous years about $5,000,000 for that exposition, and possibly something more.

Mr. ALDRICH. There was one item of $5,000,000.

Mr. ALLISON. Yes; there was one item of $5,000,000 or more for the Government exhibit, and probably another of a million dollars; and we have appropriated at this present session about $4,600,000 for that exposition in the form of a loan, to be refunded to the Treasury.

Mr. ALDRICH. But that does not include the Government exhibit and a number of large expenditures connected with this exposition in other years.

Mr. ALLISON. That does include the million dollars, as I have stated, and includes nearly all, I think, of the expenditures for the Government exhibit, which will amount to about $1,000,000. I am now speaking from memory. The senior Senator from Missouri [Mr. COCKRELL] will correct me if I am wrong.

Mr. COCKRELL rose.

Mr. BAILEY. The Senator from Iowa invited a correction by the Senator from Missouri, and I yield, of course, to the Senator from Missouri.

Mr. COCKRELL. No; go ahead.

Mr. BAILEY. But, as a matter of fact, the $5,000,000 that was originally appropriated does not include the cost of making exhibits by the Government.

Mr. ALLISON. I so stated.

Mr. BAILEY. I thought the Senator said it did.

Mr. ALLISON. No; I stated that, in addition, we had appropriated about $1,000,000.

Mr. BAILEY. I did not hear the Senator use that expression.

Mr. MITCHELL. We have appropriated about $6,500,000 altogether.

Mr. ALLISON. Yes; outside of the loan; but I hope we shall have a general consensus of opinion that this appropriation of $4,600,000, in the nature of a loan, will not be, or at least ought not to be, a burden upon the Treasury; and if it is, I think the criticism, whatever it may be, will not be partisan.

Mr. President, I think I have explained the chief items in these tables, disclosing why it is that we have this year an increase of $28,000,000 over the appropriations of last year.

I have another table here about which I desire to speak for a moment, and I shall ask, Mr. President, to insert another table in this statement, to be printed in the RECORD and made a part of the document.

The PRESIDENT pro tempore. The Chair hears no objection, and that order will be made.

Mr. ALLISON. Of course, there are increases and decreases in every appropriation bill, comparing years. Some years we have increases because of new items authorized by law, and again other items authorized by law drop out and pass away. Last year we had no general river and harbor bill. This year we have only a partial river and harbor bill. Our appropriations last year for rivers and harbors in the sundry civil act, to carry out contracts authorized by law, amounted to $20,228,150, and this year they are $7,872,200 in the sundry civil bill, and in the river and harbor bill that has just passed this morning $3,000,000 more are appropriated; so that the appropriations for the rivers and harbors of the country for the next year are less than they were last year by $9,355,950.

I make these statements in order that Senators may see that on the whole the appropriations made at the present session of Congress for the next fiscal year are appropriations that are in the main necessary for the conduct of the Government; and with the widest and fullest debate, and opportunity for debate in this Chamber, I do not call to mind any particular criticism of any of the great appropriation bills by Senators on either side. So I take it for granted that they will not be criticised.

Mr. President, there is another thing that I had occasion to look into somewhat, and that is the obligations created by the various bills passed through Congress at this session as compared with similar bills in other sessions. I believe it was the President pro tempore of this body who invented and exploited the idea that in the execution of great public works it was a wise thing to provide for current appropriations to be expended during the year for which the appropriations were made, and to authorize the entering into of contracts, thus binding future Congresses to make appropriations for public works.

We have had that plan now for a good many years, and I am glad to say that, looking over the last few years, the obligations created this year by our several laws on account of contracts are less than they have been for many years, with the exception of a single year, the total amount being, I think, less than $24,000,000, or about that sum. Of course, these obligations will run over some years.

I shall content myself for the time being with these explanations.

The tables referred to are as follows:

Chronological history of appropriation bills, second session of the Fifty-eighth Congress; estimates and appropriations for the fiscal year 1905, and appropriations for the fiscal year 1903-4.

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

Title.	Estimates, 1905.	Reported to the House.		Passed the House.		Reported to the Senate.		Passed the Senate.	
		Date.	Amount.	Date.	Amount.	Date.	Amount.	Date.	Amount.
		1904.		1904.		1904.		1904.	
Agriculture	$6,729,880.00	Feb. 4	$5,711,240.00	Feb. 5	$5,711,240.00	Feb. 15	$6,072,380.00	Feb. 25	$6,072,380.00
Army	77,161,446.13	Jan. 19	75,841,537.88	Jan. 25	75,089,957.88	Mar. 4	77,620,942.32	Mar. 9	77,819,131.76
Diplomatic and consular	2,236,300.69	Jan. 28	1,995,800.69	Feb. 4	1,995,800.69	Feb. 8	2,073,100.69	Feb. 9	2,073,100.69
District of Columbia [a]	13,017,581.00	Feb. 23	10,194,477.00	Mar. 3	10,194,477.00	Mar. 23	11,363,204.00	Mar. 20	11,382,504.00
Fortification	12,099,297.00	Feb. 16	7,131,192.00	Feb. 18	7,131,192.00	Mar. 8	7,637,192.00	Mar. 13	8,163,292.00
Indian	7,502,252.54	Feb. 20	7,630,871.41	Mar. 5	7,642,192.35	Mar. 21	10,511,405.73	Mar. 24	10,511,405.73
Legislative, etc	29,711,700.48	Jan. 11	28,258,895.22	Jan. 14	28,288,655.22	Feb. 24	28,736,233.22	Feb. 25	28,734,533.22
Military Academy	1,045,387.01	Mar. 11	955,579.26	Apr. 5	955,579.26	Apr. 22	3,000,966.84	Apr. 26	975,966.84
Navy	102,866,449.34	Feb. 11	96,538,040.94	Feb. 26	97,524,540.94	Mar. 1	98,255,940.94	Mar. 7	99,039,434.59
		1903.		1903.					
Pension	138,152,600.00	Dec. 10	138,150,100.00	Dec. 17	138,150,100.00	Mar. 1	138,360,700.00	Apr. 21	138,360,700.00
		1904.		1904.					
Post-office [b]	168,065,770.00	Mar. 5	169,996,588.75	Mar. 25	170,376,088.75	Mar. 29	173,053,878.75	Apr. 12	173,550,398.75
River and harbor	[c] 16,393,990.00	Apr. 7	3,000,000.00	Apr. 11	3,000,000.00	Apr. 18	3,100,000.00	Apr. 21	3,100,000.00
Sundry civil	[d] 67,499,732.60	Mar. 25	55,023,001.11	Apr. 1	56,248,306.11	Apr. 14	59,102,400.15	Apr. 20	58,906,400.15
Total	642,502,386.79		600,827,324.26		602,308,130.20		618,888,344.64		618,689,647.73
Urgent deficiency, 1904, and prior years	[e] 27,000,000.00	Jan. 23	11,251,308.18	Jan. 30	11,026,195.17	Feb. 2	16,378,411.39	Feb. 5	16,390,458.24
Deficiency, 1904, and prior years		Apr. 13	10,386,744.76	Apr. 18	10,401,620.76	Apr. 20	11,342,146.62	Apr. 23	11,491,541.72
Total	669,502,386.79		622,465,377.20		623,735,946.13		646,608,902.65		646,571,647.69
Miscellaneous	[e] 20,000,000.00								
Total, regular annual appropriations	689,502,386.79								
Permanent annual appropriations	[f] 141,471,820.00								
Grand total, regular and permanent annual appropriations	830,974,206.79								

Title.	Law, 1904-5.		Law, 1903-4.
	Date.	Amount.	Amount.
	1904.		
Agriculture	Apr. 23	$5,902,040.00	$5,978,160.00
Army	do	77,070,300.88	77,888,752.83
Diplomatic and consular	Mar. 12	2,020,100.69	1,968,250.69
District of Columbia [a]	Apr. 27	11,021,740.00	8,638,097.00
Fortification	Apr. 21	7,518,192.00	7,188,416.22
Indian	Apr. 1	9,447,961.40	8,540,406.77
Legislative, etc	Mar. 18	28,556,913.22	27,598,653.66
Military Academy	Apr. 28	975,966.84	652,748.67
Navy	Apr. 27	98,005,140.94	81,876,791.43
Pension	do	138,360,700.00	139,847,600.00
Post-Office [b]	Apr. 28	172,574,998.75	153,511,549.75
River and harbor	do	[g] 3,000,000.00	[h]
Sundry civil	do	[i] 57,846,911.34	[j] 62,372,360.10
Total		612,300,966.06	596,061,787.12
Urgent deficiency, 1904 and prior years	Feb. 18	16,130,111.39	21,465,060.25
Deficiency, 1904 and prior years	Apr. 27	10,671,732.54	
Total		639,102,809.99	617,527,447.37
Miscellaneous		1,000,000.00	2,941,238.65
Total regular annual appropriations		640,102,809.99	620,468,686.02
Permanent annual appropriations		[f] 141,471,820.00	[k] 132,589,820.00
Grand total regular and permanent annual appropriations		781,574,629.99	[l] 753,058,506.02

Amount of estimated revenues for fiscal year 1905	$545,000,000.00
Amount of estimated postal revenues for fiscal year 1905	159,472,060.72
Total estimated revenues for fiscal year 1905	704,472,060.72

[a] One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1905 at $132,756), which are payable from the revenues of the water department.

[b] Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

[c] This amount is exclusive of $8,697,037 to meet contracts authorized by law for river and harbor improvements included in the sundry civil estimates for 1905.

[d] This amount includes $8,697,037 to meet contracts authorized by law for river and harbor improvements for 1905.

[e] This amount is approximated.

[f] This amount includes $56,500,000, estimated to meet the requirements of the sinking fund.

[g] In addition to this amount, the sum of $7,872,200 is appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1905.

[h] No river and harbor bill passed for 1904, but the sum of $20,228,150.99 is appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1904.

[i] This amount includes $7,872,200 to carry out contracts authorized by law for river and harbor improvements for 1905.

[j] This amount includes $20,228,150.99 to carry out contracts authorized by law for river and harbor improvements for 1904.

[k] This is the amount submitted by the Secretary of the Treasury in the annual estimates for the fiscal year 1904, the exact amount appropriated not being ascertainable until two years after the close of the fiscal year.

[l] In addition to this amount contracts are authorized to be entered into, subject to future appropriations by Congress, as follows: By the District of Columbia act, $1,460,000; by the naval act, $22,526,000; by the sundry civil act, $7,850,000; by the act of March 3, 1903 (public buildings act), $5,153,859.34; in all, $36,989,859.34.

Comparison of appropriations, fiscal years 1905 and 1904.

Title of act.	Law, 1905.	Law, 1904.	Increase, 1905 over 1904.	Decrease, 1905 under 1904.
Agricultural	$5,902,040.00	$5,978,160.00		$76,120.00
Army	77,070,300.88	77,888,752.83		818,451.95
Diplomatic and consular	2,020,100.69	1,968,250.69	$51,850.00	
District of Columbia	11,021,740.00	8,638,097.00	2,383,643.00	
Fortifications	7,518,192.00	7,188,416.22	329,775.78	
Indian	9,447,961.40	8,540,406.77	907,554.63	
Legislative, etc	28,556,913.22	27,598,653.66	958,259.56	
Military Academy	975,966.84	652,748.67	323,218.17	
Navy	93,005,140.94	81,876,791.43	16,128,349.51	
Pensions	a142,360,700.00	130,847,600.00	2,513,100.00	
Post-office	172,574,998.75	153,511,549.75	19,063,449.00	
River and harbor (including contract work)	10,872,200.00	20,228,150.99		9,355,950.99
Sundry civil (exclusive of river and harbor contract work)	49,974,711.34	62,144,209.11		12,169,497.77
Total	616,300,966.06	596,061,787.12	42,659,199.65	22,420,020.71
Deficiencies	22,801,843.93	21,465,600.25	1,336,183.68	
Total	639,102,809.99	617,527,447.37	43,995,383.33	22,420,020.71
Miscellaneous	1,000,000.00	2,941,238.65		1,941,238.65
Total regular annual appropriations	640,102,809.99	620,468,686.02	43,995,383.33	24,361,259.36
Permanent annual appropriations	141,471,820.00	132,589,820.00	8,882,000.00	
Grand total, regular and permanent annual appropriations	781,574,629.99	753,058,506.02	52,877,383.33	24,361,259.36
Net increase			28,516,123.97	

a Includes $4,000,000 in deficiency act.

Comparison of appropriations, fiscal years 1901, 1902, 1903, 1904, and 1905.

Title of act.	1901.	1902.	1903.	1904.	1905.
Agricultural	$4,023,500.00	$4,582,420.00	$5,208,960.00	$5,978,160.00	$5,902,040.00
Army	114,220,005.55	115,734,049.10	91,730,136.41	77,888,752.83	77,070,300.88
Diplomatic and consular	1,771,168.76	1,849,428.76	1,957,925.69	1,968,250.69	2,020,100.69
District of Columbia	7,577,369.31	8,502,269.94	8,544,469.97	8,638,097.00	11,021,740.00
Fortifications	7,383,628.00	7,364,011.00	7,298,955.00	7,188,416.22	7,518,192.00
Indian	8,197,989.24	9,747,471.00	8,986,028.10	8,540,406.77	9,447,961.40
Legislative, etc	24,175,652.53	24,594,968.85	25,396,681.50	27,598,653.66	28,556,913.22
Military Academy	674,306.67	772,653.68	2,627,324.42	652,748.67	975,966.84
Navy	65,140,916.67	78,101,791.00	78,856,363.13	81,876,791.43	93,005,140.94
Pensions	145,245,230.00	145,245,230.00	139,842,230.00	139,847,600.00	a142,360,700.00
Post-office	113,658,238.75	123,782,688.75	138,416,598.75	153,511,549.75	172,574,998.75
River and harbor (including contract work)	16,260,605.75	7,046,623.00	32,540,199.50	20,228,150.99	10,872,200.00
Sundry civil (exclusive of river and harbor contract work)	49,619,309.70	54,749,285.21	54,394,601.63	62,144,209.11	49,974,711.34
Total	557,948,010.93	582,072,890.38	595,800,474.10	596,061,787.12	616,300,966.06
Deficiencies	15,688,330.61	15,917,446.94	28,050,007.32	21,465,600.25	22,801,843.93
Miscellaneous	3,802,301.34	7,990,018.67	52,852,795.13	2,941,238.65	1,000,000.00
Total regular annual appropriations	577,438,642.88	605,980,355.99	676,703,276.55	620,468,686.02	640,102,809.99
Permanent annual appropriations	132,712,220.00	124,358,220.00	123,921,220.00	132,589,820.00	141,471,820.00
Grand total	710,150,862.88	730,338,575.99	800,624,496.55	753,058,506.02	781,574,629.99

a Including $4,000,000 in deficiency act.

Mr. CULBERSON. Mr. President, the statement which has just been presented by the Senator from Iowa [Mr. ALLISON] is a useful and valuable one. Among other matters, he has made a comparison of the expenditures during the past two or three years. I desire, Mr. President, to go somewhat further back in a comparison of the expenditures of the Government, covering, in fact, the past twelve years, beginning with the first full year of the last Administration of Mr. Cleveland. For that purpose I present at this point a table, which I have myself copied from the reports of the Secretary of the Treasury, showing the total revenues and the total expenses of each year. I present the table now, but without reading it, so as not to occupy unnecessarily the time of the Senate. I ask that the table may be printed in the RECORD.

The PRESIDENT pro tempore. In the absence of objection, it is so ordered.

The table referred to is as follows:

Total revenues and expenditures for the past twelve years as shown by the reports of the Secretary of the Treasury.

CLEVELAND.

Year.	Revenues.	Expenditures.	Deficit.
1894	$372,802,498.29	$442,605,758.87	$69,803,260.58
1895	390,373,203.30	433,178,426.48	42,805,223.18
1896	409,475,408.78	434,678,654.48	25,203,245.70
1897	430,987,167.89	448,439,622.30	18,052,454.41

M'KINLEY.

1898	$494,333,953.75	$582,381,201.35	$88,047,247.60
1899	610,982,004.35	700,093,564.02	89,111,559.67
1900	669,595,431.18	590,068,371.00	a79,527,060.18
1901	699,316,530.92	621,598,546.54	a77,717,984.38

Total revenues and expenditures for the past twelve years, etc.—Continued.

ROOSEVELT.

Year.	Revenues.	Expenditures.	Deficit.
1902	$684,326,280.47	$593,038,904.90	a$91,287,375.57
1903	694,621,117.64	640,323,450.28	a54,297,667.36
1904 (estimated)	674,767,664.00	660,767,664.00	a14,000,000.00
1905 (estimated)	704,472,060.72	747,694,001.44	43,121,939.28

a Surplus.

Mr. CULBERSON. In the first full fiscal year of McKinley (1898) the expenditures, as shown by the foregoing table, exceeded those of the first full fiscal year of Cleveland (1894) by $89,775,442.48. In the last full fiscal year of McKinley (1901) the expenditures exceeded those of the last full fiscal year of Cleveland (1897) by $159,333,631.62. The last year of Cleveland exceeded his first year by only $5,833,863.43.

Mr. ALDRICH. What years were those to which the Senator referred? Will he state them again?

Mr. CULBERSON. I will state it again. In the last full fiscal year of McKinley (1901) the expenditures exceeded those of the last full fiscal year of Cleveland (1897) by $159,333,631.62. The last year of Cleveland exceeded his first year by only $5,833,863.43, while the last year of McKinley exceeded his first year by $75,392,052.57. During the four years of Cleveland the total expenditures amounted to $1,758,699,216.43, while during the four years of McKinley the total expenditures were $2,430,316,390.29, an increase in four years under McKinley of $671,617,173.86——

Mr. HOPKINS. I desire to ask the Senator a question.

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Illinois?

Mr. CULBERSON. I decline to yield for the present, Mr. President. I want to make this statement consecutively. I will answer any question afterwards.

Taking from this the deficit of $18,052,454.41, coming over from Cleveland in 1897, there will be left a net increase of $653,564,719.45, or about 38 per cent. The notable increase of expenditures in 1898 over 1894 was $6,275,083.65 for pensions, $8,743,650.59 interest on the public debt, $27,122,691.01 in the naval establishment, and $37,424,070.44 in the military establishment. The notable increase in 1901 over 1897 was $25,438,453.71 in the naval establishment, $35,747,938.31 in the civil establishment, and $91,049,732.11 in the military establishment.

Of the total net increase of $653,564,719.45 for the four years, the notable increase, in round numbers, exclusive of the postal service, was $19,000,000 interest on the public debt, $29,000,000 in the civil establishment, $116,000,000 in the naval establishment, and $391,000,000 in the military establishment.

President Roosevelt assumed office September 14, 1901, and as soon as he became firmly established in power and control, it will be observed, increased expenditures began. The total expenditures, actual and estimated, for the four years of his incumbency aggregate $2,641,724,019.18, which is $211,407,628.89 greater than the four years of McKinley, though he conducted the Spanish war, and $883,024,802.75 greater than the four years of Cleveland. In the first full fiscal year of Roosevelt (1903) expenditures exceeded those of the first full fiscal year of McKinley (1898) by $107,942,248.83, and in the last full fiscal year of Roosevelt (1905) expenditures, as estimated by the Secretary of the Treasury, will exceed those of the last full fiscal year of McKinley (1901) by $105,875,660.25.

Mr. ALDRICH. Will the Senator give me the figures for the first fiscal year of the present Administration, if he has them?

Mr. CULBERSON. After I read this consecutively I will. The last year of McKinley exceeded his first by $75,392,052.57, while the last year of Roosevelt will exceed his first year by $134,435,301.89. Of the total increase of $883,024,802.75 for the four years of Roosevelt as compared with the four years of Cleveland, the notable increase, exclusive of the postal service, is, in round numbers, $160,000,000 in the civil establishment, $231,000,000 in the naval establishment, and $284,000,000 in the military establishment. The total cost of the military establishment, exclusive of pensions, during the four years of Roosevelt, exceeds that of Cleveland by $515,000,000.

The War Department has furnished me a statement of the war budgets of Great Britain, France, and Germany for the year 1903, including pensions, and I desire to insert at this point in the brief statement I am making these budgets from the War Department, to which I have added those of the United States for 1903 and the estimated expenses of the military establishment for 1905.

Statement of budgets of Great Britain, France, and Germany during 1903.

GREAT BRITAIN.[a]	
Army: Ordinary budget	$168,709,355.00
Navy: Ordinary budget	172,287,500.00
Total	340,996,855.00
FRANCE.[b]	
Army:	
Ordinary budget	$131,348,048.00
Extraordinary budget	6,212,000.00
Navy: Ordinary budget	62,694,905.00
Total	200,254,953.00
GERMANY.	
Army:	
Ordinary budget	$143,401,436.00
Extraordinary budget	16,082,267.00
Navy:	
Ordinary budget	23,367,048.00
Extraordinary budget	35,344,467.00
Total	218,195,218.00
GREAT BRITAIN.	
Ordinary total budget (1903):	
Army	$135,424,355.00
Navy	172,287,500.00
Total	307,711,855.00
UNITED STATES FOR 1903.	
War	$118,619,520.15
Navy	82,618,084.18
Pensions	138,425,646.07
Total	339,662,200.40
UNITED STATES FOR 1905.[c]	
War	$142,294,000.00
Navy	106,841,000.00
Pensions	138,152,600.00
Total	387,287,600.00

[a] The budget for Great Britain includes extraordinary credits for the Transvaal war, the expedition to China and to Somaliland, etc. The ordinary budget amounts to $135,424,355.

[b] The war budget includes $7,658,269 for the gendarmerie and $5,551,441 for colonial troops.

[c] Estimated.

WAR DEPARTMENT,
OFFICE OF THE ADJUTANT-GENERAL,
Washington, April 25, 1904.

Hon. CHARLES A. CULBERSON,
The Normandie, Washington.

DEAR SENATOR CULBERSON: Complying with your request over the 'phone this afternoon, I beg to hand you herewith a memorandum showing the costs of the military establishments of England, France, and Germany, including pensions, so far as can be shown from the data on file in the military information division of this Department.

Trusting the memorandum contains the information you desire, I am,

Very truly, yours,

W. P. HALL,
Brigadier-General, Assistant Adjutant-General.

Mr. CULBERSON. The total war budget of Great Britain for 1903 was $340,996,855; for Germany, $218,195,218, and for France, $200,254,953. The total expenses of the military establishment of the United States for 1903 was, in round numbers, $339,000,000. If the expenses of the British operations in South Africa are excluded, the war budget of the United States for 1903 exceeded that of Great Britain by $32,000,000; Germany by $121,000,000, and France by $139,000,000. The Secretary of the Treasury estimates that the total cost of the military establishment of the United States for 1905, including pensions, will approximate $387,287,600, which it will be observed still further increases this character of expenditures in the United States over those of Great Britain, France, and Germany.

Mr. ALDRICH. That is for the Army and Navy and pensions, I suppose.

Mr. CULBERSON. I also ask leave to insert as a part of this statement the letter of the Secretary of the Treasury, dated April 25, 1904, in which he gives me the estimates of expenditures for 1905, which I have used in the statement, that I will now send to the desk to have printed.

The PRESIDING OFFICER (Mr. PERKINS in the chair). Is there objection to the request of the Senator from Texas?

Mr. ALDRICH. Before consent is given to print the statement, I desire to have the sum of the expenditures for the several years upon which this statement is based read at the desk.

Mr. CULBERSON. If the Senator from Rhode Island is to pursue that course, I will myself read the statement.

Mr. ALDRICH. I desire to have the expenditure stated.

Mr. CULBERSON. I ask the Senator from Rhode Island if he objects to my having the table printed?

Mr. ALDRICH. I desire to have it read, in order that I may hear it—I refer to the statement of the expenditures for a series of years—so that I may see upon what the comparison is based.

Mr. CULBERSON. As I have stated, these figures are copied from the several reports of the Secretary of the Treasury. Does the Senator want the figures for 1904?

Mr. ALDRICH. I want the Senator to read the figures for the period of Mr. McKinley's Administration and the period of Mr. Cleveland's Administration. I wish to see what his figures are.

Mr. CULBERSON. The total revenues for 1904——

Mr. ALDRICH. I am not talking about revenues. I am talking about expenditures.

Mr. CULBERSON. Four hundred and forty-two million dollars expenditures, in round numbers

Mr. ALDRICH. What year?

Mr. CULBERSON. Eighteen hundred and ninety-four. Eighteen hundred and ninety-five, $433,000,000; 1896, $434,000,000; 1897, $448,000,000.

Mr. ALDRICH. That is sufficient. I merely wanted to get the basis upon which the statement is made.

Mr. CULBERSON. The basis is the report of the Secretary of the Treasury, in which he states that it includes the total expenditures of the United States for all purposes for each of the several years.

The PRESIDING OFFICER. Without objection, the statement presented by the Senator from Texas will be ordered printed in the RECORD.

The letter of the Secretary of the Treasury referred to is as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, April 25, 1904.

Hon. C. A. CULBERSON,
United States Senate.

SIR: In reply to your request of to-day I have the honor to inform you that the estimates of appropriations for the year 1905, as submitted by the several Executive Departments and offices and transmitted to Congress at the beginning of and during the present session, aggregate, in round numbers, as follows:

For the civil establishment, including foreign intercourse, public buildings, collecting the revenues, District of Columbia, and miscellaneous expenses	$165,697,000
For the military establishment, including rivers and harbors, forts, arsenals, seacoast defenses, etc	142,294,000
For the naval establishment, including construction of new vessels, machinery, armament, equipment, improvements at navy-yards, etc	106,841,000
For Indian affairs	10,888,000
For pensions	138,152,000
For postal service, payable from postal revenues	159,472,000
(Deficiency, $8,600,000, payable from Treasury and charged in civil establishment).	
For interest on the public debt	24,250,000
Total, exclusive of the sinking fund	747,594,000

As the appropriations for the year 1905 have not all been made, it is impossible for the Department to estimate the expenditures falling within the ensuing fiscal year.

Respectfully, L. M. SHAW, *Secretary.*

Mr. GORMAN obtained the floor.

Mr. STEWART. I should like to ask the Senator from Texas one question.

Mr. CULBERSON. Certainly.

The PRESIDING OFFICER. Does the Senator from Maryland yield?

Mr. GORMAN. Yes.

Mr. STEWART. Can the Senator inform us whether it would take more or less labor and commodities at present prices to pay the expenses of the Government under Roosevelt or McKinley than it did to pay the expenses of the Government at the then prices under Cleveland? As I understand, the average prices of labor and commodities are double what they were at that time. Consequently, money is worth only half as much. Commodities are worth double. In considering the expenditures of different Administrations we ought to take into account, it seems to me, the value of labor and of commodities in order to see whether the burdens are greater now than they were then.

Mr. GORMAN. Of course there is no intention on the part of anyone to go into the discussion suggested by the Senator from Nevada.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills and joint resolution:

A bill (S. 1750) to provide an American register for the British ship *Pyrenees;*

A bill (S. 5583) to amend an act entitled "An act granting a charter to the General Federation of Women's Clubs," approved March 3, 1901; and

A joint resolution (S. R. 6) to authorize the Secretary of the Navy to donate to the Minnesota Historical Society the steering wheel of the former ship *Minnesota.*

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 5067) to prevent the fraudulent sale of merchandise;

A bill (H. R. 6780) authorizing the Union Pioneer Mining and Trading Company to construct and maintain a bridge across the Catalla Creek, in the District of Alaska;

A bill (H. R. 9773) granting an increase of pension to Absalom Thilts;

A bill (H. R. 11444) to grant certain lands to the State of Ohio; and

A bill (H. R. 13592) granting an increase of pension to Stephen M. Ferguson.

The message further announced that the House had passed a bill (H. R. 15438) to amend section 653 of the Code of Law for the District of Columbia; in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to the following bills:

A bill (S. 2814) to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900; and

A bill (S. 5342) to provide for the temporary government of the canal zone at Panama, the protection of the canal works, and for other purposes.

The message further announced that the House had passed a concurrent resolution authorizing the President of the Senate and the Speaker of the House of Representatives to close the present session by adjourning their respective Houses on the 28th day of April, 1904, at 2 o'clock post meridian; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the President pro tempore:

A bill (S. 4713) to authorize the Spuyten Duyvil and Port Morris Railroad Company and its lessee, the New York Central and Hudson River Railroad Company, to build and maintain bridges or other structures for their railroad across the Spuyten Duyvil Creek and the Harlem River north of the Harlem River pier and bulkhead lines as now established in the city of New York;

A bill (S. 3869) for the extension of Albemarle street;

A bill (H. R. 23) in relation to pharmacy in the Indian Territory;

A bill (H. R. 487) granting an increase of pension to Mary J. Waugh;

A bill (H. R. 698) granting an increase of pension to William M. Crow;

A bill (H. R. 740) granting an increase of pension to Ira Meserve;

A bill (H. R. 749) granting an increase of pension to Humphrey M. Glines;

A bill (H. R. 934) granting an increase of pension to Frank Brock;

A bill (H. R. 1093) granting a pension to Rose B. Noa;

A bill (H. R. 1305) granting an increase of pension to Gilbert A. Kenney;

A bill (H. R. 2124) granting an increase of pension to Henry J. Grannis;

A bill (H. R. 2499) granting an increase of pension to Smith Bilderback;

A bill (H. R. 2577) granting an increase of pension to Harmon P. Cole;

A bill (H. R. 2675) granting an increase of pension to Robert J. Tate;

A bill (H. R. 2976) granting an increase of pension to Enoch J. Evans;

A bill (H. R. 3036) granting an increase of pension to William H. Romaine;

A bill (H. R. 3107) granting an increase of pension to James E. Chappell;

A bill (H. R. 3393) for the relief of the Columbia Brewing Company, of Shenandoah, Pa.;

A bill (H. R. 3431) granting an increase of pension to William Basnett;

A bill (H. R. 3921) granting an increase of pension to Madison C. Staves;

A bill (H. R. 3924) granting an increase of pension to Ira Waldo;

A bill (H. R. 4085) to amend an act entitled "An act to establish a code of law for the District of Columbia;

A bill (H. R. 4152) granting an increase of pension to George B. Hartley;

A bill (H. R. 4379) granting an increase of pension to Alexander Adams;

A bill (H. R. 4398) granting a pension to Ellen A. Wilson;

A bill (H. R. 4572) granting an increase of pension to Peter Lauder;

A bill (H. R. 4573) for the relief of Eugene Patenaude;

A bill (H. R. 4582) granting an increase of pension to John S. Miller;

A bill (H. R. 4584) granting an increase of pension to Daniel A. Butler;

A bill (H. R. 4602) granting an increase of pension to Helim Thompson;

A bill (H. R. 4771) granting a pension to Aaron Taylor;

A bill (H. R. 4891) granting a pension to Julia R. Braxton;

A bill (H. R. 4903) granting an increase of pension to Solomon F. Hallett;

A bill (H. R. 5012) granting an increase of pension to Jacob Reitzel;

A bill (H. R. 5309) granting an increase of pension to John McConnell;

A bill (H. R. 5565) granting a pension to Eliza Workman;

A bill (H. R. 5711) granting an increase of pension to Jacob Chronister;

A bill (H. R. 5725) granting a pension to Grace Dressel;

A bill (H. R. 5829) granting an increase of pension to Thomas Ellmaker;

A bill (H. R. 6111) granting an increase of pension to Edwin A. Morris;

A bill (H. R. 6182) granting a pension to Erastus J. Horton;

A bill (H. R. 6338) granting an increase of pension to Antoinette I. Sawyer;

A bill (H. R. 6493) to ratify and confirm act No. 47 of the legislative assembly of the Territory of Arizona;

A bill (H. R. 6537) granting an increase of pension to Benjamin F. Hawthorn;

A bill (H. R. 6718) granting an increase of pension to James E. Phillips;

A bill (H. R. 6921) for the relief of the estate of Mary P. Gilmore;

A bill (H. R. 7085) granting an increase of pension to William Spiegelberg;

A bill (H. R. 7145) granting an increase of pension to Ambrose L. Hendee;

A bill (H. R. 7373) granting a pension to Harriet J. Woodbury;

A bill (H. R. 7497) granting a pension to Emma A. Webster;

A bill (H. R. 8280) granting an increase of pension to James A. Morrison;

A bill (H. R. 8690) to amend the law relating to taxation in the District of Columbia;

A bill (H. R. 8716) granting an increase of pension to Peter Creager;

A bill (H. R. 9107) granting a pension to Margaret J. Randolph;
A bill (H. R. 9338) granting an increase of pension to Solon D. Moore;
A bill (H. R. 9354) granting an increase of pension to John Richmond;
A bill (H. R. 9365) granting an increase of pension to John S. Edgar;
A bill (H. R. 9394) granting an increase of pension to Mary Leffler;
A bill (H. R. 9457) for the relief of Alexander S. Rosenthal;
A bill (H. R. 9477) granting an increase of pension to George Smith;
A bill (H. R. 9623) granting an increase of pension to Robert H. Betts;
A bill (H. R. 9891) confirming the removal of restrictions upon alienation by the Puyallup Indians of the State of Washington of their allotted lands;
A bill (H. R. 9901) granting a pension to John M. Stoner;
A bill (H. R. 10029) granting a pension to Charles E. Arnett;
A bill (H. R. 10208) for the relief of Allegheny College, at Meadville, Pa.;
A bill (H. R. 10284) granting a pension to Elizabeth Broomall;
A bill (H. R. 10285) granting an increase of pension to Henry McCreary;
A bill (H. R. 10306) to authorize a duplicate medal to be struck off and presented to John Horn, of Detroit, Mich., for life-saving;
A bill (H. R. 10334) granting an increase of pension to John S. Allison;
A bill (H. R. 10511) for the relief of the estate of Mary Keating;
A bill (H. R. 10688) for the relief of Johann A. Killian;
A bill (H. R. 10846) granting an increase of pension to Heinrich Erbstoeser;
A bill (H. R. 10851) granting an increase of pension to Nancy Smallwood;
A bill (H. R. 11013) granting an increase of pension to William Flaig;
A bill (H. R. 11086) granting an increase of pension to Charles W. Crary;
A bill (H. R. 11262) granting a pension to John Hegarty;
A bill (H. R. 11335) granting an increase of pension to John Trader;
A bill (H. R. 11336) granting an increase of pension to Samuel R. Hazen;
A bill (H. R. 11337) for the relief of G. H. Dearen;
A bill (H. R. 11374) granting an increase of pension to William Wells;
A bill (H. R. 11397) granting an increase of pension to William Leonard;
A bill (H. R. 11486) granting an increase of pension to Samuel B. Loewenstine;
A bill (H. R. 11827) granting an increase of pension to Daniel Smith;
A bill (H. R. 11972) to authorize the Ox Bow Power Company, of South Dakota, to construct a dam across the Missouri River;
A bill (H. R. 12006) granting an increase of pension to Amelia Coster;
A bill (H. R. 12177) granting an increase of pension to Isaac W. Waters;
A bill (H. R. 12197) granting an increase of pension to Daniel M. Candor;
A bill (H. R. 12268) granting an increase of pension to Jane K. Carpenter;
A bill (H. R. 12348) granting an increase of pension to John Pickering;
A bill (H. R. 12382) authorizing the payment of the Choctaw and Chickasaw town-site fund, and for other purposes;
A bill (H. R. 12402) granting a pension to Orson Burlingame;
A bill (H. R. 12533) to authorize the Paragould and Memphis Railroad Company to construct a bridge across St. Francis River;
A bill (H. R. 12604) granting a pension to Edward M. Fowler;
A bill (H. R. 12629) granting a pension to Ida Diamond;
A bill (H. R. 12702) granting an increase of pension to Margaret C. Howarth;
A bill (H. R. 12861) granting an increase of pension to Bartlett J. Mingus;
A bill (H. R. 13000) granting an increase of pension to Robert Elliott;
A bill (H. R. 13173) granting an increase of pension to Mary E. Houghton;
A bill (H. R. 13218) for the relief of Adolph Weinhold;
A bill (H. R. 13272) granting a pension to Delana A. Lynch;
A bill (H. R. 13347) granting an increase of pension to William C. Crumbaugh;
A bill (H. R. 13373) granting an increase of pension to William W. Dennis;
A bill (H. R. 13391) granting an increase of pension to Garret I. Post;
A bill (H. R. 13404) granting a pension to Emanuel Peck;
A bill (H. R. 13437) granting a pension to William P. Crawford;
A bill (H. R. 13490) granting an increase of pension to Henry Good;
A bill (H. R. 13586) granting an increase of pension to Abraham Harris;
A bill (H. R. 13605) granting a pension to Elizabeth E. Conatt;
A bill (H. R. 13636) granting a pension to George S. Noland;
A bill (H. R. 13690) granting an increase of pension to Cephas H. John;
A bill (H. R. 13773) to provide for the settlement of certain outstanding checks drawn by the disbursing officers of the District of Columbia;
A bill (H. R. 13805) granting a pension to Emma W. Hays;
A bill (H. R. 13816) granting a pension to Annie Hynes;
A bill (H. R. 13886) granting an increase of pension to Thomas Maher;
A bill (H. R. 13911) granting an increase of pension to Calvin Hitt;
A bill (H. R. 14001) granting an increase of pension to Leslie C. Armour;
A bill (H. R. 14141) granting an increase of pension to King Kerley;
A bill (H. R. 14153) granting an increase of pension to Peter C. Wood;
A bill (H. R. 14201) granting an increase of pension to James W. Smith;
A bill (H. R. 14204) granting a pension to John B. Hobday;
A bill (H. R. 14308) granting an increase of pension to Archie C. Fisk;
A bill (H. R. 14336) granting an increase of pension to Everton J. Conger;
A bill (H. R. 14308) granting an increase of pension to William Neuberg;
A bill (H. R. 14416) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes;
A bill (H. R. 14424) for the extension of Wyoming avenue to Twenty-third street west;
A bill (H. R. 14437) granting an increase of pension to Daniel White;
A bill (H. R. 14464) granting an increase of pension to Elizabeth B. Yount;
A bill (H. R. 14484) granting an increase of pension to Charles W. Lee;
A bill (H. R. 14490) granting a pension to Degraphenreed P. McKinley;
A bill (H. R. 14524) granting a pension to Jennie A. Brown;
A bill (H. R. 14578) granting a pension to Edward Taylor;
A bill (H. R. 14611) granting a pension William L. Beverly;
A bill (H. R. 14630) granting a pension to Augustus Finley, now known as Davis;
A bill (H. R. 14631) granting a pension to William T. Spencer;
A bill (H. R. 14641) granting a pension Allan Dunning;
A bill (H. R. 14508) granting an increase of pension to John Brady;
A bill (H. R. 14511) granting an increase of pension to Robert R. Keys;
A bill (H. R. 14512) granting an increase of pension to Thomas L. Sweeney;
A bill (H. R. 14521) granting an increase of pension to Samuel H. Phillips;
A bill (H. R. 14531) granting an increase of pension to Prince A. Gatchell;
A bill (H. R. 14541) granting an increase of pension to Azariah S. Elwood;
A bill (H. R. 14572) granting an increase of pension to Alexander P. Nelson;
A bill (H. R. 14592) granting an increase of pension to Alfred B. Scovill;
A bill (H. R. 14612) granting an increase of pension to Myron Imas;
A bill (H. R. 14636) granting an increase of pension to James R. Fletcher;
A bill (H. R. 14637) granting an increase of pension to William Kimbrough;
A bill (H. R. 14638) granting an increase of pension to Park Avory;
A bill (H. R. 14639) granting an increase of pension to Joseph J. Mead;
A bill (H. R. 14640) granting an increase of pension to Caroline McGimsey;
A bill (H. R. 14702) granting a pension to Mary E. Dunford;

A bill (H. R. 14747) granting an increase of pension to Symphorosa Bartley;
A bill (H. R. 14801) granting a pension to John W. Shrader;
A bill (H. R. 14802) granting an increase of pension to Thomas C. Wiley;
A bill (H. R. 14859) granting an increase of pension to Matthias Ridenour;
A bill (H. R. 14865) granting an increase of pension to Mercy J. Wilder;
A bill (H. R. 14870) granting an increase of pension to William Hougendobler;
A bill (H. R. 14876) granting an increase of pension to Francis Stadler, jr.;
A bill (H. R. 14882) granting a pension to Mary Dingler;
A bill (H. R. 14884) granting an increase of pension to William Huffman;
A bill (H. R. 14890) granting an increase of pension to Allen R. Harris;
A bill (H. R. 14938) granting a pension to Francis Rogers;
A bill (H. R. 14992) granting an increase of pension to Phebe A. Daw;
A bill (H. R. 14894) granting an increase of pension to John Gideon;
A bill (H. R. 15076) granting an increase of pension to Lawrence Le Bron;
A bill (H. R. 15126) granting an increase of pension to Joseph A. Cox;
A bill (H. R. 15148) granting an increase of pension to Armour W. Patterson;
A bill (H. R. 15183) granting a pension to Ella F. Kennealy;
A bill (H. R. 15204) granting an increase of pension to Mary Taggart;
A joint resolution (H. J. Res. 29) providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department; and
A joint resolution (H. J. Res. 102) relating to the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerent powers.

HOUSE BILL REFERRED.

The bill (H. R. 14468) to authorize the sale and disposition of surplus or unallotted lands in the Yakima Indian Reservation, in the State of Washington, was read twice by its title, and referred to the Committee on Indian Affairs.

GOVERNMENT OF CANAL ZONE.

Mr. KITTREDGE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 5342) to provide for the temporary government of the canal zone at Panama, the protection of the canal works, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with amendments as follows: Restore all of section 1 of the bill, proposed to be stricken out by said amendment, and in lieu of the matter proposed to be inserted by said amendment of the House insert the following:

"SEC. 2. That until the expiration of the Fifty-eighth Congress, unless provision for the temporary government of the canal zone be sooner made by Congress, all the military, civil, and judicial powers as well as the power to make all rules and regulations necessary for the government of the canal zone, and all the rights, powers, and authority granted by the terms of said treaty to the United States shall be vested in such person or persons and shall be exercised in such manner as the President shall direct for the government of said zone and maintaining and protecting the inhabitants thereof in the free enjoyment of their liberty, property, and religion."

And the House agree to the same.

A. B. KITTREDGE,
A. J. HOPKINS,
Managers on the part of the Senate.
W. P. HEPBURN,
W. C. LOVERING,
W. C. ADAMSON,
Managers on the part of the House.

The report was agreed to.

FINAL ADJOURNMENT.

Mr. ALLISON. I ask unanimous consent for the present consideration of the concurrent resolution relating to final adjournment, just received from the House of Representatives.

The PRESIDENT pro tempore laid before the Senate the concurrent resolution from the House of Representatives; and it was considered by unanimous consent, and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 28th day of April, 1904, at 2 o'clock p. m.

EXPENDITURES OF THE GOVERNMENT.

Mr. GORMAN addressed the Senate. After having spoken a few moments——

Mr. HALE. I do not desire to take the floor from the Senator from Maryland, but will he yield to me for a moment?

Mr. GORMAN. Certainly.

Mr. HALE. We are now on Wednesday's session. This session, of course, should be terminated by a motion to adjourn. Undoubtedly the Senator from Maryland will be recognized when Thursday's session commences. I move that the Senate adjourn.

The PRESIDING OFFICER (Mr. PERKINS in the chair). The Chair will state to the Senator from Maryland that he will immediately recognize him upon the convening of the Senate on its Thursday's session.

The question is on agreeing to the motion of the Senator from Maine that the Senate adjourn.

The motion was agreed to; and (at 11 o'clock and 58 minutes a. m., Thursday, April 28, 1904) the Senate adjourned until 12 o'clock meridian, Thursday, April 28, 1904.

NOMINATIONS.

Executive nominations received by the Senate April 26, 1904.

MEMBERS OF EXECUTIVE COUNCIL OF PORTO RICO.

José C. Barbosa, of Porto Rico, to be a member of the executive council of Porto Rico for the term of four years from June 5, 1904. This is a reappointment.

Andres Crosas, of Porto Rico, to be a member of the executive council of Porto Rico for the term of four years from June 5, 1904. This is a reappointment.

Hermino Diaz y Nazario, of Porto Rico, to be a member of the executive council of Porto Rico for the term of four years from June 5, 1904, vice Rosendo Martienzo Cintron.

ASSISTANT APPRAISER OF MERCHANDISE.

H. Morgan Ruth, of Pennsylvania, to be assistant appraiser of merchandise in the district of Philadelphia, in the State of Pennsylvania, to succeed Fred P. Vincent, promoted.

PROMOTIONS IN THE ARMY.

Military Secretary's Department.

Brig. Gen. Fred C. Ainsworth, Chief of the Record and Pension Office of the War Department, to be the Military Secretary with the rank of major-general, with rank from April 23, 1904.

Col. William P. Hall, assistant adjutant-general, to be assistant adjutant-general with the rank of brigadier-general, with rank from April 23, 1904.

POSTMASTERS.

CALIFORNIA.

Arthur J. Chittenden to be postmaster at Corning, in the county of Tehama and State of California, in place of Ollie McKellar. Incumbent's commission expires April 27, 1904.

COLORADO.

David James to be postmaster at Loveland, in the county of Larimer and State of Colorado, in place of David James. Incumbent's commission expires May 4, 1904.

FLORIDA.

John F. Stunkel to be postmaster at Leesburg, in the county of Lake and State of Florida, in place of John F. Stunkel. Incumbent's commission expires May 28, 1904.

Thomas H. Alexander to be postmaster at White Springs, in the county of Hamilton and State of Florida. Office became Presidential July 1, 1903.

ILLINOIS.

John W. Campbell to be postmaster at Morrisonville, in the county of Christian and State of Illinois, in place of John W. Campbell. Incumbent's commission expired January 25, 1904.

William S. Rice to be postmaster at Carmi, in the county of White and State of Illinois, in place of William S. Rice. Incumbent's commission expires May 26, 1904.

John R. Snook to be postmaster at Altamont, in the county of Effingham and State of Illinois, in place of John R. Snook. Incumbent's commission expired April 12, 1904.

INDIANA.

Robert F. Brammer to be postmaster at Albany, in the county of Delaware and State of Indiana, in place of Coursen J. Stright. Incumbent's commission expired January 10, 1902.

Japhet F. Lehman to be postmaster at Berne, in the county of Adams and State of Indiana, in place of Japhet F. Lehman. Incumbent's commission expired January 23, 1904.

Henry F. Radcliff to be postmaster at Pierceton, in the county of Kosciusko and State of Indiana, in place of Henry F. Radcliff. Incumbent's commission expired April 12, 1904.

IOWA.

Samuel H. Hall to be postmaster at Lime Spring, in the county of Howard and State of Iowa. Office became Presidential April 1, 1904.

Victor Nelson to be postmaster at Gowrie, in the county of Webster and State of Iowa, in place of Victor Nelson. Incumbent's commission expires May 22, 1904.

William G. Ross to be postmaster at Fairfield, in the county of Jefferson and State of Iowa, in place of Charles M. Junkin, resigned.

E. M. Smith to be postmaster at Winterset, in the county of Madison and State of Iowa, in place of James W. Miller. Incumbent's commission expired December 13, 1903.

KANSAS.

George W. Hook to be postmaster at Sabetha, in the county of Nemaha and State of Kansas, in place of Jacob A. Constant. Incumbent's commission expires May 28, 1904.

LOUISIANA.

Edward Eagles to be postmaster at Winnfield, in the parish of Winn and State of Louisiana. Office became Presidential April 1, 1904.

MASSACHUSETTS.

Orick H. Kelley to be postmaster at North Plymouth, in the county of Plymouth and State of Massachusetts, in place of Orick H. Kelley. Incumbent's commission expires April 27, 1904.

MINNESOTA.

Edward L. Bjorkquist to be postmaster at Moorhead, in the county of Clay and State of Minnesota, in place of Edward L. Bjorkquist. Incumbent's commission expires June 5, 1904.

NEBRASKA.

Thomas A. Boyd to be postmaster at Beaver City, in the county of Furnas and State of Nebraska, in place of William T. Ager, resigned.

G. J. Crook to be postmaster at Falls City, in the county of Richardson and State of Nebraska, in place of Ellis O. Lewis. Incumbent's commission expired February 23, 1903.

NEW JERSEY.

George W. Pollitt to be postmaster at Paterson, in the county of Passaic and State of New Jersey, in place of George W. Pollitt. Incumbent's commission expires May 28, 1904.

NEW YORK.

Clarence M. Alvord to be postmaster at Livonia, in the county of Livingston and State of New York, in place of Clarence M. Alvord. Incumbent's commission expires May 4, 1904.

John H. McGrath to be postmaster at New Lebanon, in the county of Columbia and State of New York, in place of John H. McGrath. Incumbent's commission expires May 4, 1904.

Solomon A. Royce to be postmaster at Liberty, in the county of Sullivan and State of New York, in place of Clarence A. Sprague. Incumbent's commission expires May 28, 1904.

William Watson to be postmaster at Warsaw, in the county of Wyoming and State of New York, in place of William Watson. Incumbent's commission expires May 28, 1904.

Francis Worden to be postmaster at Coxsackie, in the county of Greene and State of New York, in place of Francis Worden. Incumbent's commission expires May 4, 1904.

OHIO.

Thomas G. Moore to be postmaster at Barnesville, in the county of Belmont and State of Ohio, in place of Thomas G. Moore. Incumbent's commission expires May 4, 1904.

OKLAHOMA.

Adolph Bollenbach to be postmaster at Weatherford, in the county of Custer and Territory of Oklahoma, in place of John W. Rice. Incumbent's commission expires April 27, 1904.

PENNSYLVANIA.

Daniel G. Engle to be postmaster at Marietta, in the county of Lancaster and State of Pennsylvania, in place of Daniel G. Engle. Incumbent's commission expired April 16, 1904.

J. F. Fenstermacher to be postmaster at Mount Joy, in the county of Lancaster and State of Pennsylvania, in place of Frank G. Pennell, deceased.

John H. Glasser to be postmaster at Monaca, in the county of Beaver and State of Pennsylvania, in place of John H. Glasser. Incumbent's commission expires May 28, 1904.

Henry F. Hershey to be postmaster at Steelton, in the county of Dauphin and State of Pennsylvania, in place of Henry F. Hershey. Incumbent's commission expired April 16, 1904.

Anne D. Moore to be postmaster at Avondale, in the county of Chester and State of Pennsylvania, in place of Anne D. Moore. Incumbent's commission expires May 28, 1904.

John Roland to be postmaster at New Holland, in the county of Lancaster and State of Pennsylvania. Office became Presidential January 1, 1904.

James E. Rupert to be postmaster at Conneautville, in the county of Crawford and State of Pennsylvania, in place of James E. Rupert. Incumbent's commission expires April 27, 1904.

SOUTH CAROLINA.

James W. Johnson to be postmaster at Marion, in the county of Marion and State of South Carolina, in place of James W. Johnson. Incumbent's commission expires May 26, 1904.

TENNESSEE.

Sallie J. Massey to be postmaster at Sevierville, in the county of Sevier and State of Tennessee. Office became Presidential April 1, 1904.

TEXAS.

Anderson L. Davis to be postmaster at Gonzales, in the county of Gonzales and State of Texas, in place of Anderson L. Davis. Incumbent's commission expired January 27, 1903.

WEST VIRGINIA.

John E. Houston to be postmaster at Davis, in the county of Tucker and State of West Virginia, in place of Sumner W. Thompson, resigned.

Charles M. Jenks to be postmaster at Tug River, in the county of McDowell and State of West Virginia. Office became Presidential April 1, 1904.

WISCONSIN.

Frank B. Goodhue to be postmaster at Whitewater, in the county of Walworth and State of Wisconsin, in place of Iram Z. Merriam. Incumbent's commission expired February 19, 1904.

GOVERNOR OF PORTO RICO.

Beekman Winthrop, of New York, to be the governor of Porto Rico for the term of four years from July 1, 1904, vice William H. Hunt, resigned.

PROMOTIONS IN THE NAVY.

Gunner James Shannon to be a chief gunner in the Navy from the 13th day of April, 1904 (subject to the examinations required by law), having completed ten years' service in his present grade.

Gunner William G. Moore to be a chief gunner in the Navy from the 17th day of April, 1904 (subject to the examinations required by law), having completed ten years' service in his present grade.

PROMOTIONS IN THE MARINE CORPS.

Maj. Thomas N. Wood to be a lieutenant-colonel in the United States Marine Corps from the 6th day of March, 1904 (subject to the examinations required by law), vice Lieut. Col. William F. Spicer, retired.

Capt. Robert M. Dutton to be a major in the United States Marine Corps from the 6th day of March, 1904 (subject to the examinations required by law), vice Maj. Thomas N. Wood, promoted.

First Lieut. John H. A. Day to be a captain in the United States Marine Corps from the 6th day of March, 1904 (subject to the examinations required by law), vice Capt. Robert M. Dutton, promoted.

Second lieutenants in the United States Marine Corps to be first lieutenants.

Albert N. Brunzell.
Louis G. Miller.
Daniel W. B. Blake.
William E. Smith.
Raymond B. Sullivan.
Fred A. Udell.
Howard H. Kipp.
Harvey C. Egan.
Gerard M. Kincade.
Frederic Kensel.
Hugh McC. Howard.
Elias R. Beadle.
Arthur B. Owens.

Eugene P. Fortson.

Second Lieut. Clarence S. Owen to be a first lieutenant in the United States Marine Corps from the 14th day of April, 1904 (subject to the examinations required by law), vice First Lieut. John P. V. Gridley, deceased.

PROMOTIONS IN THE NAVY.

Assistant Paymaster Howard D. Lamar to be a passed assistant paymaster in the Navy from the 3d day of March, 1903 (subject to the examinations required by law), vice P. A. Paymaster Perry G. Kennard, promoted.

P. A. Paymaster Christian J. Peoples to be a paymaster in the Navy from the 27th day of December, 1903 (subject to the examinations required by law), vice Paymaster Samuel L. Heap, promoted.

Assistant Paymaster Alvin Hovey-King to be a passed assistant paymaster in the Navy from the 27th day of December, 1903 (subject to the examinations required by law), vice P. A. Paymaster Christian J. Peoples, promoted.

Pay Inspector John R. Martin to be a pay director in the Navy from the 13th day of April, 1904 (subject to the examinations required by law), vice Pay Director John B. Redfield, retired.

Paymaster James S. Phillips to be a pay inspector in the Navy from the 13th day of April, 1904 (subject to the examinations required by law), vice Pay Inspector John R. Martin, promoted.

P. A. Paymaster William B. Rogers to be a paymaster in the Navy from the 13th day of April, 1904 (subject to the examinations required by law), vice Paymaster James S. Phillips, promoted.

Assistant Paymaster George A. Deering to be a passed assistant paymaster in the Navy from the 13th day of April, 1904 (subject to the examinations required by law), vice P. A. Paymaster William B. Rogers, promoted.

Surg. Phillips A. Lovering to be a medical inspector in the Navy from the 9th day of June, 1903 (subject to the examinations required by law), vice Medical Inspector Manly H. Simons, promoted.

P. A. Surg. Cary D. Langhorne to be a surgeon in the Navy from the 9th day of June, 1903 (subject to the examinations required by law), vice Surg. Phillips A. Lovering, promoted.

P. A. Surg. Joseph C. Thompson to be a surgeon in the Navy from the 20th day of June, 1903 (subject to the examinations required by law), vice Surg. William R. Du Bose, promoted.

Asst. Surg. Robert E. Ledbetter to be a passed assistant surgeon in the Navy from the 19th day of October, 1903 (subject to the examinations required by law), having completed three years' service in his present grade.

Asst. Surg. Charles St. J. Butler to be a passed assistant surgeon in the Navy (subject to the examinations required by law) from the 26th day of October, 1903, having completed three years' service in his present grade.

Asst. Surg. John M. Brister to be a passed assistant surgeon in the Navy from the 14th day of December, 1903 (subject to the examinations required by law), having completed three years' service in his present grade.

Asst. Surg. Herbert O. Shiffert to be a passed assistant surgeon in the Navy from the 26th day of December, 1903 (subject to the examinations required by law), having completed three years' service in his present grade.

P. A. Surg. Frederick L. Benton to be a surgeon in the Navy from the 29th day of December, 1903 (subject to the examinations required by law), vice P. A. Surg. Joseph A. Guthrie, suspended.

P. A. Surg. Joseph A. Guthrie to be a surgeon in the Navy from the 10th day of March, 1904 (subject to the examinations required by law), vice Surg. Daniel H. Morgan, retired.

P. A. Surg. Ralph T. Orvis to be a surgeon in the Navy from the 20th day of April, 1904 (subject to the examinations required by law), vice Surg. Will F. Arnold, retired.

Lieut. (Junior Grade) Cyrus R. Miller to be a lieutenant in the Navy from the 23d day of September, 1903 (subject to the examinations required by law), vice Lieut. James G. Doyle, promoted.

Lieut. Harry G. Leopold to be a lieutenant-commander in the Navy from the 11th day of October, 1903 (subject to the examinations required by law), vice Lieut. Commander Cameron McR. Winslow, promoted.

Lieut. (Junior Grade) Luther M. Overstreet to be a lieutenant in the Navy from the 11th day of October, 1903 (subject to the examinations required by law), vice Lieut. Harry A. Field, promoted.

Lieut. (Junior Grade) Hilary Williams to be a lieutenant in the Navy from the 1st day of January, 1904 (subject to the examinations required by law), vice Lieut. Chester M. Knepper, promoted.

Lieut. (Junior Grade) Robert W. Henderson to be a lieutenant in the Navy from the 1st day of January, 1904 (subject to the examinations required by law), to fill a vacancy created by the act of Congress approved March 3, 1903.

Lieut. (Junior Grade) John Halligan, jr., to be a lieutenant in the Navy from the 1st day of January, 1904 (subject to the examinations required by law), to fill a vacancy created by the act of Congress approved March 3, 1903.

Lieut. Clarence S. Williams to be a lieutenant-commander in the Navy from the 4th day of February, 1904 (subject to the examinations required by law), vice Lieut. Commander Alexander Sharp, promoted.

Lieut. John D. McDonald to be a lieutenant-commander in the Navy from the 4th day of February, 1904 (subject to the examinations required by law), vice Lieut. Commander Walter S. Hughes, promoted.

Lieut. (Junior Grade) Alexander N. Mitchell to be a lieutenant in the Navy from the 4th day of February, 1904 (subject to the examinations required by law), vice Lieut. Frank K. Hill, promoted.

Lieut. Commander Fidelio S. Carter to be a commander in the Navy from the 17th day of February, 1904 (subject to the examinations required by law), vice Commander William H. Everett, promoted.

Lieut. (Junior Grade) William P. Cronan to be a lieutenant in the Navy from the 17th day of February, 1904 (subject to the examinations required by law), vice Lieut. Walter O. Hulme, promoted.

Lieut. Commander Harry H. Hosley to be a commander in the Navy from the 15th day of March, 1904 (subject to the examinations required by law), vice Commander John M. Hawley, promoted.

Lieut. (Junior Grade) Zeno E. Briggs to be a lieutenant in the Navy from the 15th day of March, 1904 (subject to the examinations required by law), vice Lieut. Hilary P. Jones, jr., promoted.

Lieut. Commander Frank E. Beatty to be a commander in the Navy from the 18th day of March, 1904 (subject to the examinations required by law), vice Commander William E. Sewell, deceased.

Lieut. (Junior Grade) William B. Wells to be a lieutenant in the Navy from the 9th day of April, 1904 (subject to the examinations required by law), vice Lieut. Henry K. Benham, deceased.

Lieut. (Junior Grade) Clarence A. Abele to be a lieutenant in the Navy from the 14th day of April, 1904 (subject to the examinations required by law), vice Lieut. William C. Davidson, deceased.

Commander Frederic Singer to be a captain in the Navy from the 4th day of February, 1904, vice Capt. James K. Cogswell, an additional number in grade.

Ensigns to be lieutenants (junior grade) in the Navy.

John T. Beckner.
Herbert H. Evans.
Samuel I. M. Major.
Frank O. Branch.
Ralph E. Pope.
John E. Lewis.

Lieutenants in the Navy to be lieutenant-commanders.

Alexander S. Halstead.
James E. Palmer.
Harry A. Field.

TO BE ASSISTANT SURGEONS IN THE NAVY.

Lewis H. Wheeler, a citizen of Connecticut.
John Flint, a citizen of Massachusetts.
James L. Belknap, a citizen of Massachusetts.
Henry A. May, a citizen of Maryland

UNITED STATES MARSHAL.

Edward S. Wilson, of Porto Rico, to be United States marshal in and for the district of Porto Rico. A reappointment, his term expiring June 4, 1904.

APPOINTMENT IN THE ARMY.

To be brigadier-general on the retired list.

Col. Timothy E. Wilcox, assistant surgeon-general, to rank from April 26, 1904, on which date he will be retired from active service by operation of law, on account of age.

UNITED STATES DISTRICT JUDGE.

Charles F. McKenna, of Pennsylvania, to be United States district judge for the district of Porto Rico, vice William H. Holt, whose term will expire June 4, 1904.

CAPTAIN ON ACTIVE LIST OF NAVY.

Capt. Seth M. Ackley, now on the retired list, to be a captain on the active list of the Navy, from the 8th day of April, 1904, to rank next after Capt. Charles T. Hutchins, and to be additional to the number of the grade of captain, or of that grade to which he

may be promoted, in accordance with the provisions of an act of Congress approved April 8, 1904.

PROMOTIONS IN THE ARMY.

Military Secretary's Department.

Lieut. Col. Henry P. McCain, assistant adjutant-general, to be assistant adjutant-general with the rank of colonel, April 23, 1904, vice Hall, promoted.

Maj. John Tweedale, Assistant Chief of the Record and Pension Office, to be assistant adjutant-general with the rank of lieutenant-colonel, April 23, 1904, vice McCain, promoted.

APPOINTMENT IN THE ARMY.

Military Secretary's Department.

Capt. Henry A. Barber, Twenty-eighth Infantry, to be Assistant Chief of the Record and Pension Office with the rank of major, April 26, 1904, vice Tweedale promoted.

PROMOTIONS IN THE ARMY.

Medical department.

Lieut. Col. Valery Havard, deputy surgeon-general, to be assistant surgeon-general with the rank of colonel, April 26, 1904, vice Wilcox, retired from active service.

Maj. William H. Corbusier, surgeon, to be deputy surgeon-general with the rank of lieutenant-colonel, April 26, 1904, vice Havard, promoted.

Capt. Charles F. Kieffer, assistant surgeon, to be surgeon with the rank of major, April 26, 1904, vice Corbusier, promoted.

To be colonels.

Lieut. Col. Alexander M. Miller, Corps of Engineers, April 23, 1904, to fill an original vacancy.

Lieut. Col. Milton B. Adams, Corps of Engineers, April 23, 1904, to fill an original vacancy.

Lieut. Col. William R. Livermore, Corps of Engineers, April 23, 1904, to fill an original vacancy.

To be lieutenant-colonels.

Maj. Richard L. Hoxie, Corps of Engineers, April 23, 1904, vice Miller, promoted.

Maj. William L. Marshall, Corps of Engineers, April 23, 1904, vice Adams, promoted.

Maj. Joseph H. Willard, Corps of Engineers, April 23, 1904, vice Livermore, promoted.

Maj. William H. Bixby, Corps of Engineers, April 23, 1904, to fill an original vacancy.

Maj. William T. Rossell, Corps of Engineers, April 23, 1904, to fill an original vacancy.

To be majors.

Capt. Graham D. Fitch, Corps of Engineers, April 23, 1904, vice Hoxie, promoted.

Capt. Cassius E. Gillette, Corps of Engineers, April 23, 1904, vice Marshall, promoted.

Capt. David Du B. Gaillard, Corps of Engineers, April 23, 1904, vice Willard, promoted.

Capt. Harry Taylor, Corps of Engineers, April 23, 1904 (subject to examination required by law), vice Bixby, promoted.

To be captains.

First Lieut. Edwin R. Stuart, Corps of Engineers, April 23, 1904, vice Fitch, promoted.

First Lieut. George M. Hoffman, Corps of Engineers, April 23, 1904, vice Gillette, promoted.

To be first lieutenants.

Second Lieut. Arthur Williams, Corps of Engineers, April 23, 1904, vice Stuart, promoted.

Second Lieut. Wildurr Willing, Corps of Engineers, April 23, 1904, vice Hoffman, promoted.

Executive nominations received by the Senate April 27, 1904.

CIRCUIT JUDGE.

Jeter C. Pritchard, of North Carolina, now serving as associate justice of the supreme court of the District of Columbia, to be United States circuit judge for the fourth judicial circuit, vice Charles H. Simonton, deceased.

APPOINTMENTS IN THE MARINE-HOSPITAL SERVICE.

Joseph Pettyjohn, of Georgia, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

Francis H. McKeon, of Connecticut, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

Ernest A. Sweet, of Massachusetts, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

Robert D. Spratt, of Alabama, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

POSTMASTERS.

ILLINOIS.

Harry Whitver to be postmaster at Walnut, in the county of Bureau and State of Illinois, in place of Watson D. Morlan, resigned.

MICHIGAN.

Arthur M. Hawkins to be postmaster at Clayton, in the county of Lenawee and State of Michigan, in place of Ralph Taylor. Incumbent's commission expires April 27, 1904.

MINNESOTA.

Rowland Arundel to be postmaster at Staples, in the county of Todd and State of Minnesota, in place of Rowland Arundel. Incumbent's commission expires May 28, 1904.

PENNSYLVANIA.

Harry L. Cooper to be postmaster at Edinboro, in the county of Erie and State of Pennsylvania, in place of Harry L. Cooper. Incumbent's commission expired January 17, 1904.

Delos A. Wright to be postmaster at Union City, in the county of Erie and State of Pennsylvania, in place of Delos A. Wright. Incumbent's commission expires June 5, 1904.

RHODE ISLAND.

Walter Price to be postmaster at Westerly, in the county of Washington and State of Rhode Island, in place of Walter Price. Incumbent's commission expires May 24, 1904.

TEXAS.

C. E. Dodge to be postmaster at Port Arthur, in the county of Jefferson and State of Texas, in place of Darwin H. Barnes. Incumbent's commission expired February 15, 1903.

WITHDRAWAL.

Executive nomination withdrawn April 26, 1904.

John E. Albright to be postmaster at Mount Airy, in the State of North Carolina.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 27, 1904.

GOVERNOR OF PORTO RICO.

Beekman Winthrop, of New York, to be the governor of Porto Rico for the term of four years from July 1, 1904.

SOLICITOR OF DEPARTMENT OF COMMERCE AND LABOR.

William Miller Collier, of New York, to be solicitor of the Department of Commerce and Labor, under the provisions of the act approved March 18, 1904, entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes."

UNITED STATES ATTORNEY.

Charles H. Brown, of New York, to be United States attorney for the western district of New York.

COLLECTORS OF CUSTOMS.

Isaiah J. McCottrie, of South Carolina, to be collector of customs for the district of Georgetown, in the State of South Carolina.

Charles A. Judson, of Ohio, to be collector of customs for the district of Sandusky, in the State of Ohio.

ASSISTANT APPRAISER OF MERCHANDISE.

H. Morgan Ruth, of Pennsylvania, to be assistant appraiser of merchandise in the district of Philadelphia, in the State of Pennsylvania.

MEMBERS OF EXECUTIVE COUNCIL OF PORTO RICO.

Hermino Diaz y Nazario, of Porto Rico, to be a member of the executive council of Porto Rico for the term of four years from June 5, 1904.

Andres Crosas, of Porto Rico, to be a member of the executive council of Porto Rico for the term of four years from June 5, 1904.

José C. Barbosa, of Porto Rico, to be a member of the executive council of Porto Rico for the term of four years from June 5, 1904.

MARSHALS.

Edward S. Wilson, of Porto Rico, to be United States marshal in and for the district of Porto Rico.

James M. Shoup, of Alaska, to be United States marshal for the district of Alaska, division No. 1.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

First Asst. Engineer Hermann Kotzschmar, jr., to be a chief engineer with the rank of first lieutenant in the Revenue-Cutter Service of the United States.

Second Asst. Engineer Michael N. Usina to be a first assistant engineer with the rank of second lieutenant in the Revenue-Cutter Service of the United States.

PROMOTIONS IN THE ARMY.

ARTILLERY CORPS.

To be captains.

First Lieut. Elijah B. Martindale, jr., Artillery Corps, January 21, 1904.

First Lieut. John W. Kilbreth, jr., Artillery Corps, April 1, 1904.

First Lieut. Le Vert Coleman, Artillery Corps, April 7, 1904.

To be first lieutenants.

Second Lieut. Laurin L. Lawson, Artillery Corps, December 14, 1903.

Second Lieut. William K. Moore, Artillery Corps, January 2, 1904.

SUBSISTENCE DEPARTMENT.

Capt. Alexander M. Davis, commissary, to be commissary with the rank of major, March 17, 1904.

INFANTRY ARM.

First Lieut. William H. Jordan, jr., Eighteenth Infantry, to be captain, April 14, 1904.

First Lieut. Courtland Nixon, Second Infantry, to be captain, April 14, 1904.

MILITARY SECRETARY'S DEPARTMENT.

Lieut. Col. Henry P. McCain, assistant adjutant-general, to be assistant adjutant-general with the rank of colonel, April 23, 1904.

Maj. John Tweedale, Assistant Chief of the Record and Pension Office, to be assistant adjutant-general with the rank of lieutenant-colonel, April 23, 1904.

MEDICAL DEPARTMENT.

Lieut. Col. Valery Havard, deputy surgeon-general, to be assistant surgeon-general with the rank of colonel, April 26, 1904.

Maj. William H. Corbusier, surgeon, to be deputy surgeon-general with the rank of lieutenant-colonel, April 26, 1904.

Capt. Charles F. Kieffer, assistant surgeon, to be surgeon with the rank of major, April 26, 1904.

CORPS OF ENGINEERS.

To be colonels.

Lieut. Col. Alexander M. Miller, Corps of Engineers, April 23, 1904.

Lieut. Col. Milton B. Adams, Corps of Engineers, April 23, 1904.

Lieut. Col. William R. Livermore, Corps of Engineers, April 23, 1904.

To be lieutenant-colonels.

Maj. Richard L. Hoxie, Corps of Engineers, April 23, 1904.

Maj. William L. Marshall, Corps of Engineers, April 23, 1904.

Maj. Joseph H. Willard, Corps of Engineers, April 23, 1904.

Maj. William H. Bixby, Corps of Engineers, April 23, 1904.

Maj. William T. Rossell, Corps of Engineers, April 23, 1904.

To be majors.

Capt. Graham D. Fitch, Corps of Engineers, April 23, 1904.

Capt. Cassius E. Gillette, Corps of Engineers, April 23, 1904.

Capt. David Du B. Gaillard, Corps of Engineers, April 23, 1904.

Capt. Harry Taylor, Corps of Engineers, April 23, 1904 (subject to examination required by law).

To be captains.

First Lieut. Edwin R. Stuart, Corps of Engineers, April 23, 1904.

First Lieut. George M. Hoffman, Corps of Engineers, April 23, 1904.

To be first lieutenants.

Second Lieut. Arthur Williams, Corps of Engineers, April 23, 1904.

Second Lieut. Wildurr Willing, Corps of Engineer, April 23, 1904.

APPOINTMENTS IN THE ARMY.

MILITARY SECRETARY'S DEPARTMENT.

Brig. Gen. Fred C. Ainsworth, Chief of the Record and Pension Office of the War Department, to be the Military Secretary with the rank of major-general, with rank from April 23, 1904.

Col. William P. Hall, assistant adjutant-general, to be assistant adjutant-general with the rank of brigadier-general, with rank from April 23, 1904.

Capt. Henry A. Barber, Twenty-eighth Infantry, to be Assistant Chief of the Record and Pension Office with the rank of major, April 26, 1904.

To be brigadier-general on the retired list.

Col. Timothy E. Wilcox, assistant surgeon-general, to rank from April 26, 1904, on which date he will be retired from active service by operation of law on account of age.

PROMOTIONS IN THE NAVY.

Lieut. (Junior Grade) Cyrus R. Miller to be a lieutenant in the Navy from the 23d day of September, 1903 (subject to the examinations required by law).

Lieut. Harry G. Leopold to be a lieutenant-commander in the Navy from the 11th day of October, 1903.

Lieut. (Junior Grade) Luther M. Overstreet to be a lieutenant in the Navy from the 11th day of October, 1903.

Lieut. (Junior Grade) Hilary Williams to be a lieutenant in the Navy from the 1st day of January, 1904.

Lieut. (Junior Grade) Robert W. Henderson to be a lieutenant in the Navy from the 1st day of January, 1904.

Lieut. (Junior Grade) John Halligan, jr., to be a lieutenant in the Navy from the 1st day of January, 1904.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 28th day of January, 1904:

John T. Beckner.
Herbert H. Evans.
Samuel I. M. Major.
Frank O. Branch.

Lieut. Clarence S. Williams to be a lieutenant-commander in the Navy from the 4th day of February, 1904.

Lieut. John D. McDonald to be a lieutenant-commander in the Navy from the 4th day of February, 1904.

Lieut. (Junior Grade) Alexander N. Mitchell to be a lieutenant in the Navy from the 4th day of February, 1904.

Lieut. Commander Fidelio S. Carter to be a commander in the Navy from the 17th day of February, 1904.

Lieut. (Junior Grade) William P. Cronan to be a lieutenant in the Navy from the 17th day of February, 1904.

Lieut. Commander Harry H. Hosley to be a commander in the Navy from the 15th day of March, 1904.

Lieut. (Junior Grade) Zeno E. Briggs to be a lieutenant in the Navy from the 15th day of March, 1904.

Lieut. Commander Frank E. Beatty to be a commander in the Navy from the 18th day of March, 1904.

Lieut. (Junior Grade) William B. Wells to be a lieutenant in the Navy from the 9th day of April, 1904.

Lieut. (Junior Grade) Clarence A. Abele to be a lieutenant in the Navy from the 14th day of April, 1904.

Surg. Phillips A. Lovering to be a medical inspector in the Navy from the 9th day of June, 1903.

P. A. Surg. Cary D. Langhorne to be a surgeon in the Navy from the 9th day of June, 1903.

P. A. Surg. Joseph C. Thompson to be a surgeon in the Navy from the 20th day of June, 1903.

Asst. Surg. Robert E. Ledbetter to be a passed assistant surgeon in the Navy from the 19th day of October, 1903.

Asst. Surg. Charles St. J. Butler to be a passed assistant surgeon in the Navy from the 26th day of October, 1903.

Asst. Surg. John M. Brister to be a passed assistant surgeon in the Navy from the 14th day of December, 1903.

Asst. Surg. Herbert O. Shiffert to be a passed assistant surgeon in the Navy from the 26th day of December, 1903.

P. A. Surg. Frederick L. Benton to be a surgeon in the Navy from the 29th day of December, 1903.

P. A. Surg. Joseph A. Guthrie to be a surgeon in the Navy from the 10th day of March, 1904.

P. A. Surg. Ralph T. Orvis to be a surgeon in the Navy from the 20th day of April, 1904.

Assistant Paymaster Howard D. Lamar to be a passed assistant paymaster in the Navy from the 3d day of March, 1903.

P. A. Paymaster Christian J. Peoples to be a paymaster in the Navy from 27th day of December, 1903.

Assistant Paymaster Alvin Hovey-King to be a passed assistant paymaster in the Navy from the 27th day of December, 1903.

Pay Inspector John R. Martin to be a pay director in the Navy from the 13th day of April, 1904.

Paymaster James S. Phillips to be a pay inspector in the Navy from the 13th day of April, 1904.

P. A. Paymaster William B. Rogers to be a paymaster in the Navy from the 13th day of April, 1904.

Assistant Paymaster George A. Deering to be a passed assistant paymaster in the Navy from the 13th day of April, 1904.

To be lieutenant-commanders from the 1st day of January, 1904 (subject to the examinations required by law), to fill vacancies created in that grade by the act of Congress approved March 3, 1903:

Alexander S. Halstead.
James E. Palmer.
Harry A. Field.

Commander Frederic Singer to be a captain in the Navy from the 4th day of February, 1904.

Ensigns to be lieutenants (junior grade) in the Navy from the 28th day of January, 1904, having completed three years' service in their present grade:

Ralph E. Pope.
John E. Lewis.

To be assistant surgeons in the Navy from the 22d day of April, 1904, to fill vacancies existing in that grade on that date:

Lewis H. Wheeler, a citizen of Connecticut.
John Flint, a citizen of Massachusetts.
James L. Belknap, a citizen of Massachusetts.
Henry A. May, a citizen of Maryland.

Maj. Thomas N. Wood to be a lieutenant-colonel in the United States Marine Corps from the 6th day of March, 1904.

Capt. Robert M. Dutton to be a major in the United States Marine Corps from the 6th day of March, 1904.

First Lieut. John H. A. Day to be a captain in the United States Marine Corps from the 6th day of March, 1904.

Second lieutenants in the United States Marine Corps to be first lieutenants in the Marine Corps from the 3d day of March, 1904 (subject to the examinations required by law), to fill vacancies existing in that grade on that date:

Albert N. Brunzell.
Louis G. Miller.
Daniel W. B. Blake.
William E. Smith.
Raymond B. Sullivan.
Fred A. Udell.
Howard H. Kipp.
Harvey C. Egan.
Gerard M. Kincade.
Frederic Kensel.
Hugh McC. Howard.
Elias R. Beadle.
Arthur B. Owens.
Eugene P. Fortson.

Second Lieut. Clarence S. Owen to be a first lieutenant in the United States Marine Corps from the 14th day of April, 1904 (subject to the examinations required by law).

Lieut. Henry E. Parmenter to be a lieutenant-commander in the Navy from the 12th day of March, 1904.

Lieut. Isaac K. Seymour to be a lieutenant-commander in the Navy from the 2d day of April, 1904.

Ensign Henry E. Lackey to be a lieutenant (junior grade) in the Navy from the 28th day of January, 1904.

Lieut. (Junior Grade) William T. Tarrant to be a lieutenant in the Navy from the 18th day of March, 1904.

Lieut. (Junior Grade) Walter B. Tardy to be a lieutenant in the Navy from the 2d day of April, 1904.

Asst. Surg. Samuel S. Rodman to be a passed assistant surgeon in the Navy from the 14th day of December, 1903, having completed three years' service in his present grade.

Gunner James Shannon to be a chief gunner in the Navy from the 13th day of April, 1904.

Gunner William G. Moore to be a chief gunner in the Navy from the 17th day of April, 1904.

Capt. Seth M. Ackley, now on the retired list, to be a captain on the active list of the Navy from the 8th day of April, 1904, to rank next after Capt. Charles T. Hutchins, and to be additional to the number of the grade of captain, or of that grade to which he may be promoted, in accordance with the provisions of an act of Congress approved April 8, 1904.

POSTMASTERS.

ALABAMA.

Charley N. Thompson to be postmaster at Piedmont, in the county of Calhoun and State of Alabama.

ARKANSAS.

William Miller to be postmaster at Dermott, in the county of Chicot and State of Arkansas.

James E. Wickersham to be postmaster at Yellville, in the county of Marion and State of Arkansas.

F. W. Youmans to be postmaster at Lewisville, in the county of Lafayette and State of Arkansas.

CALIFORNIA.

C. H. Anson to be postmaster at Monrovia, in the county of Los Angeles and State of California.

Arthur J. Chittenden to be postmaster at Corning, in the county of Tehama and State of California.

Franklin L. Glass to be postmaster at Martinez, in the county of Contra Costa and State of California.

John Lemasters to be postmaster at Kern, in the county of Kern and State of California.

Edwin Stanton to be postmaster at Avalon, in the county of Los Angeles and State of California.

Charles E. Tucker to be postmaster at Fortuna, in the county of Humboldt and State of California.

COLORADO.

David James to be postmaster at Loveland, in the county of Larimer and State of Colorado.

GEORGIA.

Harry S. Edwards to be postmaster at Macon, in the county of Bibb, and State of Georgia.

IDAHO.

David E. Smithson to be postmaster at Emmett, in the county of Canyon and State of Idaho.

ILLINOIS.

John W. Campbell to be postmaster at Morrisonville, in the county of Christian and State of Illinois.

John Murvin to be postmaster at Louisville, in the county of Clay and State of Illinois.

William S. Rice to be postmaster at Carmi, in the county of White and State of Illinois.

John R. Snook to be postmaster at Altamont, in the county of Effingham and State of Illinois.

Harry Whitver to be postmaster at Walnut, in the State of Illinois.

INDIANA.

George D. Abraham to be postmaster at Odon, in the county of Daviess and State of Indiana.

Robert F. Brammer to be postmaster at Albany, in the county of Delaware and State of Indiana.

Henry Wood to be postmaster at Loogootee, in the county of Martin and State of Indiana.

Samuel P. Yenne to be postmaster at Shoals, in the county of Martin and State of Indiana.

IOWA.

Ezra Bradford to be postmaster at Wellman, in the county of Washington and State of Iowa.

Samuel H. Hall to be postmaster at Lime Spring, in the county of Howard and State of Iowa.

Victor Nelson to be postmaster at Gowrie, in the county of Webster and State of Iowa.

William G. Ross to be postmaster at Fairfield, in the county of Jefferson and State of Iowa.

E. M. Smith to be postmaster at Winterset, in the county of Madison and State of Iowa.

KANSAS.

George W. Hook to be postmaster at Sabetha, in the county of Nemaha and State of Kansas.

W. H. Smith to be postmaster at Colby, in the county of Thomas and State of Kansas.

KENTUCKY.

Llewellyn F. Sinclair to be postmaster at Georgetown, in the county of Scott and State of Kentucky.

LOUISIANA.

Edward Eagles to be postmaster at Winnfield, in the parish of Winn and State of Louisiana.

Caroline G. Lyman to be postmaster at Franklin, in the parish of St. Mary and State of Louisiana.

MAINE.

George A. Herrick to be postmaster at Madison, in the county of Somerset and State of Maine.

MASSACHUSETTS.

Orick H. Kelley to be postmaster at North Plymouth, in the county of Plymouth and State of Massachusetts.

Frank E. Nichols to be postmaster at Warren, in the county of Worcester and State of Massachusetts.

Edwin Smith to be postmaster at Mittineague, in the county of Hampden and State of Massachusetts.

MICHIGAN.

Arthur H. Hawkins to be postmaster at Clayton, in the State of Michigan.

Henry S. Wickware to be postmaster at Cass City, in the county of Tuscola and State of Michigan.

MINNESOTA.

Edward L. Bjorkquist to be postmaster at Moorhead, in the county of Clay and State of Minnesota.

Charles H. Pierce to be postmaster at Northfield, in the county of Rice and State of Minnesota.

Francis M. Shook to be postmaster at Aitkin, in the county of Aitkin and State of Minnesota.

Rowland Arundel to be postmaster at Staples, in the State of Minnesota.

MISSISSIPPI.

Coke B. Wier to be postmaster at Quitman, in the county of Clarke and State of Mississippi.

MISSOURI.

Thomas M. Allen to be postmaster at Cassville, in the county of Cass and State of Missouri.

Henry Puls to be postmaster at Jackson, in the county of Cape Girardeau and State of Missouri.

NEBRASKA.

Thomas A. Boyd to be postmaster at Beaver City, in the county of Furnas and State of Nebraska.

G. J. Crook to be postmaster at Falls City, in the county of Richardson and State of Nebraska.

James H. Overman to be postmaster at Stella, in the county of Richardson and State of Nebraska.

Zalmon Nicola to be postmaster at Collegeview, in the county of Lancaster and State of Nebraska.

Jessie W. Phillips to be postmaster at Table Rock, in the county of Pawnee and State of Nebraska.

Samuel H. Reesman to be postmaster at University Place, in the county of Lancaster and State of Nebraska.

Edward B. Richardson to be postmaster at Ulysses, in the county of Butler and State of Nebraska.

NEVADA.

Theodore R. Hofer, jr., to be postmaster at Carson City, in the county of Ormsby and State of Nevada.

NEW JERSEY.

George W. Pollitt to be postmaster at Paterson, in the county of Passaic and State of New Jersey.

NEW MEXICO.

Frank A. Hill to be postmaster at Raton, in the county of Colfax and Territory of New Mexico.

NEW YORK.

Clarence M. Alvord to be postmaster at Livonia, in the county of Livingston and State of New York.

Edward A. Cowles to be postmaster at Patchogue, in the county of Suffolk and State of New York.

William L. Fuller to be postmaster at Ellenville, in the county of Ulster and State of New York.

John F. Heim to be postmaster at Lancaster, in the county of Erie and State of New York.

Myron H. Kinsley to be postmaster at Kenwood, in the county of Madison and State of New York.

John H. McGrath to be postmaster at New Lebanon, in the county of Columbia and State of New York.

Solomon A. Royce to be postmaster at Liberty, in the county of Sullivan and State of New York.

Anna V. T. Smith to be postmaster at Bronxville, in the county of Westchester and State of New York.

Oliver H. Tuthill to be postmaster at Rockville Center, in the county of Nassau and State of New York.

William Watson to be postmaster at Warsaw, in the county of Wyoming and State of New York.

Francis Worden to be postmaster at Coxsackie, in the county of Greene and State of New York.

OHIO.

Louis A. Koons to be postmaster at Massillon, in the county of Stark and State of Ohio.

James E. Melville to be postmaster at Sandusky, in the county of Erie and State of Ohio.

Thomas G. Moore to be postmaster at Barnesville, in the county of Belmont, and State of Ohio.

OKLAHOMA.

Adolph Bollenbach to be postmaster at Weatherford, in the county of Custer and Territory of Oklahoma.

Thomas D. Craddock to be postmaster at Wellston, in the county of Lincoln and Territory of Oklahoma.

OREGON.

William H. Leitner to be postmaster at Huntington, in the county of Baker and State of Oregon.

PENNSYLVANIA.

Luther M. Alleman to be postmaster at Littlestown, in the county of Adams and State of Pennsylvania.

Harry L. Cooper to be postmaster at Edenboro, in the State of Pennsylvania.

Daniel G. Engle to be postmaster at Marietta, in the county of Lancaster and State of Pennsylvania.

J. F. Fenstermacher to be postmaster at Mount Joy, in the county of Lancaster and State of Pennsylvania.

William H. Flora to be postmaster at Wrightsville, in the county of York and State of Pennsylvania.

John H. Glasser to be postmaster at Monaca, in the county of Beaver and State of Pennsylvania.

Granville F. Heathcote to be postmaster at Glen Rock, in the county of York and State of Pennsylvania.

Henry F. Hershey to be postmaster at Steelton, in the county of Dauphin and State of Pennsylvania.

Anne D. Moore to be postmaster at Avondale, in the county of Chester and State of Pennsylvania.

John W. Reese to be postmaster at Taylor, in the county of Lackawanna and State of Pennsylvania.

John Roland to be postmaster at New Holland, in the county of Lancaster and State of Pennsylvania.

James E. Rupert to be postmaster at Conneautville, in the county of Crawford and State of Pennsylvania.

Henry D. Ruth to be postmaster at Lansdale, in the county of Montgomery and State of Pennsylvania.

Samuel A. Smith to be postmaster at Indiana, in the county of Indiana and State of Pennsylvania.

Daniel Williams to be postmaster at Sharon, in the county of Mercer and State of Pennsylvania.

Delos A. Wright to be postmaster at Union City, in the State of Pennsylvania.

RHODE ISLAND.

Walter Price to be postmaster at Westerly, in the State of Rhode Island.

SOUTH CAROLINA.

Alonzo M. Folger to be postmaster at Easley, in the county of Pickens and State of South Carolina.

James W. Johnson to be postmaster at Marion, in the county of Marion and State of South Carolina.

SOUTH DAKOTA.

Joseph Kubler to be postmaster at Custer, in the county of Custer and State of South Dakota.

TENNESSEE.

Edwin C. Alexander to be postmaster at Elizabethton, in the county of Carter and State of Tennessee.

Gus Cate to be postmaster at Cleveland, in the county of Bradley and State of Tennessee.

George B. Henegar to be postmaster at McMinnville, in the county of Warren and State of Tennessee.

Sallie J. Massey to be postmaster at Sevierville, in the county of Sevier and State of Tennessee.

TEXAS.

J. B. Campbell to be postmaster at Alvarado, in the county of Johnson and State of Texas.

James I. Carter to be postmaster at Arlington, in the county of Tarrant and State of Texas.

Anderson L. Davis to be postmaster at Gonzales, in the county of Gonzales and State of Texas.

C. E. Dodge to be postmaster at Port Arthur, in the State of Texas.

Owen Ford to be postmaster at San Marcos, in the county of Hays and State of Texas.

Charles C. Littleton to be postmaster at Weatherford, in the county of Parker and State of Texas.

Marion D. Townley to be postmaster at Valley Mills, in the county of Bosque and State of Texas.

WASHINGTON.

George W. France to be postmaster at Hoquiam, in the county of Chehalis and State of Washington.

John O. Wilson to be postmaster at Cosmopolis, in the county of Chehalis and State of Washington.

WEST VIRGINIA.

Albert G. Holt to be postmaster at Kenova, in the county of Wayne and State of West Virginia.

John E. Houston to be postmaster at Davis, in the county of Tucker and State of West Virginia.

Charles M. Jenks to be postmaster at Tug River, in the county of McDowell and State of West Virginia.

WISCONSIN.

Henry J. Goddard to be postmaster at Chippewa Falls, in the county of Chippewa and State of Wisconsin.

Frank B. Goodhue to be postmaster at Whitewater, in the county of Walworth and State of Wisconsin.

Murdick W. McAskill to be postmaster at Glidden, in the county of Ashland and State of Wisconsin.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *April 27, 1904.*

[*Continuation of proceedings of legislative day of Tuesday, April 26.*]

The recess having expired, the House reassembled at 10 o'clock a. m., and was called to order by the Speaker.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed with amendments the bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes.

The message also announced that the Senate had passed without amendment bills of the following titles; in which the concurrence of the House of Representatives was requested:

H. R. 12899. An act constituting Coal City, Grundy County, Ill., a port of delivery; and

H. R. 7264. An act to provide for the construction of a lighthouse and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras.

The message also announced that the Senate had passed bills

of the following titles; in which the concurrence of the House of Representatives was requested:

S. 5462. An act for the relief of Joseph W. I. Kempa, executor of the last will and testament of William J. Grutza, deceased;

S. 5504. An act to amend an act entitled "An act to authorize the counties of Sherburne and Wright, Minn., to construct a bridge across the Mississippi River," approved March 29, 1904;

S. 4352. An act relative to fees and commissions on final entry or commutation of homestead entries; and

S. 4713. An act to authorize the Spuyten Duyvil and Port Morris Railroad Company and its lessee, the New York Central and Hudson River Railroad Company, to build and maintain bridges or other structures for their railroad across the Spuyten Duyvil Creek and the Harlem River north of the Harlem River pier and bulkhead lines as now established in the city of New York.

The message also announced that the Senate had passed with amendments bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 14093. An act to incorporate the Carnegie Institute of Washington.

MILITARY ACADEMY BILL.

Mr. PARKER. Mr. Speaker, I ask unanimous consent that the House disagree to the amendments of the Senate to the bill (H. R. 13860) making appropriations for the Military Academy for the year ending June 30, 1905, and ask conference with the Senate.

The SPEAKER. Without objection, the Senate amendments to this bill will be disagreed to and a conference with the Senate requested. Is there objection?

There was no objection.

The SPEAKER announced the appointment of Mr. PARKER, Mr. MONDELL, and Mr. SULZER as conferees on the part of the House.

LEAVE OF ABSENCE.

Mr. CUSHMAN, by unanimous consent, obtained leave of absence for the remainder of the session, on account of important business.

BRIDGE ACROSS CONNECTICUT RIVER, MASSACHUSETTS.

The SPEAKER. The Chair lays before the House a Senate bill, a House bill similar thereto being now on the Calendar.

The Clerk read the bill (S. 5557) to authorize the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, to construct a bridge across the Connecticut River between Chicopee and West Springfield, in said county and Commonwealth.

Mr. LAWRENCE. Mr. Speaker, a House bill which has been favorably reported by the Committee on Interstate and Foreign Commerce is identical in terms with this Senate bill, or, rather, it will be after the adoption of a few verbal amendments to this bill. I move to amend the bill, as follows:

On page 3, in line 11, strike out "two" and insert "one."
On page 3, in line 12, strike out "six" and insert "three."

The amendments were agreed to.

Mr. LAWRENCE. This bill is now identical with the House bill.

The bill as amended was ordered to a third reading, read the third time, and passed.

On motion of Mr. LAWRENCE, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER. The gentleman understands that this bill, being now amended, will have to go back to the Senate.

Mr. LAWRENCE. Yes, sir; for concurrence in the amendments.

The SPEAKER. The gentleman does not desire at this time to ask for a conference?

Mr. LAWRENCE. No; the Senate will undoubtedly concur in the amendments.

The SPEAKER. Without objection, House bill No. ——, identical in its provisions with the present bill, will lie on the table.

There was no objection.

WITHDRAWAL OF PAPERS.

Mr. CAPRON, by unanimous consent, obtained leave to withdraw from the files of the House papers in the case of James H. Rickard, no adverse report having been made thereon.

ORDER OF BUSINESS.

Mr. BABCOCK. I desire to call up for present consideration several conference reports now on the Speaker's table in relation to District bills.

JOINING OF KALORAMA AVENUE.

The first business was the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 127, "An act authorizing the joining of Kalorama avenue."

The statement of the House conferees, which, together with the report, will be found in the House proceedings of Tuesday, April 26, was read as follows:

The Senate recedes from its disagreement to the amendment, which leaves the measure identically as passed by the House.

The conference report was agreed to.

WIDENING OF V STREET NW.

The next business was the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 2621, "An act for the widening of V street NW."

The statement of the House conferees, which, with the report, will be found in the House proceedings of Monday, April 26, was read, as follows:

The Senate recedes from its disagreement to the amendment, which leaves the measure identically as passed by the House.

The conference report was agreed to.

CONNECTING HIGHWAYS, ZOOLOGICAL PARK.

The next business was the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2710) for the opening of connecting highways on the east and west sides of the Zoological Park, District of Columbia.

The statement of the House conferees, which, together with the conference report, will be found in the House proceedings of Monday, April 26, was read, as follows:

The Senate recedes from its disagreement to the amendment, which leaves the measure identically as passed by the House.

The conference report was agreed to.

TO CONNECT EUCLID PLACE WITH ERIE STREET.

The next business was the conference report on the bill (S. 2134) to connect Euclid place with Erie street.

The Clerk read the statement of the House conferees.

[For conference report and statement, see RECORD of April 26, 1904.]

The conference report was agreed to.

EXTENSION OF ALBEMARLE STREET.

The next business was the conference report on the bill (S. 3869) for the extension of Albemarle street.

The Clerk read the statement of the House conferees.

[For conference report and statement, see RECORD of April 26, 1904.]

The conference report was agreed to.

JAMES M. SHACKELFORD.

Mr. CURTIS. Mr. Speaker, at the request of the chairman of the Committee on Indian Affairs [Mr. SHERMAN], I ask unanimous consent for the present consideration of the bill (S. 3182) to pay certain Choctaw (Indian) warrants held by James M. Shackelford.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to pay, from the funds in the Treasury belonging to the Choctaw Nation of Indians, two Choctaw warrants for $1,250 each, Nos. 12 and 19, dated, respectively, October 13, 1899, and December 16, 1899, and issued to James M. Shackelford, the owner, for legal services he rendered as the attorney of the Choctaw Nation.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

On motion of Mr. CURTIS, a motion to reconsider the last vote was laid on the table.

SESSION CLERK TO COMMITTEE ON PRIVATE LAND CLAIMS.

Mr. HILDEBRANT. Mr. Speaker, I desire to present a privileged report from the Committee on Accounts.

The Clerk read as follows:

Resolved, That so much of House resolution adopted December 17, 1903, as authorized the appointment of a clerk to the Committee on Private Land Claims at a compensation of $6 per day, to be paid from the contingent fund of the House, shall remain in force until the close of the present fiscal year.

The SPEAKER. The question is on agreeing to the resolution.

Mr. MADDOX. Mr. Speaker, I should like to inquire what the action of the House was upon which this is based?

Mr. HILDEBRANT. What is the gentleman's inquiry?

Mr. MADDOX. What does this mean? In other words, you refer to an act of the last Congress. What is that act?

Mr. HILDEBRANT. Mr. Speaker, I ask that the report of the committee be read.

The SPEAKER. The Clerk will read the report of the committee.

The Clerk read as follows:

The Committee on Accounts begs leave to state that, at the beginning of the present session of Congress, the usual resolution was reported by the Committee on Accounts and adopted by the House, assigning to certain committees the session clerks allowed by law. Provision is made in the legislative, executive, and judicial appropriation bill for the present fiscal year for

the payment of these clerks until the close of the fiscal year. For a long time it has been customary to assign one of these session clerks to the Committee on Private Land Claims, but when the assignments were made early in the present session of Congress the Committee on Private Land Claims was omitted. Subsequently it was decided to give the Committee on Private Land Claims a clerk, to which it had long been entitled, but it was then too late to make provision for same in the legislative, executive, and judicial appropriation bill for the next fiscal year, so a resolution was passed giving to that committee a clerk for the session only. The accompanying resolution places said clerk on an equal footing with the other session clerks who are provided for by law, which we think is only just and fair, and we therefore recommend its adoption.

Mr. MADDOX. Mr. Speaker, is this a clerk for the Committee on Private Land Claims?

Mr. HILDEBRANT. Yes; it is to put the clerk of the Private Land Claims Committee on an equal footing with the session clerks of the other thirteen committees that were assigned here some two or three months ago.

Mr. MADDOX. Can you tell me how many employees we have in the service of the House now?

Mr. HILDEBRANT. I do not know. I have never made a computation to determine.

Mr. MADDOX. How many bills are there before the Private Land Claims Committee?

Mr. HILDEBRANT. I can not tell that, either.

Mr. MADDOX. What is this clerk expected to do from now until the next session?

Mr. HILDEBRANT. He is expected to perform the work of the clerk of the Committee on Private Land Claims, and he has been one of the clerks assigned to the thirteen different committees of the House heretofore, but because of some misunderstanding in the Committee on Accounts he was eliminated from that list. We are now endeavoring to put him on the same footing and the same basis with the other session clerks.

Mr. MADDOX. Does the gentleman say that this clerk is really needed for the interests of the committee?

Mr. HILDEBRANT. I believe so. The chairman of the committee tells me so. I take the gentleman's word for it.

Mr. BARTLETT. Mr. Speaker——

The SPEAKER. Does the gentleman yield to the gentleman from Georgia?

Mr. HILDEBRANT. I do.

Mr. BARTLETT. Mr. Speaker, this matter is very easily explained, and it is not what my colleague [Mr. MADDOX] thinks it is.

Mr. MADDOX. I have not expressed any opinion about it, Mr. Speaker.

Mr. BARTLETT. I know that.

Mr. MADDOX. I am just simply trying to find out something about it.

Mr. BARTLETT. Then I will tell you. I think I can explain the matter to my colleague so that there will be no serious objection to it.

Early in February the Committee on Accounts, as we are accustomed to do, assigned to the various commit ees the session clerks. By some oversight it so happened that the Committee on Private Land Claims did not have any session clerk assigned to it, as had been the custom to do for many Congresses prior to this.

A subsequent resolution was introduced, by which a clerk was assigned to that committee for the session. That resolution was passed after the legislative, executive, and judicial appropriation bill, which carried the pay for all the session clerks, had been passed by the House. Under a rule of the disbursing officer of this House, and under the terms of the law, which is upheld by the Auditor of the Treasury, all session clerks are entitled to draw pay until the end of this fiscal year, the 30th of June; so that all the session clerks of all the committees except this one will draw pay under that construction of the law made by the disbursing officer and upheld by the Auditor of the Treasury, until the 30th of June, 1904. This one will not draw, because he is not provided for in the legislative, executive, and judicial appropriation bill. This resolution simply proposes to cure that, and put this clerk upon the same footing as all other session clerks are, which seemed to us to be eminently fair to that clerk. So far as the assignment of a clerk to the Committee on Private Land Claims is concerned, that matter has long since been disposed of favorably by the House. By the passage of a resolution by the House some time early in March this committee was assigned a clerk. This resolution does not propose to give a clerk to the committee. It simply proposes to permit payment to this clerk, just like all other session clerks are paid. That is this resolution.

Mr. MADDOX. Will the gentleman yield to me, so that I may ask my colleague a question?

Mr. BARTLETT. I yield to the gentleman.

Mr. MADDOX. How many clerks or employees have we now in the House?

Mr. BARTLETT. I can not tell the gentleman from memory. The roll is accessible, and I will obtain it for him. However, I may say that there are thirty-three committees that have clerks.

Mr. MADDOX. I wanted to find out how many session and how many annual clerks there were on the roll.

Mr. BARTLETT. I think there are some thirty-three or thirty-five committees that have annual clerks and thirteen that have session clerks. This will make the fourteenth session clerk.

Mr. MADDOX. Is this an annual clerk?

Mr. BARTLETT. No; he is a session clerk.

Mr. MADDOX. Only a session clerk.

Mr. BARTLETT. And this clerk was assigned in February, and his pay ends on the 30th of June.

Mr. STEPHENS of Texas. Will the gentleman yield to me for a question?

Mr. BARTLETT. Certainly.

Mr. STEPHENS of Texas. I have the honor to belong to one of those appropriation committees that never meet—Expenditures of the Department of Justice.

Mr. BARTLETT. You mean the Committee on Expenditures of the Department of Justice.

Mr. STEPHENS of Texas. I know so little about the committee that I do not even know its name. We have never had a committee meeting, and yet I have been told by a gentleman that he was the clerk of that committee, and I would like to know whether we have a clerk to that committee.

Mr. GILBERT. Mr. Speaker, I object to this resolution.

The SPEAKER. It is not subject to objection. It is a privileged resolution.

Mr. GILBERT. I thought we were proceeding under unanimous consent.

The SPEAKER. We are not.

Mr. BARTLETT. I want to answer my friend from Texas. The gentleman stated that he had been told by a gentleman that he was the clerk of that committee. The Committee on Accounts have not provided it with a clerk. Doubtless the chairman of the committee has his own private secretary, who acts as clerk to the committee, and that is the clerk the gentleman doubtless has referred to. The gentleman who told my friend from Texas he was a clerk was the private secretary of the chairman. Now, as this is near the end of the session, if I may be permitted to say to the House and to my friends on this side, in the Committee on Accounts we have endeavored—I refer not only to the minority, but to the majority members as well—to comply with what we understood to be the wishes of the Speaker and the House, to be as economical as possible in the expenditures out of the contingent fund.

We may have varied from that a little; but whenever we have done so we have done that in the interest of the comfort and with a view of aiding the Members of the House in the disposition of public business and the business of their constituents. [Applause.] So far as I am concerned, I have no apologies to make for it. Whenever it has been properly submitted to the committee that the public business of the House and the business which Members have been sent here to transact, the business of their constituents, could be expedited by a proper expenditure from the contingent fund, they have been indorsed and upheld by the committee. I think there has not been a case when either the majority or minority members have acted otherwise than with that view and purpose. [Loud applause.]

The question was taken, and the resolution was agreed to.

ASSISTANT FOREMAN IN FOLDING ROOM.

Mr. HILDEBRANT. I submit the following resolution.

The Clerk read as follows:

Resolved, That the Doorkeeper of the House is hereby authorized and directed to appoint George E. Printy as successor to the person named in the resolution adopted by the House February 6, 1900, as assistant foreman in the folding room, pursuant to the act approved February 25, 1903.

The resolution was agreed to.

JANITOR TO THE COMMITTEE ON INDUSTRIAL ARTS AND EXPOSITIONS.

Mr. HILDEBRANT. Mr. Speaker, I submit the following resolution.

The Clerk read as follows:

Resolved, That the provisions of the resolution of the House adopted February 28, 1901, authorizing the employment of a janitor by the Committee on Industrial Arts and Expositions be, and the same is hereby, made to become effective from the date of the appointment by said committee.

The amendment recommended by the committee was read, as follows:

In line 2 strike out the word "February" and insert the word "January."

The amendment was agreed to.

The resolution as amended was agreed to.

CARNEGIE INSTITUTION OF WASHINGTON.

The SPEAKER laid before the House the bill (H. R. 14093) to incorporate the Carnegie Institution of Washington, with Senate amendment, which was read.

Mr. BABCOCK. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

REGULATION OF PUBLIC LANDS RELEASED AND EXCLUDED FROM PUBLIC FOREST RESERVATIONS.

Mr. LACEY. Mr. Speaker, before offering the bill (H. R. 13633), I would like just a word of explanation. I called this bill up two or three days ago, and it was objected to by the gentleman from Texas [Mr. STEPHENS]. He suggests an amendment to the bill, which is entirely satisfactory, and I ask again unanimous consent for its present consideration. I would like to say that this bill has been prepared by the land commission consisting of Governor Richards, Mr. Pinchot, and Mr. Newell, and it relates to the publishing of notice when land which has been withdrawn from entry for forest purposes and shall again be restored to such entry, requiring that there shall be sixty days' notice before it can be located on in any way except by homesteaders. It gives homesteaders that much of preference. Mr. Speaker, I now ask unanimous consent for the present consideration of the bill.

The SPEAKER. The gentleman from Iowa asks unanimous consent for the present consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 13633) to regulate the disposal of public lands released and excluded from public forest reservations, and for other purposes.

Mr. STEPHENS of Texas. Mr. Speaker, reserving the right to object and also to offer an amendment, I desire to explain the conditions of the bill.

The SPEAKER. This bill has been once read to the House, and without objection the reading of the bill will be dispensed with. The Chair hears no objection.

Mr. STEPHENS of Texas. Mr. Speaker, I would like unanimous consent to offer an amendment, to have it read, and explain the amendment.

The SPEAKER. Is there objection to the consideration of the bill? [A pause.] The Chair hears no objection.

Mr. LACEY. Mr. Speaker, now I yield to the gentleman from Texas to offer an amendment.

The SPEAKER. The Clerk will read the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Amend by adding at the end of the bill the following:

"*Provided, however*, That said ninety days' limitation shall not apply to selections made by homestead settlers who have not transferred or assigned their right of selection."

Mr. STEPHENS of Texas. Mr. Speaker, the object of this amendment, I will state, is to protect parties who have surrendered to the Government their homesteads upon a permanent timber reserve. Under the act of 1891 the President of the United States had the right to withdraw lands from the public domain and lock them up in permanent forest reserves, and settlers living on the lands when the reserve was created have the right to exchange them for lands outside of the reserve. The Secretary of the Interior, by Executive-made law, has locked up in temporary timber reserves 40,000,000 acres of land, situated in different portions of the United States. The settlers, who have, by the act creating permanent forest reserves, the right to exchange their land for other public lands, are prevented from going on these temporary reserves for the purpose of taking their lieu lands. Now, this bill provides that homestead settlers shall have the right to go upon temporary reserves and locate the same amount of land that they yielded up to the United States on the permanent reserves.

Without the amendment I have offered I should have objected to this bill, but with the amendment we protect the men who have surrendered to the United States their land with the legal right to select and acquire other lands on any portion of the public domain. We would have been violating a plain contract with these settlers had this amendment not gone on this bill. These men surrendered their land for the purpose of getting other public lands of the United States in lieu thereof, and it would be unjust by an Executive order to withdraw portions of the public lands from settlement and thus violate at least a plain, implied contract with these homestead settlers.

Mr. Speaker, my objections to the temporary forest reserves are many, and the map showing the large area of the reserves applies the principles involved as illustrated by the map of California and with equal force to similar conditions in other States and Territories. Much public feeling and bitter hostility toward the Secretary of the Interior and this Administration, and even severe criticism of the Forest Reserve Bureau, has been caused of late by the fact that immense areas of land were included in the late temporary reserves without any prior examination as to the status of the title of the lands therein. In California they embrace many townships where the greater part of the public lands have already been disposed of, and they embrace most of the lands of the Central Pacific and the Oregon and California railroads. They are blanket reserves in districts where nearly all of the lands have been disposed of. The President is authorized by the act of 1891 to create forest reserves, and over 60,000,000 acres of land are now so reserved. This provision is considered sufficient protection for the remaining timber.

Whenever reserves can be formed without taking from settlement, cultivation, and use lands that are more valuable for settlement than for forest reserves, and where such lands have not already been largely entered, it is generally conceded to be a necessary and desirable movement on the part of the Government. But the creation of the temporary reserves is a great evil. The various counties having forest in their borders fear that large tracts will be withdrawn from taxation, and that bankruptcy will stare them in the face.

Large sums of money have been spent by many counties to attract settlers; but these reserves will drive away and prohibit settlement.

Many settlers, foreseeing this weakening of the counties' finances, are withdrawing and going elsewhere; and merchants fear for their outstanding lines of credit and for the capital they have invested. Hotel keepers and all others dealing in the counties are involved in these losses, instead of the landowner alone. The act is radical and destructive to scores of interests.

Mr. Speaker, any radical reform, such as the forest-reserve policy, causes hardships to individuals even when carefully handled, and the Government should therefore avoid irritating people unnecessarily, for the success of the project depends ultimately upon the cooperation of the whole nation. The landowners are not in favor of reserves even if their right of exchange is preserved. The number who accept the proposition to surrender their holdings is small. Out of 62,000,000 acres of reserves only about 1,260,000 have been selected. Deduct from this amount the selections made by the railroads and by the State school lands, and the remainder or private lands is very small.

Some of the reasons for this small selection by private owners are as follows: Few landowners know where to look for lands that are open, especially lands of equal value to those they now own. They prefer to live where they are. Old age, infirmity, and lack of means prevent them from hunting up other lands. They prefer to live on a ranch than to have the money, and will not therefore sell to speculators. They will remain until they can improve their situation by an exchange. Even the certainty of getting something just as good is no inducement at all to break up home and begin again. The settler, sawmill man, speculator, or other investor always leave well enough alone until something better appears, and each of these classes will hold what he has unless an advantage is shown him to induce him to exchange.

Mr. Speaker, under the present conditions many homestead settlers are afraid to attempt to exchange their lands. Under the present wholesale suspensions they fear that they can not make an exchange without having the papers held up indefinitely, or, under the general cry of fraud, that they may become involved in delays, annoyances, and suspicions of every kind.

The rumor has spread that the Secretary of the Interior proposes to leave the temporary forest reserves intact until he can secure the repeal of the forest-lieu law. Suspense will breed still further rumors injurious alike to the Administration, to the Forest Reserve Bureau, and to the public. Other rumors are that they will be juggled out of their ownership and out of their rights.

This suspense should be removed as soon as possible, so that they may know what lands are to be reserved and what restored to the public domain.

The rumor is that the Government expects to bulldoze the owners in these new reserves out of their holdings by offering them scrip for what they own and then make it impossible for them to use it.

It is said also that it was part of the plan in making these temporary reserves to scare the people so as to stop the sale of scrip.

It is claimed that speculators are trying to have these reserves made permanent, so as to secure vast quantities of scrip.

If the Commissioner would examine the United States Land Office records and reserve only those tracts which are partially selected, or where only a portion of the lands have been disposed of, there would be no opposition.

Where the people are in suspense and know not what to expect or just what to fear, they are apt to be "forninst the Government." Where townships are released, the people there will have no interest against the repeal or other legislation.

Wherever there is dissatisfaction, there all enemies of permanent reserves find a hotbed ready for the planting of seed of dissatisfaction against the administration of the forestry laws. The landowners and laboring people claim that these temporary reserves were made in the interest of scrip men and speculators, and I believe that they are right in their contention.

Prompt restoration where the greater part of the lands have already been disposed of or are in the railroad grants will do

much to allay the present strained conditions, and all temporary reservations should be promptly abandoned and the land restored to the public domain.

Mr. Speaker, I offer the amendment to the bill now under consideration on behalf of numerous persons interested in the subject, and I desire to call your attention to this legislation affecting, as it does, the land laws of our country.

Mr. Speaker, I insist that homestead settlers under the act of June 4, 1897, have existing vested rights, and in the interest of justice and for the better and more certain protection of these vested rights, and to the end that doubts and litigation may be averted, and for the sake of public repose, any legislation on the subject of forest reserves should embody a clear, positive, and explicit saving of rights acquired. The right of selection is given in exchange for a complete and indefeasible claim and is founded upon a vested legal title. The provision of the statute of June 4, 1897, under which persons have surrendered land to the Government, is as follows:

That in cases in which a tract covered by an unperfected bona fide claim or by a patent is included within the limits of a public forest reservation the settler or owner thereof may, if he desires to do so, relinquish the tract to the Government, and may select in lieu thereof a tract of vacant land open to settlement not exceeding in area the tract covered by his claim or patent; and no charge shall be made in such cases for making the entry of record or issuing the patent to cover the tract selected: *Provided further*, That in cases of unprotected claims the requirements of the laws respecting settlement, residence, improvements, etc., are complied with on the new claims, credit being allowed for the time spent on the relinquished claims.

It will be observed that this statute invites the owners or claimants of land included within reservations to convey them to the United States, assuring to every such owner or claimant an equal area of public land to be selected by himself. The purposes of this act and the reasons dictating the policy therein embodied are sufficiently obvious. The Government desired to obtain as much as possible of the area included by the boundaries of the reservations. The proposal held out by the statute was in the interest of the public, and the pledge of equivalent indemnity, to be selected from lands of the United States, was offered as an inducement by which private owners might be moved to surrender their property to the Government for the benefit of the Government.

There are individuals who have responded to this invitation of the United States and have conveyed their lands to the Government in reliance upon the statutory pledge of equivalent area. They have not yet made their selections of public land in satisfaction of their claims to indemnity. No legislation amendatory of the act of 1897 should abridge their right of selection or embarrass or burden the exercise of that right under the statute.

Rights acquired under the existing law should not be prejudiced by any change of policy. Any amendatory measure should make just provisions for persons who have heretofore surrendered their property to the United States and acquired the privilege of claiming an equal area of public land under the laws now in force.

It is and has been no part of the statutory scheme to require that the surrender of the claimant's land and his selection of equivalent public land should be done at the same time. By his conveyance of land within a reservation to the United States the owner acquired a right to select another tract, but it is not, under the act, necessary that this right should be exercised at once or within any limited period. Nor would any useful purpose be subserved by requiring an immediate selection or by limiting the time for selection. These people have undoubtedly been within their rights in forbearing to claim the indemnity to which they are entitled by reason of their conveyance to the Government, and there is no reason why they should be prejudiced by their delay.

No alteration should be made in the law by which the right of selection by those who have previously surrendered their lands shall be limited or made more burdensome. If novel restrictions, imposed at this time, should be made to apply to cases in which the right to select has been heretofore acquired, the effect would be to lay a penalty upon every man who has delayed to exercise his right of selection. As the law existing at the date of surrender did not require or suggest expedition in the matter of selection, and as the public interest would not be advanced by hastening selections, there is no reason why delay in selecting should be visited by any penalties.

It would be obviously unjust by amendatory provisions enacted after lands were surrendered to restrict or embarrass the right of selection. Such a provision would present all the odious features which characterize most retroactive laws and make that kind of legislation so universally disapproved.

The act of 1897 embodies a proposed contract between the United States on the one part and the owner of reservation land on the other. In consideration of the conveyance of the individual's land to the Government, the Government agrees to permit the selection of an equivalent area upon defined terms. These certain defined terms, as fixed in the act of 1897, are very liberal, and no doubt were designedly made so in order to afford the stronger inducement to surrenders. The conveyances heretofore made have been moved by the liberality of the statute in the matter of the selections, and to limit the right of selections as held out in the statute would be an exercise of bad faith toward those who have been induced by the statutory proffer to accept the proposal of the Government.

The wide and unburdened right of selection was the consideration for the contract on the part of the United States, and now that the consideration on the part of the individual has been performed by him the United States can not justly recede from or diminish its own proffer. As to the individual it is an executed contract, and it is not competent for the other party to vary the consideration.

The surrenders made under existing laws have been made in reliance upon the broad right of indemnity guaranteed by the act of 1897, and the individuals have acquired the right of selection by that act.

A statute passed now and limiting the freedom of the individual's choice would be simply a repudiation of the contract entered into by the Government and performed by the individual.

The execution by the individual of the contract on his part confers upon him a vested right, the right to insist upon the performance on the part of the Government according to the terms of the original contract and not according to such terms as may afterwards at the pleasure of the other party be modified.

As a matter of morality such a case is clear beyond doubt. As a matter of law between private parties the rule is equally clear. A party can not recede from it or vary his offer after that offer has been accepted by the other party and the conditions performed.

The rule is well settled that when land is made by statute subject to entry, and an individual has complied with all the statutory requirements so as to enable himself to make such entry, a repeal of the statute will not defeat the right of such an individual to claim the land. (Frisbie *v.* Whitney, 9 Wall., 187; Shepley *v.* Cowen, 91 U. S., 338; Campbell *v.* Wade, 132 U. S., 34; Yosemite Valley Case, 15 Wall., 77; Bridge Co. *v.* R. R. Co., 92 U. S., 515.)

A similar rule is applied to cases where contracts are made and executed under a statute which is afterwards repealed. (Steamship Co. *v.* Joliffe, 2 Wall., 450; Steamship Co. *v.* United States., 102 U. S., 721.)

Individuals have conveyed their property to the United States upon a statutory pledge of other lands to be selected upon conditions defined in the same statute. These conveyances can not now be recalled by the grantors, and no condition of law exists whereby the lands can be reconveyed to those grantors. The Government holds this property inalienable and would not give it back even if it were considered desirable to do so. If, now, the grantors are not to be permitted to make their indemnity selections upon the terms laid down in the original statute, they are tricked and deceived without remedy.

Should the act of 1897 be repealed without provision for the exercise of rights of selection acquired while the statute was in force, then the Government has obtained valuable property without consideration and in violation of its solemn promise of equivalent.

If the right of selection is burdened by novel conditions and hampered by restrictions additional to those prescribed by the law in force when the surrenders were made, then there is a repudiation pro tanto of the obligations assumed in the first place by the Government, and the grantors under the statute are forced to accept something else than the consideration which has induced their surrenders. In either event there is an impairment of vested rights which violates both moral principles and constitutional law.

It is highly probable that these rights acquired under the law can be enforced, even should Congress fail to make express saving of them in its legislation on the subject. It is scarcely conceivable that the courts should countenance an implied or even an expressed repudiation by Congress of such obligations.

It is most desirable that any new statute enacted at the present time should make clear provisions for the protection of the rights heretofore acquired.

The best legislation is that which not only creates no doubts, but leaves no room for doubts.

In dealing with the substantial and valuable rights such as this selection under existing law nothing should be left in construction or argument which can be safely guarded by express provision.

On general and obvious principles it is better that any legislation upon any subject should be, so far as possible, complete in itself, dealing expressly with all phases of the subject and leaving as little as possible to be suplied by inference, analogy, or intendment, especially where an omission may give rise to litigation, controversy, or even doubt.

There is the possibility that some of the officials charged with the administration of the land laws may be troubled by doubts as to the status of claims acquired under existing laws. The silence

of Congress in the enactment of repealing or amendatory legislation might be regarded as at least ambiguous, and would certainly impose upon the executive officers a responsibility of deciding which may well be avoided. It is even possible that the omission of a new statute to provide for rights under the old might give rise to a difference of opinion, and that one or more erroneous decisions might be made by officers who deal with such rights in the first instance. Under such circumstances there may be made necessary arguments, appeals, and even litigation accompanied by delay, expense, and vexation. The possibility of such untoward results seems sufficient reason for suggesting that Congress should present them by a positive and explicit declaration which shall put rights acquired under the present laws beyond question. In dealing with the substantial and valuable rights such as this selection under existing law nothing should be left in construction or argument which can be safeguarded by express provision.

Mr. Speaker, it was obvious from the first that one of the greatest difficulties—indeed, the capital difficulty—in the scheme of forest preservation lay in the fact that many tracts of timber land had been sold by the United States and that any reservation of any extent, such as was needed for the success of the plan, would include within its outer boundaries more or less of such tracts which were in private ownership.

Scarcely any large body of land could be found which had not already attracted the attention of lumbermen with their mills, and capitalists seeking speculative investments, and every wooded region of the area and character required for the purposes of the forest-preservation policy had been invaded by individuals who had made entry of more or fewer tracts and reduced them to private ownership and dominion. Where such tracts had been patented, and even where only inchoate rights had attached to them, the Government could not, of course, declare them in reservation.

The owners of patches of land interspersed through the forest had rights impossible to be ignored, limited, or even practically regulated. They must have access to their land, the unrestricted use of it for any purpose, reasonable or unreasonable, and no supervision or surveillance could possibly be exercised over them.

This meant that the reserved forest must be intersected by roads open to the public, that the private lands might be visited by any persons acceptable to the proprietors, and that any lawful occupation might properly be carried on in the heart of the public property, and also any unlawful enterprise made possible.

The existence of isolated parcels of ground within a reservation but owned by individuals, scattered at intervals over the reserved area, means constant trouble, friction, and damage, and would threaten the defeat of the purposes for which the reservation was designed. Spots of land surrounded by forest and remote from the body of population would afford refuge to lawless individuals and shelter for the meditation and execution of criminal enterprises.

The controlling purpose of the statute is to rid the reserved areas completely of all private holdings, without distinction as to class of persons or lands, and the integrity, the unbroken continuity, of the reserved area is essential to the success of the reservation policy.

The forest lieu is right in principle. The Government has no right to destroy the people's holdings by creating forest reserves and not giving compensation. The cheapest thing the Government can do is to give the people an equal quantity of land. If this is not done, there will be a public demand that the private lands be appraised and the Government pay therefor.

A proposition is made by the Government to the owner of the land inside the forest, by which, for the sake of reclaiming the forest tract, the Government offers the owner an equal area of public land, to be selected by the owner.

This law betrays no neglect of the most important need of the Government, and any amendments calculated to limit the benefits of the selection scheme would impair the completeness of the statute and derogate from its value to the public.

The simplicity of the scheme is perhaps the least of its advantages. The Government acquires land of which it stands in peculiar need, and it expends not a cent of money. It rids its forest of settlers who would at best be an annoyance and who might be effectively hostile to its policy and possibly transgressors of the law. It removes the settler from the forest, where he would be isolated, and plants him where he can be a useful member of the community. It accomplishes every purpose and meets every exigency of the forest policy, and the price paid is simply a tract of land which the United States offers gratis to every settler, or at most can sell for $2.50 an acre. The cheapest thing the Government can give the people is an equal quantity of land. If this is not done there will be a public demand that the private lands be appraised and the Government pay therefor. To eliminate private holdings by condemnation or purchase would be effective, but would involve delay, litigation, and an expense impossible to compute, but certainly enormous.

It is at least curious to note in this connection that all the bills introduced in the Fifty-eighth Congress for creating forest reserves in the East contain provisions for paying money for the lands, while restrictions and limitations are placed upon the right of even exchanging acre for acre by the people of the West.

Mr. Speaker, rights acquired under the existing law should not be prejudiced by any change of policy. Any amendatory measures should make just provisions for persons who have heretofore, surrendering their property to the United States, acquired the privilege of claiming an equal area of public land under the law now in force. The present law is the only one that gives the poor man a chance to buy timber lands. If the law is repealed and the disposal of timber lands is left to some Government Department, how can such lands be developed?

It will be observed that this statute invites the owners or claimants of land included within reservations to convey them to the United States, assures to every such owner or claimant an equal area of public land to be selected by himself. The purposes of this act and the reasons dictating the policy therein embodied are sufficiently obvious. The Government desired to obtain as much as possible of the area included by the boundaries of the reservations. The proposal held out by the statute was in the interest of the public, and the pledge of equivalent indemnity, to be selected from lands of the United States, was offered as an inducement by which private owners might be moved to surrender their property to the Government for the benefit of the Government.

Mr. Speaker, the experience of nearly ten years has proven so successful and so beneficial to the permanent forestry interest that this policy is more than ever acceptable to the people, and no backward step in this matter can meet with my approval. I therefore hope that my amendment to the bill under consideration will be adopted by this House. But, Mr. Speaker, I am unalterably opposed to the present temporary forest-reserve Executive-made laws, and I am alarmed, yea, amazed, at the tendency of the present Administration in setting aside and ignoring Congress and legislating by Executive orders. Congress alone, in my judgment, should dispose of the public domain, and, indeed, is the only power that can legally do so; yet at this moment 40,000,000 acres of public domain is withheld from settlement by Executive orders.

Again, Mr. Speaker, another Executive order has legislated into existence a service-pension law, and thus added to the public burden untold millions of dollars. Mr. Speaker, I could enumerate many other Executive orders that infringe upon the powers of Congress; but I will only notice one more, and that is a plain, open violation of law, and that is the action of the Secretary of the Interior in not placing in the Treasury of the United States the money arising from the sale of the town lots in the towns of Hobart, Anadarko, and Lawton, in Oklahoma. More than $700,000 of this money has never been accounted for by him in a legal manner.

Although he has had the money in his hands more than three years, and although the law requires him to account to the Treasurer of the United States for it, yet, up to date he has not done so and is now proposing to expend this money in his own time and way and in utter disregard of law or of the rights of the towns in Oklahoma to which it belongs. Mr. Speaker, I desire, in the name of the people whom I represent on this floor, to register my protest against the alarming encroachments made by the executive branch of this Government on the powers granted by the Constitution to Congress, making it the only lawmaking body. Mr. Speaker, I desire to add as part of my remarks an editorial in the Washington Post, dated April 27, 1904:

"POSTPONED UNTIL AFTER ELECTION."

A number of Republican organs of varying caliber are pointing with pride, that must be affected, to the work that will have been accomplished by the Fifty-eighth Congress at the end of its first regular session. If to have refrained from doing irreparable mischief be worthy of glorification, the laudation of those organs is in order. If to have put off to the more convenient season, that will probably never come, most of the business that belonged to this session be commendable, let the organs go on piping their praise. It can not justly be said that the Fifty-eighth Congress has done many things that it ought not to have done, but it has assuredly left undone much work that it ought to have done. And the pendency of a national election is the only excuse vouchsafed.

If this Congress at this session was under any obligation to the country to do anything at all beyond passing appropriation bills to keep the machinery of government in operation for the next fiscal year, it was bound to mature and enact legislation for the reform of our wretched hodgepodge of currency laws. Postponement of that duty had been carried far beyond the safety limit, and equally beyond excuse, long before this Congress met. That is the opinion of the ablest financiers, irrespective of party. That was the opinion expressed by the chairman of the Senate Finance Committee before the end of the Fifty-seventh Congress.

This Congress came in pledged to tariff revision. The session will close with that duty untouched. It is a clear violation of good faith, a surrender to the standpatters in the interest of the few against the many. There can be no tariff legislation at the next session, for no time will be available for that purpose. Should the Democrats get control of the next House as a result of the pending canvass, when will tariff revision be possible?

Besides those two great subjects, on which legislative action was due and expected from this session, there are many other matters of moment laid over "till after the election." That phrase records the situation of the ship-subsidy bill, statehood, rivers and harbors, immigration, the Smoot case, impeachment of Swayne, labor bills, land leases, and other propositions—all put off for political reasons, all evaded, not for lack of time, but for want of courage.

If this sort of thing goes on—if it becomes, as bids fair to be the case, the unwritten law to postpone all but unavoidable legislation "until after election"—what will be the result? That question is worth considering. Under our Constitution and statutes every House of Representatives is on the eve of an election when the first session of a new Congress convenes. At that time the Representatives have been elected from thirteen to eighteen months, and the next election is staring them in the face. They have even more reason for timidity in the years between than in the Presidential years. Suppose timidity should continue to grow until "after the election" became the only time for Congress to do business, what would the country do?

We can see but one ray of hope. Executive legislation looms up as the last resort; either that or chaos.

I desire, Mr. Speaker, to extend my remarks in the RECORD on this question.

The SPEAKER. Without objection, consent is granted. [A pause.] The Chair hears none.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was read the third time, and passed.

On motion of Mr. LACEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. LACEY. Mr. Speaker, I ask leave in this connection to extend remarks in the RECORD upon land laws relating to this subject.

The SPEAKER. Is there objection? [A pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 7718. An act for the relief of the estate of Artemus E. Gibson.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 3165) providing for second and additional homestead entries, and for other purposes.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 2319) to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras.

LIFE-SAVING STATION, TILLAMOOK BAY, OREGON.

Mr. HERMANN. Mr. Speaker, I ask unanimous consent for the present consideration of the following Senate bill for a life-saving station.

The SPEAKER. The gentleman from Oregon asks unanimous consent for the present consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (S. 2698) to establish a life-saving station at or near the entrance to Tillamook Bay, Oregon.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to establish a life-saving station at or near the entrance to Tillamook Bay, on the coast of Oregon, at such point as the General Superintendent of the Life-Saving Service may recommend.

Mr. MADDOX. Mr. Speaker, reserving the right to object, I would like to hear some explanation of this bill.

Mr. HERMANN. What does the gentleman desire to know?

Mr. MADDOX. What is it about this station?

Mr. HERMANN. I would state, Mr. Speaker, that this is to be a life-saving station at a point between the Columbia River and Yaquina Bay. There is no other life-saving station within about 50 miles to the north and another within about 50 miles to the south. This has been urgently recommended by the district engineer, and also by the superintendent of the life-saving stations. It has long been demanded by public necessity. Many wrecks have occurred there, together with occasional loss of life. It will protect the entrance, the shipping, and human life, and the safety of property at the mouth of two important harbors—to wit, Tillamook Bay and Nehalem Bay. The Government is asked to construct jetties at these two entrances, through which flow two large bodies of water. The splendid standing timber at the headwaters of Tillamook and Nehalem is unrivaled in the world for quality and has more quantity than is found in the same area in any other part of the world. With improved entrances no better harbors can be desired. Between these two harbors there is a well-beaten roadway along the sea beach, and it is supposed that one station will do for both of these points.

I will state that there is no objection whatever made by the Department and that the report of the committee is unanimous. I have personally visited these magnificent sections of Oregon, and have long advocated a first-class life-saving station at or near Tillamook Bay, and hope later on a Government telephone system between the two harbors will be established. I hope Congress will next enter upon a safe and sufficient improvement of these navigable waterways out to the high seas.

Mr. MADDOX. Will the gentleman yield to a question? What is the cost of this?

Mr. HERMANN. I will state that until this bill passes there will be no appropriation, Mr. Speaker, for this station.

Mr. MADDOX. Of course there will be some time?

Mr. HERMANN. Yes; there will be, I hope, soon. It will cost whatever is found necessary in the construction of the station and in its maintenance. I will state that it is my understanding that none of these stations cost over $10,000.

Mr. MADDOX. Has no estimate been made?

Mr. HERMANN. There is the usual estimate of $10,000, which will come in the appropriation bill when the appropriation shall be made. This it is expected will be made in the short session of Congress, so that the good work can go forward and be a credit to our coast.

Mr. MADDOX. Has this bill been referred to any committee of this House?

Mr. HERMANN. It has, and is unanimously reported by the Committee on Commerce.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. HERMANN, a motion to reconsider the last vote was laid on the table.

OAHU RAILWAY AND LAND COMPANY, TERRITORY OF HAWAII.

Mr. YOUNG. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 14500) to ratify and confirm the present right of way of the Oahu Railway and Land Company through the military reservation of Kahauiki, Territory of Hawaii, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the deeds from the authorities of Hawaii, dated the 29th day of April, 1903, and the 4th day of February, 1899, respectively, to the Oahu Railway and Land Company, conveying a right of way 40 feet wide for a railway of said company through the military reservation of Kahauiki, district of Kona, Oahu, Hawaiian Islands, be, and the same are hereby, ratified and confirmed.

The SPEAKER. Is there objection to the present consideration of the bill which the clerk has just reported? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. YOUNG, a motion to reconsider the last vote was laid on the table.

GENERAL DEFICIENCY BILL.

Mr. HEMENWAY. Mr. Speaker, I ask unanimous consent to take up the conference report on the general deficiency bill and to omit the reading of the report and to read in lieu thereof the statement of the conferees.

The SPEAKER. The gentleman from Indiana asks unanimous consent to call up the conference report on the general deficiency appropriation bill and to read the statement in lieu of the report. Is there objection?

Mr. UNDERWOOD. Mr. Speaker, reserving the right to object, I would ask if this is a unanimous report?

Mr. HEMENWAY. It is.

Mr. UNDERWOOD. Is much new legislation carried in it?

Mr. HEMENWAY. Oh, no; very little. I think the reading of the report will satisfy the gentleman.

The SPEAKER. Is there objection? [After a pause.] The Chairs hears none, and the Clerk will read the statement.

The Clerk read the statement.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes, having met, after full and free confer-

ence have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 13, 16, 25, 26, 27, 28, 29, 30, 40, 49, 51, 52, 53, 55, 60, 86, 92, 93, and 105.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 15, 17, 18, 19, 20, 21, 23, 24, 31, 33, 34, 35, 36, 37, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48, 50, 54, 56, 57, 58, 59, 61, 62, 63, 64, 65, 66, 67, 68, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 84, 85, 87, 88, 91, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, and 104; and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In line 4 of said amendment strike out the word "expended" and insert in lieu thereof the words "the close of the fiscal year nineteen hundred and five;" and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lines 4 and 5 of said amendment strike out the words "approved April —, nineteen hundred and four," and insert in lieu thereof the following: "passed during the present session of Congress;" and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In line 2 of said amendment, after the word "offices," insert the following: ", except such employees as were transferred by the Secretary of War to the military information division of the General Staff prior to April first, nineteen hundred and four;" and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In line 6 of said amendment strike out all after the word "States," down to and including the word "surplus," in line 7, and insert in lieu thereof the words "the proceeds;" and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In line 6 of said amendment strike out the word "first" and insert in lieu thereof the word "fourth;" and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and Senate Documents Numbered Two hundred and eighty-four, Two hundred and ninety-three, and Three hundred;" and the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "The accounting officers of the Treasury are hereby authorized and directed to reopen and adjust the claim of the State of Missouri, under the act to reimburse the State of Missouri for moneys expended for the United States in enrolling and equipping and provisioning militia forces to aid in suppressing the rebellion, approved April seventeenth, eighteen hundred and sixty-six, on the basis of like claims of Indiana, Michigan, New York, Maine, and Pennsylvania;" and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: Add at the end of said amendment, after the word "cents," the following: ", and the acceptance of payment hereunder shall be in full for all claims, of the character herein provided for, by the State of Texas;" and the Senate agree to the same.

J. A. HEMENWAY,
H. C. VAN VOORHIS,
L. F. LIVINGSTON,
Managers on the part of the House.

EUGENE HALE,
W. B. ALLISON,
H. M. TELLER,
Managers on the part of the Senate.

The statement of the House conferees is as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15054) making appropriations to supply deficiencies submit the following written statement in explanation of the effect of the action agreed upon as to such amendments and submitted in the accompanying conference report, namely:

The Senate by its amendments added $1,098,920.96 to the bill as it passed the House, of which sum it is agreed that the Senate recede from $819,809.18, and that the House agree to $270,111.78.

The amendments of the Senate, which added to the bill additional sums ascertained as deficiencies since the passage of the bill by the House, including claims allowed by the accounting officers of the Treasury, judgments of the courts, and certain amounts necessary on account of expenses of the Senate, are all agreed to. With reference to other amendments inserted by the Senate the following action is agreed upon:

On amendments numbered 1, 2, and 3: Strikes out two provisions which have been embraced in the sundry civil bill and transfers the consulate at Erzerum, Turkey, to Trebizond, Turkey.

On amendment numbered 5: Appropriates $5,000 as proposed by the Senate for medals to commemorate the birth of Benjamin Franklin.

On amendment numbered 6: Provides for the balance of the current fiscal year for the increase of the number of employees in the office of the assistant treasurer at St. Louis which are authorized for the next fiscal year, together with two additional coin counters from May 1 to November 30, 1904.

On amendment numbered 7: Strikes out the appropriation of $4,926.67 for payment to owners of the Norwegian steamship *Nicaragua*.

On amendment numbered 8: Appropriates $30,000, as proposed by the Senate, for fees and expenses for special assistant attorney-general in special investigation and prosecution of certain frauds upon the customs service.

On amendments numbered 13, 14, 15, 16, 17, and 18, relating to the District of Columbia: Strikes out the appropriation of $55.96 on account of Rock Creek Park; provides for the salaries authorized under the act to regulate electrical wiring in the District of Columbia; authorizes use of appropriation made for furniture for new school buildings for the equipment of such buildings; strikes out appropriation of $500 for underground drain for Congress Heights engine house, and appropriates $500 for deepening well for Congress Heights engine house.

On amendment numbered 24: Inserts the provision proposed by the Senate extending the time for two years for filing claims for property taken from Confederate officers and soldiers.

On amendments numbered 25, 26, and 27: Strikes out the appropriations proposed by the Senate of $8,524.10 for damages to steamer *Regnar*, $600 for damages to steamer *Hikoson Maru*, and $948.27 for damages to steamer *Shirley*.

On amendment numbered 28: Strikes out provision for credit in the accounts of Maj. George T. Holloway.

On amendment numbered 29: Strikes out provision for reimbursement to George W. Dant.

On amendment numbered 30: Strikes out appropriation of $500 for extra work for the description of ceremonies attending the unveiling of the statue of General Sherman.

On amendment numbered 31: Appropriates $3,500, as proposed by the Senate, for exhibition at the Louisiana Purchase Exposition of the model of the Capitol building.

On amendment numbered 32: Inserts provision authorizing the Secretary of War to rent electrical power generated by the power plant of the Rock Island Arsenal.

On amendment numbered 33: Inserts the provision transferring to the Navy Department certain records in other Executive Departments relating to the Navy.

On amendment numbered 40: Strikes out the appropriation of $6,280 for cold-storage plant at the Government Hospital for the Insane.

On amendments numbered 43 and 44: Appropriates $10,000, as proposed by the Senate, for testing timber at the Louisiana Purchase Exposition.

On amendment numbered 45: Appropriates $6,000 for the expenses of the joint committee of Congress to represent Congress at the formal opening of the Louisiana Purchase Exposition.

On amendments numbered 49, 51, and 52: Strikes out the provisions proposed by the Senate reappropriating the unexpended balance for Indian day and industrial schools; reappropriating the unexpended balance for construction, purchase, lease, and repair of Indian school buildings; and the appropriation of $1,000 to procure the relinquishment of an alleged claim within the reservation of the Mission Indians in California.

On amendment numbered 53: Strikes out the appropriation of $25,039.75 for the Grand Rapids and Indiana Railway Company.

On amendment numbered 55: Strikes out the appropriation of $100,000 for repairs to buildings at Ellis Island, New York.

On amendment numbered 59: Appropriates $20,000, as proposed by the Senate, for taking testimony abroad for the Spanish Treaty Claims Commission.

On amendment numbered 86: Strikes out the provision proposed

by the Senate authorizing the State of Massachusetts to appeal to the Comptroller for review of claims under the act of 1861.

On amendment numbered 89: Strikes out the appropriation of $475,198.13 for the State of Missouri and inserts a provision authorizing the accounting officers of the Treasury to reopen and reaudit the claim of said State under the act of April 17, 1866, on the basis of like claims of Indiana and other States.

On amendment numbered 90: Appropriates, as proposed by the Senate, $50,874.53 to pay the amount ascertained to be due the State of Texas on account of Greer County.

On amendment numbered 91: Inserts the provision proposed by the Senate authorizing the accounting officers to reopen and adjust the claims of New Jersey and Wisconsin on the basis of like claims of Indiana and other States.

On amendment numbered 92: Strikes out the provision proposed by the Senate authorizing the accounting officers of the Treasury to ascertain the amounts due Massachusetts, Maine, New Hampshire, Rhode Island, New York, and Pennsylvania according to the method adopted under the act of 1875 in the case of the State of Maryland.

On amendment numbered 93: Strikes out the appropriation, proposed by the Senate, of $195,260.43 to pay certain States amounts reported, under a resolution of the Senate, to the Fifty-fourth Congress.

On amendment numbered 94: Appropriates, as proposed by the Senate, $1,250 for the relief of the widow of General Longstreet.

On amendments numbered 95, 96, 97, 98, 99, 100, 101, 102, 103, and 104: Leaves in the bill the provision with reference to the exclusion of Chinese exactly as proposed by the amendments of the Senate.

On amendment numbered 105: Strikes out section 6 of the bill, proposed by the Senate, with reference to Chinese and other aliens whose immigration is encouraged or induced by agreement of any foreign government with any transportation company.

J. A. HEMENWAY,
H. C. VAN VOORHIS,
L. F. LIVINGSTON,
Managers on the part of the House.

Mr. UNDERWOOD. Mr. Speaker, I would like to ask the chairman of the committee if the provision in reference to the testing of coal at the St. Louis exposition is left the same as it was in the House bill?

Mr. HEMENWAY. It is just the same, except that the Senate adds $10,000 for the testing of wood.

Mr. UNDERWOOD. The appropriation in reference to the testing of coal is not interfered with?

Mr. HEMENWAY. No.

Mr. UNDERWOOD. Mr. Speaker, I would like to ask the gentleman to explain another proposition, and that is the provision put in there respecting the claims of certain States. I can not understand it.

Mr. HEMENWAY. The Senate had added a provision to audit the claims of a number of States under the rule laid down in the Maryland case, a rule which has never been adopted in the case of any State except the State of Maryland.

That provision was stricken out. There was one provision to audit the claims of New Jersey and Wisconsin, following the same principle on which the claims of New York, Pennsylvania, Indiana, Kentucky, and a number of other States were audited. We put New Jersey and Wisconsin on the same basis with the States that have already had their claims audited.

With reference to the State of Missouri, the Senate had put on the bill a provision for the payment of some $400,000 to that State; but, by agreement, we struck out the appropriation and provided that this claim should also be audited along the same lines with the States whose claims have heretofore been audited.

Mr. UNDERWOOD. I understand that upon the recent auditing of the claims of the State of Pennsylvania and Indiana interest was allowed on the amounts which had been advanced—an allowance which had not been previously given.

Mr. HEMENWAY. The gentleman is mistaken. Interest was not in those cases allowed to the States upon the amounts that they had advanced, but they were allowed the interest they had actually paid out.

Mr. UNDERWOOD. Does the proposition in this bill to audit the accounts of the State of New York and other States go farther in that direction than has already been provided in the case of the State of Pennsylvania?

Mr. HEMENWAY. Not at all. The allowance is confined to the exact conditions applied to the claims which have been audited. We declined to allow anything to go into the bill that enlarged in any way the authority of the auditor in passing upon these claims.

Mr. UNDERWOOD. I did not believe that the basis on which the claims of Indiana and Pennsylvania were audited was correct. But as we have established that precedent, I do not object to the same rule being applied in the case of other States.

Mr. HEMENWAY. I think if the gentleman will examine the case he will admit that the basis adopted in the cases referred to was the correct basis. These States were not paid interest at all on the amounts that they advanced; they were simply repaid the actual amount in dollars and cents which they had paid out, without interest; but as part of their reimbursement they were allowed an amount equivalent to the interest they had paid on their bonds. The States simply received the actual amount in dollars and cents they had paid out. In the Senate amendments an effort was made to add legislation that would give the State interest. To that the House conferees refused to agree, and insisted that these States should be put on the same basis with all the other States that have had their claims audited.

Mr. PAYNE. Why is it that those States that made the advances directly from their own funds, and taxed their citizens to meet that payment, are not as much entitled to interest as States that borrowed money and are being paid the interest that they paid out in such cases?

Mr. HEMENWAY. Well, it has never been the policy of the Government to pay any interest to any of these States.

Mr. PAYNE. The provision in the case of Indiana was adopted against my protest. I did not know but that the gentleman could give some reasons for applying two different rules in the repayment of these advances.

Mr. HEMENWAY. The gentleman from New York does not properly state the case. Indiana was not made an exception. Not one dollar of interest was paid to Indiana; but the claims of that State were settled in accordance with the dicision in the New York case, which was decided by the Supreme Court of the United States.

Mr. PAYNE. The State of Indiana, as I understand, borrowed the money in order to make these advances, and was repaid the interest it was compelled to pay on the amount that it borrowed. The State of New York, as I understand, advanced the money from her receipts of taxes, and therefore did not have to pay out interest, and never received any interest from the Government.

Mr. HEMENWAY. The gentleman is wholly mistaken. He is not informed as to the condition of the case. The State of New York did not pay out interest, but she paid the money out of her canal fund, and that fund had interest credited to it, making that case correspond with the cases of Pennsylvania, Kentucky, Iowa, Wisconsin, and other States. There was practically no difference, and the effect of this report is to make no difference as to any of the States in the settlement of these claims. The claims are all to be settled on the same basis exactly.

Mr. PAYNE. I made the statement because I was informed at the time that upon the same basis which has been adopted with other States the State of New York would receive a great deal more money than she has received.

Mr. HEMENWAY. The gentleman is absolutely mistaken, because the decision in the New York case is the basis on which all these claims are being settled.

Mr. LIVINGSTON. Every one.

Mr. PAYNE. There is no other legislation in the bill?

Mr. HEMENWAY. I think of none; the report speaks for itself. If there are no further questions, I ask a vote on agreeing to the conference report.

The question being taken, the report was agreed to.

On motion of Mr. HEMENWAY, a motion to reconsider the vote by which the report of the conference committee was agreed to was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14416) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. HEMENWAY. I ask unanimous consent for the present consideration of the conference report on the sundry civil appropriation bill.

There was no objection.

The SPEAKER. The Clerk will read the statement.

The Clerk read as follows:

The statement of the House conferees is as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14416) making appropriations for sundry civil expenses, submit the following written statement in explanation of the effect of the action agreed upon and recommended in

the accompanying conference report on each of said amendments, namely:

On amendments numbered 1, 2, and 3: Appropriates $100,000, instead of $200,000, as proposed by the Senate, for the custom-house at Baltimore, Md.; authorizes, as proposed by the Senate, the acquisition of additional land for a site for said custom-house, to cost not exceeding $90,000, and appropriates the sum of $171,600 to make good the damage to said custom-house by the fire in Baltimore in February, 1904.

On amendment numbered 4: Appropriates $15,000, as proposed by the Senate, for repairs to the Detroit (Mich.) post-office and court-house.

On amendments numbered 5 and 6: Appropriates $15,000, as proposed by the House, instead of $20,000, as proposed by the Senate, for rent of public building at Los Angeles, Cal., and strikes out the provision proposed by the Senate with reference to the site for the court-house and post-office at Los Angeles, Cal.

On amendment numbered 7: Appropriates $12,000, as proposed by the Senate, for the New York appraiser's warehouse.

On amendment numbered 8: Strikes out the appropriation of $11,000, as proposed by the Senate, for elevator, etc., for the St. Paul, Minn., public building.

On amendment numbered 9: Inserts the provision proposed by the Senate extending for one year the time within which sites may be acquired for certain public buildings.

On amendment numbered 10: Strikes out the appropriation of $45,000 proposed by the Senate for elevators for certain public buildings.

On amendment numbered 11: Strikes out the appropriation of $71,000 proposed by the Senate for a building for the Bureau of American Republics.

On amendment numbered 12: Strikes out the appropriation of $65,000 proposed by the Senate for a cable from Angel Island, California, quarantine station.

On amendment numbered 13: Inserts the provision authorizing the Secretary of the Treasury, under conditions to be prescribed by him, to permit private messages to be sent over telephone lines controlled by the Treasury Department.

On amendments numbered 14, 15, and 16: Strikes out the increases proposed by the Senate in the appropriations for the Bureau of Engraving and Printing.

On amendment numbered 17: Appropriates $27,000, as proposed by the Senate, instead of $26,000, as proposed by the House, for international exchanges, and inserts a provision requiring estimates to be submitted for all expenditures made for international exchanges.

On amendments numbered 18 and 19: Strikes out the appropriation of $10,000 proposed by the Senate for purchase of specimens for the National Museum and inserts the provision as proposed by the Senate, providing for seats for Zoological Park.

On amendments numbered 20, 21, and 22: Appropriates $249,000, instead of $234,000 as proposed by the House and $259,000 as proposed by the Senate, for the Interstate Commerce Commission, and makes a verbal correction in the text of the bill.

On amendment numbered 23: Strikes out the provision proposed by the Senate removing the limitations as to the amount of subsidiary silver coinage.

On amendments numbered 24, 25, 26, and 27: Strikes out the appropriations proposed by the Senate of $20,000 for a second water main and $12,000 for a water-purification plant at the Ellis Island immigrant station, and strikes out the provision proposed by the House repealing the balance of the appropriation heretofore made for repairs and alterations at said station.

On amendment numbered 28: Inserts the provision proposed by the Senate requiring a report as to the immigration detention station on Angel Island, California.

On amendments numbered 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52, with reference to light-houses, beacons, and fog signals: Inserts appropriations as proposed by the Senate for the following: Boone Island, Maine; Black Ledge, Connecticut; Elbow of Cross Ledge, Delaware Bay and River; Cape Lookout, North Carolina; Cape San Blas, Florida; depot for the ninth light-house district; Presque Isle, Michigan; Point Conception, California; New Dungeness, Washington; tender for fourth light-house district; tender for sixth light-house district; tender for Lake Superior; Prestigo Reef light-vessel, Wisconsin; expenses of transfer of two light vessels to the Pacific coast; inserts a provision requiring estimates in detail for lighting Ambrose Channel, New York; and strikes out the following, which were proposed by the Senate, for light-houses and the light-house service—namely, Stonington Breakwater, Connecticut; Goose Island Flats, Delaware Bay and River; Bodie Island, North Carolina; Frankfort Pier Range, Michigan; Buffalo Breakwater, New York; Cape Mendicino, California; Battery Point, Washington; tender for light-house service in Porto Rico and tender for thirteenth light-house district.

On amendment numbered 53: Appropriates $740,000, instead of $700,000 as proposed by the House and $775,000, as proposed by the Senate, for repairs to light-houses.

On amendment numbered 54: Appropriates $525,000, as proposed by the House, instead of $537,500, as proposed by the Senate, for expenses for light-vessels.

On amendments numbered 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, and 65: Provides for the following employees in the Coast and Geodetic Survey in addition to those authorized in the bill as it passed the House, namely: One assistant, at $1,800; one assistant, at $1,400; two assistants, at $1,200 each; one draftsman, at $1,600; one copperplate engraver, at $1,800; one copperplate engraver, at $1,600.

On amendments numbered 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, and 79, relating to the Fish Commission: Appropriates, as proposed by the Senate, for one assistant architect, at $1,600; one car captain, at $1,200; one car messenger, at $1,000; one assistant car messenger, at $900; one car laborer, at $720; one car cook, at $600; increases the amount for the fish-cultural station at Neosho Mo., from $7,500 to $11,000; appropriates $15,000 for the fish hatchery at Green Lake, Me.; strikes out the proposed reappropriation for the fish hatchery at St. Johnsbury, Vt.; and appropriates $10,000 for equipment for the steamer *Albatross*.

On amendment numbered 80: Inserts the appropriation proposed by the Senate prescribing the salaries for the agent and assistant agent for the salmon fisheries in Alaska.

On amendment numbered 81: Restores to the bill the provision proposed by the House making the appropriations hereafter made for the enforcement of the Chinese-exclusion act available for the Bertillon system of identification.

On amendments numbered 82 and 83: Appropriates $32,000, as proposed by the Senate, instead of $30,000, as proposed by the House, for work at the Capitol; and inserts the provision, proposed by the Senate, continuing during the next fiscal year unexpended balances of appropriations for work at the Capitol made for the present year.

On amendment numbered 84: Inserts the provision proposed by the Senate for an office building for Senators.

On amendments numbered 85, 86, 87, 88, 89, 90, 91, 92, and 93, to the paragraph providing for the extension of the Capitol building: Strikes out all of the amended paragraph and substitutes therefor a provision for a joint commission of three Senators and three Representatives to inquire and report to the next session of Congress plans in detail and estimates of cost for the extension and completion of the Capitol building.

On amendments numbered 94, 95, 96, 97, 98, and 99: Makes the appropriations for contingent expenses of the land offices, depredations on public timber, etc., protection and administration of forest reserves, examinations of desert lands, and transcripts of records and plats, General Land Office, conform to the terms proposed by the said amendments.

On amendments numbered 100 and 101: Makes a verbal correction in the text of the bill and inserts the provision proposed by the Senate donating 20 acres of land to the town of Coeur d'Alene, Idaho.

On amendments numbered 102, 103, 104, 105, and 106, relating to the Geological Survey: Appropriates $175,000, as proposed by the House, instead of $200,000, as proposed by the Senate, for geological surveys; strikes out the appropriation of $4,000, as proposed by the Senate, for transmission of public documents through the Smithsonian exchange; strikes out the provision proposed by the Senate authorizing the purchase of legal publications, and strikes out the appropriation of $20,000 proposed by the Senate for a railroad map of the United States.

On amendment numbered 107: Inserts the provision proposed by the Senate requiring a report with reference to the Yosemite Park.

On amendment numbered 108: Appropriates $3,000, as proposed by the House, instead of $4,000, as proposed by the Senate, for the Crater Lake National Park.

On amendment numbered 109: Appropriates $4,000, as proposed by the Senate, for maps of the United States, to be sold by the Interior Department.

On amendment numbered 110: Strikes out the appropriation of $50,000 proposed by the Senate for education of Indians in Alaska.

On amendments numbered 111 and 112: Makes a verbal correction in the text of the bill, and strikes out the provision proposed by the Senate for a disbursing clerk for the Government Hospital for the Insane.

On amendments numbered 113 and 114: Appropriates $7,000, as proposed by the Senate, instead of $3,000, as proposed by the House, for the industrial department of Howard University.

On amendment numbered 115: Inserts the provision proposed by the Senate retroceding to Howard University eleven acres of ground.

On amendment numbered 116: Inserts the provision proposed by the Senate authorizing Providence Hospital to negotiate a further loan of $150,000.

On amendment numbered 117: Appropriates $6,000, as proposed by the Senate, for a lighting plant at Watertown Arsenal, Mass., and inserts the provision proposed by the Senate granting to the State of Massachusetts the right of way through a portion of the lands of the Watertown Arsenal for parking purposes.

On amendment numbered 118: Strikes out the appropriation of $50,000 proposed by the Senate for a statue of Thomas Jefferson, and inserts in lieu thereof a provision creating a commission to report to the next session of Congress plans and designs for a statue of Thomas Jefferson, to cost not exceeding $100,000, and appropriating $5,000 for expenses.

On amendment numbered 119: Appropriates $4,000, as proposed by the House, instead of $7,500, as proposed by the Senate, for improvement of the Executive Mansion grounds.

On amendments numbered 120, 121, 122, 123, 124, and 125: Fixes the price of electric arc lights in certain parks of the District of Columbia at $85 per light per annum.

On amendments numbered 126, 127, and 128: Makes a verbal correction in the text of the bill and appropriates $2,500, as proposed by the Senate, for constructing a reception room on the lower floor of the Washington Monument.

On amendments numbered 129, 130, 131, 132, and 133: Makes necessary verbal corrections in the text of certain appropriating clauses for river and harbor contract works.

On amendment numbered 134: Makes the appropriation for burial of indigent soldiers available for those who died in the immediate vicinity of the District of Columbia or who die in the District of Columbia and are buried in the immediate vicinity thereof, as proposed by the Senate.

On amendment numbered 135: Makes the appropriation for bringing home the remains of officers and soldiers who die abroad available only for those who are killed in action or who die in the field or hospital in Alaska and at places outside of the limits of the United States or who die while on voyage at sea, as proposed by the Senate.

On amendments numbered 136, 137, 138, and 139: Appropriates $1,500,000, as proposed by the Senate, instead of $900,000, as proposed by the House, for construction and enlargement of buildings at military posts, and segregates a certain portion of the appropriation, as proposed by the Senate, except that for the Indianapolis military post $523,000 is appropriated instead of $373,000, and strikes out of the bill the specific appropriation of $523,990 proposed by the House for the Indianapolis military post.

On amendment numbered 140: Appropriates, as proposed by the Senate, the sum of $180,000 for purchase of a site for the military post at Columbus, Ohio.

On amendment numbered 141: Appropriates $15,000 instead of $25,000, as proposed by the Senate, for improving the Presidio Military Reservation.

On amendments numbered 142 and 143: Appropriates for the protection of the Fort Crockett Military Reservation, at Galveston, Tex., as proposed by the Senate.

On amendment numbered 144: Inserts the provision authorizing the Treasurer of the United States to receive the sum of $35,000 from the executive committee of the Statue of Liberty, in New York, and authorizes the Secretary of War to keep such Statue of Liberty in repair and pay for the same from the appropriation for regular supplies under the Quartermaster's Department.

On amendment numbered 145: Appropriates $15,000 instead of $25,000, as proposed by the Senate, for protecting Jamestown Island.

On amendment numbered 146: Appropriates $32,000, as proposed by the Senate, instead of $20,000, as proposed by the House, for the Shiloh National Park.

On amendments numbered 147, 148, 149, 150, 151, 152, and 153, relating to the National Home for Disabled Volunteer Soldiers: Leaves the provisions of the bill with reference to the Homes exactly as they were passed by the House.

On amendment numbered 154: Inserts the appropriation of $2,000 proposed by the Senate for an international congress to consider subjects relating to collisions and salvage.

On amendment numbered 155: Inserts the appropriation of $2,880.79 proposed by the Senate for the International Sanitary Bureau.

On amendment numbered 156: Inserts the appropriation of $50,000 proposed by the Senate for legation buildings at Peking, China.

On amendment numbered 157: Appropriates $5,000 instead of $25,000, as proposed by the Senate, for the international exposition at Liege, Belgium.

On amendment numbered 158: Strikes out the appropriation of $25,000 proposed by the House for removal and reconstruction of greenhouses of the Department of Agriculture.

On amendments numbered 159, 160, and 161: Makes a verbal correction in the text of the bill and appropriates $25,840, as proposed by the Senate, instead of $10,878, as proposed by the House, for repairs to the court-house at Washington, D. C.

On amendment numbered 162: Reappropriates and continues available the appropriation of $30,000 for the United States penitentiary on McNeils Island, Washington.

On amendment numbered 163: Makes the appropriation for enforcement of antitrust laws available during the fiscal year 1905, as proposed by the House, instead of until expended, as proposed by the Senate.

On amendment numbered 164: Appropriates $210,000, as proposed by the House, instead of $220,000, as proposed by the Senate, for regular assistants to United States attorneys.

On amendments numbered 165 and 166: Appropriates $85,000, as proposed by the House, instead of $135,000, as proposed by the Senate, for assistant attorneys in special cases, and makes a verbal correction in the text of the bill.

On amendment numbered 167: Makes the appropriation for miscellaneous expenses at the United States penitentiary at Fort Leavenworth, Kans., available for care and medical treatment of guards injured by prisoners while said guards are endeavoring to prevent escapes or suppressing mutiny.

On amendment numbered 168: Appropriates $2,000, as proposed by the Senate, for purchase of the bust of General Lafayette.

On amendment numbered 169: Strikes out the appropriation of $2,500, as proposed by the Senate, for purchase of bust of ex-President Taylor.

On amendment numbered 170: Makes $170,000 of the appropriation for printing and binding for the Department of Commerce and Labor available for the Census Office.

On amendment numbered 171: Inserts as section 5 of the bill the amendment proposed by the Senate authorizing medals for the Louisiana Exposition.

JAMES A. HEMENWAY,
FREDK. H. GILLETT,
M. E. BENTON,
Managers on the part of the House.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14416) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 5, 6, 8, 10, 11, 12, 14, 15, 16, 18, 23, 24, 25, 26, 30, 34, 35, 38, 40, 43, 45, 46, 50, 54, 62, 63, 64, 65, 66, 78, 81, 100, 102, 105, 106, 108, 110, 112, 119, 147, 148, 149, 150, 151, 152, 153, 163, 164, 165, and 169.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 7, 9, 19, 22, 27, 28, 29, 31, 33, 36, 37, 39, 41, 42, 44, 51, 52, 55, 56, 59, 60, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 79, 82, 83, 84, 94, 95, 96, 97, 98, 99, 101, 103, 107, 109, 111, 113, 114, 115, 116, 117, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 138, 139, 140, 142, 143, 146, 154, 155, 156, 158, 159, 160, 161, 162, 166, 167, 168, 170, and 171, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert as a new paragraph the following:

"The Secretary of the Treasury is hereby authorized to acquire, by purchase, condemnation, or otherwise, the properties known as the Peabody and Gunton properties, immediately adjacent to the site of the said custom-house building, abutting on Water street, Exchange place, and Post-Office avenue, in the city of Baltimore, Maryland, at a cost not to exceed the sum of ninety thousand dollars; and the said Secretary is hereby authorized to use for that purpose the sum of twenty-four thousand nine hundred and eighty-eight dollars and eighty-one cents remaining available from the purchase of the Merchants' National Bank property, together with the further sum of sixty-five thousand and eleven dollars and nineteen cents, which sum is hereby appropriated for that purpose."

And the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with amendments as follows: In line 1 of said amendment strike out the words "one hundred and seventy-five thousand" and insert in lieu thereof the words "one hundred and seventy-one thousand six hundred;" and in line 5 of said amendment, after the word "four," insert the words "and not covered by insurance;" and at the end of said amendment, after the word "fire," insert the following: ": *Provided*, That said release shall

operate as a bar to any claim of said Henry Smith & Sons for any damages incurred by them in constructing said building in excess of said sum of one hundred and seventy-one thousand six hundred dollars;" and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: Strike out all of said amendment after the word "States," in line 9, down to and including the word "company," in line 15; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: After the word "dollars," at the end of the amended paragraph, insert the following: ", and for the fiscal year nineteen hundred and six estimates shall be submitted hereunder embracing all sums expended for this service out of other appropriations made by Congress;" and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "two hundred and forty-nine thousand dollars;" and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "two hundred and ninety thousand dollars;" and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Ambrose Channel Light Station, New York: Detailed estimates shall be submitted to Congress at its next session for a complete system of lighting Ambrose Channel, including the number and character of lights required and the cost of each."

And the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with amendments as follows: In line 5 of said amendment strike out the word "seventy-five" and insert in lieu thereof the word "fifty;" and after the word "dollars," at the end of said amendment, insert the following: "; and the Light-House Board is authorized to employ temporarily at Washington not exceeding three draftsmen, to be paid at current rates, to prepare the plans for the tenders for which appropriations are made by this act, such draftsmen to be paid from and equitably charged to the appropriations for building such vessels, such employment to cease and determine on or before the date when, the plans for such vessels being finished, proposals for building said vessels are invited by advertisement;" and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In line 5 of said amendment strike out the word "seventy-five" and insert in lieu thereof the word "fifty;" and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In line 5 of said amendment strike out the word "seventy-five" and insert in lieu thereof the word "fifty;" and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "seven hundred and forty thousand dollars;" and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the number proposed insert "ten;" and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one hundred and thirty-two thousand eight hundred and sixty dollars;" and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the number proposed insert "three;" and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one hundred and sixty thousand five hundred and twenty dollars;" and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In line 3 of said amendment, after the word "one," insert the word "assistant;" and the Senate agree to the same.

Amendments numbered 85, 86, 87, 88, 89, 90, 91, 92, and 93: That the House recede from its disagreement to the amendments of the Senate numbered 85, 86, 87, 88, 89, 90, 91, 92, and 93, and agree to the same with an amendment as follows: Strike out the amended paragraph and insert in lieu thereof the following:

"A joint commission composed of three Senators, namely, Hon. GEORGE P. WETMORE, of Rhode Island, Hon. RUSSELL A. ALGER, of Michigan, and Hon. ARTHUR P. GORMAN, of Maryland, and three Members of the House of Representatives of the Fifty-eighth Congress, namely, Hon. JOSEPH G. CANNON, of Illinois, Hon. WILLIAM P. HEPBURN, of Iowa, and Hon. JAMES D. RICHARDSON, of Tennessee, which is hereby created, is authorized to inquire and report to Congress at its next session plans in detail and estimates of cost for the extension and completion of the Capitol building, in accordance with the original plans therefor by the late Thomas U. Walter, with such modifications thereof as they may deem advantageous or necessary, and for each and every purpose connected therewith, including the employment of such professional and other services as they may deem requisite, and for such other expenses as said joint commission may authorize or incur, there is hereby appropriated the sum of fifty thousand dollars, or so much thereof as may be necessary; and the superintendent of the capitol building and grounds, under the direction and supervision of said commission, or such commission as shall be authorized by Congress, shall conduct the making of all contracts for said construction, whenever and not before the same shall be authorized by Congress, after proper advertisements and the reception of bids, and said superintendent, subject to the direction and approval of such commission, shall employ such professional and personal services in connection with said work when authorized as aforesaid as may be necessary. Any vacancy occurring by resignation or otherwise in the membership of said commission shall be filled by the presiding officer of the Senate or House, according as the vacancy occurs in the Senate or House representation on said commission."

And the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one million and eighty-seven thousand nine hundred and twenty dollars;" and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"To enable a commission, which is hereby created, to be composed of the Secretary of State, the chairman of the Committee on the Library of the Senate, and the chairman of the Committee on the Library of the House of Representatives of the Fifty-eighth Congress to select a site on the public grounds in the District of Columbia for a statue of Thomas Jefferson, to cost complete not to exceed one hundred thousand dollars, and to procure plans and designs for the same, to be reported to Congress during its next session, five thousand dollars."

And the Senate agree to the same.

Amendment numbered 137: That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In line 15 of the matter inserted by said amendment strike out the words "three hundred and seventy-five" and insert in lieu thereof the words "five hundred and twenty-three;" and the Senate agree to the same.

Amendment numbered 141: That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "fifteen thousand dollars;" and the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with amendments as follows: In line 7 of said amendment strike out the words "and directed," and in line 8 strike out the words "and the electric torch thereof lighted;" and in line 12, after the word "incurred," strike out all down to and including the word "appropriated," at the end of the amendment; and the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "fifteen thousand dollars;" and the Senate agree to the same.

Amendment numbered 157: That the House recede from its disagreement to the amendment of the Senate numbered 157, and

agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "five thousand dollars;" and the Senate agree to the same.

JAMES A. HEMENWAY,
FREDK. H. GILLETT,
M. E. BENTON,
Managers on the part of the House.
W. B. ALLISON,
EUGENE HALE,
F. M. COCKRELL,
Managers on the part of the Senate.

Mr. HEMENWAY. If any gentleman desires to ask a question about the conference report, I shall be glad to answer it.

Mr. UNDERWOOD. How much have the Senate increased the total of the bill?

Mr. HEMENWAY. The amendments of the Senate increased the bill to the extent of $2,658,000. In conference we reduced it $1,059,000. The gentleman understands that $750,000 of the increase goes to the purchase of a site for the Senate building, so of the balance the House cut off more than one-half.

Mr. UNDERWOOD. To what conclusion did the conferees come in reference to the extension of the Capitol?

Mr. HEMENWAY. That is referred to a commission composed of three Senators and three Members of the House, to investigate and report at the next session of Congress.

Mr. DE ARMOND. Mr. Speaker, I should like to ask what became of amendment 84, providing for a new Senatorial building?

Mr. HEMENWAY. That is for the Senate office building. That is agreed to.

Mr. DE ARMOND. You say that is agreed to by the conferees?

Mr. HEMENWAY. That is agreed to by the conferees.

Mr. DE ARMOND. I believe I should like to say a few words on that.

Mr. HEMENWAY. How much time does the gentleman desire?

Mr. DE ARMOND. Five or ten minutes.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 3860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. ALGER, and Mr. BLACKBURN as the conferees on the part of the Senate.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. HEMENWAY. I yield to the gentleman from Missouri [Mr. DE ARMOND] ten minutes.

Mr. DE ARMOND. Mr. Speaker, we are supposed to be very late in the session and very near to its final adjournment, but I do not believe that the session is so far extended or that the time of adjournment is so near but that we might have a little further consideration of this item, and perhaps of others in this bill.

I was under the impression—and I think a good many others are perhaps yet—that the Senators are and have been for many years provided with a very good office building. Now, of course, I would not be one of those who would if I could—and surely I am one of those who could not if I would—deprive the gentlemen at the other end of this Capitol of anything to which they are entitled or anything which they need in the expeditious and courteous dispatch of their business; but it does seem to me that they hardly need this building at this time.

Perhaps it is intended as a Senatorial flat or apartment house. I think in fact that is what it will be, provided this building be constructed. Now, if that is true, I do not think it is quite right, and it seems to me it is not quite courteous to the executive branch of the Government, to build for our Senators a better apartment house than the Secretary of State, at his own expense, has built for himself. I understand a million of dollars was found sufficient to construct the finest building of the kind in this city. Now, if we are to have flats for the Senators, if Senators are to have gorgeous suites of apartments in which they are to disport themselves in the few leisure hours which they have, I believe we ought not to compete with private enterprise in so notorious, and, as it seems to me, offensive a way. Why not build these Senators more modest apartments, modestly furnished, and supplied, of course, with all the modern appliances for convenience, and not lacking in those evidences of taste and devotion to art so dear to the Senatorial heart, and so expensive sometimes in drafts upon the public purse?

Three million dollars for more offices for the Senators! Is it intended that they shall have double suites: that they shall have offices at one point and other offices at another point? Is it intended that they shall live part of the time in the Maltby Building and part of the time in this new, gorgeous structure? Or, is it intended that they shall rent out one set of apartments while they are occupying the others? When they move over from the Maltby, which is regarded really as furnishing pretty good accommodations, will they be permitted to rent that for their own benefit, or shall they continue to occupy it in some way?

Of course there is a certain degree of courtesy that obtains between the two bodies—the Senate and the House. That courtesy usually manifests itself in the House yielding to the Senate, and rarely finds evidence of its existence in the Senate yielding to the House. Yet, I think there is absolutely no need for this new building, and I think it ought not to be built. I think provision for it ought not to be in the bill. I think provision for it ought not to remain in the bill.

Now, perhaps it may be suggested, from the Senatorial end of the conference, that provision has been made for offices for Members of the House. As to the wisdom of that provision, or as to the necessity for it, different opinions may exist; but that provision has been for a single office for each single Member of the House. In other words, one Member of the House is to have one office, not one Member of the House two offices in two different buildings. Except those who happen to be chairmen of committees, nobody upon this side of the Capitol to this hour has had an office or office accommodations——

Mr. BARTLETT. Except those we rent.

Mr. DE ARMOND. Unless at his own expense he provide himself with it, while through long years every member of the Senate, great and small—of course nearly all of them being great, but a few small—every member of the Senate has been supplied with a good office. Everybody over there has a room in which to transact his public business, and everybody, I think, has some accommodations for his leisure moments—for the times when he unbends his mind and prepares himself for the arduous duties awaiting him in the near future.

If it be said that provision has been made for offices for Members of the House, can it be said as a corollary that a double number of offices ought to be provided for the Senators, already well supplied? Ought not the House, in the assertion of its dignity—ought not the House, by assuming that it is of as much consequence as the Senate, after the Senate shall have been provided with double suites of rooms and two office buildings—ought not the House to then insist upon another office building? And if that insistence should prevail, then of course would come the Senate with a demand for two more office buildings. I think it would do well enough for the present, especially in view of the fact that you are trying to evade everything that might be embarrassing, everything that might be criticised in the campaign—I think it would be well enough to defer action upon this matter, as action has been deferred upon many other matters which are pressing upon the attention of the people.

Mr. STEPHENS of Texas. Will the gentleman permit me to ask him a question?

Mr. DE ARMOND. Certainly.

Mr. STEPHENS of Texas. Do you not think that the House is estopped by having provided for a building for their own accommodation?

Mr. DE ARMOND. I think not.

Mr. STEPHENS of Texas (continuing). Without any serious objection being made?

Mr. DE ARMOND. No: I do not think that. I do not regard this doctrine of estoppel with favor. I do not think that the fact that the House has provided for the erection of one office building for itself should estop us from opposing the Senate when it proposes the erection for its members of a second office building. The Senate has already an office building. Does anyone suppose that these gentlemen during the years that have passed would have rested content without suitable accommodations for the transaction of their public business or for the solace in their hours of leisure? By no means. They provided for themselves long ago.

I was told when I came here—it was a tradition at this end of the Capitol then, as to the fact, I know nothing—that when arrangement was made for the purchase of the Maltby Building the purpose was that Members of this Chamber would have provision made for them there as well as would the gentlemen of the Senate. How true that is I do not know. How it has been we all know. The Maltby Building was appropriated, rightfully or wrongfully, for the exclusive use of the Senators, and Members of the House were left officeless.

Mr. STEPHENS of Texas. If the gentleman will permit a further interruption, the gentleman has forgotten that each Senator has three employees—a clerk, a messenger, and assistant messenger or assistant clerk. Now, is it not necessary for them to have a flat for each one of those clerks and secretaries?

Mr. DE ARMOND. There is much in that suggestion. Now, if this were a proposition to provide more commodious, more artistic, and more desirable accommodations for those who help the

Senators, for their various clerks, their various messengers, and their various assistants, under various designations, and some perhaps unclassified, that would be another proposition. Then we would have to go into the question, perhaps, as to how to deal with these people employed by the Senate—this large corps of assistants to the small corps of official chiefs over there. Then we might have to try to learn how they are cared for, how they are housed, and what their real needs are; whether they are sheltered against the inclemency of the winter or protected against the hot rays of the summer's sun; whether they have such accommodations as they should have. All these would be pertinent matters of inquiry, and the information would be valuable in guiding us in legislation. But it is a proposition that will take care of itself. All these employees still will have to be left to the trials of changing and trying seasons.

I think, perhaps, they are pretty well provided for. Maybe all these gentlemen, four or five to one, as has been suggested, may enjoy and bring some influence to bear upon their Senatorial superiors, and representing, as they may be assumed to do, in some considerable degree the importance of American citizenship, they may demand, in a courteous way, of course, of these "grave and reverend signiors" that they provide office buildings—one, two, three, four, or five office buildings—in order that each of them may have a flat for his accommodation. That may come later. The proposition now is for this additional care taking of the Senators, for double sheltering and housing these Senators, who now are sheltered and housed—providing better for those who are already well provided for. The fact that after long years of enjoyment of commodious quarters by the Senators provision has been made for an office building for the Members of the House affords no basis, it seems to me, for the contention that additional and unnecessary office quarters be now furnished for the Senators.

Besides, there are something like 386 Members of the House—or 390, including the Delegates—and the cost of the provision made to give each one of them an office is no more and no less than is carried by this item for additional unnecessary offices for 90 Senators. Three million dollars to provide an office building for nearly 400 Members of the House who have no office building and never have had any, and $3,000,000 to provide an office building for 90 Senators who have now and long have had a good office building. I think it would be better for this matter to go back to conference, and I believe our conferees might do well to suggest very courteously, very deferentially, of course, to the gentlemen from the Senate that we believe they might wait, at least, until after the election before insisting that provision be made for this duplicate office building. [Applause on the Democratic side.]

Mr. HEMENWAY. Mr. Speaker, the tradition built up by years of practice that each body should provide for its own comforts and its own committee rooms has grown to such an extent that the Senate concedes to the House the right to construct such building as it may desire to construct for the convenience of its Members and insists upon the right of the Senate to construct such buildings as they think necessary for the benefit of the Senate, and I will say to the House that the conferees on the part of the House pointed out to the Senate that in our judgment the building they seek to erect was unnecessary. We urged upon the Senate that the extension of the Capitol would provide all of the space necessary for the accommodation of the Senate. Upon the other hand, the Senate insisted that it would not supply the accommodations, and the Senate insisted that the Maltby Building was unsafe, that that building had to be abandoned, and that there were some fifty-odd Senators who were not provided with committee rooms.

The Senate further insisted that in great hearings before committees, such as are constantly occurring—take, for instance, the SMOOT case—and hearings on different public questions, that there ought to be somewhere a room large enough where these hearings could be held and the public given a chance to be present.

Mr. GAINES of Tennessee. Mr. Speaker, may I ask my friend a question?

Mr. HEMENWAY. Let me get through, and then I will yield. I want to conclude my statement. Now, to all of these suggestions the conferees on the part of the House urged that the Senate wait and see what disposition was made of the extension of the Capitol. They declined to do so. Now, following the rule that I say has prevailed for many years, that each body should determine for itself the amount of space necessary for its accommodation and take the responsibility with the country for its construction, the House conferees yielded. Now, that is the case exactly. It is a practice that has prevailed, I am informed, from the earliest days, of allowing each branch of Congress to determine these questions for themselves and go to the country and take the responsibility for that determination.

The House conferees, of course, if they could have their way, would not agree to this amendment; but following, as I say, the practice that has prevailed for many years, the House conferees agree to this amendment.

Mr. GAINES of Tennessee. Mr. Speaker, will the gentleman permit me an inquiry?

The SPEAKER. Does the gentleman yield?

Mr. HEMENWAY. I yield to the gentleman.

Mr. GAINES of Tennessee. Have not the Senators offices and committee rooms over there outside the Senate?

Mr. HEMENWAY. I stated—I guess the gentleman was not in—that it is claimed that the Maltby Building is unsafe and has to be abandoned.

Mr. GAINES of Tennessee. The Members of the House do not have offices, not by any means; but I understand the Senators over there have, and the Government pays for those offices. Is that so?

Mr. HEMENWAY. No; as I understand, the Senate has no committee rooms other than the committee rooms of the Capitol and the Maltby Building.

Mr. GAINES of Tennessee. The Government pays for the Maltby Building, does it not?

Mr. HEMENWAY. I stated to the gentleman that the Maltby Building is unsafe, as they state, and that it has to be abandoned.

Mr. GAINES of Tennessee. How long has it been unsafe?

Mr. HEMENWAY. Oh, well, I did not go into that.

Mr. GAINES of Tennessee. It has been "unsafe" for the last ten or twelve years, and yet they have continued to work in it.

Mr. DE ARMOND. Mr. Speaker, I would ask the gentleman from Indiana [Mr. HEMENWAY] whether the conferees on the part of the Senate explained in what particular the Maltby Building is unsafe or what caused it to be unsafe?

Mr. HEMENWAY. Mr. Speaker, the building has been condemned, I believe, by the building inspectors of the District, and is considered to be in a very unsafe condition.

Mr. DE ARMOND. When was it condemned?

Mr. HEMENWAY. I do not remember just when the building was condemned.

Mr. MADDOX. About two months ago.

Mr. HEMENWAY. I understand, though, within the last few months.

Mr. DE ARMOND. I understand that the unsafe condition, so far as it is unsafe, is due to the fact that the floors had been sagged down by having an unduly large number of employees of the Senate upon them. [Laughter.]

Mr. HEMENWAY. It is possible the gentleman from Missouri [Mr. DE ARMOND] is correct. He is usually well informed.

Mr. DE ARMOND. I will ask another question. Could not the conferees, if they were to go back into conference, get the Senate to turn over to the House this unsafe Maltby Building? I believe that there are a good many Members here who are reckless enough to take their chances in there, if they could get quarters there.

Mr. HEMENWAY. I will say to the gentleman that for myself I would not want to accept the gift. Besides that, we are going to have a new building of our own.

Mr. DE ARMOND. Well, why not have both?

Mr. HEMENWAY. Our building is in course of construction and will provide the House with offices, and I would not want to accept the old building.

Mr. DE ARMOND. Would it not be better to have the new building and the old one also?

Mr. HEMENWAY. Mr. Speaker, I am in favor of maintaining the dignity of the House. I do not think we want the abandoned buildings of the Senate. [Laughter.]

Mr. DE ARMOND. Let me ask the gentleman whether it would not be better to risk in that dangerous place a few out of 386 men rather than a considerable number out of 90 men?

Mr. HEMENWAY. Well, as far as I am concerned, I do not want the House to have the Maltby Building. The Senate says it is unsafe, and they desire to move out of it and want to construct a new building. As I stated a moment ago, I urged as vigorously as I could that the building was unnecessary. Upon the other hand, the Senate say that it is necessary. Following the precedent of many, many years in questions where the comfort of either body is concerned, and offices for its members and committee rooms for its members are concerned, that each body has the right to determine that question for itself and take its chances before the country on that determination, the House, of course, receded.

Mr. DE ARMOND. I suppose the gentleman from Indiana still thinks that he was right in his original view, that it was unnecessary?

Mr. HEMENWAY. Why, if we had the Capitol extension, possibly, yes. I think the gentleman is mistaken about the limit of cost of the building which they propose to erect. The cost is

to be two millions and a quarter, the same as the building that we are erecting. I think, however, the building is rather extravagant.

Mr. DE ARMOND. And $750,000 for a site.

Mr. HEMENWAY. That amount is outside of the cost of the ground.

Mr. DE ARMOND. It makes a total of $3,000,000.

Mr. HEMENWAY. I think, possibly, it will cost three millions and a quarter, for I do not believe they can get that site for less than $750,000. I believe it cost us $750,000 to get our site.

Mr. DE ARMOND. I will ask the gentleman from Indiana one other question, and only one. Does not the gentleman believe that by the time this site is procured and this building erected and furnished to suit the gentlemen over there that it is likely to cost nearer five than three millions of dollars?

Mr. HEMENWAY. Of course I can not answer that question any better than the gentleman can himself.

Mr. DE ARMOND. Perhaps the gentleman has the same suspicions and fears about it that I have.

Mr. HEMENWAY. Oh, possibly.

Mr. STEPHENS of Texas. Mr. Speaker, I desire to ask this question, whether or not it would be necessary to build an extension to the Capitol if we adopt this amendment and permit the Senate to erect their building? Will it be necessary to also build an extension to the Capitol?

Mr. HEMENWAY. I think so. The extension to the Capitol is for the official comfort of members. It furnishes the committee rooms that are necessary, and the gentleman can understand, being a busy Member of Congress himself, that a committee having important business must be quartered in the Capitol and could not very well be quartered in a building away from the Capitol.

Mr. STEPHENS of Texas. Can the gentleman inform us what this extension will probably cost?

Mr. HEMENWAY. No; it is pretty hard to say, because there are so many different plans of extension. Under the most expensive plan the expense would be about two and a quarter million dollars. That is the plan which extends the center of the building clear out beyond the House and Senate wings.

Mr. STEPHENS of Texas. It has been suggested that the Senate have a stable of their own down here near the B. and O. depot. Is that true?

Mr. HEMENWAY. The gentleman remembers that in turning the corner out here on the street-car line there is an old fire-engine building with a stable in connection, which belongs, as I understand, to the Senate—that is, it belongs to the Government and the Senate use it.

Mr. STEPHENS of Texas. Does not the gentleman think it would be proper and right for us to insist on the Maltby Building being turned over to the House, so that we can also have a stable? [Laughter.]

Mr. HEMENWAY. Oh, the House does not need any stable.

Mr. GAINES of Tennessee. Every member of the Senate, as I understand, has an office, some of those offices inside the Senate building and some outside. When they are outside, the Government pays rent for them. Now, why is it that Members of the House have not offices in which to transact the public business, but must pay out of their own pockets rent for offices downtown in which we transact public business?

Mr. HEMENWAY. The gentleman does not understand the situation at all. The Government does not pay rent for the Maltby Building. It owns the building.

Mr. GAINES of Tennessee. But the Government had to buy that building for the use of Senators, so that each Senator might have a committee room in which to do his committee work as well as his Senatorial work.

Mr. HEMENWAY. The House is providing as rapidly as possible a building in which each Member of the House will have an office.

Mr. GAINES of Tennessee. We ought to have it. We do more over here in one day than they do over there in a week. [Laughter and applause.]

Mr. HEMENWAY. I yield to the gentleman from Minnesota [Mr. STEVENS].

Mr. STEVENS of Minnesota. Is it not a fact that at the time the item for the office building for the House was put in the sundry civil bill, it was in the first instance stricken out by the Senate, but afterwards, in strict obedience to those precedents to which the gentleman has referred, it was put back?

Mr. HEMENWAY. That is my understanding. I yield three minutes to the gentleman from Maine [Mr. LITTLEFIELD].

Mr. LITTLEFIELD. Mr. Speaker, I fully appreciate the embarrassment under which the conference committee on the part of the House labors in connection with the proposition to erect a building for the accommodation of Senators. I also fully appreciate that any protest that may be made against that building will probably prove ineffectual. Notwithstanding that fact, I wish to go on record as protesting against what I believe to be an unjustifiable expenditure of public money. I appreciate the fact that the Senate can exercise a discretion in connection with its own matters; but I appreciate the further fact that no money can be appropriated therefor unless the House joins therein.

Now, this proposition involves an expenditure of $2,250,000 for the building alone and $750,000 for the ground—$3,000,000 for the naked lot and building, without any furniture. My judgment is that a fair estimate as to the cost of the building when completed, with the convenience that Senators very properly desire, would be at least $3,500,000 or $4,000,000.

There are fifty Senators who now have committee rooms in this Capitol building. That leaves forty Senators to be provided for. Ten of those having committee rooms in this building have not very desirable rooms and ought to have better. So there are about fifty men to be provided with new accommodations. Everybody knows that the committee rooms are occupied by the chairmen for the purpose of doing their own private business, as well as the committee business, and very properly so. The result will be that when this building is complete, if it costs $4,000,000, it will cost the Government of the United States about $80,000 per Senator to house the Senators in offices, and in my judgment, Mr. Speaker, that is an unjustifiable expenditure of the public money. Twenty-five or thirty thousand dollars would buy better houses than most of the Senators now live in in the city of Washington, would furnish them with libraries and all the conveniences of life, and leave an ample sum besides to take care of the houses likewise.

I know that provision has been made for a similar building on the part of the House. I did not happen to be present when that passed the House. I desire now to say that in my judgment that expenditure on the part of the House was not justifiable or authorized. I do not believe that this House should expend from $13,000 to $14,000 per Member, as that probably will be when we are through, for the accommodation and convenience of the Members, because that sum will buy better houses than many men now live in in the city of Washington.

I do not expect this protest to amount to anything, but I merely desire to go on the record, so far as I am concerned, as protesting against it.

Mr. SLAYDEN. Will the gentleman permit a question?

Mr. LITTLEFIELD. Most certainly.

Mr. SLAYDEN. I should like to ask the gentleman from Maine if he does not believe that money would be saved to the Government and the conveniences of the Members increased if, instead of an extravagant building, to be extravagantly maintained—and it is a reasonable assumption that it will be extravagantly maintained, because all public buildings are—a slight monthly or annual increase in the compensation of Members were made, and let them get their offices where they please and where it would suit them best?

Mr. LITTLEFIELD. Well, the gentleman desires me to be frank, I suppose?

Mr. SLAYDEN. Certainly.

Mr. LITTLEFIELD. I do not think there are many Members now that hire offices or that are subjected to that expenditure. I do not think the large percentage of Members——

Mr. SLAYDEN. I think a great many do.

Mr. LITTLEFIELD. Well, it may be that a great many do. Yes, undoubtedly that would be less expensive and give the Government just exactly as good service, but this proposition, of course, has gone through. I simply wish to say that personally—and I do not expect it to go any farther than myself—I desire to be upon the record as saying that I am opposed to both these propositions, because I do not think they are justifiable.

Mr. ROBINSON of Indiana. Mr. Speaker, I do not want to interrupt in this matter now pending or be heard on that, but I wish to ask about amendment No. 152, if the gentleman will be so kind.

Mr. HEMENWAY. I shall be very glad to do so.

Mr. ROBINSON of Indiana. It seems that amendment No. 152 provided:

That officers on the retired list of the Army serving as officers or employees of the National Home, or its Board of Managers, shall receive while so serving, in addition to their retired pay, a sum which added to such pay shall be equal to their pay in their grade on the active list.

The conference report shows that the conferees have receded from that Senate amendment, and, as I understand the result of that, it is that these two officers of the Soldiers' Home receive their usual pay as retired officers in the Army; that Colonel Knox receives as his retired pay $3,375, and in addition to that receives a salary from the Home of $3,000, making a total of $6,375 salary, and that the other officer, Major Harris, receives as his retired officer's pay $2,625, and that he receives from the Home $4,000, a total of $6,625. It seemed to me—and it was called to my atten-

tion by a gentleman who seems to be informed—that you have practically given more pay by receding from that Senate amendment.

Mr. HEMENWAY. I will say to the gentleman that upon first blush I was opposed to this amendment, but I found that this officer, according to the statement of the board in control of the National Homes, is a very important official, a man whose place it would be very hard to fill. He gives a bond for $100,000 and has to pay for that bond out of his salary. He has to reside in New York, and handles the money that goes to these different Homes, running into the thousands. He has great responsibilities, and when taking into consideration the amount he has to pay for a $100,000 bond, together with the fact that he has to reside in the city of New York, where living is very expensive, the House conferees thought the judgment of the board in charge of these Homes ought to be followed and that this officer ought to be permitted to continue.

Mr. ROBINSON of Indiana. But there are two officers. One receives $6,375 and the other $6,625 under this bill as now presented. The gentleman refers to one officer. These seem to be rather large salaries, where we had the opportunity presented by the Senate to cut this down to the amount that is usually paid under these circumstances, where retired officers fill active places, as is often the case.

Mr. HEMENWAY. The other officer also is compelled by his duties to reside in New York, and the board of control of the National Homes say that it would be very difficult to secure the services of a man so efficient as this man. He has been in the service a number of years and is very efficient. And let me say if we had agreed to this amendment and driven these men out of office their retired pay would have gone on just the same, and somebody else would have been employed to fill these places at just the same salary they are getting. The net result is that the Government would not have saved five cents, and we would have driven out of office two men that the board of control say they want and have compelled them to put in two other men. That is all there is of it.

Mr. ROBINSON of Indiana. Is the gentleman sure that they would not have served for the full pay of their rank as officers in the Army, as provided by the Senate bill?

Mr. HEMENWAY. They are. The board of control say that these gentlemen can not serve for that pay and furnish these bonds and live in the city of New York. Mr. Speaker, I move the adoption of the report.

The SPEAKER. The gentleman from Indiana moves the adoption of the conference report.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WILLIAMS of Mississippi. Mr. Speaker, let us have a division.

The House divided; and there were—ayes 140, noes 92.

Mr. DE ARMOND. The yeas and nays, Mr. Speaker.

The question was taken; and the yeas and nays were ordered.

LIGHT-HOUSE AND FOG SIGNAL AT DIAMOND SHOAL, NORTH CAROLINA.

The SPEAKER. Pending the call of the roll, if there be no objection, the Chair will lay before the House the following request of the Senate.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES, *April 26, 1904.*

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 2319) to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras.

The request of the Senate was complied with.

DAM ACROSS ROCK RIVER AT LYNDON, ILL.

By unanimous consent, change of reference was made of the bill (H. R. 15440) authorizing the construction of a dam across Rock River at Lyndon, Ill., from the Committee on Interstate and Foreign Commerce to the Committee on Rivers and Harbors.

SUNDRY CIVIL APPROPRIATION BILL.

The question was taken; and there were—yeas 139, nays 129, answered "present" 13, not voting 100; as follows:

YEAS—139.

Acheson,	Bradley,	Cooper, Pa.	Fordney,
Adams, Pa.	Brick,	Cousins,	Foss,
Alexander,	Brooks,	Currier,	Foster, Vt.
Allen,	Brown, Wis.	Curtis,	Fowler,
Ames,	Brownlow,	Dalzell,	Gaines, W. Va.
Babcock,	Burke,	Deemer,	Gardner, Mich.
Bartholdt,	Burkett,	Denny,	Gardner, N. J.
Bates,	Burleson,	Draper,	Gibson,
Beidler,	Burton,	Dresser,	Gillett, Mass.
Benton,	Butler, Pa.	Driscoll,	Graff,
Bingham,	Calderhead,	Dunwell,	Greene,
Birdsall,	Campbell,	Dwight,	Gregg,
Bishop,	Capron,	Esch,	Grosvenor,
Bonynge,	Cassel,	Evans,	Hamilton,
Boutell,	Castor,	Flack,	Haskins,
Hedge,	Lilley,	Olmsted,	Sperry,
Hemenway,	Livernash,	Otjen,	Stevens, Minn.
Henry, Conn.	Livingston,	Overstreet,	Sulloway,
Hepburn,	Longworth,	Palmer,	Talbott,
Hildebrant,	Loudenslager,	Patterson, Pa.	Tawney,
Hill, Conn.	Lovering,	Payne,	Thomas, Iowa
Hinshaw,	McCall,	Porter,	Van Voorhis,
Hitt,	McCleary, Minn.	Powers, Mass.	Volstead,
Hogg,	McLachlan,	Powers, Me.	Vreeland,
Howell, Utah	McMorran,	Reeder,	Wachter,
Hull,	Mahon,	Roberts,	Wadsworth,
Humphrey, Wash.	Mann,	Rodenberg,	Wanger,
Jackson, Md.	Marshall,	Scott,	Weems,
Jones, Wash.	Miller,	Shiras,	Wiley, N. J.
Kennedy,	Moon, Pa.	Smith, Ill.	Williamson,
Knopf,	Morgan,	Smith, Iowa	Wilson, Ill.
Kyle,	Morrell,	Smith, Samuel W.	Wright,
Lacey,	Mudd,	Smith, N. Y.	Wynn,
Lanning,	Murdock,	Smith, Pa.	Young.
Lawrence,	Needham,	Spalding,	

NAYS—129.

Adams, Wis.	Gaines, Tenn.	Littlefield,	Ryan,
Adamson,	Garber,	Lloyd,	Scarborough,
Baker,	Garner,	Loud,	Scudder,
Bankhead,	Gilbert,	Lucking,	Shackleford,
Bartlett,	Gillespie,	McAndrews,	Sheppard,
Bassett,	Goebel,	McCarthy,	Sherley,
Beall, Tex.	Goldfogle,	McCreary, Pa.	Shull,
Bell, Cal.	Granger,	McLain,	Sims,
Benny,	Hamlin,	McNary,	Slayden,
Bowers,	Hardwick,	Macon,	Small,
Bowersock,	Harrison,	Maddox,	Smith, Ky.
Brantley,	Haugen,	Maynard,	Smith, Tex.
Breazeale,	Henry, Tex.	Moon, Tenn.	Snook,
Broussard,	Hill, Miss.	Norris,	Southall,
Burnett,	Hopkins,	Padgett,	Southard,
Caldwell,	Houston,	Page,	Spight,
Candler,	Hughes, W. Va.	Patterson, N. C.	Stanley,
Cassingham,	Humphreys, Miss.	Patterson, Tenn.	Stephens, Tex.
Clark,	Jackson, Ohio	Perkins,	Swanson,
Clayton,	James,	Pierce,	Taylor,
Cockran, N. Y.	Jones, Va.	Pou,	Thayer,
Cooper, Wis.	Kehoe,	Pujo,	Thomas, N. C.
Cowherd,	Keliher,	Rainey,	Wallace,
De Armond,	Kitchin, Claude	Randell, Tex.	Webb,
Dickerman,	Kitchin, Wm. W.	Ransdell, La.	Wiley, Ala.
Dinsmore,	Kline,	Richardson, Ala.	Williams, Ill.
Dougherty,	Kluttz,	Richardson, Tenn.	Williams, Miss.
Douglas,	Lamar, Fla.	Rider,	Wilson, N. Y.
Field,	Lamb,	Rixey,	Woodyard,
Finley,	Lewis,	Robinson, Ark.	Zenor.
Fitzgerald,	Lind,	Robinson, Ind.	
Fitzpatrick,	Lindsay,	Rucker,	
Flood,	Little,	Russell,	

ANSWERED "PRESENT"—13.

Bede,	Jenkins,	Otis,	Townsend.
Brundidge,	Landis, Chas. B.	Ruppert,	
Dovener,	Meyer, La.	Steenerson,	
Hay,	Miers, Ind.	Sullivan, Mass.	

NOT VOTING—100.

Aiken,	Dixon,	Ketcham,	Robb,
Badger,	Emerich,	Kinkaid,	Robertson, La.
Bowie,	Foster, Ill.	Knapp,	Sherman,
Brandegee,	French,	Lafean,	Shober,
Brown, Pa.	Fuller,	Lamar, Mo.	Sibley,
Buckman,	Gardner, Mass.	Landis, Frederick	Slemp,
Burgess,	Gillet, N. Y.	Legare,	Smith, Wm. Alden
Burleigh,	Gillett, Cal.	Lester,	Snapp,
Butler, Mo.	Glass,	Lever,	Southwick,
Byrd,	Gooch,	Littauer,	Sparkman,
Cochran, Mo.	Goulden,	Lorimer,	Stafford,
Connell,	Griffith,	McDermott,	Sterling,
Conner,	Griggs,	Mahoney,	Sullivan, N. Y.
Cooper, Tex.	Gudger,	Marsh,	Sulzer,
Cromer,	Hearst,	Martin,	Tate,
Crowley,	Hermann,	Metcalf,	Tirrell,
Crumpacker,	Hitchcock,	Minor,	Trimble,
Cushman,	Holliday,	Mondell,	Underwood,
Daniels,	Howard,	Nevin,	Vandiver,
Darragh,	Howell, N. J.	Parker,	Van Duzer,
Davey, La.	Huff,	Pearre,	Wade,
Davidson,	Hughes, N. J.	Pinckney,	Warner,
Davis, Fla.	Hunt,	Prince,	Warnock,
Davis, Minn.	Hunter,	Reid,	Watson,
Dayton,	Johnson,	Rhea,	Weisse.

So the conference report was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. CASSEL with Mr. GOOCH.

Mr. HUNTER with Mr. RHEA.

Mr. CHARLES B. LANDIS with Mr. TATE.

Mr. SHERMAN with Mr. RUPPERT.

Mr. DAYTON with Mr. MEYER of Louisiana.

Until further notice:

Mr. DAVIDSON with Mr. SPARKMAN.

Mr. BUCKMAN with Mr. COCHRAN of Missouri.

Mr. DANIELS with Mr. WEISSE.

Mr. WM. ALDEN SMITH with Mr. SULLIVAN of New York.

Mr. FULLER with Mr. BYRD.

Mr. WARNER with Mr. LESTER.

Mr. CONNELL with Mr. BUTLER of Missouri.

Mr. DARRAGH with Mr. DAVIS of Florida.

Mr. DOVENER with Mr. TRIMBLE.

Mr. HOLLIDAY with Mr. MIERS of Indiana.

Mr. LORIMER with Mr. MAHONEY.

Mr. WARNOCK with Mr. ROBB.
Mr. BEDE with Mr. BURGESS.
Mr. CRUMPACKER with Mr. COOPER of Texas.
Mr. BURLEIGH with Mr. HUNT.
Mr. METCALF with Mr. PINCKNEY.
For this day:
Mr. TIRRELL with Mr. SULLIVAN of Massachusetts.
Mr. PEARRE with Mr. GRIGGS.
Mr. WATSON with Mr. LINDSAY.
Mr. KETCHAM with Mr. CROWLEY.
Mr. LITTAUER with Mr. MCDERMOTT.
Mr. GARDNER of Massachusetts with Mr. SHOBER.
Mr. DIXON with Mr. EMERICH.
Mr. FRENCH with Mr. LEVER.
Mr. PRINCE with Mr. REID.
Mr. GILLET of New York with Mr. BOWIE.
Mr. LAFEAN with Mr. HEARST.
Mr. NEVIN with Mr. LAMAR of Missouri.
On this vote:
Mr. MINOR with Mr. JOHNSON.
Mr. CUSHMAN with Mr. BRUNDIDGE.
Mr. FOWLER with Mr. HAY.
Mr. SOUTHWICK with Mr. BADGER.
Mr. JENKINS with Mr. ROBERTSON of Louisiana.
Mr. BRANDEGEE with Mr. UNDERWOOD.
Mr. DAVIS of Minnesota with Mr. AIKEN.
Mr. GILLETT of California with Mr. SULZER.
Mr. HERMANN with Mr. GLASS.
Mr. HOWELL of New Jersey with Mr. GUDGER.
Mr. KNAPP with Mr. HOWARD.
Mr. MARSH with Mr. HITCHCOCK.
Mr. MARTIN with Mr. HUGHES of New Jersey.
Mr. MONDELL with Mr. VANDIVER.
Mr. STERLING with Mr. VAN DUZER.
Until 2.30 p. m. to-day:
Mr. OTIS with Mr. GOULDEN.
For week:
Mr. CONNER with Mr. WADE.
For balance of session:
Mr. CROMER with Mr. GRIFFITH.
Mr. SIBLEY with Mr. DAVEY of Louisiana.
Mr. FREDERICK LANDIS with Mr. LEGARE.
Mr. SNAPP with Mr. FOSTER of Illinois.

Mr. CHARLES B. LANDIS. Mr. Speaker, I have a general pair with Mr. TATE, of Georgia, and my information was that he had returned, but I learn he has not, and therefore I desire to withdraw my vote and answer "present."

The result of the vote was announced as above recorded.

On motion of Mr. HEMENWAY, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

Mr. WACHTER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WACHTER. I ask unanimous consent to print remarks in the RECORD on the sundry civil bill.

The SPEAKER. The gentleman from Maryland asks unanimous consent to print remarks in the RECORD upon the sundry civil bill. Is there objection? [A pause.] The Chair hears none.

Mr. DENNY. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection. [A pause.] The Chair hears none.

Mr. JAMES rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. JAMES. I just wanted to know what the gentleman wanted to extend remarks on.

The SPEAKER. On the sundry civil bill.

Mr. WACHTER. On the sundry civil bill in regard to the Baltimore custom-house.

Mr. JAMES. And there is no political matter or discussion involved in it?

Mr. WACHTER. No; there is no political matter involved in it at all.

ORDER OF BUSINESS.

Mr. BABCOCK. Mr. Speaker, as yesterday was District day under the rules, I gave way for the convenience of the House, and now I ask unanimous consent to submit two or three minor District matters.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to submit two or three District bills. Is there objection? [A pause.] The Chair hears none.

Mr. WILLIAMS of Mississippi. What is that, Mr. Speaker?

The SPEAKER. The gentleman from Wisconsin states that yesterday was District day and could not be used, and he now asks unanimous consent to submit two or three District bills for consideration,

Mr. WILLIAMS of Mississippi. Mr. Speaker, before that, what became of the unfinished business of yesterday?

The SPEAKER. The Chair will state to the gentleman that the Chair has not forgotten the matter to which the gentleman refers, but the Chair is informed that in a very few moments the post-office conference report will be here from the Senate, and the Chair desires to pass upon that before calling up the other matter.

Mr. WILLIAMS of Mississippi. Before ruling upon the point of order of yesterday. I have no objection to the Chair taking all the time he desires.

Mr. SMITH of Kentucky. Mr. Speaker, I desire to reserve the right to object to any one of these bills which the gentleman from Wisconsin offers.

Mr. TAWNEY. Mr. Speaker, I make the point of order that this is the legislative day of yesterday; and if yesterday was District day, under the rule the gentleman from Wisconsin can call up his bills as a matter of right.

The SPEAKER. The gentleman is correct. The Chair had overlooked the fact that this is the legislative day of Tuesday.

CHARTER TO GENERAL CONFEDERATION OF WOMEN'S CLUBS.

Mr. BABCOCK. Then, under the rule, I call up the following Senate bill.

The SPEAKER. The gentleman from Wisconsin calls up the following bill, which the Clerk will report.

The Clerk began the reading of the bill, as follows:

A bill (S. 5583) to amend an act entitled "An act granting a charter to the General Confederation of Women's Clubs," approved March 3, 1901.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 5557) to authorize the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, to construct a bridge across the Connecticut River between Chicopee and West Springfield, in said county and Commonwealth.

The message also announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate on joint resolution and bill of the following titles:

H. J. Res. 136. Joint resolution for appointment of members of Board of Managers of the National Home for Disabled Volunteer Soldiers; and

H. R. 13521. An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes.

CONFERENCE REPORT, POST-OFFICE APPROPRIATION BILL.

Mr. OVERSTREET. Mr. Speaker, I call up the conference report on the post-office appropriation bill and ask unanimous consent that the reading of the report may be dispensed with and that the statement may be read in its stead, and in connection therewith I move that the House agree to the conference report.

The SPEAKER. The gentleman from Indiana calls up the conference report on the post-office appropriation bill and asks unanimous consent to dispense with the reading of the report and to read the statement in lieu thereof. Is there objection?

There was no objection.

The Clerk read the statement of the conferees, which, together with the conference report, is to be found in the RECORD of Monday, April 25, 1904.

Mr. OVERSTREET. Mr. Speaker, this report is a complete agreement on the part of the conferees, and its adoption will result in the passage of the bill, the conference report having been already agreed to by the Senate. The total amount of increases made by the amendments of the Senate aggregated $3,263,182. The Senate, however, receded from amendments which resulted in a decrease of that increase by $1,061,805, the House having agreed to the other increases, resulting in a net increase in the appropriations carried by the bill as finally agreed upon of $2,201,292. Of that amount of increase over the amount carried by the bill as it passed the House originally there is one item of $1,700,000, which is carried in order to meet the appropriation for a post-office site in the city of New York, and which is not chargeable to the postal revenue receipts. Therefore the net increase carried by the bill over the amount carried as it passed the House, which is chargeable against the postal revenues, is $501,292. Of this amount, $272,790 is in the item of increases for the Railway Mail Service.

Mr. TAWNEY. Mr. Speaker, right there I will ask the gentleman if he will permit an interruption?

The SPEAKER. Does the gentleman yield?

Mr. OVERSTREET. Yes.

Mr. TAWNEY. I will ask the gentleman what the increase is in the number of railway postal clerks over the number provided for in the bill as it passed the House?

Mr. OVERSTREET. About 320 additional clerks.

Mr. TAWNEY. That is about 320 less than the Department originally provided for in the bill as it passed the Senate.

Mr. OVERSTREET. About that amount; but the bill carries an item of $50,000 for emergency purposes, to be expended by the Second Assistant to meet emergencies which may arise in the Railway Mail Service, so that without the emergency item or appropriation it would appear that there were not quite as many clerks provided for as estimated by the Department. With the item of emergency appropriation of $50,000, however, it makes quite a material difference.

Mr. TAWNEY. Does the gentleman care to state why the committee should not see fit to give the increase which the Department requested for the next fiscal year?

Mr. OVERSTREET. Oh, well, it is a 15 per cent increase. There is a prospective increase of only about 6 per cent in the volume of business, and the committee felt that in view of only a 6 per cent increase in volume of business an increase of 15 per cent in the employees for that service was not proper. We allow the Railway Mail Service an increase of about 11 per cent in employees.

Now, Mr. Speaker, there are two or three items to which I wish to call brief attention.

As to this one for the increase of the railway mail clerks, th committee feel that it will afford ample provision for the service during the next fiscal year.

The item of $45,000 for the Tahitian ocean mail appropriation is restored to the bill by a Senate amendment. This item has been in the appropriation bills for the last two fiscal years, and is carried on this bill in the same identical language with the same amount. The Pacific coast was greatly interested in this item; and the proposition having merit, as the committee believed it did have, and having been estimated for by the Department, the conferees felt justified in acceding to the demand of the Senate and accepted the amendment.

Fifty thousand dollars increase is made in the appropriation for the steamboat service. The provision for special agents or assistant superintendents in the salary and allowance division, seven in number, carrying approximately $25,000, was restored to the bill, being assented to by the conferees on the part of the House.

The remaining item to which I wish to direct special attention is the item of $1,700,000 for the post-office site in the city of New York. The House will remember that a commission, consisting of the Secretary of the Treasury, the Postmaster-General, and the Attorney-General, was authorized by the last Congress to examine into and select a site for a post-office building in the city of New York. That commission recommended a site at the terminal of the Pennsylvania Railway line in that city. The Secretary of the Treasury appeared before the conferees and strongly urged an appropriation to carry out that recommendation. The conferees, being persuaded that the postal facilities in that great city merit further appropriation at the hands of Congress, finally agreed substantially upon what the commission authorized by Congress have recommended.

We have therefore fixed the amount at $1,700,000, or so much thereof as may be necessary, to meet the requirements of the contract which has been submitted to Congress by the report of that commission. However, the conferees have provided that that expenditure shall be made out of the general fund of the Treasury and shall not be chargeable against the postal revenues.

We believed, Mr. Speaker, that this bill, carrying as it does a total of $172,000,000 and more—all except $1,700,000 being chargeable against the postal service—was too large an appropriation bill to warrant the conferees in being too insistent upon the exclusion of amendments which in themselves appear in all fairness to carry considerable justice and merit with them. We therefore submit this report, which upon adoption will pass the bill. I trust the House will adopt the report.

Mr. Speaker, I desire to yield to the gentleman from Tennessee [Mr. MOON] five minutes.

Mr. MOON of Tennessee. Mr. Speaker, it is not my purpose to criticise this bill in detail, though there are a great many of its provisions to which I would not agree primarily, yet it is a great bill, carrying $172,000,000—the largest bill of this kind yet reported to this House. It carries more money than ever was given heretofore to the Post-Office Department for its expenditure; necessarily so on account of the immense increase and extension of postal facilities.

It was impossible for the conferees of the House and the Senate to agree in detail upon this measure. Their consultations of course had to be in a spirit of compromise, as all legislation is. I think that the House conferees have perhaps yielded to the Senate more than they ought to have yielded in this conference; yet, for the purpose of settling the disagreeing votes, I have concurred with the conferees of the House and the Senate, except as to one or two items, to which I desire to call the attention of the House.

The House will remember that by a very decisive vote it struck from the bill the subsidy granted to the Oceanic Steamship Company for carrying the mails from the city of San Francisco to the island of Tahiti. The House conferees stood for a long time in support of the position of the House on that question. Finally two of the House conferees joined the Senate conferees. I concurred in the report of the conferees, dissenting alone from this proposition. I could very readily have concurred in it if it had involved merely a question of dollars and cents or a matter of mere policy, but, according to my ideas of government, the question involved in this proposition is one of principle and is fundamental. This is a pure gift—every dollar of it—to a steamship company. It is taking the money out of the public Treasury and giving it, by special provision of this appropriation bill, to corporations not able to come within the provisions of the general law, so as to be entitled to compensation for carrying the mail, because of the fact that they were not able to make either the time or the speed required by the statute in reference to the carrying of this mail.

Mr. GILBERT. What amount does it carry?

Mr. MOON of Tennessee. Forty-five thousand dollars. The amount is small, it is true, in comparison to the total in the bill, but if it is wrong in principle, it makes no difference whether it is $45,000 or $45,000,000. I think that a man who is conscientious upon these questions can not stand for wrong, whatever the amount involved may be. I believe, Mr. Speaker, that it will strike the sense of justice of this House as an outrage when it is stated and must be admitted, for it is a fact, that it costs the Government of the United States $6.40 for every pound of mail carried to that island, and, so far as we can see, without one dollar of return. Why this money should be given to this steamship company I am unable to determine. It is in line with the subsidies that have been given to the railroad companies. I believe it is time for the House to look a little to the interest of the people, and to quit giving away money to railroad companies and to steamphip companies without any commensurate returns.

I have felt that it was my duty to present these facts to the House, not merely because of my own views on the question, but because the House hitherto, on this very bill, has repudiated the suggestion now offered by the majority of the conferees in this particular matter, that you may determine what action you will take, if any, on this item.

[Here the hammer fell.]

Mr. OVERSTREET. Mr. Speaker, I want to yield to the gentlemen from New York [Mr. FITZGERALD] three minutes.

Mr. FITZGERALD. Mr. Speaker, the conference report contains a provision for the acquisition of a site for a post-office in New York City. As I favored the provision as inserted by the Senate, I desire to say something at this time in criticism of the change that has been made by the conference committee.

Some time ago a commission consisting of the Secretary of the Treasury, the Postmaster-General, and the Attorney-General was appointed, which recommended that a site be acquired for a post-office in New York at the terminal of the Pennsylvania Railroad, under conditions already stated in this House, consisting of 145,000 square feet, for $2,000,000. As I have already stated, I was heartily in favor of that recommendation.

By the report submitted by this conference committee the Government will get 100,000 square feet, about two-thirds of the area first available, at a cost of about $1,700,000; but the significant feature of this change is that while ostensibly it was made for the purpose of protecting the rights of the Government, in fact it will relieve the railroad company of taxation upon a large area of land, and it is not nearly so favorable to the Government as the offer originally and voluntarily made by the railroad company. The original proposition provided that the Government should get an inside tract, with a perpetual easement of light and air, over a tract 600 feet long on two streets and 40 feet deep, and some 575 feet long and 50 feet deep on another street. The fee of those tracts would have been in the railroad company, and the company would have paid taxes on it in the city of New York.

By the arrangement reported by the conference committee in order, apparently, to help the Government, it is provided that one-third of the available area originally offered by the railroad company shall be taken away; that the price be reduced only about one-sixth; that the fee be placed in the Government instead of the company, and that a perpetual easement be given to the company, and the company thereby relieved from taxation. I wish to call attention to this at this time because the original proposition was opposed very strenuously by one of my colleagues from the city of New York [Mr. DOUGLAS]. The result of that opposition, made in good faith, I believe, has been that the city of New York will secure one-third less available area for post-office and other purposes; it will be deprived of taxes upon property upon which the railroad company was willing to pay taxes; and it is the first time in my experience that Congress has been prevented from do-

ing that which it was willing to do for a locality because of the opposition of one of the Representatives from that locality, based on the ground that the Government was about to do too much for the locality.

As my Democratic colleagues and myself were heartily in favor of the original plan, would take it now if it could be had, and are content to accept the substitute provision because it is the best that can be had, I shall be content with this brief statement of my position.

Mr. OVERSTREET. Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. ROBINSON].

Mr. ROBINSON of Indiana. I want to suggest to my colleague that on an amendment that I introduced in the House the Tahiti subsidy was stricken out, and I should now like to have ten minutes.

Mr. OVERSTREET. Let the gentleman proceed for five minutes, and then we will see how he gets along.

Mr. ROBINSON of Indiana. Mr. Speaker, the gentleman from Tennessee [Mr. MOON] is right in his opposition to this Tahiti ocean mail subsidy. It is indefensible. It has not the Post-Office Department sanction. It is vicious in principle, and it has the express disapproval of the House in Committee of the Whole, where by a pronounced vote by tellers it was rejected.

This is its real status as viewed from a departmental and House standpoint.

It stands here with only a Senate indorsement, with two Members in conference agreeing to it and with an express dissent from the gentleman from Tennessee, one of the three House conferees.

Let us see what standing it should have as a matter of principle or policy.

This Tahiti subsidy involves in its broad view the payment of $30,000 subsidy to the Spreckels Oceanic Steamship Company out of the French colonial treasury and the additional subsidy of $45,000 out of the United States Treasury.

Prior to November 1, 1900, this service was performed by French steamers at a cost to the Department of about $400 a year, and on that date the company took up the service with American registered steamers, which increased the cost to about $1,150. Under the appropriation by Congress fixing the compensation at $1 per mile, the cost of the service has increased to $42,120 per annum.

Until two years ago it was not sent to Congress by the Postmaster-General, for the reason that the Government had been having its mails carried from San Francisco to Tahiti for $350 a year, and this contract with schooners comprised twelve trips a year, instead of ten given by the steamship company, and was said to be a very good service, although a little longer than by steam. Four years ago there was inserted in the general appropriation bill for the Post-Office Department an item of $45,000 for carrying the mails from San Francisco to Tahiti.

Let me throw some light on this matter, borne out by the record.

The council of the French colony on March 9, 1900, awarded a contract to the company to run for a period of five years from November 1, 1900, or until 1905. For this service the French subsidy of $30,000 was to be paid, and has since then been paid to that company for carrying this mail. This information is imparted by the report of the United States consul, J. Lamb Doty, of date March 10, 1900.

Under this contract made by a perfectly competent company it bound itself to carry and did carry this mail for the French subsidy and without an American subsidy. This it did for a while without a justification or hope for a subsidy from the United States Treasury. With this service carried to that French colony by the support of a French subsidy we come to the strange and unusual proceedings which involve Congress into a covert, unjustifiable, and, in one sense, an unlawful course. A Congressional subsidy of $45,000 was first granted to operate from July 1, 1901. This postal service was before that date in operation and bound by contract between the French and the steamship company, and free from a United States subsidy support. The contract was made, the bond given, the service inaugurated.

It can not be said that the Oceanic Steamship Company anticipated that Congress would either knowingly or unknowingly, secretly or in the open, pass a United States subsidy bill for their aid, when the contract was closed and the service guaranteed thereby till November 1, 1905. In 1901, to take effect July 1 of that year, this subsidy first appears in the Congressional proceedings. Prior to that this Oceanic Steamship Company had done this same work for the charge of $1,150 to the United States Treasury, as shown by the official statement of J. J. McCardy, Auditor of the Post-Office Department, of date, March 19, 1904. It is proper to say, in view of all the light that has been recently flooded on this question, that Members of Congress did not have a syllable of hearings to inform us, or a syllable of discussion in either House, and that Congress was not informed and has not been informed on that provision, which slipped through without notice. It came to Congress without the request or indorsement of the Post-Office Department. It was a strange and unusual proceeding, carried through in a strange, secret, and unusual manner.

The act of March 3, 1891, entitled "An act to provide ocean mail service between the United States and foreign ports," etc., provides that—

> The Postmaster-General is authorized * * * to enter into contracts * * * not less than five nor more than ten years in duration to carry ocean mail between ports of the United States and foreign ports. * * * Said contracts shall be made with the lowest responsible bidder—
>
> And—
>
> The Postmaster-General shall have the right to reject all bids not, in his opinion, reasonable for the attaining of the purpose named.
>
> And—
>
> Before making any contract for carrying ocean mails * * * the Postmaster-General shall give public notice by advertising once a week for three months—
>
> In daily papers of eleven of the large seaport cities.
>
> And when the proposed service is to be on the Pacific Ocean, then in San Francisco, Tacoma, and Portland.

This is a subsidy forced on the Post-Office Department against principle, standing law, good policy, and good administration. I give credit to that great business department for its refusal—for steadfastly refusing—to give its approval to this proposition. It will not do to say that after Congress without consideration forced this $45,000 subsidy on that Department in 1901, it since has followed the pro forma rule of sending its estimates to Congress.

It is not too late to remedy the evil. This proposition is not of long standing. It has not the force of precedent or the strength of antiquity behind it.

The Postmaster-General never advertised for this service, thus opening it to bidders and competition. He has not had the opportunity to safeguard the public service by the power to reject all bids if they did not comport with the policy of the general law. The first year this subsidy was forced on the Department by Congress.

The following year the item was again inserted, and again it went through, although the Post-Office Department had not asked for it, and seemed perfectly satisfied with the service that had been given by the sailing vessels at $350 a year.

But this saving to the Government of the difference between $350 and $45,000 a year did not seem to appeal with force to the Members of Congress who passed the appropriation. Evidently no one east of the Pacific coast knew of it. Certainly no one by hearings, report, or discussion mentioned it in either House. So when it had gone on for two years and the Post-Office Department had grown used to its insertion, the Department entered the estimate.

We have this light from an authoritative source, in a letter to my colleague from Indiana [Mr. CROMER]. This is what the Auditor says:

> TREASURY DEPARTMENT,
> OFFICE OF AUDITOR FOR THE POST-OFFICE DEPARTMENT,
> *Washington, March 19, 1904.*
>
> SIR: In reply to your verbal inquiry of this morning relative to the comparative cost of foreign mail service between the port of San Francisco and the French colony of Tahiti, Society Islands, during the fiscal years ending June 30, 1902, and June 30, 1903, I have the honor to submit the following statement:
>
> YEAR ENDING JUNE 30, 1902.
>
> Weight of mails dispatched during that year, 347½ pounds of letter mail, 5,587½ pounds of prints. The cost of transporting these mails in American registered vessels under section 4009, Revised Statutes, would be $1,002.90, and if conveyed in foreign registered vessels the cost would be $396.58. The actual cost, however, for the conveyance of the mails in question by the Oceanic Steamship Company, under the appropriation by Congress, at $1 per mile for each outward trip, was $37,908.
>
> YEAR ENDING JUNE 30, 1903.
>
> Weight of mails dispatched during that year, 423 pounds of letter mail, 5,988 pounds of prints. The cost of transporting these mails in American registered vessels, under section 4009, Revised Statutes, would be $1,155.87, and if conveyed in foreign registered vessels the cost would be $447.19. The actual cost, however, for the conveyance of the mails in question by the Oceanic Steamship Company, under the appropriation by Congress, at $1 per mile for each outward trip, was $42,120.

For whom and for what has Congress been inveigled into this most extraordinary provision? No one can question the efficiency of the service furnished—the character of vessels plying across the Pacific—but is the United States Treasury to be charged with its support? Among other points in the report of 1900 of the United States consul at Tahiti we find these:

> During the extraordinary session of the general council of this colony, which was convened yesterday for the purpose, a contract was awarded to the Oceanic Steamship Company, of San Francisco, for the establishment of a steamship line between Tahiti and San Francisco for the transportation of mails, passengers, and freight.
>
> The essential features of the contract are as follows: For the annual sum of 156,000 francs ($30,000 in United States gold), to be paid by the Tahiti government, and exemption from port charges, the Oceanic Steamship Company is to operate an American steamship of about 3,000 tons gross register, performing eleven round trips per annum at an average speed of not less than 12½ knots. The contract is awarded for a period of five years from the first voyage, which is to be made not later than November 1, 1900, and earlier if possible.

* * * * * * *

It may be predicted that if the Oceanic Steamship Company continues in this business for five years the trade between the United States and Tahiti will not only experience a great extension, but that the proportion of value will increase from 50 to 75 per cent.

The Union Steamship Company (British), of New Zealand, which now operates a steamer between Tahiti and Auckland, has for some time past desired to extend its service through to San Francisco; and, indeed, at this moment it has a proposition before the local government offering to perform the service for an annual subsidy of $50,000.

J. LAMB DOTY, *Consul.*

TAHITI, *March 10, 1900.*

In this connection I refer to a part of Mr. Spreckles's letter, which was read during the Senate discussion and which is not entirely in accord, as I understand it, with the statements of the consul and the Auditor of the Post-Office Department as to the time this company commenced to render this postal service.

SAN FRANCISCO, CAL., *March 29, 1904.*

HON. GEORGE C. PERKINS,
United States Senate, Washington, D. C.:

When the time matter came up of advertising under postal act of March 3, 1891, for carrying mails to Australia, it was practically agreed between chairman of the House Committee on the Post-Office and Post-Roads, myself, and Postmaster-General Smith that Tahiti route should also be advertised, and acting under that assurance we entered into contract with French Government Tahiti to establish steam communication with their colony. For some reason which I never learned, instead of advertising this route as agreed, Department called for appropriation of forty-five thousand—equal to what we would have received had we bid for service under postal act.

According to J. J. McCardy the "Oceanic Steamship Company took up the service with American registered steamers" November 1, 1900. The postal act referred to in the letter became a law March 3, 1901.

All this was to ensue from the promotion by a French subsidy with no American subsidy, and as trade increased it is plain that the need of a French subsidy so far disappears. I might say, in passing, that under date of letter of March 29, 1904, Mr. John D. Spreckles does not say that the mail service will be discontinued by a withholding of this gratuity. It is claimed that $200,000 of trade has been secured by this questionable subsidy secured in this secret and questionable manner.

Is not this company thus subsidized ready to surrender this gratuity and repudiate this paternalism and content itself with the profit arising from this increased trade, fostered in its infancy and now grown to such magnificent proportions by a subsidy of 25 per cent of the increased trade?

This was the trade prediction of 1900 by our consul. Was this subsidy to promote trade? Has the trade come as promised and as stated? If so, discontinue, in justice, the bounty; if not, make haste to avoid the folly. The Post-Office Department is not responsible for it, but Congress is. Forty-five thousand dollars as subsidy for carrying mail or trade to Tahiti, a French island 400 square miles in extent and of 12,000 people, 3,700 nautical miles from San Francisco, with the trade showing, presents the transparency of the whole proposition.

Reduced to another phase as it concerns postal facilities, this situation is presented:

For the fiscal year 1903 the weight of the mails carried between San Francisco and Tahiti was as follows:

Letters and cards, 423 pounds; other mail matter, 5,988 pounds; total, 6,411 pounds.

On this amount of mail the United States collected inland and sea postage to the amount of $1,155.84. It paid the Oceanic Steamship Company $42,120 for carrying this mail matter to Tahiti. The excess of cost to the Government was, therefore, $40,964.16.

In order to bring this down to still plainer figures it is only necessary to show that, in paying this steamship company $42,120 for the ten trips of the year, during which the company transported a total of 6,411 pounds of mail, the Government paid for that service at the rate of $6.50 a pound. The schooners which formerly had the job were loath to lose it at the small figure of $350 a year, which was less than 6 cents per pound, estimating the weight of the mails at the figures given above for 1903.

Let us see what a leading Republican paper of the country says on this point. I quote from an editorial comment from the Indianapolis News:

The House of Representatives did well yesterday to strike out the appropriation of $45,000 for carrying the mails between this country and Tahiti. Tahiti is an island in the Pacific, belonging to France, with an area of about 400 square miles and a population of not more than 12,000. The idea that we should pay for mail service an amount equal to more than 10 per cent of our total trade seems preposterous. The question is not one of getting the mails carried—for that will be tended to as it has been in the past—but of paying an exorbitant price to one line of steamships for work that can be done and has been done much more cheaply by others. In other words, what the House decided was that it was, in this case at least, opposed to the subsidy principle, and it doubtless decided wisely.

The SPEAKER pro tempore (Mr. HEPBURN). The time of the gentleman has expired.

Mr. OVERSTREET. I yield five minutes more to the gentleman.

Mr. ROBINSON of Indiana. Mr. Speaker, we now come to the parliamentary situation of the question and the form in which this matter comes up and why we are thus involved in it.

The passage of the bill is not involved. It comes here on a conference report, which, under the hard and fast procedure of the House, turns awry our power as a House and yields legislation to conferees unless we are guarded.

We sent this proposition to our accredited conferees, relying, implicitly relying, upon the idea that they would be faithful and fair and make it their first duty to sustain the power and dignity of the House that created the conferees. We had voted this proposition down before we turned our interests to conferees. They were charged with preserving our rights and our sentiments. For some reason, when disagreement in conference came, our accredited conferees did not show us the poor privilege of expressing our sentiments.

This was a clear departure from the fair rules of conference. We were not denied our rights or deprived of our powers on the military bill or the naval bill, and I submit the House Members owe it to themselves, individually and collectively, to guard their rights and not surrender to conference. Under the rules, the only course is now adopted that can be availed of.

We are confronted with difficulties almost insurmountable in the hurry and lack of time incident to near adjournment, when these conference reports usually come in.

This matter brought in this form presents to the House the vital importance of scanning every feature of our procedure that may lead to usurpation of our powers or surrenders of a serious nature.

If we strictly conform to the rules governing the two Houses we will find that each has its full power under the right of amendment that will fairly secure the sentiment of each branch of Congress. No complaint can be made of the full and free exercise of this independent power by each House, but when we come to conference between the two Houses we must be guarded.

The House conferees are our long-term Members, and by their long service have gained such position at the head of the respective committees as makes them the proper ones to be on conference committees. No one should impugn their motives or reflect upon their actions, nor, indeed, can this be done successfully unless the record bears out the statement.

The House itself is largely responsible for an inimical custom that has grown up of legislating in conference. With this and the legislative difficulties that surround us when we attempt to separate germane and appropriate provisions ingrafted in conference from those not proper or within disagreeing votes of the two Houses, we are confronted with difficulties; but a lack of fidelity in returning to the branch that creates for instruction is no less dangerous.

The conferees are the trusted agents of the two Houses of Congress. We clothe our conferees with an agency to represent us, but their rights as such and their duties to us are circumscribed and limited. If the conferees are faithful and fair to us under the strict rules governing them, they add to the efficient machinery of the House procedure. If, on the contrary, they take to themselves independent legislation, if they wander away from their strict duties, as too many times is done, they multiply our labor, keep us ever watchful, and throw us all into confusion and embarrassment.

This evil has grown up and been tolerated, not because it was right, not because it is not universally condemned as unsafe and dangerous, but because of the difficulty of detecting the new provisions inserted in legislation or a failure to return to us for action on matters of sharp disagreement in conference. One word may change the whole import of a provision. The rules of conference are of themselves broad enough to lead to danger even if carefully observed, but when conferees wander in the slightest degree away from them and the House permits it, we lose our representative character, we abdicate our legislative function, and the result is unconsidered, undigested, and changed legislation without our sanction in fact, though it may be in form.

Are conferees to reflect their own opinions or are they our constituted agents to reflect the voice of the House? If they are not to reflect our views, we better surrender our prerogatives and reserve to ourselves a right to assemble in the House of Representatives late in the session and confirm the action of a few conference committees appointed early in the session.

If the House conferees had any authority under any rule to legislate for the House when the House had expressly and specifically voted contrary to the proposition they now bring in, they should have a better excuse than is presented, that conference is compromise. They may say in excuse or extenuation that they followed a custom that has grown up. To this I say it is a dangerous expedient that belittles the House membership, surrenders our control over our own proceedings without our consent in advance, usurps our province, and tends ultimately to the destruction of the dignity and integrity of our proceedings.

Our conferees in this case should have said, "We will not sub-

mit, and never will submit," which would have been welcome news to this House; but instead of that they come here with the word "surrender," surrender to the other body upon a proposition that we had already voted down. I say that they should have come to us with explanations of situations and conditions, and given this House an opportunity to assert the full power of its legislative vote.

And we ask you, then, by voting down this conference, not to stand in the way of the bill, but to avail of the only means presented by the parliamentary status. This bill will be passed within a few hours, but we ask you to send it back and tell our conferees that they shall not usurp the functions of the House of Representatives; that they shall stand by the vote with which we sent them out; that they shall stand for the dignity of the House position and not shear us of our power as individuals and House Members. Unless the House takes to itself the powers that it possesses, and if the House surrender these powers to its conferees, when will we have a chance to vote our sentiments on this Tahiti proposition and have them respected by our conferees? This is the question, Whether the House shall maintain its dignity or whether the House shall be deprived of its powers by a system of usurpation on the part of conferees dangerous to the integrity and force and the strength of the House proceedings?

Mr. Speaker, if this proposition can not be acted on successfully this way, with the Post-Office Department standing against the subsidy, with every consideration of right policy against it, with every consideration of the House proceedings being kept inviolate by our agents, the conferees, where is power of legislation to be preserved? I ask the House to vote down this report, so that in a few hours it may come here as we sent it to the conferees, stripped of this ocean-mail subsidy. [Applause.]

Mr. OVERSTREET. Mr. Speaker, I now yield five minutes to the gentleman from California [Mr. GILLETT].

Mr. GILLETT of California. Mr. Speaker, coming from the Pacific coast, where we have so much and get but little, I can not concur in the argument just made by the gentleman from Indiana and the gentleman from Tennessee.

In March, 1891, Congress, realizing the necessity for advancing our commerce, saw fit to pass an act entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce." It has been the policy of this Government from the very beginning to encourage our commerce wherever it can be encouraged. It will always continue to be the policy of our country, and it seems to me now that the argument made by the gentlemen seems to strike at the very principle for which in the past we have been contending. From 1870 up to 1900 the French Government tried to maintain and keep up a mail service between San Francisco and the Tahiti Islands by means of sailing vessels, paying therefor about 75,000 francs a year.

In 1900, this having failed, the merchants of San Francisco, being alive to the necessity of the commerce of the Pacific Ocean, themselves endeavored to maintain this mail service by the use of steam schooners, and then, as the project failed, the Spreckels Company, representing some of the best business men of our coast—men who are anxious to build up the commerce of the Pacific Ocean—constructed three magnificent steamers, the *Sierra*, the *Sonoma*, and the *Ventura*, each having about 6,200 tonnage. They entered into an arrangement, it is true, with France for the carrying of this mail. They have entered into an arrangement with the United States Government for carrying this mail.

It might be true that the amount of money paid would be in excess of what it would be worth to carry the mail, but still, notwithstanding that, there is a motive higher than that which controls the merit of this appropriation; it is for the development and upbuilding of the commerce of the Pacific Ocean. It is for the purpose of encouraging our ships to go to the islands in the South Pacific Ocean and to distant foreign lands carrying our commerce there that we desire that this amount of money should be paid. The fact that steamers make regular trips, the fact that our flag every month is seen at those shores, the fact that they deal with our people and we are dealing with them, the fact that our commerce is steadily increasing shows the good judgment of this Congress in allowing for the two years last past this amount of money. Now, the act of March 3, 1891, provides that these ships shall carry a cadet at their expense, who shall be trained in seamanship for the service of the United States.

These vessels already are carrying these cadets, training young men for service when their service shall be needed. Further than this, if the Oceanic Steamship Company accepts the money from the United States under this act which it provides for, the United States Government has a right to take in time of war these three magnificent ships for transports in her service. This appropriation is of great value to the Pacific Ocean, soon to be, as it is fast becoming, the scene of the great commerce of the world. We are sending our ships to the Orient. These vessels go to New Zealand, Australia, Honolulu, to the Society Islands, to Tahiti, carrying there our commerce, taking there our citizens, introducing our products of the factory and of the farm; and I say that this amount of money is a small amount to encourage commerce of this kind.

I trust that the Members of the House will do as they have done in the past two years and vote this appropriation, because, in my judgment, it is money well expended. [Applause.]

Mr. DOUGLAS. Mr. Speaker, I beg to say I accept in good faith the report of the conferees, and am pleased the passage to-day of the post-office and post-roads bill in the House settles the question regarding postal facilities in New York City at the terminals of the New York Central and Pennsylvania railroads in a way that will at least benefit our city to some considerable extent. We had a very exhaustive hearing April 19, and these gentlemen carefully considered the problem, and have beyond doubt acted as they considered for the best. As these substations will not be ready, however, under four to six years, immediate relief will not be brought about, and we will have to look to a somewhat indefinite future.

There is very much yet to be accomplished to bring about what all our business men and residents desire—that is, a quick and prompt delivery of local and through mails to our own people. It is well understood the providing of these additional facilities are mostly to care for the through mail service, mails coming in and going out over the railroads, and largely not intended for our own citizens, probably about 70 per cent of the total going west or east, north or south, to Europe, the Orient, and all other parts of the world, mails which are not sorted in New York City, this being done at the place of dispatch, or in transit; and the mail bags are never opened in our city.

We should now all work for the real solution of the prompt delivery of our letters by forcing the authorities to give us a complete tube or other similar system which will connect all our branch stations, and which, I am glad to say, is being done to some extent already; and I might add that the expenditure of half what we will likely put out on the Pennsylvania site would give us a delivery heretofore not dreamed of for quickness.

I would now refer to the final report of the conferees, which, I am pleased to say, confirms the absolute correctness of my views in a large measure, as is shown by their adoption by the committee, and the selection of the smaller space, or 100,000 square feet, at the Pennsylvania terminal, as against 145,000 square feet; also requiring that said company grant to the Government the fee to the entire property, including the street line and the inner court. The securing of the fee to the Government was one of the main features which I have so strongly advocated and stood for.

The report calls for the payment for the lesser site of not exceeding $1,700,000. The exact offer of the Pennsylvania Company, I understand, is $1,666,085, or only a reduction of, say, $334,000. If we deduct one-third from $2,000,000 it leaves $1,333,334, and even admitting, for the sake of argument, that the extra percentage for the value of ground would be somewhat higher for the smaller space, as claimed by the company, the Government having taken the Eighth avenue front, it does not seem that the railroad company should have asked over $1,500,000 at a maximum; and I am therefore extremely disappointed at this feature of the case.

As, however, it is still a question of bargain, I certainly trust the Government officials who have this matter under their care will do their utmost to force the company to make a large reduction from the maximum named in the bill; so great are the advantages the railroad people secure, they can undoubtedly afford to be very liberal and still have by far the best of the bargain.

As regards the wording of the clause pertaining to the lease at the New York Central it would, I believe, have been far better to have accepted the Senate's provisions and to have had an appraisement based on the exact space finally secured by the Government (which should not be less than 100,000 square feet), and also according to the position of the building in which the space is provided; and again, as previously stated, whether that space is on the first or second floor or partly on two floors. As the matter now stands it is left entirely to the Postmaster-General, and we can only trust that he will be equal to the occasion and force a proper bargain.

It is therefore most satisfactory to feel that the light and information I obtained and gave to Congress and the different conferences held has safeguarded Government interest and ownership, which was being woefully overlooked, besides saving probably at least fifteen to twenty thousand dollars yearly at the New York Central site and likely five to six millions of dollars at the Pennsylvania site, as I would state that it has been practically decided to abandon the original idea of placing on so undesirable a piece of land, and so badly situated for real post-office requirements, a large and expensive building, and it is proposed to substitute a two or three story edifice instead, at a cost not exceeding, say, two

to two and one-half millions of dollars, to be used as a workshop or distributing center, with a large open space for convenience of clerks, etc., which is all that is required there; and this is frankly admitted by the post-office officials and the experts who have given the matter attention and been consulted.

It seems desirable for me to make clear and correct the false impressions which appear in some way to have become current that I have been opposed to or ever directly or indirectly have endeavored in any way to frustrate the securing of adequate or justifiable quarters at or near these terminals, and no evidence can be produced to controvert this statement, which I wish to make most positive. My public remarks on the subject March 14, published in the CONGRESSIONAL RECORD March 17, at which time I printed a map of the proposed Pennsylvania site, also my further statements, which can be found in the RECORD under date or March 18 and 22, as well as the remarks before the Committee on Appropriations of the House March 2 and the conferees of the House and Senate April 19 and elsewhere, will wholly bear me out in this assertion.

What I have endeavored to accomplish has been on the lines not of prevention, but of protection in making the necessary arrangements, so that if we decided to do anything with the Pennsylvania Railroad, as they were endeavoring to grasp all they could get, the committee in charge, being posted, would on their part be alert, and it is now frankly admitted by those who know that if this had not been done a decided advantage would have rested with the railroad interests in these negotiations.

As a matter of personal moment, I wish to say to the House, also insert in the RECORD and make plain to the public, and I state it with regret, that at least two-thirds of all that has appeared in the public print about my position in this matter has been absolutely false and my views and actions persistently misstated. One New York paper, the New York Herald, has been especially unfair, has not even published the map showing what New York City was to get, or given a line of explanation as to the real issue to enlighten the public; but confined itself to finding fault with anyone who preferred to give details.

When in New York quietly looking after personal business they stated I was working night and day to defeat relief for New York. It was said I was endeavoring to stir up a sentiment against New York in the Senate, acting with Senators I have never spoken to in my life.

April 22 they published on the first page, in large letters, "New York City wins postal relief; battle won by the persistent work of the Herald;" stated the larger site was to be taken, when the conferees had agreed to the contrary, and omitted to say a word about the fee now resting with the Government. They add no further serious opposition could be made by myself, when they knew positively, if the report of the committee that met April 5 at the Shoreham Hotel was adopted, I was a party to said agreement; but these facts did not deter me a moment from carrying out what I considered my duty in this matter, and I have no doubt the justice of these remarks will be recognized and appreciated by the public and all who are conversant with the true issues involved.

On the 22d of March I succeeded in having an amendment inserted in the post-office and post-roads bill, empowering the Postmaster-General to lease for a period of twenty-five years such space as might be required at the Pennsylvania terminal at a rental not exceeding $75,000 per annum. This bill also carried the provision to lease at the New York Central terminal at not exceeding $90,000 per annum. The intent and object of the amendment was fully explained at the time. It was a good business proposition, and was based on sound and fair judgment, and I regret that the Senate committee did not give it greater consideration.

I saw Postmaster-General Payne before offering the amendment (also others), and he stated to me that he would be glad to have this authority, and personally believed that it would be a proper solution of the question and effect a large saving to the Government if it could be arranged, and that he would use his utmost endeavors to that end if Congress saw fit to authorize. I wish to add, however, in justice to this gentleman, so that I do not misstate the position, that he frankly told me he was not hopeful of securing a lease from the railroad, and he did not believe they would consider the proposal; but it is to be regretted that the effort could not have been made, and it was necessary to lay this solution aside as impractical.

As finally agreed, it seems likely that the acceptance of the purchase plan, even with the lesser space, will entail an expenditure for ground and building of at least $4,000,000, which at 3 per cent equals $120,000; and the expense of running this large plant, over the rental proposal, estimating the extra cost at $50,000 per annum, makes $170,000, against, say, $70,000 to $75,000 if we could have leased; or practically even now the extra cost will likely figure out to the Government approximately $100,000 each year. I would call attention to the fact that the area is about 400 feet by 325 feet, which will give an extremely large building.

In the sundry civil bill, I understand, the New York Senators had inserted an amendment to buy the larger Pennsylvania site at $2,000,000, the House Committee on Appropriations having declined to place this provision in their bill when reported. A full hearing was held March 2—details printed in my remarks of March 14—at which meeting practically the entire New York delegation was present, including Senator DEPEW, who spoke in favor of the acceptance of the first Pennsylvania Railroad proposal, and he later advocated the same strongly on the floor of the Senate, which offer, however, has since been rejected and amended, according to my recommendation, for Government protection, as already explained.

I would further state that the original Pennsylvania proposition was rejected last year by the conferees of both Houses when considering the appropriation bill, which shows the persistence of the railroad people in forcing their project, and it is a matter of congratulation that they did not succeed.

It was at this stage of the proceedings that a very clever manipulation of affairs was accomplished against my protest, and the Committee on Post-Office and Post-Roads in the Senate, under the inception of Senator QUAY, of Pennsylvania, I understand, and Senator DEPEW, and without any hearing by others, struck out the lease proposition at the Pennsylvania site as put in by the House, after a full discussion—at which time, I might say, Representatives FITZGERALD, of New York, and SIBLEY, of Pennsylvania, both spoke in favor of the lease as against the purchase proposition, also others—and inserted the same old proposal to pay $2,000,000 for a site at said terminal.

This was done as it was well known the Appropriation Committee of the House was against the measure unless important changes were agreed to, and to place the measure presumably before a committee more favorable and of which Senator PENROSE, of Pennsylvania, was chairman, it also being probably thought that this committee in the House might also look upon matters somewhat more favorably.

What I have consistently opposed, and I am glad to think successfully in part, was the purchase of the Pennsylvania site with the idea of erecting thereon a great central post-office and public building at a cost of probably ten to twelve millions or more, and everything I have said as to the objectionable features of the site for such a purpose, the out-of-the-way location, the impossibility of treating the plot architecturally or otherwise to advantage, for reasons which are given in this statement, I stand by and can not make my remarks too strong. It would have been a great injustice to the Government and a sad lack of judgment and of no practical benefit to the population.

The wisdom of taking even the smaller area from the railroad for a workshop and substation at the high price to be paid and practically entering into partnership with railroad interests in land is an open question, although there may be some advantages which will be gained.

I took occasion, however, to point out carefully to the conferees for their consideration, that they could probably buy, or condemn if necessary, land on Thirty-first street between Eighth and Ninth avenues, running south toward Thirtieth street, and tunnel under Thirty-first street which is only a distance of some 60 or 70 feet, and thus secure their track connection with the Pennsylvania Railroad, placing the cars thereby under their own building, and this could have been unquestionably done at a far less expense than will be incurred.

Estimating the ground as worth $20,000 for lots 25 by 100 feet, the Government could have secured, say, 100,000 square feet of space for $400,000, and allowing for an inner court, say $50,000, would have made a total of $450,000, and there would have then been no question as to fee to the property or cellar accommodations, and the saving of large amounts which the present site will entail by reason of pillars going down 40 feet to erect the building upon, etc., and in all probability a workshop could have been placed there to meet all requirements at certainly $1,000,000; but railroad interests, especially the Pennsylvania, are supreme and all powerful.

On the 27th of March I received an invitation to present my views to a committee of the Merchants' Association appointed to look into the matter, and a conference was held in New York at their rooms on Tuesday, March 29. The issue was discussed and the committee were practically agreed that the facts placed before them by me were in order and correct. It was therefore decided to endeavor to adjust and reach an understanding, if possible, by arranging a joint meeting of the various interests, including representatives of the Pennsylvania Railroad, and such meeting was brought about by the association, the conference being held in Washington on Tuesday, April 5, at the Shoreham Hotel, lasting several hours.

Those present who took an active part are named in the report

adopted. Secretary Shaw was present, representing the ex-commission and the Postmaster-General, who was unable to attend on account of sickness. I desire at this point to express my thanks to W. F. King, chairman, and the committee of this association for their efforts to settle this matter on a fair basis, and their conclusions as finally agreed to proved the interest shown by them in the affair beyond question contributed largely to bring about the final solution.

I would refer—especially as it undoubtedly had a most important bearing on the final decision of this subject—to this meeting of the committee from the Merchants' Association of New York City, a representative of the Pennsylvania Railroad, Mr. S. Rea, the Hon. Secretary Shaw, and myself. I might mention that Hon. BOIES PENROSE, chairman of the Senate Committee on Post-Offices and Post-Roads; Hon. WILLIAM B. ALLISON, chairman of the Senate Committee on Appropriations; Hon. JESSE OVERSTREET, chairman of the House Committee on the Post-Office and Post-Roads, and Hon. JAMES A. HEMENWAY, chairman of the House Committee on Appropriations, were invited to attend; but Senator PENROSE and Representative OVERSTREET were out of the city, Senator ALLISON was ill, and Representative HEMENWAY was unable to be present; so, unfortunately, none of these gentlemen were in attendance.

The conference was arranged entirely at the suggestion of the Merchants' Association to discuss the proposed purchase or lease of a site at the Pennsylvania Railroad terminal, and the matter was most carefully gone into by all parties. The conference lasted several hours. It may be well to mention that Mr. Charles B. Lamb is a well-known New York architect, Mr. Towne a gentleman of large business interests, and Mr. William F. King, who is also a business man of large experience and training and thoroughly familiar with New York City affairs, and their advice was most effective in arranging and settling the compromise agreed upon.

I strongly advocated as a matter of absolute necessity in the Government's interest that in case this property was purchased it was essential in place of the railroad company having the fee to the land surrounding the Government purchase, that this should be changed and such fee to the street line should rest with the Government, and also the fee to the inner court, as otherwise the United States would have no protection whatever against nuisances of any kind or interest in the adjacent streets to prevent without their consent the putting down of sewers, the laying of mains, the building of street railways, elevated railways, etc.

This most important point appears to have been entirely overlooked by the Government in their original negotiations with the railroad, but I am glad to say it was finally conceded as a correct position on my part by all present, including Secretary Shaw, and Mr. Rea was advised that the Government could only take title accordingly, and to so report to his company; and I am pleased now to add that this important question has also been conceded and admitted as proper by the Pennsylvania Company, and their terms of sale changed. The Government is to give the railroad easement for light and ventilation through the strips 50 and 40 feet from the street line as shown by the plan.

The necessity for so large a space as proposed was then thoroughly talked over, and the consensus of opinion, for reasons stated, was practically unanimous that only a workshop or substation was required; that much less ground could be taken, and the Government's interests would not suffer so far as postal facilities were in question, and they would benefit through the saving of money both in the cost of land and the erection of the building to the extent of several millions. It is true that Secretary Shaw demurred and said that he preferred the larger plot, even if not used entirely for postal requirements, and he suggested that the appraisers' stores needed more room, which, however, did not seem feasible, as property with access from the street by bridges only would not be desirable for such requirements, and the location was also a poor one for the purpose; and so, again, what this large area was to be used for outside of postal needs was left in doubt.

Finally the proposed compromise was suggested, duly considered, and agreed to by all present. Secretary Shaw stated that he would stand with the others and that he had the authority of Postmaster-General Payne to cut down the space if it was the sense of the meeting, and 100,000 square feet were to be taken on the ground floor. This would admit of, say, 300,000 square feet, if the building was a three-story one, not including the basement, and afforded three times the space which is to be accorded at the New York Central site. Mr. Rea was asked to have his company give a new figure for this lesser property, which cut off 45,000 feet, or 5,000 feet less than one-third of the original proposal. The agreement, as printed below, was read by the secretary, Mr. Mead, before all parties at interest, was accepted, and is submitted as evidence.

Copy of report.

A conference in regard to the subject of the purchase of a site for proper and necessary postal facilities at the new Pennsylvania Railroad terminal in the city of New York was held Tuesday, April 5, at the Shoreham Hotel, Washington, at the suggestion and upon the invitation of the Merchants' Association of New York. Those present at the conference were the Hon. Leslie M. Shaw, Secretary of the Treasury, representing the official postal commission, which recommended the site, and also representing the Post-Office Department and the Treasury Department; the Hon. W. H. DOUGLAS, Member of Congress from New York City; Mr. Samuel Rea, fourth vice-president of the Pennsylvania Railroad, and the committee of the Merchants' Association of New York, composed of Messrs. William F. King, Henry R. Towne, Charles B. Lamb, F. B. De Berard, and S. C. Mead.

The object of the conference was to see if, in view of the disagreement between the House and Senate in regard to this matter, some proposition could be reached upon which all conflicting interests might agree, whereby provision for the purchase of an adequate site could be made at this session of Congress through the conference committees of the Senate and House.

The subject was fully discussed in all its bearings, and as a result Secretary Shaw, Congressman DOUGLAS, and the committee of the Merchants' Association of New York agreed that modifications of the present proposition would be acceptable. The two points of modification are:

1. Reduction of ground area from 145,000 square feet, as originally proposed, to 100,000 square feet.

2. Transfer to the Government of the fee out to the street line with retention in the Pennsylvania Railroad of the easements of light and ventilation through a strip of about 40 feet in width next the street line and through a central quadrangle instead of the transfer to the Government of the fee only to the space to be actually covered by the Government building, with merely rights of way over the outer strip for access to the building, as originally proposed.

Mr. Rae was not authorized to commit the Pennsylvania Railroad to the acceptance of these modifications, but through him they have been submitted to the Pennsylvania officials for consideration, and Mr. Rae has agreed to give their decision in a few days.

It is the hope and expectation of the other members of this conference that this modified proposition will be accepted by the Pennsylvania Railroad and that the differences in Congress on this subject may thereby be eliminated. If this be so, action can probably be had at this session of Congress and an appropriation obtained to purchase a site which will furnish the space requisite for postal facilities at that point on terms and conditions more favorable to the Government than those contained in the original proposition.

The evidence given by me before the conferees of the House and Senate April 19 shows clearly the objections and difficulties to be overcome at the Pennsylvania Railroad site, which made such purchase from all points of view both expensive and undesirable for the Government, and I therefore give the main facts as then submitted, also remarks regarding the New York Central lease, in which I pointed out this clause should be worded with care.

Gentlemen of the conference, I desire to say a word about the New York Central proposition.

No definite statement was embraced in the recommendation of the ex-commission, and this railroad only came on the scene when the conferees of the Senate and House Committees on Appropriations were conferring last year. The New York Central at that time proposed to sell ground or lease space to the Government, and it was a current statement that through an agent they appeared before the conferees and opposed the very plan of the Pennsylvania Company which this session has been so strongly advocating in conjunction with their own.

Knowing the situation of the property at the New York Central depot I realized that it would have been difficult for this railroad under their plans, to the extent they are known, to convey to the Government any fit and suitable piece of land at a reasonable price; therefore, when they offered at this session to lease, I and others at once agreed that it was best for the United States to meet them, and I do not know that any special differences of opinion have arisen on this proposition; and as it appears that all are agreed, I sincerely trust this conference will so report back to their respective Houses, and that the matter will be properly adjusted.

In view, however, of the failure during the Senate debate by the junior Senator from New York, and also by the Senate committee, to make really clear what is proposed to be given to us, I would like to have the conferees investigate, as I understand it does not appear from any information to be secured that the New York Central really intends to erect in any sense a special Government building or post-office, and if this is correct, we should appreciate the fact and understand it; that is, they are not going to put up a special edifice with street fronts for the post-office authorities' exclusive use and according to the provisions of the law governing post-office sites, with first-floor conveniences for the public and accessible from the streets adjacent, also accessible for mail wagons to deliver and take away the mails, although I presume the postal authorities will see in the final adjustment that such proper arrangements as are required will be made for trucks and wagons to load and discharge their mail bags, etc., at the substation.

The railroad company, it appears, are to give us 100,000 square feet of space somewhere at their terminal, as embraced in the large area mentioned in this section of the bill and in their own extensive group of buildings, said space to be over their tracks, so that the mails can be hoisted and taken off the cars by elevators

to the Government space above, which I further understand is to be on the second and third floors of such portion of the building as they may concede to the Government.

The saving in cartage between the present substation at Lexington avenue, so fully gone into by several Senators, I believe has been much exaggerated, and no exact figures on the status of this matter has been given out by the Department itself.

The duration of the lease is not of material consequence; but so rapid are the improvements in methods of handling mails which may lead to necessary changes, that I think the Senate amendment reducing the first period to ten years, with the privilege of a renewal, is the wisest measure.

We must also remember that this distributing station or substation will not be ready for at least four or five years. The wording of the Senate amendment regarding the annual rent to the Government, while a safeguard and wise provision so far as putting in the 2½ per cent clause on valuation is in question, and not trusting to Senatorial or railroad promises, I hardly think is as carefully worded even yet as it should be; and therefore I call the committee's attention to this point. The Government is to have no cellar, no ground floor, only space above the first floor, the railroad occupying the valuable portion of the building, and the proportion or allotment of rent the Government should pay for space in the building they occupy is so problematical that it should be carefully appraised.

The value also would greatly differ, whether they occupy space in a building toward Lexington avenue or Madison avenue. Land on Lexington avenue would not be worth a third of the value of the Madison avenue front. I respectfully suggest that after the words "twenty-five years longer" the amendment should read as follows:

Not less than 100,000 square feet of space in a building to be erected over the tracks of the New York Central and Hudson River Railroad in the city of New York, State of New York, with proper access for mail wagons to load and unload, within the space bounded by Lexington avenue, Madison avenue, Forty-second street, and Forty-sixth street at an annual rental to be fixed for the entire period or lease on Government taking possession of not more than 2½ per cent upon an appraised value of the space actually occupied by the Government and not to exceed $90,000 per annum.

The questions of light, heat, and power for elevator service, etc., are important matters, and I have not heard them brought up in any discussion, but presume that the Government will be safeguarded, as there may be no room, or, rather, suitable space, available on the floors occupied by the Government; and it is very possible that the railroad people will have to furnish these important accessories.

I have thought it desirable to allude to this extent only to the New York Central proposal, which is favored by me, and I can only trust that the Postmaster-General will drive a satisfactory bargain and finally succeed in arranging at considerably under the maximum figures, and believe he should have no trouble in so doing. I would add, the Postmaster-General has authority to make leases of this kind for ten years, and I do not see why this issue was brought before Congress, as it could have been adjusted under the general law.

The Pennsylvania Railroad proposals are the most important, as they involve more ambitious plans and the purchase of a large plot of ground, and consequently have practically created the major part of the discussion this session. I desire to again say that I am as much in favor of securing, if possible, fair arrangements with this company as with the New York Central; and I propose merely to present the facts which I believe the committee should have before them in deciding the question, and will refrain from making any special recommendations; but from time to time I have learned, or searched out myself, or secured from railroad experts, engineers, and architects various details which should be interesting.

It has been given out by the Post-Office authorities and repeated on the floor of the House and Senate, and seems to be an admitted fact, that the New York Central will grant us for the sum of $90,000 maximum annual rental 100,000 square feet of space, which the authorities say is all they will require for a distributing station for the next fifty years or longer at that railroad. It is further an admitted fact that the New York Central carry 60 per cent of the 90 per cent of mails coming into New York City over the railroads as against, say, 40 per cent by the Pennsylvania.

Therefore it would seem on its face a simple business argument that we should be able to secure all the needed requirements for the postal service at certainly under the maximum figure of $90,000 yearly, as less space, also, is apparently necessary at the Pennsylvania site on account of the lesser quantity of mail; and, again, the ground at the latter station, according to experts, is not worth more than one-third, and perhaps only one-fourth, of what it is at the New York Central site. If these are facts which are not disputed, the committee should certainly consider why it should do something entirely different, at a likely enormous cost to the Government, and which plant once established can not well be done away with, unless there are further and good reasons which have not apparently developed at any hearing I have attended, and which will warrant the Pennsylvania purchase.

To buy this land for $2,000,000, if we follow the original proposal, and again take the original recommendation for a building, as named in Postmaster-General Payne's report of February 24, 1903, $5,000,000, makes $7,000,000, and we would probably spend several millions more. The area is enormous, approximately 375 by 600 feet, less an inside court 175 by 350 feet, and the total floor space would be 145,000 square feet each floor. There is then a private driveway at the rear of the property 30 feet wide, and 10 feet at the rear is reserved for light to the Pennsylvania tracks. Presuming there was erected a building only three stories high, this would mean, including the story below ground—as the Government's rights begin 20 feet below the surface—and assuming they could have a flooring there, this would figure in all 580,000 square feet.

The cost for elevators, for heating, light, machinery, etc., would certainly add another million of dollars, which would make eight million in all. Figuring 3 per cent interest, this amounts to $240,000. There would then have to be considered the heavy running expenses, which can hardly be estimated at less than $100,000, making $340,000. We will deduct, say, $25,000, as there, of course, would be expenses at the New York Central for these purposes, and it is desirable to make comparisons, but this would leave, say, $315,000 as a yearly output as against probably about $75,000 annually at the New York Central by leasing, and much less mail to be looked after. Note.—Under the lesser purchase of ground and inexpensive building, as pointed out, we will still spend yearly about $100,000 more than if we had leased.

These inconsistencies could not fail to attract the attention of anyone who was trying to get at the real facts and not dealing with airy theories. The statement is made that New York City will grow, which is true, and probably faster than ever, but if that is the case we are providing too much space at one place and too little at the other, or we are ignoring the testimony of postal experts who claim that the question of sorting at substations is now easily handled and as such stations have increased largely in number, the necessity, therefore, or, in fact, desirability, of large postal buildings in any one place is absolutely no longer needed.

I am told that the Chicago post-office, that has cost very many millions and is only about completed, is practically behind the age before it goes into general use, and that but a very small portion of the space will be used for the original requirements. This, however, is a well-located building and can serve for any other purposes, and to advantage as a Federal building. It now comes to a simple question of whether the expenditure, as outlined, is required at the Pennsylvania terminal, or it appears to be justified only on the grounds of a different proposal, and that it was or still may be the intention of the ex-committee to create at this point a central building for post-office or Federal purposes, and not a mere distributing station, and then the committee should carefully give thought to the point whether the location would be a justifiable one for the expenditure of these millions.

I wish to say, however, that no matter what was the original intent of the postmaster, as I understand it, he now says, or authorizes the Secretary of the Treasury to state for him, that he does not wish for anything but a "working office" at this site, and unless I misquote the honorable Secretary Shaw he also indorses this view as correct, and this was clearly stated at the April 5 meeting at the Shoreham Hotel hearing, when I brought the question up with the Secretary before the committee of the Merchants Association and a representative of the Pennsylvania Railroad. The New York postal authorities have also stated they did not wish anything but a workshop, that little sorting will be necessary, and the Department authorities in Washington have dropped their estimates of the necessary cost of a building to two or two and a half millions.

The honorable Senator DOLLIVER also says we only desire to receive the mail at the Pennsylvania site and distribute it, which statement he made in reply to Senator PATTERSON on April 4, when the latter gentleman stated that we must have great central buildings, but this seems to be a proposal to expend an immense sum of money simply for a distributing office.

It was most pleasing to have on record Senator PATTERSON'S further statement on this question that New York City was entitled to a great Federal building in a central location for all the necessary requirements of the people, and in these remarks he justifies the position I have taken and have been fighting for ever since I have been in Congress; but if we are going to put up a great edifice, a dignified building, something that the people would like to have, then we must treat this subject entirely different, and that building should be erected where it will be of benefit to the public and not hid away far beyond the usual locations that

the people largely frequent. I think the conferees will also carefully consider that proposition in reaching their conclusions.

If we are to purchase the entire site, the conferees will also have to give attention, if they think the space is larger than what will be necessary for postal needs, for what purposes it will be available. I would now say a word in reference to the question of value. The plans have been examined by real estate and other experts—men who are large owners of property—and the value seems open to a considerable range of opinion. The railroad company take their purchase figure and deduct one-third for railroad use of ground for trackage, or, say, 158,650 square feet, which would go to the Government, is worth $1,591,894.10, and they then add one-third of the cost of 132,550 square feet, which they had proposed to reserve for light and air, to the Government price, and they make the figure $2,000,000 in round numbers. But they omit to consider that if the Government ground went to the street front they would have all the light and air desired, excepting an inside court, and this land is reserved absolutely for the benefit of their trackage, and it does not seem that they should charge any portion of its cost to the Government.

It may be well to consider a few special features in regard to the proposition itself, and ask if the site would be a satisfactory one for other requirements than postal necessities if its use could not entirely be devoted to that purpose. The matter has been put before those who are thoroughly familiar with New York's necessities in connection with a Federal building, and the consensus of opinion has been practically unanimous that a building placed between Eighth and Ninth avenues would not be well situated, New York City being long and narrow, the main arteries running north and south, and the flow and the tide of the people are confined to a few main thoroughfares.

Just as soon as you go east of Third avenue on the east side of the city you are practically outside of the line of traffic, and the same applies to the west side of the city after you cross Sixth avenue south of Thirty-fourth street (except in a few special locations). The blocks between the avenues on the west side of the city from Fourteenth street to about Thirty-fourth street from Sixth avenue west are the longest in the city, and about equal to four usual city blocks, and in some cases even five. It is true that Eighth avenue is a thoroughfare and compares somewhat with Third avenue on the east side, but it is mostly frequented by the poorer classes.

As a second proposition the proposed plan of sale as outlined by the Pennsylvania is open to serious criticism. As the conferees well understand the entire Eighth-avenue front was proposed to be retained by the Pennsylvania Railroad to the extent of 50 feet deep, running west. Again, they propose to retain 40 feet on the entire front of the property running east and west on Thirty-first street and Thirty-third street. They also intended to hold the entire inner core of the building on the ground floor for a court 175 feet by 350 feet; also a strip on the south end of the property 10 feet wide adjacent to the private driveway, which would be 30 feet wide and proposed to be opened at Government cost between Thirty-first and Thirth-third streets for the use of drays, trucks, etc.

These reservations are intended to provide light and air to the tracks of the Pennsylvania Railroad 40 feet under the surface line of the ground; therefore there would be a clean drop of 40 feet, which applies as well to the very large inner court. To say the least it appears that this feature is decidedly detrimental, as while it is true they propose to grant the Government the easement across these strips of land, yet it would be unsightly to any building, and there would be the liability to nuisances such as smells, smoke from engines, noises, and other disagreeable features.

I, of course, understand the representatives of the Pennsylvania Company who are here to-day intend to offer you supplemental proposals. They now grant the fee to the Government to the street line and central court, also giving a price for the smaller area, 100,000 feet in place of 145,000 feet. Again, as the inner court would have to be open, it would not be the same as the usual courts to a large building that is floored over on the first story, so that it could be used as floor space and for purposes of general service; but it would simply be a deep hole in the ground to be crossed by bridges if the Government desired to build them. Further, the only approach to the building would be by bridges, which would have to be built from Eighth avenue 50 feet across the line to admit of entrance, and on the side streets 40 feet for the same purpose.

It has been contended by some that large buildings, and especially Government buildings, have often been set back from the streets, and the outer space surrounding the buildings are depressed, which is true; but a careful investigation does not disclose any building, public or private, which would be similarly placed to the proposed present edifice. Buildings, while they may set back at times from the street, have a court over which the people can walk, which gives an imposing effect; or, if the land is depressed, it is not usually more than a few feet, and grassplots, flowers, and other ornamentation are provided which creates a pleasing outlook both from the outside and the inside of the building.

Careful research has also failed to find any building which has an inner court on the plan proposed in the present instance. There would be no possible way of treating the court effectively or advantageously. It thus appears that the Pennsylvania Railroad proposes to dispose of or sell to the Government a plot of ground 100 feet wide and approximately 375 feet north and south and 600 feet east and west, but surrounded by a moat or ditch 50 and 40 feet deep on three sides and 10 feet deep on the rear line, with an inner court of the dimensions already named, also 40 feet deep. There would be no frontage owned by the Government on any street whatever.

The proposition is so unique and singular that experts have had no hesitancy in saying that this feature alone would have deterred any private owner from entertaining a purchase proposition, to say nothing of other features which will shortly be mentioned. In fact, we would have a freak building, and a costly one as well.

To return again to the question of values: The street line, or, what is more important still, the ability to use for business purposes the street front, which never can be the case under the present plan, or even the amended plan by which the Government secures the fee as the railroad still retains the easement, is the true value of any piece of property in a large city; and real estate men have hesitated in giving a value to what the railroad company wish to convey to the Government for $2,000,000.

The highest figure, however, that I have heard named by anyone is the valuation placed upon the site by the New York Post, a most able and respectable newspaper, which published an article on the subject on March 26, 1904, and which I will print in part in the RECORD, after going fully into the values paid by the railroad and giving as they say a comprehensive search into the merits of the case are forced to the conclusion that the value of the land is woefully depressed with the lack of any real frontage and by the reservation of the subsurface easement. They add that in an ordinary case this would destroy the value almost to the vanishing point, and a lot set back 40 feet from Broadway would hardly be worth anything, and there seems little question, therefore, that the $2,000,000 asked for this property is at least 50 per cent too high.

The conferees will note the New York Post places the valuation at $1,000,000. This is a higher figure than any real estate man has named, most of them considering that the site would only be useful for manufacturing purposes or some such business where the street line was of no consequence and valuations range from $250,000 to $500,000.

[Part of the New York Post article, published March 26, 1904.]

The proposal thus suggests probably the most peculiar real-estate transaction on record. Properly the plot offered to the Government has no street frontage. All this is reserved by the Pennsylvania road—40 feet on Thirty-first and Thirty-third streets, and 50 on Ninth avenue. The railroad also retains the open court, 350 by 175. These spaces are to be left open for purposes of light and air, though the Government can build all bridges necessary to give access to its post-office. The large plot to the north, on Ninth avenue, also is not included in the sale. This will probably be left open, exposing tracks and trains.

What the Government is asked to buy is an isolated parallelogram, with the center cut off, having a uniform width of 100 feet, a length in one direction of 550 and in the other of 375. It is not unusual in building operations to leave a great interior court for light and air, but the fee of this is always held by the owner of the building. In this case it can hardly be, as the railroad needs the vault space, so to speak, for trackage. Probably never before was a property offered from which all the frontages have been removed. It is proposed to excavate the surrounding strips so that the new post-office, if ever built here, will have a sort of a castle effect, surrounded on all sides by a moat (sans water), and reached by bridges.

For this property the Pennsylvania road asks $2,000,000. An appraisal of its value would probably stump the greatest real-estate expert. Ordinarily cutting off the frontages and the subsurface rights would deprive a property of any value at all. No purchaser for it in the regular market could be imagined. Its only possible utilization seems to be a post-office. It is especially convenient for this, because the transference of incoming and outgoing mails is simplified. It thus puts the New York post office in immediate touch with the whole country.

A post-office does not increase the value of surrounding property. It always introduces confusion in the section in which it is located; the mail wagons especially are a bad feature. What chiefly seems to be advocated is a large plot central to transit lines, not too remote to be accessible to businessmen, but somewhat removed from the great public thoroughfares. From these view points the Pennsylvania's offer has many advocates, though there is a general impression that the price demanded is excessive. In Congress it is charged that the land would not bring $500,000 in the open market.

It will be observed that the plot offered is in all cases 100 feet deep—that is, the lots have not been cut off, but rather moved back. In all, it contains 58 city lots. At $2,000,000 this is at the rate of $34,482 a city lot. It might be profitable to compare this price with what the Pennsylvania Railroad actually paid for the property two years ago. Its value may be well gauged from the prices mentioned in the deeds conveying the following parcels to the Pennsylvania. In all cases these are the deeds of executors and trustees, and the considerations mentioned are those actually paid.

THIRTY-FIRST STREET.

Number.	Size.	Price.	Front foot.	Full lot.
325	20.0 by 98.9	$18,000	$900	$22,500
357	18.9 by 98.9	20,000	1,111	27,775
367	18.9 by 98.9	20,000	1,111	27,775
369	18.9 by 98.9	17,500	972	24,300

THIRTY-THIRD STREET.

314	18.9 by 98.9	$25,000	$1,333	$33,325
316	18.9 by 98.9	23,500	1,258	31,325
318	18.9 by 98.9	22,000	1,172	29,300
358	19.8 by 98.9	25,000	1,265	31,625

NORTHWEST CORNER EIGHTH AVENUE.

31	74 by 100	$185,000	$2,500	$62,500
431	24 by 100	40,000	1,666	42,650

The last column shows the value in each case of a full lot, on the basis of the sale in question, all the parcels cited being less than a 25 by 100 lot. None of these prices—which were actually paid—equals the average price asked now by the Pennsylvania Road, except those of the Ninth avenue parcels. The Thirty-first street quotations, ranging from $22,000 to $27,000, are considerably below the $34,000 now asked by the Pennsylvania. There is not such a disparity in the case of the Thirty-third street property, though it is still considerable.

The Pennsylvania directors would probably urge on the one hand that they have had to carry the property for two years at a loss, and that its value is much higher now than when they purchased, owing to the change wrought in the section by their station. On the other hand, it is notorious that the Pennsylvania paid ridiculously high prices for most of its land. Its scheme became public property almost before it had begun, and speculators in numerous cases got in ahead.

Thus the prices paid two years ago probably represent all that the property will be worth for some time to come. The rear of a railroad terminal depreciates rather than puts up prices. Again, the value of the land is woefully depreciated by the lack of any real frontage and by the reservation of the subsurface easement. In an ordinary case this would destroy value almost to the vanishing point. A Broadway lot set back 40 feet from Broadway would hardly be worth anything. There seems little question, therefore, that the $2,000,000 asked for this property is at least 50 per cent too high.

Thirdly, it may be well to consider the architectural effect, and architects have stated that to treat the site advantageously or even semisatisfactorily would require considerable outlay, as it would be essential at least to build down to the 20-foot line in as substantial and high-priced a manner as the first story; otherwise the approaches would be unsightly and the entire effect would be destroyed. This would practically mean that where the cellar of a building is usually put you would have to increase the expense and build according to the first-story plans of an ordinary building, 20 feet below the surface line; and it is an open question whether the surrounding space, being entirely open still below this, 20 feet additional to the Pennsylvania tracks, that some further treatment would not be required. This may be simply a question of cost, but why at the Government's expense and for the benefit and convenience of the Pennsylvania Railroad?

Fourthly, the very important question arises as to the supports and necessary foundations for a fireproof and heavy building. The foundation will have to be on the tracks of the Pennsylvania Railroad; that is, you would have to place your foundation on property which the Government will have no rights upon now or at any other time, and the supports will require to be so situated as to meet the necessities of the railroad trackage. The possibility of having a solid foundation built up around the inner court is somewhat clouded and open to question, but it does not appear likely that this could be done so far as the ends of the court approaching Eighth and Ninth avenues are in question, as it would interfere with the trackage.

Thus, again, the question of expense enters largely, and Mr. Lamb, the architect present at the April 5 hearing, expressed the opinion that a difficult problem would have to be met, and the expense entailed on the Government would be very heavy. This brings up the consideration of the height of the building. It may be true that should the ground be bought the present building would only be two or three stories above the street level; but it might be desirable in later years to increase this height, and it would be necessary in building to provide the proper foundation, and there seems to be an issue here as to being able to secure strength of supports to carry a building, say, of eight or ten stories above the ground surface.

It may be that these are not real obstacles, but engineers have raised the issue and it is well to record them. A private owner would under no circumstances assume these obligations and would be considered clearly insane if he did so. It is presumable that the Government should be protected against matters of this kind equally as well as the individual. The question has also been raised that if the Government only use the ground 20 feet below the surface line and has no rights below where the Pennsylvania tracks are placed, whether or not the Pennsylvania Company should not, at their own expense, build up the foundations, which must be in accordance with the necessities of their trackage, to the line where the Government really takes control, and whether they should not agree to keep said foundation at their own expense in repair?

This has been called to my attention, and I feel it my duty to also mention it to the conferees. The boiler room, engine room, and necessary machinery for various requirements of an enormous building of this character would have to be provided for. It is possible that the space 20 feet below the surface line, and which rests with the Government, would give ample room; but, again, the foundations would have to be extremely staunch to provide against vibration and weight, as usually the necessary machinery is placed on the ground in the cellar of public buildings to secure a firm foundation.

I understood from my last interview with Secretary Shaw that he would probably still contend that the larger space was probably the most desirable if asked for an opinion by the conferees.

The question now to be determined appears to narrow itself down to the following propositions: Does the Government require more than proper space for postal necessities at the Pennsylvania site, and is it essential to purchase this plot to secure said facilities, or could other ground be secured adjacent to the Pennsylvania station site on a more favorable basis and at a heavy saving to the Government?

If any space is bought of the Pennsylvania Company shall the smaller space at the increased price be paid, as even while the cost is proportionately higher for the smaller space there is a saving, and there would be considerably extra saving in the cost of the smaller building, or again, would it be best to purchase the larger site and take chances for what purposes it may be used in later years if not all needed at once for postal necessities? In considering these propositions the question of the desirability of Government ownership in conjunction with a railroad has come up and the committee should carefully go into this matter.

I further take it that the conferees will, of course, in any case so word their clause as to protect the Government fee to street front and also to any inner court. I would point out that even under the lesser ground space there would be a building 400 feet front by 325 feet deep, or, as mentioned, 100,000 square feet each floor.

As regards Government ownership in partnership with a railroad, it appeals to me very strongly that it is not a wise or proper move if it can be avoided for the Government to enter into such transactions.

The placing of this public building on a site over a railroad property will undoubtedly give them a great advantage over other interests or railroads which may later on secure an entrance into New York City. On the point of the Government owning their own buildings instead of leasing, as a general proposition I desire to record myself as thoroughly in favor of Government ownership. There can be no question of doubt that it is far best and economical as a rule, but there are exceptions, and the case of the New York Central lease is a proper one, and the same rule would have applied to the Pennsylvania Railroad site if it had been within the Government's power to secure such an arrangement.

In connection with the passage of these measures I desire to record the great service, for which he should receive the thanks of the New York delegation, rendered by the Hon. HENRY S. BOUTELL of Illinois, who was in the chair during the discussion of this bill. It will be remembered that on the 18th of March, when the chairman of the committee, Mr. OVERSTREET, had a point of order raised against the clause in the bill pertaining to the New York Central lease by Representative JOHN H. STEPHENS of Texas, which, notwithstanding the united appeals of the Democratic and Republican members of New York City, he would not withdraw, the Chair under the rule was forced to rule in his favor, and the clause was killed, which would have done away with this legislation during this session unless matters could have been adjusted in the Senate.

But at this critical time Mr. BOUTELL very kindly pointed out the method of drawing the amendment to myself, which would overcome the point of order, and feeling that it would be courtesy to the chairman of the committee, Mr. OVERSTREET, I conceded to him the redrawing of the clause, which was submitted as an amendment; and although Mr. STEPHENS again raised the point of order, the Chair in this case ruled in favor of the amendment as germane, and it remained, therefore, in the bill and was passed. I give this little incident especially, as had not advantage been taken of the situation at that time the amendment would not have been inserted, which is a further proof that I was not stopping legislation for New York, but helping it all I could.

The original committee to select a site for the New York City post-office, as I have stated in my former remarks, were expected to have secured for us a proper central site for a Federal building

and post-office, and it appears they made a serious mistake, to say the least, in advocating an unsatisfactory plot of ground at a railroad terminal, and our city thereby has unfortunately lost, for a period at least, the securing of a Federal building, which they are entitled to at the hands of Congress; but I trust we may still obtain recognition in due course, and I shall work for such a building at our next session and shall hope to have the support of all who have by their actions prevented or retarded the realization of this proper tribute to our wealth and growth.

We have had no large appropriation for nearly a quarter of a century, excepting the customs house, while other cities have been liberally treated. The two substations which we have secured, as the people will eventually find out for themselves when they are in operation, do not provide what the public generally anticipate or look for in a public building; that is, a dignified, imposing edifice of which the people can be proud, with a large central court having entrances on all sides through which our citizens may walk and transact their business; one which provides every advantage for postal facilities, giving ample accommodations for the public for general delivery, the securing of stamps, the buying of money orders, and all that goes with public necessity in these particulars.

Also providing the proper accommodations for revenue collectors, a home for Federal judges and other officials of the United States Government who may be located with us and require a home for the transaction of their business, and so built as to be an architectural ornament for our metropolis.

To reach a proper settlement of prompt deliveries in our city it should be divided into eight or more divisions, the same as in European cities, and letters should be addressed accordingly. We should then have substations at the north, south, east, and western sections of the city; also, intermediate stations at the northeast, northwest, etc., and a central station, and each to have tube connections. Letters should be collected each half-hour at the mail boxes and taken to the nearest station. They should then be sorted and placed in bags according to the different localities of the city where they are to go, and these bags sent by the tube to the station most adjacent to the addresses on said letters; the letters should then be sent out at once.

If this were done, there is no reason why a person could not mail a letter in a box at Harlem at, say, 9 a. m., and have it delivered to the downtown business section at the lower end of the city within, say, an hour and a half or two hours' time. Also, a special-delivery stamp should be provided, in which case if the party using same is willing to pay the extra sum, the letter should be sent by tube at once and delivered from the nearest substation by special messenger. Under this arrangement at least a further half hour or more could be saved.

The special-delivery stamp should not exceed 2 cents in value, and the experts estimate that the public would use this service so largely that the interest on the entire outlay would be paid from the sale of special stamps alone, and we should have really an efficient and attractive service. Even now, with the heavy charge of 10 cents for special delivery, the use of these stamps is increasing enormously, showing that the public are demanding and should be conceded a much quicker service.

It has been stated correctly that the Senators from New York State supported the original proposals of the railroads without regard to alterations, which has also been the position of the Senators from Pennsylvania and the honorable Secretary Shaw, who has further said that he was enthusiastic for the Pennsylvania purchase. The further claim has been made that practically the entire New York City delegation believed in the proposal, which, however. I am glad to be able to refute as incorrect; and I only regret that they did not come out and assert themselves to help break down railroad aggressiveness.

It has been further stated that I stood largely alone in the efforts made to enlighten Congress and obtain an honest lease from the New York Central and Government protection in buying from the Pennsylvania Company, and while this is not correct I would only add that, if it were the case, it is most singular that single handed one Representative could force this great railroad combine, with the powerful advocates mentioned, to change their plans and proposals to grant us fee to the ground and other advantages to which the Government was entitled but the truth of the matter is, the facts I was able to obtain from real estate authorities, engineers, architects, and others was so clear, and the justice of the position so plain, that even the array of influential parties mentioned could not prevent justice from prevailing, and I am pleased to say that the conferees granted every facility to have the facts properly put before them.

The arrogance, power, and influence of the great railroads and other corporations in Congress has been well and strongly exemplified in this matter and shows that propositions meet favor when advocated by such interests, which, if they had been put forward by less potent factors, would have had little chance of even consideration. The Pennsylvania Railroad Company purchased this ground in New York City at a heavy cost, far beyond its value, as it was needed for their trackage, and they had to secure the right of way to the block beyond where their depot is to be placed.

They needed the control of the lower level for their tracks, but did not require the space above, and naturally they have been desirous of securing a tenant who would protect them for all time and pay well for the land, the value of which was very uncertain considering the surrounding conditions. They turned to the Government as a likely purchaser to relieve them of their burden, and having in mind, probably, the Philadelphia post-office adjacent to their depot there, proposed to protect themselves in New York by a similar arrangement, which has been partly successful.

It is said that they even went so far as to have plans drawn by their own architects for the building which they would allow the Government to erect, so that never minding the millions in cost, if they did not pay the bill, their wishes would be met by a building corresponding in architectural effect with their own station. Whether this is actually correct I have not been able to verify, but would not be surprised at anything in view of the first proposal made to the post-office authorities.

Personally, I have endeavored in this matter to be absolutely honest and consistent. My purpose has been to protect the Government and at the same time obtain for New York City what was needed at these terminals, and believe I have been fairly successful, and at the same time left matters in such shape as will enable the New York City delegation to work for a splendid Federal building in the future and secure it. [Applause.]

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. ROBINSON of Indiana. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. OVERSTREET. Mr. Speaker, I demand the previous question.

The previous question was ordered.

The SPEAKER. The question now is on agreeing to the report.

The question was taken; and on a division (demanded by Mr. GILBERT and by Mr. ROBINSON of Indiana) there were—ayes 119, noes 89.

So the conference report was agreed to.

On motion of Mr. OVERSTREET, a motion to reconsider the last vote was laid on the table.

BOARD OF MANAGERS, NATIONAL SOLDIERS' HOME.

Mr. HULL. Mr. Speaker, I submit a conference report on House resolution No. 136, for the appointment of Board of Managers of the National Home for Disabled Volunteer Soldiers, which I send to the desk, and I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from Iowa submits a conference report, and asks unanimous consent that the statement be read instead of the report. Is there objection?

There was no objection.

The Clerk read the statement, which, together with the report, are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the resolution (H. J. Res. 136) for the appointment of Board of Managers of the National Home for Disabled Volunteer Soldiers, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In line 11 of the bill insert the following: "John M. Holley to succeed John L. Mitchell, his term of service expiring April twenty-first, nineteen hundred and four;" and the Senate agree to the same.

J. A. T. HULL,
GEO. W. PRINCE,
JAMES L. SLAYDEN,
Managers on the part of the House.

N. B. SCOTT,
J. B. FORAKER,
Managers on the part of the Senate.

STATEMENT.

Amendment No. 1 strikes out the name of William R. Shafter and inserts the name of Henry H. Markham; and the House recedes.

Amendment No. 2 is inserting the name of Markham in place of Shafter, with a statement that he succeeds Mr. Bonsall.

Through a clerical error the name of John H. Holley was omitted in the second part of the resolution, and that is inserted after amendment No. 2; so that the House recedes from its disagreement to amendment No. 2, and agrees to the same with an amendment inserting the name of John H. Holley to succeed John L. Mitchell.

J. A. T. HULL,
GEO. W. PRINCE,
JAMES L. SLAYDEN,
Managers on the part of the House.

Mr. HULL. I move the adoption of the report.

The report was agreed to.

On motion of Mr. HULL, a motion to reconsider the vote by which the report was agreed to was laid on the table.

DECISION ON QUESTIONS OF PRIVILEGE.

The SPEAKER. Yesterday, during consideration of the bill relating to the use of certain vessels belonging to the United States, the gentleman from New York [Mr. COCKRAN], claiming recognition for a question of privilege, proposed a resolution, which the Clerk will read.

The Clerk read as follows:

Whereas the Hon. JOHN DALZELL, a Member of this House and of its Committee on Ways and Means, has charged on the floor that the Hon. WILLIAM BOURKE COCKRAN, a Representative from New York and a member of the same committee, had been paid money by a political party to support a candidate for the Presidency nominated in opposition to the party with which the said WILLIAM BOURKE COCKRAN had theretofore been affiliated; and

Whereas the said charge though denied specifically on this floor by the said WILLIAM BOURKE COCKRAN has not been withdrawn by the said JOHN DALZELL; and

Whereas said charge if true establishes such conduct as should unfit any man for membership in this House, and if false should be so declared and its author censured severely: Therefore, be it

Resolved, That a select committee of five Members be appointed by the Chair to inquire into the truth of said charge, and to report the testimony with their conclusions thereon to this House at its session beginning the first Monday of December next; and be it further

Resolved, That said committee be, and it is hereby, given full power to compel the attendance of such witnesses and the production of such papers as the Members thereof may deem necessary to the full and proper discharge of the duty hereby imposed on them.

The SPEAKER. Rule IX of the House is as follows:

Questions of privilege shall be, first, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of Members individually in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn.

Now, it is manifest that under the rules of the House the gentleman from New York may not interrupt the orderly course of business to present an extraneous matter unless that matter involves a question relating to the integrity of the House itself, or, what is the same thing, the integrity of one of its Members in his representative capacity.

A preliminary question presents itself first: Does the allegation presented in the preamble of the resolution recite accurately the charges alleged to be made by the gentleman from Pennsylvania?

As the language referred to was uttered on the floor, within the hearing of all the House, and is a part of the RECORD, it is possible for the Chair to form an opinion; but while that is so, the question is one of fact, relating to the interpretation of language, and more properly belongs to the House itself to decide, should the decision of the question of law bring the matter within the field of the House's jurisdiction. Therefore the Chair dismisses this branch of the inquiry.

Assuming the declarations of the preamble to establish prima facie what they assume to establish, is a question of privilege presented?

The Chair is warranted in taking judicial knowledge of the fact so abundantly established in the debate that the offense set forth as charged against the gentleman from New York, if committed at all, was committed while the gentleman from New York was neither a Member nor a Member elect of this House.

May the House punish a Member for that which he did in his capacity as a citizen, before his election as a Member?

In view of the high constitutional importance of this question, the Chair on yesterday declined to rule until he had examined the precedents thoroughly. He finds that the question has often arisen, and that while there has been some diversity of opinion, there is in the main a well-defined line of decisions indicating that the House may not take such action.

As early as 1796 the charge was made against Humphrey Marshall, of Kentucky, a member of the United States Senate, that he had committed the crime of perjury in Kentucky eighteen months before his election to the Senate. After careful examination the Senate found that it did not have jurisdiction under the Constitution to take cognizance of the alleged offense. It should perhaps be said in this connection that the case of William Blount, who was expelled from the Senate in 1797 for treasonable designs against the United States, has sometimes been cited as a precedent the other way; but the Chair does not find that this particular question was discussed in that case. And the case of John Smith, charged with complicity in the alleged conspiracy of Aaron Burr, and whose proposed expulsion failed in the Senate in 1807, can hardly be drawn into precedent.

In 1799 the House declined to expel Matthew Lyon for a violation of the alien and sedition law, committed while a Member, but before his reelection to the then existing House, the point being especially urged that his constituents had reelected him with a full knowledge of his actual prosecution and conviction.

In 1858 it was proposed to expel from the House Mr. O. B. Matteson, who had resigned from the preceding House to escape expulsion for corruption in his legislative acts; but the House, after careful examination by a committee, declined to punish him, it being urged that he was amenable only to the people of his district.

Later, in 1875, in a case referred to in section 31 of the Parliamentary Precedents, the majority of the Judiciary Committee, citing the case of Humphrey Marshall, concluded that the Constitution did not vest in the House jurisdiction to try a Member for an offense committed before his election. In that case the offense charged was the bribery of Members of the preceding Congress.

It should be stated that this decision was rendered in the full knowledge of the famous Credit Mobilier case in the preceding Congress, in 1872, when the House censured two Members for bribery of fellow-Members, committed before their election to the existing House, but while they were Members of the preceding Congress. It should be noted that the Members in this case were censured on the report of a select committee, and that the Judiciary Committee of the House, in an elaborate report presented by Mr. Benjamin F. Butler, of Massachusetts, combated strongly those conclusions as to the right to punish. The report of 1875 was made in the Congress of which Mr. Randall was Speaker.

In the case of Brigham H. Roberts, which was referred to yesterday, it was alleged, if the recollection of the Chair is correct, that Roberts was actually engaged in the practice of polygamous cohabitation not only before his election, but up to the time his case was decided.

The Chair might also refer to the case of William N. Roach in the Senate in 1893, wherein the Senate, after debate, neglected to investigate a charge that Mr. Roach had been an embezzler at a time previous to his election to the Senate.

It will be observed that in only one of the cases cited has the House assumed to punish a Member for an act committed prior to his election to the then existing House, and that case dates to a period of great popular excitement.

As to acts committed outside the House, and having no relation to the legislative capacity of the Member, the Chair finds even less grounds for proceeding.

In 1879 a Member from Louisiana, Mr. Acklen, claiming the floor for a question of personal privilege, asked an investigation of a charge that he had committed the crime of seduction in Louisiana, at a time prior to his election. Mr. John H. Reagan, of Texas, having objected that no question of privilege was presented, Mr. James A. Garfield, of Ohio, sustained Mr. Reagan's position, holding that the House had no jurisdiction. Mr. Speaker Randall expressed his concurrence in Mr. Garfield's opinion, but submitted the case to the House. And the House, without division, decided that no question of privilege was involved.

Again, in 1884, Mr. William Pitt Kellogg, of Louisiana, asked, as a question of privilege, that the House investigate his alleged connection with the star-route frauds, certain testimony reflecting on his conduct having just been given before a committee of the House itself. Mr. William R. Morrison, of Illinois, made the point of order that no question of privilege was involved. Mr. Speaker Carlisle said:

The House has no right to punish a Member for an offense alleged to have been committed previous to the time when he was elected a Member of the House. That has been so frequently decided in the House that it is no longer a matter of dispute.

Mr. Nathaniel J. Hammond, of Georgia, urged that the House should not investigate the conduct of a Member at a time prior to his election, and on his motion resolutions proposed by Mr. Kellogg were referred to the Committee on the Judiciary. It does not appear that that committee ever reported on the matter.

So it seems to the Chair that even if it had been alleged on the floor that the gentleman from New York had committed an actual crime in 1896, and even if it were an ascertained fact that he had committed a crime at that time, it would be very doubtful under the precedents cited whether or not he would be punishable by

this House, and hence, as a necessary consequence, whether or not a resolution of investigation would involve a question of privilege.

But the Chair feels justified in taking cognizance of the fact that what is alleged to be charged constitutes no crime. At most the only question is one as to the propriety of the conduct of a private citizen. The House could not rightfully punish him if it desired so to do. The Chair thinks that a reading of the decision of the United States Supreme Court in the case of Kilbourne *v.* Thompson will raise a serious doubt as to whether the House could compel a syllable of testimony under this resolution.

Therefore the Chair holds that the resolution may not be entertained as a question of privilege.

Mr. WILLIAMS of Mississippi. From that decision of the Chair I respectfully appeal.

The SPEAKER. The gentleman from Mississippi appeals from the decision of the Chair.

Mr. PAYNE. I move that the appeal be laid on the table.

Mr. WILLIAMS of Mississippi. I rise to a parliamentary inquiry. Is not the question upon this motion required to be put in the usual form—Shall the decision of the Chair stand as the judgment of the House?

The SPEAKER. The gentleman from Mississippi appeals from the decision of the Chair, and the gentleman from New York [Mr. PAYNE] moves to lay that appeal on the table. The motion is in order: it comports with the practice of the House on many occasions.

The question having been put,

The SPEAKER. The ayes seem to have it.

Mr. WILLIAMS of Mississippi. I call for a division.

Mr. PAYNE. We must evidently have the yeas and nays finally. So I call for them now.

The yeas and nays were ordered.

The question was taken; and there were—yeas 170, nays 126, answering "present" 7, not voting 78, as follows:

YEAS—170.

Acheson,	Dresser,	Jenkins,	Palmer,
Adams, Pa.	Driscoll,	Jones, Wash.	Patterson, Pa.
Alexander,	Dunwell,	Kennedy,	Payne,
Allen,	Dwight,	Ketcham,	Perkins,
Ames,	Esch,	Kinkaid,	Porter,
Babcock,	Evans,	Knapp,	Powers, Me.
Bartholdt,	Flack,	Knopf,	Powers, Mass.
Bates,	Fordney,	Kyle,	Reeder,
Beidler,	Foss,	Lacey,	Roberts,
Bingham,	Foster, Vt.	Lafean,	Rodenberg,
Birdsall,	Fowler,	Landis, Chas. B.	Scott,
Bishop,	French,	Lanning,	Shiras,
Bonynge,	Gaines, W. Va.	Lawrence,	Slemp,
Bowersock,	Gardner, Mich.	Lilley,	Smith, Ill.
Bradley,	Gardner, N. J.	Littlefield,	Smith, Iowa
Brandegee,	Gibson,	Longworth,	Smith, Samuel W.
Brick,	Gillet, N. Y.	Loud,	Smith, N. Y.
Brooks,	Gillett, Cal.	Loudenslager,	Smith, Pa.
Brown, Wis.	Gillett, Mass.	Lovering,	Southard,
Brownlow,	Goebel,	McCall,	Spalding,
Burke,	Graff,	McCarthy,	Sperry,
Burkett,	Greene,	McCleary, Minn.	Steenerson,
Burton,	Grosvenor,	McCreary, Pa.	Sterling,
Butler, Pa.	Hamilton,	McLachlan,	Stevens, Minn.
Calderhead,	Haskins,	McMorran,	Sulloway,
Campbell,	Haugen,	Mahon,	Tawney,
Capron,	Hedge,	Mann,	Thomas, Iowa
Cassel,	Hemenway,	Marsh,	Townsend,
Castor,	Henry, Conn.	Marshall,	Van Voorhis,
Conner,	Hepburn,	Martin,	Volstead,
Cooper, Pa.	Hermann,	Miller,	Vreeland,
Cooper, Wis.	Hildebrant,	Minor,	Wachter,
Cousins,	Hill, Conn.	Mondell,	Wadsworth,
Currier,	Hinshaw,	Moon, Pa.	Wanger,
Curtis,	Hitt,	Morgan,	Weems,
Dalzell,	Hogg,	Morrell,	Wiley, N. J.
Davidson,	Howell, N. J.	Mudd,	Williamson,
Davis, Minn.	Howell, Utah	Murdock,	Wilson, Ill.
Dayton,	Huff,	Needham,	Woodyard,
Deemer,	Hughes, W. Va.	Norris,	Wright,
Dixon,	Hull,	Olmsted,	Young.
Douglas,	Jackson, Md.	Otjen,	
Draper,	Jackson, Ohio	Overstreet,	

NAYS—126.

Adamson,	De Armond,	Hill, Miss.	Little,
Baker,	Denny,	Hitchcock,	Livernash,
Bartlett,	Dickerman,	Hopkins,	Livingston,
Bassett,	Dinsmore,	Houston,	Lloyd,
Beall, Tex.	Field,	Hughes, N. J.	McAndrews,
Bell, Cal.	Finley,	Humphreys, Miss.	McNary,
Benny,	Fitzgerald,	James,	Macon,
Benton,	Fitzpatrick,	Johnson,	Maddox,
Bowers,	Flood,	Jones, Va.	Maynard,
Brantley,	Gaines, Tenn.	Kehoe,	Meyer, La.
Breazeale,	Garber,	Kelliher,	Moon, Tenn.
Broussard,	Garner,	Kitchin, Claude	Padgett,
Brundidge,	Gillespie,	Kitchin, Wm. W.	Page,
Burnett,	Glass,	Kline,	Patterson, N. C.
Candler,	Goldfogle,	Kluttz,	Patterson, Tenn.
Cassingham,	Granger,	Lamar, Fla.	Pierce,
Clark,	Hamlin,	Lamar, Mo.	Pou,
Clayton,	Hardwick,	Lamb,	Pujo,
Cockran, N. Y.	Harrison,	Lewis,	Rainey,
Cowherd,	Hay,	Lind,	Randell, Tex.
Crowley,	Henry, Tex.	Lindsay,	Ransdell, La.
Richardson, Ala.	Sherley,	Stephens, Tex.	Wade,
Rider,	Shull,	Sulzer,	Wallace,
Rixey,	Sims,	Swanson,	Webb,
Robinson, Ark.	Slayden,	Talbott,	Wiley, Ala.
Robinson, Ind.	Small,	Tate,	Williams, Ill.
Rucker,	Smith, Ky.	Taylor,	Williams, Miss.
Russell,	Smith, Tex.	Thayer,	Wilson, N. Y.
Ryan,	Snook,	Thomas, N. C.	Wynn,
Scudder,	Southall,	Underwood,	Zenor.
Shackleford,	Spight,	Vandiver,	
Sheppard,	Stanley,	Van Duzer,	

ANSWERED "PRESENT"—7.

Bede,	Dovener,	Miers, Ind.	Ruppert.
Cochran, Mo.	Gilbert,	Otis,	

NOT VOTING—78.

Adams, Wis.	Darragh,	Landis, Frederick	Robertson, La.
Aiken,	Davey, La.	Legare,	Scarborough,
Badger,	Davis, Fla.	Lester,	Sherman,
Bankhead,	Dougherty,	Lever,	Shober,
Boutell,	Emerich,	Littauer,	Sibley,
Bowie,	Foster, Ill.	Lorimer,	Smith, Wm. Alden
Brown, Pa.	Fuller,	Lucking,	Snapp,
Buckman,	Gardner, Mass.	McDermott,	Southwick,
Burgess,	Gooch,	McLain,	Sparkman,
Burleigh,	Goulden,	Mahoney,	Stafford,
Burleson,	Gregg,	Metcalf,	Sullivan, Mass.
Butler, Mo.	Griffith,	Nevin,	Sullivan, N. Y.
Byrd,	Griggs,	Parker,	Tirrell,
Caldwell,	Gudger,	Pearre,	Trimble,
Connell,	Hearst,	Pinckney,	Warner,
Cooper, Tex.	Holliday,	Prince,	Warnock,
Cromer,	Howard,	Reid,	Watson,
Crumpacker,	Humphrey, Wash.	Rhea,	Weisse.
Cushman,	Hunt,	Richardson, Tenn.	
Daniels,	Hunter,	Robb,	

So the motion to lay the appeal on the table was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BOUTELL with Mr. GRIGGS.

On this vote:

Mr. LITTAUER with Mr. BURLESON.

Mr. BROWN of Pennsylvania with Mr. CALDWELL.

Mr. PEARRE with Mr. DOUGHERTY.

For this day:

Mr. CUSHMAN with Mr. ROBERTSON of Louisiana.

Mr. WATSON with Mr. GOOCH.

Mr. HUMPHREY of Washington with Mr. BANKHEAD.

For remainder of the day:

Mr. NEVIN with Mr. SPARKMAN.

Mr. SOUTHWICK with Mr. AIKEN.

The result of the vote was announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to bills of the following titles:

S. 2134. An act to connect Euclid place with Erie street;

S. 3869. An act for the extension of Albemarle street;

S. 2710. An act for the opening of connecting highways on the east and west sides of the Zoological Park, District of Columbia;

S. 127. An act authorizing the joining of Kalorama avenue; and

S. 2621. An act for the widening of V street NW.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 3043. An act for the relief of the estate of the late John Jacoby; and

S. 4236. An act to pay claimants for damages to private property by reason of mortar practice at Fort Preble, Me., Fort Winthrop, Mass., Fort Hamilton, N. Y., and Fort H. G. Wright, N. Y., as reported by board of army officers constituted to ascertain the same.

The message also announced that the Senate had passed without amendment bills and joint resolution of the following titles:

H. R. 10077. An act granting a pension to Julia A. Henderson;

H. R. 11122. An act to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and for other purposes; and

H. J. Res. 150. Joint resolution providing for the publication of 50,000 copies of the Special Report on the Diseases of Cattle.

EMPLOYMENT OF UNITED STATES VESSELS FOR PUBLIC PURPOSES.

Mr. GROSVENOR. Mr. Speaker, I call up the bill (S. 2263) to require the employment of vessels of the United States for public purposes.

The SPEAKER. The gentleman from Ohio calls up Senate bill 2263.

Mr. GROSVENOR. Mr. Speaker, I wish to give notice to the House that at the close of the speech of the gentleman from Maine [Mr. LITTLEFIELD], I shall demand the previous question upon the passage of this bill. I yield to the gentleman from Maine [Mr. LITTLEFIELD].

Mr. WILLIAMS of Mississippi. Mr. Speaker, do I understand that the gentleman is going to call the previous question at the close of the speech of the gentleman from Maine?

Mr. GROSVENOR. Yes.

Mr. WILLIAMS of Mississippi. How long a time do you yield to the gentleman from Maine?

Mr. GROSVENOR. He will be entitled to an hour under the rule.

Mr. WILLIAMS of Mississippi. A parliamentary inquiry, Mr. Speaker. How much time has been consumed on each side in the discussion of this bill?

The SPEAKER. The gentleman from Ohio has consumed ninety-five minutes and the gentleman from Mississippi seventy minutes.

Mr. WILLIAMS of Mississippi. The speech of the gentleman from Pennsylvania [Mr. DALZELL] was upon this bill, the speech of the gentleman from New York [Mr. COCKRAN] was upon this bill. So that it would appear to me that the Speaker's account of the time consumed must be wrong.

The SPEAKER. The Chair is not informed of any other speech that has been made.

Mr. WILLIAMS of Mississippi. Ninety-five minutes upon this side. [Pointing to the Republican side.]

The SPEAKER. The Clerk's memorandum is that way.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, if the gentleman from Maine speaks an hour, then I submit, in all fairness, that there should be given to this side of the Chamber a sufficient length of time to equalize the amount of time consumed upon the bill on that side.

Mr. GROSVENOR. Mr. Speaker, I have this to say: I propose to have a vote upon this bill some time between now and 5 o'clock on the passage of the bill, and I am willing to deal very generously in the distribution of the time. There will be no demand for more than five or ten minutes on this side.

Mr. WILLIAMS of Mississippi. Well, now.

Mr. GROSVENOR. Listen to me. After the speech of the gentleman from Maine. Now, unless there is a conference report, and those matters which can drive me off the floor which shall absorb the time, there will be no difficulty in giving the gentleman a reasonable allowance of time.

Mr. WILLIAMS of Mississippi. I ask unanimous consent that debate upon this bill be divided equally between the two sides, and that the gentleman from Ohio [Mr. GROSVENOR] control the time on that side of the Chamber, and the gentleman from Mississippi [Mr. SPIGHT] control the time on this side of the Chamber.

Mr. PAYNE. Mr. Speaker, a number of times during this session, when the House was considering appropriation bills, that side of the House have had from one to two hours more of time than this side had; so that the time has not been divided equally, and they owe us time for that reason.

Mr. WILLIAMS of Mississippi. Oh!

Mr. PAYNE. I am unwilling that there shall be that division in view of the condition of the business of the House.

The SPEAKER. The gentleman from New York objects.

Mr. WILLIAMS of Mississippi. One word. I want to call the attention of the gentleman, before he takes his seat, to the fact that this was substantially agreed to by the gentleman from Maine and myself before we took a recess yesterday.

Mr. PAYNE. Very well.

Mr. WILLIAMS of Mississippi. The RECORD will show it.

Mr. PAYNE. I did not hear any such agreement.

Mr. WILLIAMS of Mississippi. The House heard the conversation of the gentleman from Maine [Mr. LITTLEFIELD] and myself upon that subject; the gentleman from Ohio [Mr. GROSVENOR] also.

Mr. GROSVENOR. I make this proposition to gentlemen on the other side—that the vote on this bill shall be taken at 4 o'clock, the previous question shall be considered as ordered on the bill and amendments, and that the time between now and that hour shall be equally divided.

Mr. WILLIAMS of Mississippi. I will agree to that.

Mr. GROSVENOR. That is the best I can do, I will say to the gentleman from Maine.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the vote shall be taken on this bill after two hours of debate, the time to be equally divided between the two sides. Is there objection? [After a pause.] The Chair hears none.

Mr. GROSVENOR. I yield one hour to the gentleman from Maine. [Loud applause on the Republican side.]

Mr. LITTLEFIELD. Mr. Speaker, under the existing conditions I have no doubt I will be pardoned if I do not spend any time discussing the specific provisions of this bill. This is a bill that provides for carrying the supplies of the Army and Navy by the American merchant marine. It is for that purpose and is intended as an aid in its upbuilding and development. I agree with the distinguished gentleman from New York [Mr. COCKRAN] that the underlying principle of this bill, being the purpose to aid by the Government this branch of our industries, is a legitimate corollary of the doctrine of protection, and in that respect it is in line with the well-settled policy of this country. Every consideration involved in its support is a consideration that would equally as well apply in a discussion of the question of protection generally.

Now, inasmuch, Mr. Speaker, as it is my purpose during the course of this discussion to refer to a greater or less extent to the Republican policy of protection and the assaults that have been made thereon and the respective attitudes of the contending parties with reference thereto, it is entirely proper for me to suggest that the remarks that I thus make for that purpose will be entirely germane to the pending bill. It has been the privilege of the House during the last few days to witness upon this floor some very unusual and remarkable displays of parliamentary eloquence. The distinguished gentleman from New York [Mr. COCKRAN], with his splendid natural abilities and his magnificent talents, has contributed in a large and remarkable degree to that oratorical display.

I congratulate the gentlemen upon the other side; I congratulate the gentlemen upon this side; I congratulate the country upon the return of the distinguished gentleman from New York [Mr. COCKRAN] to legislative duties upon this floor as a representative of that great Empire State. [Applause on the Democratic side.] It affords me great pleasure to recognize his superb ability and his great capacities. It is a pleasure to meet him, it is a pleasure to know him, and it is an unalloyed pleasure, particularly at this time and under these circumstances, for me upon this side to hear him. I wish to say in the first instance, Mr. Speaker, that I was very much interested in the presentation made by my distinguished friend. The theories that underlie the doctrine of free trade are by no means new or novel.

The arguments that are supposed to sustain and maintain that chimerical and utopian theory for fiscal legislation have long been threadbare, frayed out, toil worn, travel stained, moth-eaten, and they now achieve a new distinction and attraction by their oratorical display from the gentleman from New York. [Applause on the Republican side.] I wish to call the attention of the House and of the country to the fact that the gentleman from New York spent little time in developing the metaphysical theories, the general line of argument and discussion that is supposed to lie behind and justify the doctrine of free trade. On the contrary, the gentleman from New York [Mr. COCKRAN], instead of arguing that proposition and presenting it in any degree as a logical condition, sustained by reason and argument addressed to this House and to the country, devoted his time largely to an assault—vituperative, vilifying, and, since the speech of the gentleman yesterday afternoon, I am compelled by an adherence to truth to say, a demagogic assault—upon the doctrine of protection to American labor and industry. [Applause on the Republican side.] I will not meet the gentleman upon that ground.

The gentleman mistakes epithets for argument and denunciation for demonstration. I will not degrade myself to the level of assault and vilification and vituperation in a discussion of a great question that concerns the welfare, the happiness, and the prosperity of a great people. [Applause on the Republican side.] I welcome any contribution to any public discussion that tends to illuminate the situation and contribute thereto information, no matter from what source it may come or what its inspiration may be, because in this country we are mainly interested, our constituents are interested, in the rightful determination of these great questions. The purpose of parliamentary deliberations should be the ascertainment and the development of the truth, and that involves, Mr. Speaker, contributions to the discussion from both sides.

Now, while I recognize, Mr. Speaker, that the performance of the distinguished gentleman from New York, for whom I entertain the highest degree of admiration, upon Saturday last was one of the finest laurels that he has added to his reputation during a long and illustrious career, I feel bound to say that his discussion added nothing to the sum of human knowledge and did not increase the store of human wisdom. [Applause on the Republican side.] If the gentleman had confined himself in the discussion to the metaphysical, logical, and syllogistical propositions that from the time of Adam Smith down through Peel and Cobden and Bright, until we reach men of this generation, have been relied upon by distinguished men for the purpose of sustaining that propaganda, it might perhaps have been thought necessary to indulge from this side in defense of this policy in equally theoretical discussion in answer thereto, but yet even then, Mr. Speaker, I should doubt somewhat the utility of that sort of discussion.

Abstract theories concern very little the people for whom we legislate. Mere abstract theory never filled a stomach, clothed

a back, built a cottage, started a mill wheel, moved a shuttle, or closed a soup house. What do they desire to know? The people want to know what the law we enact will do for the country. They are concerned very little as to what theory produces legislation, whether protection or free trade, but it is the result of the application of the theories in fiscal legislation that concerns the welfare, the prosperity, and the happiness of a great people, and it is by that standard that a little later I propose to treat some suggestions made by the distinguished gentleman from New York. No theory can long stand, no matter how metaphysically and how theoretically sound it may be, that can not stand the test of the stern and inexorable logic of events.

Bismarck, one of the greatest statesmen of our time—yes, of any time—well said:

I base my opinion on the practical experience of our time. I see countries under protection prospering and countries under free trade decaying.

Results determine whether or not the American people stand by a certain policy. And upon results the Republican party in this campaign will stand with its feet planted upon the rock. [Applause on the Republican side.] Before I reach a consideration of these suggestions, however, I wish to refer to some things which have occurred upon this floor in connection with this discussion that in my judgment require a little more than passing notice. The gentleman from New York [Mr. COCKRAN] in his speech on Saturday called attention to the fact that frequent demands had been made from this side of the House for the purpose of ascertaining what the issue would be in this campaign upon which two great parties would go before the American people and submit their contentions to arbitrament at the polls.

Until the gentleman arose in his place on Saturday and gave an answer to that question some doubt, perhaps, might have existed as to what the issue was to be. Now, for the time being, at this stage of the discussion, I assume that the gentleman from New York [Mr. COCKRAN] has the right to speak for the men who covered him with encomium and sustained him with uncontrollable enthusiasm on Saturday last. Mr. Speaker, I quote now from the notes of the speech of the gentleman from New York [Mr. COCKRAN], for I have not the benefit of the RECORD, as his speech has not yet been printed. He said:

This suggestion of a subsidy, which has brought forth this entire tariff discussion, presents therefore clearly the issue between the two parties. It presents the issue between seeking prosperity by government interference and by the independent labor of the citizen, between paternalism and individualism, between Republicanism and Democracy. [Applause on the Democratic side.]

That is to say, the issue between absolute free trade and protection. That there may be no doubt as to what kind of an issue the gentleman intended clearly appears from his next statement:

Mr. Speaker, the gentleman from Iowa [Mr. HEPBURN], who has just concluded, the gallant hero from Ohio [Mr. GROSVENOR], who is as brave in facing the reasons of his adversaries as the bullets of his enemies, have both challenged us to name the issue on which this Presidential campaign must turn.

I suppose he meant the alleged reasons of his adversaries.

Remember what I have just quoted as to what the issue was, the issue between free trade—bold, blatant, bare, and uncovered—and protection to American industry; that is what the gentleman stands for. Then, in order to make it absolutely certain that this was to be the issue, he says:

Why, sir, *this issue*—

Referring to the issue between free trade and protection—

is made clear by every word that has fallen from the lips of any Member of this House.

Now, whether he had in his mind the concluding suggestion of my distinguished friend from Missouri [Mr. CLARK] when he said that the bugle note of this campaign was to be tariff reduction and genuine reciprocity, or whether he had in mind the article written in the magazine by the distinguished minority leader of this House, I do not know; and let me say in passing, Mr. Speaker, that I have the highest admiration and respect, not only for the ability of the distinguished minority leader of this House, but for his character and integrity, and a little later I desire to put that integrity and that character to the test by some inquiries I propose to propound.

This, free trade against protection, was the issue on Saturday, applauded to the echo—aye, greeted with amens upon the other side—yes, greeted with howls and yells and cheers such as never have occurred in this assembly probably since the distinguished gentleman, Hon. William L. Wilson, was carried in triumphal procession upon the shoulders of his friends out of this room and returned thereto a stricken corpse in the shape of the Gorman-Wilson tariff bill. [Applause and laughter on the Republican side.]

That was on Saturday. A change came o'er the spirit of his dreams. Twenty-four hours roll around, forty-eight hours roll around, seventy-two hours roll around, and the gentleman from New York [Mr. COCKRAN] again addresses the American Congress, and incidentally thereto the American people. What then? Mr. Speaker, I am still deprived of the printed record of the second speech of the gentleman from New York [Mr. COCKRAN]; but the gentleman from New York [Mr. COCKRAN] then very mildly informed the House of his suggestion of the issue, although received, I am bound to say, in some quarters with more or less belated fervor, and the gentleman no doubt realized that when exposed to the air, when this skeleton of free trade had been taken from its prison house and exhibited to the country in all its nakedness and enormity, it was not greeted with that degree of cheer that he perhaps expected, when reflection ensued.

Yesterday he said the issue will not be the tariff, but it will be "the question of depriving you of the opportunity of robbing the Treasury of the proceeds of the revenue."

Now, let me make this suggestion to my friend. When the gentleman made that suggestion he well knew—I do not know that I will go so far as to say that—he ought to have known that it was without foundation. How much the gentleman knows about these things I do not quite understand, because I have here the notes of his speech, in which he suggests that the revenues collected for the purpose of carrying on the Government are, in some respects, collected in a manner that no one is able to ascertain; and yet, without money and without price, simply by a letter addressed to a Department of this Government, that can be ascertained in detail without any difficulty, indicating, perhaps, a lack of thorough study on the part of the gentleman from New York upon these great questions, and indicating the further fact that the gentleman is happier and more successful when he swings himself into the upper ether, with his feet away from the earth, unhampered by facts, to engage in these magnificent oratorical demonstrations. [Laughter and applause on the Republican side.]

But that was not the real reason for changing the issue. The gentleman from New York in that speech of Tuesday, drawn out by the controversy with my distinguished friend from Pennsylvania [Mr. DALZELL]—in which controversy I desire to say here and now I take no part, because it is no affair of mine—but in the speech drawn out by that controversy the gentleman from New York went further and said—not that this suggestion was the reason, that was thrown in merely because it filled the mouth with a well-rounded rhetorical period—the gentleman said they did not propose to make the tariff an issue because—why? Because they could not enact that proposition, as announced on Saturday last, into a law for four years, on account of the fact that the Republican party is intrenched in the Senate of the United States for four years to come. Now, that may be a source of satisfaction to the country, but it does not add anything to the weight of the gentleman's argument, or furnish a reason for his withdrawing the tariff as an issue, as I shall show in a moment.

Here is the proposition: The tariff was an issue on Saturday; on Tuesday, having discovered that it met, on reflection, with a chilly reception, he finds that the tariff is not an issue. Why? Simply because his party can not enact that principle into law. Then, we have the Democracy in this position in this campaign: They have no issue, because they have no principle that they can enact into law. Every other issue, outside of free trade, is afflicted with the same infirmity, so that they stand in this interesting position on the threshold of a national campaign, with no courage to stand behind or present any principle or any issue, because they can not make it the law of the land. [Laughter and applause on the Republican side.]

Therefore by this token they will have no principles and no issues in this campaign. Not so unusual a position for the Democracy as might at the first blush appear.

It may be that this accounts for this puerile and driveling and inconsequential nondescript known as the "Democratic platform" adopted in the recent New York convention, which attempts to work an infusion of confusion into the political situation. It may be that the gentleman from New York, coming from that convention, having been present at the adoption of the resolutions there, fully well understood that the Democracy did not dare to proclaim any proposition in that platform that had either beginning or end, application here or elsewhere, or had any idea of definiteness whatever connected with it, because, forsooth, the Democratic party can not enact any of their propositions into the law of the land. God be praised that they can not, because the country is protected from Democratic legislation for at least four years to come, no matter what may happen to the Presidency or to this Chamber.

Now, that is the attitude of our friends. What is there, then, in the absence of principles or issues that holds the Democratic party together to-day? Nothing under heaven but "the cohesive power of public plunder;" and their organization has well been characterized as a conspiracy for plunder and spoils—without principles and without issues; or, so far as the gentleman from New York is concerned, with an issue that he stays with and sleeps

with about three days before he hauls it in for temporary repairs. [Laughter and applause.]

But, Mr. Speaker, these are simply preliminary suggestions relating to the controversy now pending. We have platforms in this great country. The parties meet in national convention and lay down in their platforms the principles for which they are supposed to stand. Well, I feel bound to say that the platforms of some of these parties are open to the criticism suggested in the article written by our friend Dooley, when he described the candidacy of Admiral George Dewey for the Presidency of the United States.

You know Dooley said that he asked Mr. Dewey, "What'll I say your platform is?"

"Platform!"

"You have to stand on a platform."

"I do, do I? Well, I don't. I'll stand on no platform and I'll hang on no sthrap. What d'ye think the Prisidincy is—a throlley car?"

His idea was that a platform is something to get in on.

Now, too many of the platforms are of that character. My friends will meet in convention in St. Louis, after this demonstration here upon the floor of this House, that indicates more clearly than anything else can their real purpose, and, I am frank to say, the sincere purpose, the honest purpose, the courageous purpose of our friends upon the other side, because upon this question of the tariff we differ, not only congenitally, but constitutionally, fundamentally, and elementally, and there is great opportunity for wide and honest difference of opinion, and I concede to my friends upon the other side honesty and candor whenever—mark you—whenever and wherever they *stand* by the principles in which they believe. They will have a convention in St. Louis. They will there adopt a platform.

I challenge these gentlemen to write into that platform the sentiments and the attitude and the purposes as to the tariff disclosed by the gentleman from New York [Mr. COCKRAN] on this floor, amid this tremendous enthusiasm from the other side. If you will write it into that platform, we will bury that magnificent old ruin, otherwise known as the Democracy, so deep in November that no plummet will ever find it. [Applause on the Republican side.]

But, Mr. Speaker, my own judgment is that it is a matter of very small consequence, so far as we are concerned and so far as the country is concerned, what the platform may be that is adopted in St. Louis, because it is not altogether the platform that will tell the story. The gentlemen whom I am now addressing, sitting on the other side, men of intelligence, and character, and candor, and, so far as I know now, of courage, they are the men who will determine the policy of the Democratic party in the next American Congress, if the people of this country, by any suspension of their intelligence, or a lack of knowledge and perception, should inadvertently return them to power in this House.

So it is a matter of very small consequence to us, and of very small consequence to the country, as to what the platform in St. Louis may be. The distinguished gentlemen upon the other side, to a very large degree, have already been nominated for reelection, and I can express no kinder or heartier wish to the constituents they represent than by saying I hope they will be returned to this body hereafter as they have been heretofore. What we want to know, and what the country wants to know, is the policy that the gentlemen on the other side of this House propose to enact into law. Is it the policy of the speech of the distinguished gentleman from Missouri [Mr. CLARK], who reconciles himself with the extraordinary and peculiar position that if an unknown land could be discovered and peopled with some individuals who had a high degree of civilization, that there, on the virgin soil, with a new and a fresh opportunity, he would introduce them to the glories and the grandeur—and, I suppose, covered with the aurora borealis of the vivid imagination of the gentleman from New York [Mr. COCKRAN]—of free trade. That is his proposition; but lacking in that opportunity, he wants "tariff reduction and genuine reciprocity."

The gentleman from Mississippi [Mr. WILLIAMS] has his magazine article. Now, what I should like to ask gentlemen upon the other side is this: Do they stand upon the speech of the gentleman from Missouri? And I will say this, that the gentleman from Missouri very loyally and very appropriately and very suggestively approved the magazine article of the gentleman from Mississippi. He said "Me, too! Me, too!" when he had read that. Do they stand upon that, or do they stand upon the speech made by the distinguished gentleman from New York [Mr. COCKRAN], the newly risen leader of the Democracy—their Ajax of debate and parliamentary eloquence, that they all stand behind? Will you indorse his propositions? Do you stand by his attitude? Do you believe in his purposes? Do you propose to enact them into law? I do not know that we can ascertain that fact here and now, but I propose in my time to give the distinguished gentlemen upon that side an opportunity to say, by yes or no, or by any modification or equivocation of yes or no, whether they now stand by the principles that they applauded on Saturday last. Do you approve, or do you disapprove?

It is clear to the country, and it will be upon every stump in this country, what your purpose is as well as your religious belief—because there is nothing on earth except religious belief that will enable men continually to adhere to a theory that has been universally discredited in practice in the American Republic for the last forty years. [Applause on the Republican side.] I want to give you an opportunity now to say: Do you approve or do you disapprove of the theory or the sentiments of the speech of the gentleman from New York? We are entitled to know, the country is entitled to know, and I ask the distinguished leader of the minority now, does the leader of the minority approve the speech of the gentleman from New York [Mr. COCKRAN] and his platform in this campaign, or does he disapprove of it? I can not compel the gentleman to answer. I will propound the question again.

Mr. WILLIAMS of Mississippi. "The gentleman" will have time to answer in his own time.

Mr. LITTLEFIELD. I understand the gentleman will have time to answer in his own time, but it does not take long to say yes or no in my time. [Applause on the Republican side.] I understand that the gentleman has all the time he wants. They will step out to the fife and drum: they will drum their discontented and dissevered cohorts together, and with the finesse of his speech the gentleman from Mississippi may undertake to make somebody believe that they both approve and disapprove of the speech of the gentleman from New York [Mr. COCKRAN]. [Applause on the Republican side.]

Now, I ask the gentleman, and he can take his own time—I do not desire to be disagreeable—Do you approve or do you disapprove? Will you say, and will you say now, or will you remain in your seat and wait until you get your time, when, with your ingenuity better collected, you can frame a more ingenious answer to that conundrum? [Applause on the Republican side.] I pause for an answer. [No answer.]

Well, I will go over to the gentleman from Missouri [Mr. CLARK], who is doing me the great honor of listening to me, and I appreciate it. I have a very great admiration for the abilities of the gentleman from Missouri. I will go to the gentleman from Missouri. I want you to bear in mind this fact that the gentleman from Mississippi [Mr. WILLIAMS], the gentleman from New York [Mr. COCKRAN], the gentleman from Missouri [Mr. CLARK], and the gentleman from Texas [Mr. COOPER] are members of the Committee on Ways and Means. I have forgotten who is the other Democratic member of that committee. I do not wish h m to feel that he is unknown to fame, but——

Mr. PAYNE. Mr. ROBERTSON of Louisiana.

Mr. LITTLEFIELD. Oh, yes; the gentleman from Louisiana, and I have something to say about Louisiana before I get through. I have a great respect for that State, and voted with him on some questions upon this floor.

I want to ask the gentleman from Missouri whether he will say "yes" or "no?" Does he disapprove, or does he approve? I pause for a reply.

Mr. CLARK. If the House will give me an hour, you will hear that I will knock some of the props out from under your speech. [Loud cheers on the Democratic side.] No man by answering "yes" or "no" can here reply to one hour of cheap demagoguery. [Laughter and applause on the Democratic side.]

Mr. LITTLEFIELD. I suppose that the gentleman from Missouri wants an hour to indulge in villification and vituperation?

Mr. CLARK. No, sir.

Mr. LITTLEFIELD. Now, I am willing that the gentleman shall say "yes" or "no." He was here on Saturday when that speech was made. Did the gentleman hear it? Did not the gentleman applaud it? Had it the gentleman's approval or not?

Mr. CLARK. I reply that if the House will give me an hour I will answer your speech. [Cries of "Answer!" "Answer!" on the Republican side.] I will say, so far as I am concerned, I have not shortened this time.

Mr. LITTLEFIELD. I have not shortened it, I will say to the gentleman from Missouri.

Mr. CLARK. But your side have.

Mr. LITTLEFIELD. I am willing to give the gentleman from now until the end of the campaign to answer the speech.

Mr. CLARK. Oh, yes.

Mr. LITTLEFIELD. But all you have got to do now is to say "yes" or "no."

Mr. CLARK. Well, now I will make you a fair proposition: [Cries of "Answer the question!" on the Republican side.] You and I will hire a hall downtown after Congress adjourns and debate this proposition. [Loud cheers on the Democratic side.]

Mr. LITTLEFIELD. Now, I have listened to the hilarity on

the other side. Will any other man rise in his place and tell me whether that means "yes" or "no?" [Loud applause on the Democratic side.]

Mr. BAKER. I will answer. [Great laughter.]

Mr. LITTLEFIELD. "Fools rush in where angels dare not tread." [Laughter and applause on the Republican side.]

Mr. BAKER. I will give you an answer.

The SPEAKER pro tempore (Mr. LAWRENCE). The gentleman is not in order.

Mr. LITTLEFIELD. Now, I congratulate the gentleman from New York [Mr. COCKRAN] upon the apparent fact that he has one follower left. There is one man left on the Democratic side who has the moral courage to say that he is ready to give an answer. He could have said "yes" or "no" while he was trying.

Mr. BAKER. You refused me an opportunity. [Great laughter.]

Mr. LITTLEFIELD. Well, now, I suppose I ought to be frank, and I had a reason for that. It did not impress me that any suggestion that the gentleman from New York might have concealed about his person would very much tend to illuminate the question under discussion. [Laughter on the Republican side.]

Mr. BAKER. You had better accept the challenge of the gentleman from Missouri for a joint debate on that.

The SPEAKER pro tempore. The gentleman is out of order.

Mr. LITTLEFIELD. I would like to say about that entire matter, Mr. Speaker—I would like to say to the gentleman from Missouri that while I feel greatly indebted to him for his kindness and his courtesy, I have not been on the lecture platform in that capacity, but I am not Mr. William Jennings Bryan and engaged in the business of hiring halls for the purpose of enabling me to communicate my views. [Laughter.]

Mr. DE ARMOND. Mr. Speaker——

The SPEAKER pro tempore. Does the gentleman yield?

Mr. LITTLEFIELD. Certainly.

Mr. DE ARMOND. Mr. Speaker, I wish to venture an answer to the gentleman, to some extent. Now, if the gentleman really desires information as to what we think upon this side of the House—— [Cries of "Yes or no" from the Republican side.]

Wait a moment. If the gentleman wishes information upon our position, if he actually desires some gentleman over here to state it—for if he does not wish that his play of asking a certain question over and over again is purely play—I will say what I think the position of the Democrats is with respect to the tariff, to take off or to lower duties wherever the duties as they now are shelter trusts or enable people to manufacture things in this country under those duties——

Mr. LITTLEFIELD. The gentleman does not wish to project himself into this for the purpose of making a speech.

Mr. DE ARMOND. No; I do it for the purpose of gratifying the gentleman and giving him information, if he really wishes it. [Applause on the Democratic side.]

Mr. LITTLEFIELD. May I make this suggestion? I know the gentleman from Missouri to be a man of extraordinary and unusual intelligence and acuteness of perception. The only question I asked was this: When you heard the gentleman from New York [Mr. COCKRAN] make his speech on Saturday, without any equivocation, with courage and with frankness that does great credit to his intellectual integrity and his political courage, he declared with no uncertain sound what his view of this question was. Now, if the gentleman agrees with him, I submit with great candor that he can say yes or no. He can say that he does or he does not. If the gentleman does not agree with him I do not care to have the discussion at this time illuminated by the gentleman's suggestions, although I have very great respect for the gentleman. This is a simple proposition. Does the gentleman approve of that speech or disapprove of it?

Mr. DE ARMOND. Let me answer it in my own way——

Mr. LITTLEFIELD. Let me ask——

Mr. DE ARMOND (continuing). And that is that each man over here has his own opinion and expresses it and is responsible for it.

Mr. LITTLEFIELD. Will the gentleman from Missouri be kind enough to express his opinion? I ask the gentleman not to take up my time, because I have only fifteen minutes more, and I have not begun this speech yet. Will the gentleman be kind enough to express his opinion? I do not insist upon a categorical answer. Does he approve or does he not approve? Is not that a fair proposition? Is not that plain? Does the gentleman approve or disapprove of any part of the speech made by the gentleman from New York?

Mr. DE ARMOND. I will answer, but I will preface the answer, however, by saying that no man is authorized to state the position of the Democratic party, and the other men are not bound by what is stated by any particular man.

Mr. LITTLEFIELD. I asked for the gentleman's individual opinion.

Mr. DE ARMOND. The gentleman from New York spoke for two hours and embraced a world of propositions. As to the effect of that speech and as to the purpose of that speech to drive into absolute, abject silence and helplessness the people upon the other side of the House I fully approve and indorse. [Applause on the Democratic side, and cries of "Oh! Oh!" on the Republican side.]

As to the opinion of the gentleman from New York upon the tariff question, I think I am of the opinion that as to that matter I am better qualified to express my views, than he is to express my views. I leave him to express his views and when I have opportunity I will express mine. [Derisive cries on the Republican side.]

Mr. LITTLEFIELD. Do not interrupt.

Mr. DE ARMOND. The Democratic party is declaring for a revision of the tariff so as to drive from shelter behind it the trusts that are now robbing the people; they will declare for taking off the duty or lowering the duty whenever the effect of its imposition has been and is demonstrably to enable the people benefited by that duty to rob at home and to sell their wares cheaper abroad. [Applause on the Democratic side.] Is the gentleman opposed to that?

Mr. LITTLEFIELD. The gentleman will state his position, if he gets time, on the floor of this House, when he reaches it.

Mr. WILLIAMS of Mississippi. Yes or no—is the gentleman opposed to that? Is the gentleman opposed to what the gentleman from Missouri [Mr. DE ARMOND] said then—yes or no?

Mr. LITTLEFIELD. Yes; I am.

Mr. WILLIAMS of Mississippi. The gentleman is opposed to the statement made by the gentleman from Missouri [Mr. DE ARMOND]?

Mr. LITTLEFIELD. Wait a moment.

Mr. WILLIAMS of Mississippi. I know. The gentleman is not only making his speech, but is asking questions and insisting upon an answer, yes or no. Now, then——

Mr. LITTLEFIELD. I will answer it; but I shall answer it when I get ready, just as the gentleman says he will answer it. [Laughter on the Democratic side.] I will not answer it now. [Laughter on the Democratic side.] Oh, do not get disturbed. [Cries of "Yes or no!" on the Democratic side.] Mr. Speaker, I decline to yield further. [Laughter and applause on the Democratic side.] Mr. Speaker, I decline to yield further unless the gentleman from Missouri [Mr. DE ARMOND] will answer the question I have asked him. [Applause on the Republican side.]

Mr. DE ARMOND. Mr. Speaker——

Mr. LITTLEFIELD. Now, brethren, you need not think that you are disturbing the other side, because you do not.

Mr. DE ARMOND. Mr. Speaker, I am not trying to disturb the gentleman; I am trying to accommodate him.

The SPEAKER pro tempore (Mr. LAWRENCE). Does the gentleman from Maine yield to the gentleman from Missouri [Mr. DE ARMOND]?

Mr. LITTLEFIELD. Only to answer that question which the gentleman has not answered.

Mr. DE ARMOND. Mr. Speaker, I wish to suggest to the gentleman from Maine [Mr. LITTLEFIELD] what, in the confusion, he evidently did not hear or has overlooked—that I had just put to him a categorical question, requiring an answer, yes or no, as to whether he is in favor of such tariff revision as will drive the trusts from the shelter behind the tariff wall, such tariff revision as will take off all that part of the duties on such articles as those who have profited by them are selling abroad cheaper than they are selling at home? I would like to have an answer, yes or no, to that. [Cries of "Yes or no!" on the Democratic side.]

Mr. LITTLEFIELD. Mr. Speaker, gentlemen on the other side need not feel disturbed, for if time furnishes opportunity they will hear exactly my views on that proposition, and they will hear it yes or no. But I wish to state that I am not to be diverted by the distinguished gentleman from Missouri [Mr. DE ARMOND], elusive and oily as he is, from obtaining an answer to the question I put to him. [Applause on the Republican side.]

Mr. DE ARMOND rose.

Mr. LITTLEFIELD. Is the gentleman through answering—not making a speech? The gentleman understands the proprieties of this situation.

Mr. DE ARMOND. Oh, yes.

Mr. LITTLEFIELD. At least I think he does.

Mr. DE ARMOND. The gentleman thinks he does, too; but the gentleman from Maine [Mr. LITTLEFIELD] unwittingly and unintentionally does the gentleman from Missouri an injustice. The gentleman from Missouri, observing the great perturbation of the gentleman from Maine [Mr. LITTLEFIELD] and the anxious desire of the gentleman from Maine [Mr. LITTLEFIELD] to have the gentleman from Missouri [Mr. DE ARMOND] say something at a particular time, undertook to accommodate the gentleman, if he could.

Mr. LITTLEFIELD. Is that all? [Laughter and applause on the Republican side.]

Mr. DE ARMOND. That is all, unless the gentleman needs some more.

Mr. LITTLEFIELD. So that the gentleman rose in his place and proceeded not to answer the question and not to illuminate the question?

Mr. DE ARMOND. I did answer the question.

Mr. LITTLEFIELD. Perhaps the gentleman wishes to go and hire a hall himself. [Laughter on the Republican side.] Perhaps the gentleman also wants to invite the gentleman from Maine [Mr. LITTLEFIELD] to join him in hiring a hall.

Mr. DE ARMOND. I said I answered the gentleman's question.

Mr. LITTLEFIELD. The gentleman has not answered it and he knows he has not. The gentleman undertook to answer the question by asking the gentleman from Maine [Mr. LITTLEFIELD] another question.

Mr. DE ARMOND. Oh, I will answer it.

Mr. LITTLEFIELD. Well, is that all the answer the gentleman will make?

Mr. DE ARMOND. No; I would like to answer more, if the gentleman desires me to.

Mr. LITTLEFIELD. No, not on that same line. If the gentleman from Missouri [Mr. DE ARMOND] is willing to rest in the RECORD with the assertion that he has made anything like an ingenuous and fair and decent effort to answer that question, I am willing to leave it in the RECORD in that way, and I will call his attention to this fact——

Mr. DE ARMOND rose.

Mr. LITTLEFIELD. Mr. Speaker, I do not yield any further now. I am through with seeking that kind of information from the gentleman from Missouri [Mr. DE ARMOND]. [Applause on the Republican side and laughter on the Democratic side.] I have clearly demonstrated that no gentleman on the other side dares deny that he approves of the free-trade declarations of the gentleman from New York [Mr. COCKRAN], which were applauded with such uncontrollable enthusiasm, nor do they dare deny that they propose to enact them into law when opportunity is afforded. Now, let me call the attention of the gentleman from Missouri [Mr. DE ARMOND] to this fact. The gentleman seems to be disturbed by trusts, and I trust that he may have read the platform adopted by the late Democratic convention in New York, upon which the great unknown and recently discovered is expected to be nominated and make this run for the Presidency. Let me read this to the gentleman:

> Corporations chartered by the State must be subject to just regulations—

By whom do you think?

> *by the State* in the interest of the people.

[Applause and laughter on the Republican side.]

When they are defining the regulations to which corporations must be subjected and confine it to the State, the inference is that they intend to exclude Federal control.

The Republican party says that these corporations must be subject to regulation by the State, and in addition thereto, by the Federal Government, the latter being the only body that can effectively regulate them. Go into this campaign and ratiocinate about trusts with pharisaical and hypocritical declarations in relation thereto, and have facing you this proposition of the convention of the State of New York, that you propose in effect to take corporations out from under interstate control and put them under State control. By that interesting process—dictated, I understand, by August Belmont of New York—you eliminate the Federal control of trusts and combines and the opportunity to regulate and control interstate commerce, so far as it may undertake to drive out trade monopolies.

Having spent some considerable time in unavailing efforts to acquire information from our friends on the other side or to get an answer from them, I will proceed with the discussion. The country will judge whether the Democratic party that sat here and vociferously applauded that speech on Saturday last, with its free-trade theories, does or not in its heart approve of its sentiments, though it has not a man who dares stand in his place, excepting, perhaps, the other distinguished gentleman from New York [Mr. BAKER], and say that he now approves of it. Even the distinguished gentleman from New York [Mr. COCKRAN] who made it does not stand by it. He withdrew it in terms on this floor yesterday afternoon.

What does the Democracy really mean? Are the Democracy in favor of free trade? Do they believe in it; and after this manifestation of their attitude, if they are ever vested with power will they enact it into law? The Democratic party stands to-day at the parting of the ways. One way lies honesty, integrity, consistency; their real conviction and belief, free trade; but at the end of that way is certain defeat. The other way is hypocrisy and deceit and the hope that they may cajole the people into believing that they will not injure any industry if intrusted with power. At its end, if the goal is reached, dangles the Presidency and the House of Representatives. So far as it has a conscience and a real belief, it is drawn toward defeat; but the attraction of the flesh pots of Egypt will turn them from the way of rectitude to that of deceit, with the hope of success, however dishonorable. Infirm of purpose, of course they tremble.

Gentlemen should not be affrighted at their shadows, because people who are affrighted at their shadows gradually shrivel and shrink and dwindle until they are not able to cast even a shadow, and the Democracy would hardly want to get into that position, I take it.

I want to call attention to a suggestion made by the gentleman from New York as to prosperity. The gentleman has a very theoretical definition of prosperity. He says there is no prosperity unless it is attained or demonstrated under the formula suggested by him. The gentleman has this great peculiarity: He is not satisfied with the existence of any known fact unless he can account for it in some way by the exercise of his theorizing or reasoning or syllogistic powers. If he were to be asked whether the sun shone, he would be likely to say: "It is now well settled that the sun is a stationary and luminous body, that the earth revolves on its axis once in twenty-four hours, and during that period every part of the earth's surface at some point of time is exposed to the sun. It is now 5 minutes of 3 p. m; the sun rose at a certain time, say 6.30 a. m.; therefore the sun now shines on this particular part of the earth's surface." [Laughter.]

Now, the ordinary mortal looks out and says, "The sun is shining." He knows it without any process of ratiocination or unusual and extraordinary reasoning.

When the gentleman from New York strikes this question of prosperity, he is troubled by the same difficulty. The ordinary citizen looks out over the land and ascertains whether or not prosperity blesses the country by observing whether or not wage-earners are employed, whether business is profitable, whether the mills are moving, whether the soup houses have been extinguished. And if the wage-earners are profitably employed and money and products are being accumulated and distributed throughout the community, then we have prosperity. But the gentleman from New York says:

> Now, sir, if this definition of prosperity be correct it follows that any system that tends to swell the production of commodities is the system that produces for the happiness and welfare and the prosperity of a people.

I will take the gentleman's definition, and I will try the results of protection by that definition. "Any system that tends to swell the production of commodities" is the system that gives prosperity to the people.

In 1890 the amount of the annual productions of this country, agricultural, mining, and manufacturing, aggregated $12,452,193,662. In 1900 they aggregated $17,867,076,272. And I want to call attention to the fact that this vast amount of production was beyond all question largely consumed in our own country, because our exports during the last few years have been only about $1,200,000,000 and our imports something like $800,000,000, making the balance of trade in our favor some five or six hundred millions, as the case may be; so that this vast amount of production, seventeen billions, is consumed by our people.

It is not hoarded; it is not piled up in the banks; it is not stored away. It is manufactured product; it is agricultural product; it is the product of the mine. The gold and silver amounted to only about $173,000,000. It must have been distributed among the great mass of the people, as they, as distinguished from the wealthy few, are the consumers of these products. This shows an increase of production during that period of $5,414,882,610. This extraordinary increase has taken place notwithstanding the fact that the years of 1894, 1895, 1896, and 1897, of Democratic Administration, were years of deficit in the Treasury, accompanied with a paralyzing panic that threw labor out of employment and arrested the development of production, painful facts which makes the increase all the more remarkable.

How does that indicate any progress and development? Well, the percentage of increase of production from 1890 to 1900 was 0.43. To be sure, we have increased in population during that time, which increase was not affected by the years of panic and disaster. But the percentage of increase of population is 0.21 and the percentage of increase of production is double the percentage of the increase of population. The amount of production per capita in 1890 was $199; in 1900 it was $234, or $35 per capita more in 1900 than in 1890. So that if it were necessary to demonstrate a palpable and obvious fact that has been conceded upon the other side of this House during this session over and over again, that magnificent prosperity now blesses this country, we have the demonstration by the actual figures involved in its development. One test is therefore successfully met, and this is his supreme test. This was under the "system" of protection.

Now, I wish to refer, if the Chair please, to another proposition involved in the demonstration of the propriety and wisdom and utility and value of the Republican policy of the protection of

American labor and industry. And in connection with this I will invoke a speech made by the distinguished gentleman from New York [Mr. COCKRAN] in the Fifty-third Congress when the Gorman-Wilson bill was under consideration. In that speech the gentleman referred to the McKinley bill. The author of it having discovered that there was no tin-plate production or manufacture in this country, and believing that there was capital and labor ready to embark in its production, provided for a tariff that, in his judgment, would develop an entirely new industry in the Republic. The industry began to develop in the middle of 1891. In 1894 the distinguished gentleman from New York [Mr. COCKRAN] referred to this industry as follows:

I have already conceded that by protection you can diversify industries. I concede, for instance, that your tariff may have operated to start a tin-plate industry in this country. [Laughter on the Democratic side.]

Treated it more or less as a joke, you see.

I have always heard the existence of tin-plate factories disputed—

At that very time they had increased from a production of 2,000,000 pounds in six months to a production of 160,000,000 pounds per year.

I have always heard the existence of tin-plate factories disputed; whether they exist in this country or not is one of the questions which are as puzzling to the human mind as the identity of the man who wore the iron mask, but I am willing to concede that you may have started a tin-plate industry under your tariff, because I know that you can start it if you put the tariff high enough. You can start almost any industry in this country, no matter what the cost of production may be, no matter how much it may exceed the cost of production in any other country, if you impose a sufficiently high tariff on it and there be a demand for the article in this country. Now, that is a large concession to the high-protection doctrine. I admit that you can diversify industry by legislation; but the question is, should you do it? *Is it for the best interests of all the people of this country that you should do it?*

I think that is a very fair statement of the test that should be applied to the theory of the protective tariff and to the operation of its legislation. By that test I propose to measure the Republican policy.

I want to call the attention of the distinguished gentleman from New York [Mr. COCKRAN], and I want to call the attention of my friends on the other side to the fact that this tariff legislation originated by William McKinley in 1890 amply sustains that test. By it, for the first time, a tariff was imposed upon tin. It operated for about six months in 1891, and during that time there were 2,000,000 pounds of tin plates manufactured. In 1902 there were 819,000,000 pounds manufactured. In 1900 the capital invested in that industry was $28,000,000. The amount annually paid for wages was $10,000,000, the number of wage-earners employed 14,843, the value of the product was $41,322,000, and the estimated wages paid since 1901 are $100,000,000. Here we have $10,000,000 wages per annum, 14,843 people employed, $41,000,000 the value of the product, and $100,000,000 paid in wages since the development of this industry. Well, from some points of view that would be held to demonstrate the efficiency and success of this legislation. The distribution of this vast sum in wages and the employment of this large number of persons, to anyone but a free trader, would seem matters of the first consequence.

But the gentleman from New York [Mr. COCKRAN] says that this policy is plunder; that it is a robbery of the people; that it is levying tribute upon the many for the benefit of the few; that these sums are plundered from the people engaged in other industries. Now, let me call the gentleman's attention to the fact that the cost of tin plate in this country per hundred pounds in 1891 was $5.30. This was the price the domestic consumer paid for imported tin at that time. In March, 1904, the cost to the domestic consumer of tin of domestic manufacture was $3.65. In other words, tin plate costs to-day to the domestic consumer per hundred pounds, under the operation of the protective tariff, $1.65 less per hundred pounds than it cost in 1891, when the tariff went into operation and he supplied himself with the imported article. But that does not establish the whole proposition. The gentleman from Missouri [Mr. CLARK] said the other day that when the gentleman from Iowa [Mr. HEPBURN] made his suggestion in regard to steel rails that there had been the same reduction in the price of steel rails the world over. Now, if it is true that there has been a corresponding reduction in the price of tin plate abroad compared with the reduction at home, the suggestion of the gentleman from Missouri would be applicable here.

But what is the fact? I have said that in 1891 imported tin plate cost the domestic consumer here $5.30 per 100 pounds. What did the same plate cost abroad before importation? Three dollars per 100 pounds.

Mr. WILLIAMS of Mississippi. Will the gentleman give me those figures?

Mr. LITTLEFIELD. Certainly. Tin plate cost here in 1904, in March, this very last March, $3.65 per 100 pounds.

Mr. WILLIAMS of Mississippi. I did not catch the earlier prices.

Mr. LITTLEFIELD. In 1891 the domestic price of imported tin plate was $5.30 in New York. In March, 1904, the domestic price in New York of tin of domestic manufacture was $3.65, a reduction of $1.65 per 100 pounds.

In 1891 the price was $3 per hundred pounds abroad. If there had been a corresponding reduction in the cost abroad as in the cost or price here, there would be very little in the proposition. Now, what I say is, that the price of 1903 abroad was $2.90 a hundred pounds, a reduction of only 10 cents. In other words, there has been a saving by virtue of the operation of a protective tariff in connection with the tin industry during this period from 1891 to 1904 to-day of $1.65, and taking off the 10 cents makes it $1.55 per hundred pounds. If you had the same reduction abroad as has occurred at home under this robber McKinley tariff, you would have a price abroad to-day of only $1.35 a hundred pounds instead of $2.90. Multiply 819,000,000 pounds, the annual production at the present time, by 1.55, instead of 1.65, to allow for the reduction in price abroad of 10 cents, and you have $12,694,500 as the sum that we would now be paying for imported tin in excess of what we now pay for the domestic product if there were no tariff.

If we were buying to-day imported tin, as we were in 1891, and as we would be but for the protective tariff, we would be paying therefor $5.20 instead of $3.65 per 100 pounds.

In other words, a saving to the American consumer of $12,694,500 by reason of the operation of domestic competition under the protection afforded by the tariff, "puzzling though it may be to the human mind" in some instances. It is estimated that at least $75,000,000 have been thus saved to the American consumer by the operation of the tariff since 1891. This is an illustration of how in practical operation the tariff robs and plunders the people and of how vicious paternalism may be.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent that the time for taking this vote be extended for thirty minutes, half of the time to be used by the gentleman from Maine and the other half by the gentleman from Mississippi.

The SPEAKER. Is there objection?

Mr. BAKER. I object, Mr. Speaker. [Great laughter.] I can not be insulted upon this floor and then extend any courtesies.

Mr. GROSVENOR. I move that the time for taking the vote shall be extended until 30 minutes after 4.

The SPEAKER. It seems to the Chair that a motion is not in order to extend the time for debate.

Mr. GROSVENOR. I hope the gentleman from New York will withdraw his objection.

Mr. BAKER. "The gentleman from New York" will withdraw his objection only when he gets an opportunity to answer those insulting taunts of the gentleman from Maine. There! [Laughter.]

CLARA M. GIHON.

Mr. LOUDENSLAGER. Mr. Speaker, I ask unanimous consent to call up the conference report on the Senate bill 128, and ask the House to agree to the report.

The SPEAKER. The gentleman from New Jersey asks to call up the following conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 128) granting an increase of pension to Clara M. Gihon, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate agree to the House amendment.

H. C. LOUDENSLAGER,
GEO. R. PATTERSON,
Conferees on the part of the House.

P. J. MCCUMBER,
N. B. SCOTT,
Conferees on the part of the Senate.

The statement of the House conferees was read, as follows:

This bill originally passed the Senate at $36 per month, but was amended in the House to $30 per month. The result of the conference is that the Senate agrees to the House amendment, and your conferees recommend that the bill pass at $30 per month.

H. C. LOUDENSLAGER,
GEO. R. PATTERSON,
Managers on the part of the House.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. LOUDENSLAGER. I move the adoption of the report, Mr. Speaker.

The motion was agreed to.

ANNIE COLT M'COOK.

Mr. LOUDENSLAGER. Mr. Speaker, I ask unanimous consent for the present consideration of the conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3489) granting a pension to Annie Colt McCook, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

H. C. LOUDENSLAGER,
GEO. R. PATTERSON,
Conferees on the part of the House.

P. J. MCCUMBER,
N. B. SCOTT,
Conferees on the part of the Senate.

The statement of the House conferees was read, as follows:

This bill originally passed the Senate at $50 per month, but was amended in the House to $30 per month. The result of the conference is that the House recedes from its amendment, and your conferees recommend that the bill pass at $50 per month, as it originally passed the Senate.

H. C. LOUDENSLAGER,
GEO. R. PATTERSON,
Managers on the part of the House.

The SPEAKER. Is there objection?

Mr. WILLIAMS of Mississippi. Mr. Speaker, out of whose time is all this going on?

The SPEAKER. Why, it comes out of the time of the House for the consideration of all privileged reports—namely, a conference report.

Mr. WILLIAMS of Mississippi I understand that; but the time that has been taken up in other ways?

The SPEAKER. The Chair supposes it comes out of the time of all the people. [Laughter.]

Mr. WILLIAMS of Mississippi. Now, the agreement was that the time was to be equally divided. That is the question I am asking about.

The SPEAKER. All the time of the gentleman from Maine has expired.

Mr. CLARK. Mr. Speaker, I want to renew the request made by the gentleman from Ohio.

The SPEAKER. One moment. Here are some conference reports.

Mr. CLARK. I beg pardon; I thought that was all through with.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. LOUDENSLAGER. I move the adoption of the report.

The question was taken, and the conference report was agreed to.

MARTHA W. CUSHING.

Mr. LOUDENSLAGER. Mr. Speaker, I ask unanimous consent for the present consideration of the following conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3734) granting an increase of pension to Martha W. Cushing, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate agree to the House amendment.

H. C. LOUDENSLAGER,
GEO. R. PATTERSON,
Conferees on the part of the House.

P. J. MCCUMBER,
N. B. SCOTT,
Conferees on the part of the Senate.

The statement of the House conferees was read, as follows:

This bill originally passed the Senate at $35 per month, but was amended in the House to $30 per month. The result of the conference is that the Senate agrees to the House amendment, and your conferees recommend that the bill pass at $30 per month.

H. C. LOUDENSLAGER,
GEO. R. PATTERSON,
Managers on the part of the House.

Mr. LOUDENSLAGER. I move the adoption of the conference report, Mr. Speaker.

The motion was agreed to.

MARY H. CORNELL.

Mr. LOUDENSLAGER. Mr. Speaker, I ask unanimous consent for the present consideration of the conference report on Senate bill 76 granting a pension to Mary H. Cornell.

Mr. BARTLETT. Are these privileged matters?

Mr. LOUDENSLAGER. Yes.

The SPEAKER. The gentleman from New Jersey asks unanimous consent for the present consideration of the following conference report.

Mr. BARTLETT. I desire to know whether this requires unanimous consent?

Mr. LOUDENSLAGER. This is a conference report.

Mr. BARTLETT. Has it been printed in the RECORD?

Mr. LOUDENSLAGER. They have not. That is the reason I am asking unanimous consent.

Mr. BARTLETT. I do not want that to come out of the time——

The SPEAKER. Oh, no; the time is not running at all as coming out of that agreement. The gentleman from Maine has had his hour under the agreement, and the other side has an hour, and the hour is not running.

Mr. BARTLETT. All right, sir.

The SPEAKER. Is there objection to the consideration of the conference report? [After a pause.] The Chair hears no objection.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 76) granting a pension to Mary H. Cornell, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate agrees to the House amendment.

H. C. LOUDENSLAGER,
GEO. R. PATTERSON,
Conferees on the part of the House.

N. B. SCOTT,
P. J. MCCUMBER,
Conferees on the part of the Senate.

The statement of the House conferees was read, as follows:

This bill originally passed the Senate at $12 per month, but was amended in the House to $8 per month. The result of the conference is that the Senate agrees to the House amendment, and your conferees recommend that the bill pass at $8 per month.

H. C. LOUDENSLAGER,
GEO. R. PATTERSON,
Managers on the part of the House.

Mr. LOUDENSLAGER. I move the adoption of the report.

The report of the committee of conference was agreed to.

LEAVE TO WITHDRAW PAPERS.

By unanimous consent, Mr. STEVENS of Minnesota obtained leave to withdraw from the files of the House the papers in the case of the bill H. R. 14139, no adverse report having been made thereon.

EMPLOYMENT OF UNITED STATES VESSELS FOR PUBLIC PURPOSES.

Mr. CLARK. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. CLARK. I rise for the purpose of repeating the request of the gentleman from Ohio [Mr. GROSVENOR] that Mr. LITTLEFIELD, of Maine, have fifteen minutes to conclude his speech, and that we have one hour and fifteen minutes on this side, to be controlled by the gentleman from Mississippi [Mr. WILLIAMS], and that the time of the vote be postponed to correspond with that request.

The SPEAKER. Is there objection?

Mr. GROSVENOR. And that the order for the previous question shall stand as it is now.

Mr. CLARK. I do not care whether it stands or not.

The SPEAKER. Without objection, it is so ordered.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. PARKER. Mr. Speaker, I rise to present a conference report on the Military Academy appropriation bill, and I ask unanimous consent that the report may now be considered and that the statement be read instead of the report.

The SPEAKER. Is there objection?

Mr. HAY. I object, Mr. Speaker.

REPORT FROM COMMITTEE ON RULES.

Mr. DALZELL. Mr. Speaker, I submit the following privileged report.

The SPEAKER. The gentleman from Pennsylvania submits the privileged report which the Clerk will report.

The Clerk read as follows:

The Committee on Rules, to whom was referred House resolution No. 354, have had the same under consideration and ask leave to report the same with the recommendation that it do pass.

The resolution was read, as follows:

Resolved, That section 2 of Rule XXIX (requiring reports of managers of conference to be printed in the RECORD before action thereon) be, and hereby is, suspended for the remainder of the present session of Congress.

Mr. DALZELL. Mr. Speaker, the purpose of the resolution is to suspend the rule which requires the printing of a conference report in the RECORD before it can be considered in the House for the remainder of this session. It is the customary proceeding at this stage of the session, and I move the previous question.

The SPEAKER. The gentleman demands the previous question.

The previous question was ordered.

Mr. WILLIAMS of Mississippi. Mr. Speaker, what is the question upon which we are now voting?

The SPEAKER. The question is now upon agreeing to a resolution to suspend the rule requiring the printing of conference reports in the RECORD for the remainder of this session.

Mr. WILLIAMS of Mississippi. If the gentleman will limit that by saying for two days, I have no objection; but I would not care to have it run a week.

Mr. PAYNE. The previous question has been already ordered, and we are not going to stay a week.

The question was taken, and the resolution was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 7056. An act creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes;

H. R. 6049. An act granting an increase of pension to Peter B. Phillips;

H. R. 940. An act granting a pension to Oscar M. Parsons;

H. R. 11586. An act to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes;

H. R. 13088. An act to relieve obligors on bonds given to the United States upon the exportation to the Philippine Islands prior to November 20, 1901, of articles subject to internal-revenue tax; and

H. R. 11135. An act amending an act approved March 3, 1901, entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States, by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri."

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. PARKER. Mr. Speaker, I desire to call up the conference report on the Military Academy appropriation bill, and I ask unanimous consent that the statement, which is very full, may be read instead of the report.

The SPEAKER. The gentleman from New Jersey asks unanimous consent that the statement may be read in lieu of the report. Is there objection? [After a pause.] The Chair hears none.

The conference report and statement is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 5, 6, 7, 15, and 22.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 8, 9, 10, 11, 12, 14, 16, 17, 19, 20, 21, 24, 25, and 26, and agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: Of the matter inserted by said amendment strike out the word "forty-five" and insert in lieu thereof the word "forty-seven;" and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: Of the matter inserted by said amendment strike out the word "six" and insert in lieu thereof the word "one;" and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment and insert in lieu thereof the following: "fifty-three thousand and ninety-six;" and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In line 4 of said amendment, after the word "available," insert "immediately and;" in line 8 of said amendment, after the word "available," insert "except for purchase of lands and water rights;" and after the word "dollars," in line 12, insert "including the one hundred thousand dollars appropriated by act of June twenty-eighth, nineteen hundred and two;" and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: Beginning in line 4 of said amendment strike out the following: "construction of such buildings as are most immediately necessary" and insert in lieu thereof the following: "necessary construction of cadet barracks and such buildings as shall be needed to replace buildings removed in such construction of cadet barracks;" and the Senate agree to the same.

R. WAYNE PARKER,
F. W. MONDELL,
WM. SULZER,
Managers on the part of the House.

F. E. WARREN,
R. A. ALGER,
JO. C. S. BLACKBURN,
Managers on the part of the Senate.

The statement of the House conferees is as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13860) entitled "An act making appropriation for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes," make the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report on the amendments:

Amendment No. 1 gives the first sergeant of the general army service $34 a month instead of $25; and the House recedes.

Amendments Nos. 2 and 3 correct totals; and the House recedes.

Amendments Nos. 4, 5, 6, and 7 struck off one Spanish instructor, at $2,000; and the Senate recedes.

Amendment No. 8 gave a new clerk and stenographer at $1,200 instead of $600; and the House recedes.

Amendments Nos. 9 and 10 made a typewriter and copyist available all over the library, instead of in one department; and the House recedes.

Amendments Nos. 11 and 12 allow the appointment of this and another such clerical assistant by the Superintendent; and the House recedes.

Amendment No. 13 corrects an addition of figures.

Amendment No. 14 adds $500 to the expenses of Board of Visitors to cover probable mileage; House recedes.

Amendment No. 15 adds $500 to contingencies for Superintendent; Senate recedes.

Amendment No. 16 allows $35,000, instead of $33,000, for general repairs and improvements; and House recedes.

Amendment No. 17 makes an item $450 instead of $400, to agree with the appropriation of last year.

Amendment No. 18 corrects a total.

Amendment No. 19 provided for the printing by the Public Printer of 6,000 copies of the Jubilee Centennial History—1,000 for the Senate and 2,000 for the House, the balance to be distributed under the direction of the Secretary of War—at a cost of $5,500; House recedes.

Amendment No. 20, $110 for a typewriter; House recedes.

Amendment No. 21, "For the policing of the barracks, supplying light and plain furniture for the cadets, $9,000," takes these expenditures off the cadets, including cleaning buildings, shoes, varnishing belts, and other menial work; and the House recedes. These expenses cost each cadet last year $21.18. The amendment removes that charge from their salary.

Amendment No. 22 provides for maintaining a school by teachers employed by the Superintendent, $3,520; Senate recedes.

Amendment No. 23 corrects a footing; House recedes with an amendment.

Amendments Nos. 24 and 25 adds $500 for repairing and renewing the roof of the cadet laundry; House recedes.

Amendment No. 26 simply strikes out the words "to be expended without advertising;" and House recedes.

In amendment No. 27 House recedes, with an amendment to perfect the provision about water supply at the Military Academy, so as to make the appropriation immediately available and until expended and absolutely available for the purchase of land and water rights, and that the total appropriation of $400,000 is inclusive of $100,000 appropriated in 1902.

As to amendment No. 28 the House recedes, with an amendment. The House had provided that the necessary enlargement of the cadet barracks might be proceeded with, before the whole cost is ascertained, upon detailed plans. The Senate amended to allow the construction of "such buildings as are immediately necessary." By the conference amendment such construction may include the necessary construction of cadet barracks and of such buildings as shall be needed to replace buildings removed by such construction of cadet barracks which are planned to occupy the site of some of the present quarters.

R. WAYNE PARKER.
F. W. MONDELL.
WM. SULZER.

Mr. PARKER. Mr. Speaker, I move the adoption of the conference report.

Mr. SLAYDEN. Mr. Speaker——

Mr. PARKER. How much time does the gentleman desire?

Mr. SLAYDEN. Oh, three or four minutes.

Mr. PARKER. Does the gentleman desire to speak now, or shall I speak first?

Mr. SLAYDEN. No; I misunderstood what the gentleman was doing.

Mr. PARKER. I will yield later to the gentleman. Mr. Speaker, I desire to inform the House in regard to the West Point appropriation bill that it simplified itself very much yesterday. The amendments that had been put on by the Senate included $2,000,000 and more for camp grounds or maneuver grounds, an entire change in the organization of the Ordnance Department, and a like entire change and reorganization of the Medical Department.

It was the opinion of the members of the committee that we should have to dispute to the end such an invasion of the House's prerogative of legislation as was involved in those amendments. Fortunately by the action of the Senate itself two of those amendments, relating to the organization of the departments, were stricken off as involving general legislation, and the third, as to camp maneuver grounds, was stricken off because it was not germane to the bill, and the bill therefore came before the conference in its proper form.

In the two most important provisions of the bill, which often in such matters come at the end, the House and the Senate conferees worked in absolute harmony in order to obtain the proper legislation. One of these was to provide for an adequate water supply for West Point. For years that has been an absolute necessity. For years little watersheds and small ponds, not affording enough water for the growth of that place, have been proposed, and we have refused to make any final appropriation.

This year a new plan proposed to give for the use of the Point nearly 30 square miles of watershed from wild land, with 1,100 acres of land right upon the Hudson, affording the opportunity to take from five to ten times as much water as is required at the Point at a level, bringing it by pipe lines by its own gravity, without pumping it, wherever it may be needed. The total cost, including the purchase of the land, which is expected to cost $98,500, will come to less than $400,000—cheaper than any other of the plans, and $100,000 of this amount has been already appropriated in 1902.

We worked in harmony. The construction work proposed by the amendment which has been adopted will not be proceeded with until detailed plans satisfy the Secretary of War or until the Secretary of War shall determine that the total cost will not exceed the appropriation. But, on the other hand, we have given, as we had to do, the power to the Secretary of War immediately to close the purchase of the lands and water rights upon which the whole scheme depends.

Now, Mr. Speaker, the other amendment was no less important. We had prescribed in 1902 a limit for the construction of buildings at West Point—$5,500,000—and we prescribed that not one dollar of this should be expended, except for such articles as water supply and heating, until the detailed plans had been approved by the Secretary of War and he was satisfied that the whole work could be done within that limit. For some reason the detailed plans have not yet been approved.

There may have been difficulty in bringing them within the limit. There may have been difficulties about the particulars of the plans, but meanwhile West Point has increased in numbers. The cadets are being crowded three in a room. The House, therefore, provided by its bill that the enlargement of the cadet barracks might go on, although the detailed plans for the great improvements were not completed.

The Senate amended by stating that such buildings as were first necessary might be proceeded with. We were unwilling to accede to that amendment. We were unwilling to leave to the architects or to the persons interested the right of going on with construction, and, perhaps, exceeding the limit; but we found that the construction of the cadet barracks made necessary under the plans the pulling down of certain quarters, and we have therefore provided that these quarters may be replaced, as well as that the barracks may be constructed.

Mr. Speaker, I have made this explanation in order to show the importance of passing this bill. The changes of appropriation are trivial. The Senate adds $2,000 to the cost of repairing, making the item $35,000 instead of $33,000.

We had to accede to a provision by which they take off from the cadets charges of about $21 a year, which are made against each of them for cleaning the barracks and their rooms, for the gaslight which is furnished, and the furniture in their rooms. I believe these charges have never been made in the Naval Academy, and it seemed a picayune charge to make against them.

Mr. HULL. Mr. Speaker, will the gentleman yield for a question just on that point?

Mr. PARKER. Yes.

Mr. HULL. Is it not true that the policing of the barracks—and that is one of these items—is what is allowed for specifically in the salary of the cadets?

Mr. PARKER. I do not so understand it.

Mr. HULL. Has it not been so ever since we have allowed them a salary?

Mr. PARKER. It has been charged to them, but there is nothing in the law which provides that it shall be charged against them.

Mr. HULL. Is not the $600 which we give them——

Mr. PARKER. Five hundred and forty dollars.

Mr. HULL. No; it is over $600.

Mr. PARKER. We gave them a ration free.

Mr. HULL. We gave them a ration at so much cash, and gave it in cash, so that it added $69 to the salary, and they may expend it for whatever they may desire. Is not that amount for clothing, dishes, cleaning of barracks, and their spending money to be paid out of that salary, and does not this amount to an increase of salary to cadets?

Mr. PARKER. I will answer the gentleman.

Mr. SLAYDEN. Mr. Speaker, I could not hear the conversation between the gentleman from New Jersey and the gentleman from Iowa, but I would like to ask the gentleman from New Jersey if the item he is discussing is not this indirect increase of pay of the cadets?

Mr. PARKER. I do not think it makes an increase of pay; it takes a charge off the pay.

Mr. SLAYDEN. Does it not increase their pay by giving them an allowance for coal and gas and service for which they now pay out of their commutation?

Mr. PARKER. It takes a charge off their salary.

Mr. SLAYDEN. Has not that been provided for in previous bills? Were not their salaries increased for that purpose in the last Congress?

Mr. PARKER. No, sir; the only increase ever made in this respect was to give them their rations free, as is done in the Naval Academy. It was insisted very strongly by Senators that it was beneath the dignity of the Government to charge these young men with the gas in their rooms, over which they have no control; with the blackening of their boots, which was regularly done by the bootblacks of the establishment; with the varnishing of their belts, or the cleaning of their bathrooms or other public rooms over which they have no control.

The effect of this is to take off a charge—last year $21.18—which has heretofore been imposed upon the salaries of the cadets. This allowance was at first refused by the House, but it was insisted upon by the Senate; and we did not regard an item of $21.18 each as sufficient ground for breaking up an agreement on this bill.

In the second place, there was a certain lot of small increases, varying from $9 a month, or perhaps the price of a typewriting machine, or $500 for a laundry roof, or $600 for the pay of a stenographer—items which I need not explain to the House. They merely came in by way of adjustment.

There was an item as to which I was not fully in accord with my brother conferees, but I did not feel justified in obstructing on such a point an agreement upon the bill, thereby preventing the carrying out of options for the purchase of water rights—options which will expire with this session.

The item I did not wish to agree to was this: The officers of the Academy and their friends and the graduates of the institution

throughout the United States have urged that the centennial exercises of the academy two years ago—the jubilee centennial—should be marked by the publication of such a book as is always issued on such occasions by every college in the country—a book which in this case will be practically a history of West Point, containing the address of the President and other proceedings in connection with the celebration, and also memoranda with reference to graduates.

For this there was asked $5,500. The House refused to agree to this item; the Senate insisted on it, and the House conferees have yielded. On every other point the Senate has given way.

I yield five minutes to the gentleman from Iowa [Mr. HULL].

Mr. HULL. Two years ago the Congress of the United States increased the pay of cadets $69 a year. Previous to that time the pay was $540. It is now $609. The intention was to make liberal provision for all the expenses to which they were subjected in the academy. This item in the bill, put in by the Senate, is simply an increase of the pay of cadets about $21 a year additional to the $609.

I shall not antagonize the adoption of the report. The gentlemen representing the House have done well. But I do want to serve notice now on the academy that if I shall be alive and chairman of the Committee on Military Affairs next winter, I shall oppose every increase of this character, believing that the Government is dealing generously with the cadets in giving them their education and making an appropriation of $609 a year to pay their current expenses.

Mr. FOSTER of Vermont. Will the gentleman yield for a question?

Mr. HULL. Certainly.

Mr. PARKER. I yield.

Mr. FOSTER of Vermont. Is it not a fact that this money which is appropriated by Congress so generously for the salaries of these cadets is all charged up against them for room rent and for blacking their boots and for furnishing light and so on, all except $24?

Mr. HULL. That is what it is given for.

Mr. FOSTER of Vermont. It is all charged up.

Mr. HULL. Oh, no. They save enough out of it to buy uniforms at the end of their course, when they leave the institution.

Mr. FOSTER of Vermont. Is it not a fact that all except $24 a year is charged up against them?

Mr. HULL. Oh, no; that is not a fact, because they save $300 or more to pay for their uniforms. But all they use comes out of the money given by the Government.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. PARKER. I yield three minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I recognize the utter impossibility of getting the attention of the House to the items in this bill. There are two or three items here which I am convinced the House would vote out and instruct the conferees to reject if they would only give their attention to it. The chairman of the committee, who is perfectly familiar with this legislation, has just directed the attention of the House, or such attention as he could get, to the fact that in the last Congress we voted an increase of $69 a year to the cadets. This conference report contains an indirect increase of about $21 or $22 a year more.

Year by year, Congress by Congress, the compensation of these young gentlemen is being increased. They are the only class of people in the United States that I know of now, except those at the Naval Academy, who are hired to receive a good education, which guarantees them an honorable and profitable profession for life; yet their friends—in my judgment, their indiscreet friends—come here year by year and constantly ask more and more for them. Every year when we make up the bill for the Military Academy there is an increased demand for all sorts of expenses.

There is another item in this bill which I believe the House would reject if it would give its attention to it. There is a proposition to print a magnificent, an elegantly bound, and outrageously expensive volume describing the ceremonies on the occasion of the centennial anniversary of the academy. It is a book which will cost about $5,500. There is no general public demand for it. The great mass of the people, the people who pay the $5,500, have never heard of the book and will never see or hear of it. They will not get a single copy bought by their nearly $6,000.

Mr. PARKER. How much apiece will the books cost—about 90 cents apiece?

Mr. SLAYDEN. If you divide the cost among the 80,000,000 people of this country it will be very slight, but the principle of it is wrong. It is extravagant, and should not be indulged in.

Mr. PARKER. The cost will be 90 cents per book.

Mr. SLAYDEN. Yes; but a 90-cent book which is not needed is extravagance. Mr. Speaker, in my judgment, the time will come when there will develop in this country a scandal of no mean proportions with reference to the printing expenses of this Government.

Not a volume is printed by this Congress, not a report comes in from any subordinate in any Territory in this country or in any colony belonging to this country, that is not filled from front to back cover with illustrations of an expensive and unnecessary sort; pictures of the governor-general, of the governor general's secretary, of the assistant to the governor-general's secretary, of the front yard and the back yard of all sorts of premises, until, in my judgment, if you could get an investigation you would find that the public printing of the country was reeking with scandal.

Both the items that I have mentioned ought to be voted out of this bill, and if the House could give it consideration, I believe it would do so. Like the chairman of the committee, I realize the utter futility of trying to have the House reject the conference report at this time; but I do call the attention of gentlemen to the fact that there are items in the bill that ought to be rejected. [Applause on the Democratic side.]

This is a splendid illustration of the folly of forcing through in the last hours of the Congress bills which are not considered, which are often improper, and which should not pass.

We are forcing our legislation to suit certain hours of adjournment, when adjournment should be made to meet the exigencies of legislation.

Mr. PARKER. I yield to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Speaker, as one of the conferees on the part of the House I desire to say that I concur substantially in all that the gentleman from New Jersey [Mr. PARKER] has said regarding the matters in dispute between the two Houses on the Military Academy appropriation bill. The conferees on the part of the House and the Senate have carefully considered all matters in conference, and we have agreed unanimously on this report. I hope therefore the report will be adopted by the House.

THE MILITARY ACADEMY CENTENNIAL PROCEEDINGS.

In regard to the criticisms made concerning the publication of the centennial ceremonies of the Academy, I wish to say that, in my opinion, the records should be preserved, and the only way that they can be preserved is by the publication of this volume of the proceedings. That centennial celebration was a matter of much historical value to all the people, and the proceedings should be published and distributed throughout the country in the way now provided in the bill. I believe the people are interested in the history of the West Point Military Academy, and will not find fault with Congress for appropriating this small amount of money for the publication in book form of the ceremonies attending the celebration of its centennial. This provision is recommended also by the War Department, and, in my judgment, it ought to be done. These proceedings, when published in book form, are to be distributed as follows: Two thousand copies by the Members of the House, 1,000 copies by the members of the Senate, and the rest of the volumes by the Superintendent of the Academy under the direction of the Secretary of War. Many of us, I know, are now receiving requests from our constituents for these books. We can not get them and comply with the wishes of our constituents except the books are published, and they can only be published by the Government in this way. I trust the House will sustain the report of its conferees and secure the publication of this interesting and instructive book.

GIVE THE POOR MAN'S SON AN EQUAL OPPORTUNITY.

Now, another thing, Mr. Speaker. Complaint has been made by some of the members of the small increase of allowances that the cadets at the Academy are to receive. In my opinion, we do not give the cadets at the Academy sufficient allowance. It would be well to give them more. At present these cadets do not receive enough in allowances to make both ends meet. It is a great hardship and disadvantage to the poor man's son. The expenses of the cadets at the Academy are considerable, and in many cases it is a great handicap to the poor boy. This is wrong, in my opinion, and I am willing to remedy it in so far as I can. The rich man's son can afford to buy all the necessary things that a cadet must have at the Academy. The poor man's son often can not afford to make these necessary purchases, and it is for the purpose of more equitably equalizing matters that we concluded to grant this small increase in allowance. It is is only fair and just and proper. The students at West Point should all be on an equal footing; there should be no discrimination between a poor man's son and a rich man's son—between the son of a farmer and the son of a general in the Army—they should all be treated alike, all on the same plane of absolute equality. This provision will help to do

that and I am in favor of it. That is all I care to say at this time in regard to this conference report.

THE FIFTY-EIGHTH CONGRESS.

Mr. Speaker, this session of the Fifty-eighth Congress, we are informed, will adjourn to-morrow. Its record is now made and can not be changed. On that record the Republican party will go to the country, and in the coming election the people of the land will scrutinize what has been done and what has not been done and pass judgment. We have been in session since last November, and, all things considered, very little has been accomplished for the people.

FAILED TO MEET THE EXPECTATIONS OF THE PEOPLE.

This Republican Congress has failed to meet the just expectations of the people. It has refused to respond to their earnest demands. It has sneered at their sincere appeals and scorned their patriotic petitions. In its results it has been a Congress for the few and against the many. It has been easy to pass a corporation bill, but difficult to enact a law for the benefit of the plain people. It has been a most extravagant session in the reckless appropriations of the people's money for purposes of little value and of no lasting benefit.

The appropriations thus far made by the Fifty-eighth Congress since it convened in last November aggregate $781,574,629, and before it finally adjourns on the 4th day of next March it gives every prospect of being a two-billion-dollar Congress—the most extravagant by far of any Congress in the history of the Government. Appropriations for needless purposes have run riot. Over 20,000 bills have been offered by members, of which about 1,200 have been passed, and of these less than 150 are of any public benefit. When it is said that all that this Congress has done during the past six months it has been in session is the enactment of Cuban reciprocity and the adjustment of the Panama Canal, it seems indeed trivial in comparison with what the Congress has failed to do—what it has left undone.

It has "stood pat" on high protective taxation and failed to revise the exorbitant tariff taxes; it has neglected to carry out the true reciprocity programme promised by President McKinley; it has refused to investigate the Post-Office corruption and the Indian Land Office scandals; it has refused to increase the powers of the Interstate Commerce Commission in order to prevent discriminating railroad rates; it has failed to take any action against the criminal trusts; it has declined to pass the law to elect Senators in Congress by a direct vote of the people; it has refused all legislation in the interests of the toilers of the land. It has neglected to report the "eight-hour bill," the bill to establish a Department of Labor with a Secretary having a seat in the Cabinet, the "anti-injunction bill," the letter carriers' bill, the bill against the sale of convict-made goods—all demanded by organized labor. It has spurned every effort to enact measures for true home rule and better local self-government for the Philippines, for Guam, for Hawaii, for Porto Rico, and for Alaska; it has refused to do anything to aid the American merchant marine; it has neglected to carry out Republican promises regarding statehood for the Territories; and, take it all in all, it has spent more money and given the people less to show for it than any other session of Congress in all the history of our existence, even in war times.

The expenses of the last four years of Republican Administration are over $500,000,000 more than the expenses of the last four years of Democratic Administration, and nothing to show for it. Quite an item—quite a difference! The Democrats therefore have every reason to feel confident that the people will indignantly condemn the reckless extravagance of the Republicans, and with that end in view the Democrats invite a comparison of the expenses of this Republican Congress with any prior Democratic Congress. On the record the Republicans have thus far made in the Fifty-eighth Congress the Democrats appeal to the people, confident that they will condemn Republican profligacy and sustain Democratic economy by electing in the coming campaign a Democratic President and a Democratic House of Representatives pledged to retrenchment and reform and opposed to every scheme to take from the many for the benefit of the few.

DEMOCRATIC PROSPECTS IN THE COMING CAMPAIGN.

And now, Mr. Speaker, a few words about Democratic prospects in the coming campaign. We are entering the Presidential contest of 1904, and every indication is auspicious for Democratic success. In my opinion, and I say so advisedly, the Democratic party, if it is true to itself and to its fundamental principles, is destined to win in the coming battle. The stars in their courses this year will fight for Democracy. The record is against the Republican party—the people are with Democracy—and all we have to do from now on is to act wisely, exercise conservatism, use ordinary political sagacity, adopt an up-to-date platform, nominate a loyal, well-known, consistent, and popular candidate for President, and the Democratic party will sweep the country. Every Democrat in the land has his face to the rising sun and is marching on full of hope. The Republican administration of national affairs during the past few years supplies us with all the ammunition we want, and if we will present the facts of Republican inconsistency and broken promises earnestly and fearlessly to the American electorate, I feel confident our cause will be sustained. Every sincere Democrat in the land is confident of success, and all the signs of the times point unmistakably to Democratic victory in the battle of the ballots next fall.

WHAT THE REPUBLICAN PARTY STANDS FOR.

The Republican party stands to-day for high-tariff taxation, for economic policies and for subsidies that rob the many for the benefit of the few, for financial heresies that centralize wealth and paralyze industrial freedom, for political usurpations that subvert the Constitution, enslave the masses, trample under foot the rights of man, and laugh to scorn the immortal principles of the Declaration of Independence.

THE REPUBLICAN PARTY IS DISINTEGRATING.

The Republican party is not what it used to be. It no longer has a message for humanity; it no longer stands for great principles; it no longer has a conscience; it no longer stands for the policies of its founders, and it has not a single honest issue to-day it dares present to the country. The fingers of greed and graft have erased every motto from its banners; its army of supporters is disheartened and split in factions; it is going to pieces from the bitterness engendered by the jealousies of its own leaders; it is rotting away with the cancer of corruption; it is disintegrating, and it all portends, in the near future, overwhelming Republican defeat and triumphant Democratic victory.

NEW YORK STATE WILL SURELY GO DEMOCRATIC.

Let me say to you gentlemen on the other side that New York State will surely go Democratic in the coming election. It is the pivotal State of the Union, and its place again in the Democratic column means the election of a Democratic President. There is no doubt about New York. The Empire State is safe for Democracy. The Republican party there is hopelessly divided, and sane Republicans now admit that the State is lost to their party beyond recovery. It is a political axiom that without New York State the Republicans can not win, and this means a Democratic House of Representatives and a Democratic President and the beginning of the end of Republican misrule, Republican corruption, and Republican maladministration.

WHAT WILL BE THE ISSUE?

This is not the time nor the place, Mr. Speaker, to discuss what will be the leading issue in the coming campaign. Politicians do not make issues; events and the people make them; but if you want to know about some of the questions that will be discussed from now until the polls close next fall I have only to ask you to consider what is going on and what has been going on in our national affairs for the past three years. We read daily about rascality in high places. Take off the lid and you will find that nearly every Department of the Government in Washington is honeycombed with corruption. The dirty fingers of Republican officeholders are looting the Treasury, and the soiled hands of Republican corruptionists are pillaging the very temple of humanity.

The people know something about the frauds in the Post-Office Department, frauds which constituted a stench in the nostrils of every honest American; something about the profits in the army contracts; something about the rottenness in the Interior Department, by which our public lands have been despoiled and the poor Indians systematically robbed; something about the "rake off" in the armor-plate deals of the Navy Department; something about the sleeping Department of Justice that awakens occasionally to plead the "statute of limitations" for Republican criminals who have betrayed their trust and filled their pockets with the people's money; something about oppressive tariff taxation, that robs the many for the benefit of the few, shelters monopoly, sells American products cheaper abroad than at home, and gives free rein to the criminal trusts to plunder the consumers and producers of our country. These scandals are notorious, and the half has not been told. Republican newspapers are getting tired of apologizing for Republican crookedness, and the special pleaders of the "grand old party" from one end of the land to the other weary of keeping Republican "grafters" out of jail.

Mr. Speaker, I say the people know something about official rascality and corruption and peculation in Washington, but they have only an inkling as to the real facts. They want to know more; they want to know all. It is said that the Republican party is always lenient to its criminals, that it shelters Republican offenders, covers up their rascalities, and takes long chances to prevent their successful prosecution. But the time is at hand when the people demand that justice be administered to these public thieves, regardless of their social standing or political affiliation. We are getting at the truth gradually, but we do not know how great these peculations may be or how far-reaching

corruption extends in high places and different branches of the Government. We can not find out all the facts. The Republicans are entrenched in power at the Capitol, and they refuse to grant our demands for legislative investigations.

The Democrats are thwarted at every turn. We introduce resolutions of inquiry only to have the resolutions smothered in committees by Republican majorities; we demand impartial investigations and our demands are met with sneers. The Republican party has been in power too long; there should be a change. The people want a chance to get at the books, to get at the truth, and the whole truth, and they know the only way to accomplish this is to elect in the coming campaign a Democratic President and a Democratic House of Representatives. Then these investigations will proceed with all diligence, and corruption wherever it exists laid bare. And so, sir, if I mistake not, one of the principle issues in the coming campaign will be "Turn the Republicans out and send the corruptionists to the penitentiary."

A SAD COMPARISON.

For several years past, Mr. Speaker, the Republican spellbinders have shouted "stand pat" and for the "full dinner pail." The Republican party has "stood pat," but to-day the dinner pail of the wage-earner is empty and a million honest, industrious, hard-working men are tramping the country looking for work. During the past six months there has been a shrinkage of values in the country of over $10,000,000,000—more than one-eighth of our entire wealth. The figures are appalling, but they are frightfully true and accurate. Hard times, financial panics, bankruptcies, labor lockouts, strikes, reduction in wages, and industrial disasters seem to be the order of the day, and disaster must follow disaster just so long as the "stand-pat" order is tolerated and Republican policies that rob the many for the benefit of the few sustained.

I say it is a crying evil that protected American products are sold cheaper abroad than at home, and the farmers and wage-earners of our country compelled to pay exorbitant prices for the necessaries of life in order that a few may be enriched at the expense of the many. According to a recent report of the Government, wages have been reduced in certain industries more than 20 per cent in the past eighteen months, and the cost of living all along the line has increased more than 16 per cent. Here is a reduction of at least 36 per cent in the earning capacity and purchasing power of the breadwinner; and in view of it all the "full dinner pail" becomes a hollow mockery, "stand pat" a sham, and "Republican prosperity" a delusion and a snare. The comparison is a sad commentary on existing industrial conditions, and demonstrates the falsity of Republican promises when contrasted with actual performances. "Words are good, and only so when backed up by deeds."

WHAT THE DEMOCRATIC PARTY STANDS FOR AND ITS MISSION.

My friends, it is the high mission of Democracy to equitably reform these glaring Republican inequalities and bring about a fairer distribution of the fruits of toil. Labor produces all wealth, and in return the toiler merely gets a meager existence. We legislate too much for the few, too little for the many. It is all wrong. It has got to be stopped, and it can only be stopped through the agency of the Democratic party. The grand old party of Jefferson is, and always will be, the hope of the toilers and the bulwark of the wage-earners and producers of the land. When our party comes into power it will readjust these Republican inequities in a spirit of fairness and equality, so that those best able to bear the burden of government shall at least sustain their just share, and luxuries as well as the necessaries of life shall contribute to its support.

Have no fears; the Democratic party will do this. It stands to-day where it always has stood and where it always will stand—for equal rights to all, special privileges to none; for social order and good government; for retrenchment and reform; for home rule; for equal and exact justice to all men—no class legislation, no caste, no cant, no pretense, no hypocrisy, no sumptuary and oppressive laws; for the home and the schoolhouse; for free men; for a free and untrammeled press; for freedom of speech, freedom of action, and freedom of trade; for civil and religious liberty; for the rights of man; for the sanctity of the ballot box; for peace and harmony—the strength and support of all great institutions—between labor and capital; for a fair day's pay for an honest day's work; for a loyal acquiescence in the will of the majority; for the money of the Constitution—a nonfluctuating dollar—worth at all times 100 cents; for an equitable system of taxation adequate to defray the expenses of the Government honestly and economically administered, and so distributed that the rich as well as the poor shall pay their just share of the burden; for the election of Senators in Congress by a direct vote of the people; for a strict construction of the Constitution; for necessary internal improvements; for the upbuilding of our merchant marine; for the abolition of every criminal monopoly; for friendship with all nations, entangling alliances with none; for the Monroe doctrine; for sympathy with the oppressed of every land and in every clime; for the perpetuity of our free institutions, and for the sublime principles of the Declaration of Independence here and wherever our flag, Old Glory, greets the morning sun and floats in the free air of heaven.

These principles are now a part, have always been a part, and must ever continue to be a part of the affirmative platform of the Democratic party. Men may come and men may go, but these principles are undying and will go on forever.

I have no fears for Democracy. Its future is as secure as its past is glorious, and its ultimate success is written on the pages of destiny. It will never die while men love liberty and are willing to die for freedom. It must live, because it has a mission, and its true mission is to make all the world free and mankind brothers.

Mr. Speaker, I hope this report will be agreed to by the House. [Cries of "Vote!"]

The SPEAKER. Without objection, the conference report is agreed to. The Chair hears no objection.

Mr. PARKER. I desire further to move that on the twenty-ninth amendment, which is the total at the end of the whole bill, we recede, and agree to the Senate amendments.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

BRIDGES ACROSS SPUYTEN DUYVIL CREEK.

The SPEAKER. The gentleman from New York [Mr. GOULDEN] asks unanimous consent to take from the Speaker's table the following bill, which the Clerk will report:

The Clerk read as follows:

Senate bill 4713, to authorize the Spuyten Duyvil and Port Morris Railroad Company and its lessee, the New York Central and Hudson River Railroad Company, to build and maintain bridges or other structures for their railroad across the Spuyten Duyvil Creek and the Harlem River north of the Harlem River pier and the bulkhead lines as now established in the city of New York.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. GOULDEN. I desire to offer an amendment.

The SPEAKER. The Chair suggests to the gentleman that as the bill is now before the House by unanimous consent, to postpone the consideration until a later date, and in the meantime he can mature his amendment. Without objection, it is so ordered.

EMPLOYMENT OF UNITED STATES VESSELS FOR PUBLIC PURPOSES.

Mr. LITTLEFIELD. Mr. Speaker, when I was interrupted I was nearly through with the discussion of the tin-plate industry and its development under the provisions of the tariff bill of which Mr. McKinley was the author. I had called attention to the fact that to-day it is $3.65 a hundred pounds, the cost to the domestic consumer, compared with $5.30, a reduction of $1.65, and that the reduction abroad during the same period in the price was only 10 cents a hundred pounds. With that 10 cents reduction abroad you have a net reduction here under the operation of the tariff of $1.55. Now, I call the attention of the gentleman from New York to this proposition, and I think his candor is such that he will concede it. His suggestion is: "Is it for the best interest of all the people of this country that you should do it?"

Here is the practical application of the tariff for the purpose of developing this particular industry. The actual saving per annum to the people of this country by the operation of this proposition has been $12,694,500. The total saving estimated by the Bureau of Statistics is $75,000,000; and I submit, Mr. Speaker, with great candor, I have answered fully the suggestion of the gentleman from New York.

Mr. COCKRAN of New York. Will the gentleman allow me to ask him a question?

Mr. LITTLEFIELD. Certainly.

Mr. COCKRAN of New York. Does the gentleman contend that tin plate is cheaper in this country than abroad?

Mr. LITTLEFIELD. I do not mean that.

Mr. COCKRAN of New York. When you speak of the reduction in the cost of tin plate being used extensively in this country, you mean that the reduction has brought down the price by the imposition of the McKinley rate?

Mr. LITTLEFIELD. The reduction has brought it down $1.65.

Mr. COCKRAN of New York. And lower than it is now throughout the world.

Mr. LITTLEFIELD. The reduction throughout the world was only 10 cents from 1891 to 1903.

Mr. COCKRAN of New York. What was the price in this country per hundred?

Mr. LITTLEFIELD. Five thirty in 1891. In 1904 the price paid in this country was $3.65, and abroad $2.90.

Mr. COCKRAN of New York. That is not the question.

Mr. LITTLEFIELD. Well.

Mr. COCKRAN of New York. Pardon me, I know what my own question was. I want to know what was the relative price in this country and abroad.

Mr. LITTLEFIELD. The relative price—I have given all the figures. I have given the price paid in 1891 as $3 per hundred.

Mr. COCKRAN of New York. I am speaking of 1890.

Mr. LITTLEFIELD. I will speak of it. You have got to give both ends of the equation to get a proper result. In 1891, when imported tin sold here for $5.30, it sold abroad for $3 per hundred. It sold here, after having been imported—after having paid the Government duty—beginning at $5.30 per hundred, while to-day, 1904, the same tin plate sells abroad for $2.90. Now, there has been a reduction of 10 cents a hundred during that period throughout the world from 1891 to 1904. The reduction here under the operation of the tariff has been not 10 cents, but $1.65; so that brings the proposition down to a demonstration from the figures and facts showing that it is relatively cheaper here than abroad by the amount of $1.55 per 100 pounds; the decrease abroad under free trade having been only 10 cents, and here, under a tariff, $1.65 per 100 pounds.

Mr. COCKRAN of New York. They actually cost more in this country to-day than abroad, but relatively it is a dollar fifty-five cents cheaper.

Mr. LITTLEFIELD. Yes.

Mr. COCKRAN of New York. I make a present of the "relative," and I hope the people who pay it enjoy it.

Mr. LITTLEFIELD. The difference is precisely this: They are paying to-day a dollar fifty-five cents less than they were paying before the tariff went into operation, and upon the amount produced it amounted to $12,694,500 a year, an estimated saving up to date of $75,000,000. Before the tariff it was controlled by a a trust abroad, and the tariff was the only thing that gave us competition with and relief from the oppression of this trust. The price paid would be the same now as it was in 1891 except for the operation of the tariff and the development of the industry here——

Mr. COCKRAN of New York. Will the gentleman permit a question?

Mr. LITTLEFIELD. Do not take up my time, please. I trust the gentleman will excuse me. I do not wish to be discourteous, but I have only fifteen minutes, and I have other things to discuss. I very greatly regret I can not take the time to yield to the gentleman. I suggest this: That here is a typical industry developed by the operation of the protective tariff; here are the results, and the results show an immense advantage to the people of this Republic, and this is an illustration of the beneficial operation of the tariff. Now, that can not be assailed or destroyed, in my judgment, by a mere criticism or an assault. It can not be railed down. It stands an indisputable fact. The storms may come and winds may blow, the rains may fall and beat upon that citadel of the protective tariff policy, and it will stand because it is founded upon the actual eternal rock of experience.

I wish to go a little further, Mr. Speaker, and call attention to what I believe to be the theory upon which tariff legislation should operate. We differ constitutionally with our friends. In the platform of 1892 they said a fundamental principle of the Democratic party was that it was unconstitutional to levy tariff taxes except for the purpose of revenue only—that is, the protective tariff is unconstitutional. Now, we say tariff taxes should be levied, first, for the purpose of raising sufficient revenue to carry on all the business of this great Government and, in addition thereto, for the protection of American labor and industry. Now, what degree of protection should be accorded and upon what basis should it be imposed? I believe, Mr. Speaker, that the tariff should be sufficient in extent to enable persons engaged in production in any industry, agricultural or manufacturing, to pay the American rate of wages and receive a fair return upon the capital invested. I believe that should be the general principle.

I do not go so far as to say it can be applied with mathematical exactness. It is subject to all human conditions. It is subject to the same conditions and infirmities that apply in connection with all legislation that has relation to human conditions, but so far as it can be practicably applied, in my judgment that rule should be applied. I believe it should be universally operative everywhere. I believe it should be applied for the benefit of the sugar planters in Louisiana as well as for the lime producer in Maine. I believe it should apply protection to the fruit grower of California as well as the lumberman in the State of Maine, or the steel manufacturer in Pennsylvania, and wherever a tariff now exists or a business exists that requires the application of that proposition in order to enable the payment of a fair rate of American wage and a fair return by way of income upon the capital invested, there, I believe, it should be applied. I would not remove a tariff on a product of the West for the benefit of the East, nor would I vote to remove it on an article produced by a manufacturer in the East for the benefit of the West, where it was necessary in order to enable the results above indicated to be attained.

I would make no discrimination so far as persons are concerned. I do not understand when we are legislating, Mr. Speaker, upon fiscal policies of this Government, that we are legislating in the interest of political parties. Business knows no politics. It is neither Democratic nor Republican.

Investment anywhere and everywhere is entitled to the same equitable treatment from the Government. I said that I would impose it so as to enable a fair return upon the capital invested. What do I mean by that? I mean just exactly this, just exactly what I say—*capital invested*. I do not mean overcapitalization; I do not mean wind and water.

Let me give a concrete illustration. Take, for instance, a corporation with a capital of $100,000, but with a capitalization, we will say, of a million, for the purpose of making the illustration more obvious. I do not believe that a tariff should be imposed under such circumstances, so as to enable a corporation to declare dividends upon a million of capitalization. I believe it should be imposed so as to enable the industry to pay a fair income upon the capital actually invested—$100,000. Now, it is said, Mr. Speaker, that goods are sometimes sold abroad cheaper than they are at home. I suppose that is true. I know that, as a matter of fact, in connection with many large business industries in this country, goods are sold in this country at a distance from their place of manufacture more cheaply than in the place where they are manufactured.

I can reach out my hand here and put it upon the head of a Congressman who is engaged in the manufacture of a product, and who sells that product cheaper 150 miles from his home than he does in his home, and whose competitors 150 or 300 miles away sell in his home cheaper than they sell at the place where the goods are manufactured by them. It is simply one of the natural evolutions in the development of business. I am not able to assert that this is an unvarying and universal incident of business, but I know that it exists in many instances and is not therefore necessarily an abnormal condition. Now, so far as a sale abroad cheaper than at home is due to that same business condition and the operation of that same business factor, I would not interfere with it; but wherever a manufacturer or a producer is able to sell his product cheaper abroad than at home by reason of the operation of a tariff, because thereof, so that the relation of cause and effect can be established in connection with the situation, I believe that the tariff should be reduced so far as is necessary to prevent the production of that result. [Applause on the Democratic side.]

I speak, of course, for myself. I do not control the policy of the Republican party, but I believe that to be the policy of the Republican party upon this proposition. [Applause on the Republican side.] Now, mark this. Take the propositions as I make them. I am going to be entirely frank about it. Take the proposition as I make it: Whenever and wherever a manufacturer is able *by reason of the tariff, as a result thereof, when the relation of cause and effect can be established in connection with* the situation, to sell abroad cheaper than he sells at home, I would deprive him of so much of the protection as was necessary in order to prevent that result. [Applause.] I do not know of any Republican that takes any other ground, so far as that is concerned. [Applause.]

Mr. GAINES of Tennessee. Well, I do not see any Republicans applauding what the gentleman says.

Mr. LITTLEFIELD. Don't let that disturb the gentleman.

Mr. GAINES of Tennessee. Well, it does.

Mr. LITTLEFIELD. I am not making this speech for the purpose of obtaining applause. I am making this speech because I am desirous of discussing this question from a frank and straightforward standpoint. [Applause.]

When it comes to the question of the relation of the tariff to trusts, I desire to say that the man does not live and has not stood in shoes who can demonstrate the proposition that the protective tariff is what is called "the mother of trusts." [Applause on the Republican side.] I concede that the trust, if there be a trust, which is engaged in the manufacture of an article and the individual competitor may both receive the protection of the tariff, but it can not be demonstrated, even for a moment, that the mother or creator of any trust is the tariff; nor is it logical nor is it sensible to undertake to repeal the tariff in order to eliminate or exterminate a trust.

Let me analyze that proposition for a moment. The tariff, it is charged, is the creator of the trust. If that be true, then the tariff is the creator and the trust the creature, and vice versa. No reason is perceived why the same rule would not apply to this as to every other condition. Then wherever you found the creator you would expect to find the creature, and where the creature was there would be found the creator. But we have many articles,

products as to which there is no tariff, the Standard Oil Company's being the most conspicuous example. It is a trust par excellence, and there has never been any tariff on its product. Then we have trusts innumerable in free-trade countries, England being honeycombed with them. Here, then, you have creatures without creators or shelters.

On the other hand, there are many articles on the protected list as to which there are no trusts. There you have the creator and shelter without any creature, and an unutilized shelter. Suppose the Democracy applied its theory of repealing the tariff to destroy a trust, what then? This would be the practical operation of this alleged panacea. Let us take the tin industry. It is claimed that a trust controls quite a portion of the product. But besides the trust there are a goodly number of independent operators. In the contest between the independent operator and the trust, by reason of the fact that the quantity produced by the trust enables it to take advantage of all the elements involved in doing a large business and get favors by way of transportation facilities and charges on account of the quantity handled, the small, independent operator is unable to compete and is continually going to the wall.

This killing out of competition is an essential incident of the trust movement. If the small, independent operator could hold his own and compete, no harm could come to the public, as his ability and competition would regulate the price and prevent oppression. But the fact is the other way. The tariff on tin, it is clear, gives the same protection to the independent operator and the trust; no more and no less. If the foreign manufacturer is let in by a repeal of the tariff, the independent operator, being the weakest, goes to the wall first, leaving the field to the trust, and you have accomplished precisely the end desired by the trust. That is just what the trust wants, and just what we don't want. But you say, "We will drive the trust itself out of business."

Then you would have no tin manufactured in this country, and you would be turned over absolutely to the mercy of a foreign trust, over which we have absolutely no control, precisely where we were before the imposition of the tariff: and in depriving the trust of the "shelter" of the tariff, at the same time depriving the American people of the "shelter" of the tariff, and conferring upon them the high and endearing privilege of paying some twelve millions more for their tin than they are now paying.

This is Democratic statesmanship of the most recent vintage. That this is not overdrawn will appear from a bill now pending before the Ways and Means Committee, introduced by Mr. RICHARDSON of Tennessee, which provides, as to "articles and commodities manufactured and controlled or produced in the United States by a trust or trusts, the importation of such articles and commodities from foreign countries shall be free of duty until, in the opinion of the President and Secretary of the Treasury, such manufacture, control, or production shall have ceased." (H. R. 3570.)

It will be observed that this bill proceeds on the assumption that the repeal of the duty will destroy the manufacture or the industry, and, if necessary, it proposes, for illustration, inasmuch as some tin is "manufactured and controlled or produced" by a trust, to take the duty off until the "manufacture, control, or production shall have ceased" and the tin industry is no more. And the Democracy thinks that is legislation adequately adapted to a desirable result.

I have said that I believe a tariff should be imposed upon these general grounds, on a universal principle, giving industries everywhere the same benefit and same advantage to accomplish this result. I do not believe that principle should be violated by legislation on the floor of this House, nor do I believe that it should be violated or infringed by any form of reciprocity, alleged to be genuine or otherwise. I believe reciprocity should be applied, if applied, precisely in the manner indicated by the sainted McKinley when he made his speech in Buffalo, N. Y., his last message to the American people, so as not to interfere with any domestic production or any domestic manufacture. Any assertion that he made any other declaration is a deliberate perversion of his language. [Applause on the Republican side.] Now, I go further. I am unalterably opposed to the unconstitutional assumption upon the part of some gentlemen in the Republic that there is another body—and I refer to the executive as represented by the Senate—which has the power to change a single tariff schedule by the ratification of a reciprocity treaty. [Applause.]

I believe that the control of the purse is the key to the liberties of the American people, and I believe that the Constitution of the United States vested the exclusive control of power to originate revenue legislation in this body, which is the direct representative of the people. [Prolonged applause.] I believe that when the Senate acts in ratifying a treaty it acts in its executive, and not in its legislative, capacity. I believe that the revision of a tariff schedule, or the change of a fiscal law, or its modification in any way is an act of legislation, and not an act of executive administration.

I do not believe that negotiating an international contract which, except by an extraordinary use of language, is no part of the law of nations at all—simply a contract—can constitutionally change the fiscal policy of this country.

The SPEAKER. The time of the gentleman from Maine [Mr. LITTLEFIELD] has expired.

Mr. LITTLEFIELD. I should like about five minutes longer.

Mr. COCKRAN of New York. I hope the gentleman will be allowed that additional time.

The SPEAKER. Is there objection to extending the time of the gentleman from Maine five minutes? The Chair hears none.

Mr. LITTLEFIELD. Mr. Speaker, these are my views as to the principles on which tariff legislation should be based. I believe that the House should preserve in this respect its rights, its privileges, its prerogatives. The right to amend fiscal schedules and enact tariff legislation is vested here by the Constitution—not necessarily because they are our privileges or our rights or our prerogatives, but because they are essential to the preservation of the rights and liberties of the people whom we represent.

I want to say a few words about the results of these two policies as affecting this great country in which we live. My friend from New York [Mr. COCKRAN] said in his speech that deficit practically resulted in a panic. I would quote his language if I had it at hand. I want to call the attention of the gentleman to the fact that he was in error when he suggested that there was a deficiency in the revenues of the Republic as compared with its expenditures prior to the advent of the Democratic Administration in 1892. I have here a list showing the deficiency of revenue during a term of years as compared with the expenditures; and there never was any deficiency of revenue as compared with expenditures from 1865 down to 1893, the date of the advent of the Democratic Administration. [Applause on the Republican side.] I agree with the gentleman that deficit indicates panic, and therefore that surplus contraindicates panic—indicates prosperity. I would be glad if I had the time to read the vigorous and expressive language that the gentleman uses in describing the results of such panics.

A surplus indicates prosperity; and, if we take into account the unusual expenditures involved in the war with Spain, from 1902 until now we have had, and still have, a surplus indicating this prosperity.

From July 1, 1893, to July 1, 1897, the interest-bearing debt increased $262,323,030. From July 1, 1897, to July 1, 1902, five years, the interest-bearing debt increased only $83,704,210, although during that period the Spanish and Philippine wars were fought, at an expense variously estimated at from $500,000,000 to $700,000,000.

The Cleveland Administration paid on the public debt only $13,400,047, while the McKinley Administration paid $113,000,000. The McKinley Administration refunded $445,940,750 at a rate of 2 per cent—a rate unprecedented in financial history—and reduced the annual interest charges $4,518,255.

For the four years ending June 30, 1897, our exports exceeded our imports only $701,859,558. During the five McKinley years thereafter the excess was $2,832,840,666, or an average of $566,568,133 per year, the yearly average being only $135,291,425 less than the aggregate of four years under Cleveland. The excess under the Dingley tariff is more than the excess from 1790 to date of its enactment, five Dingley years being more than one hundred and eight preceding years.

In thirty-five months under the Wilson bill, aided by a Democratic Administration, the revenues showed a deficit as compared with the expenditures of $105,180,701, as against an excess during a like period under the Dingley bill of $57,000,000. In 1897 the net expense exceeded the net revenue $18,033,454. In 1901 the revenue exceeded the expenses $76,717,984. Do the gentlemen on the other side think that this aching void can be filled with rhetoric however brilliant or declamation however energetic and forceful? Democratic deficit, distress, and disaster. Republican surplus, prosperity, and happiness. This may have been the result of ignorance and incapacity, great errors of policy, but there is a disgraceful chapter in the history of the last Democratic Administration that can not be thus extenuated.

If I had time, I should like to call attention in detail to the negotiation of that loan of $62,315,400, in 1895, for thirty years, at 4 per cent, by the Democratic Administration, with John G. Carlisle as Secretary of the Treasury, when he negotiated to August Belmont and J. Pierpont Morgan, money changers in Wall street, a loan of $62,313,400, when at the very time of its delivery it appears that they were receiving in premiums $10,000,000 profit out of the Treasury of the United States. [Applause on the Republican side.]

These are the figures, showing the dates of delivery of the loan that was sold at 1.04½, showing the premium in excess of the sum

paid by the syndicate, which the Government would have received if it had negotiated its own bonds.

Date of delivery.	Amount.	Valuation.	Premium in excess of 1.04½.
March 18, 1895	$28,807,900	1.19⅞	$4,429,214.00
April, 1895	2,349,800	1.20¾	381,712.50
July 29, 1895	31,157,700	1.23½	5,919,963.00
Total	62,315,400		10,730,889.50

And yet my Democratic friends say here that they want to remove the Republican party from power in order that they may deprive us of the ability to steal the revenues accumulated by the United States Government, when at that time and under those circumstances they delivered themselves body and soul, brains, blood, and bones into the hands of this money-changing syndicate and bartered the character of the United States Government—for what? In order that the syndicate might be able to maintain the credit and the character of a great people which a Democratic Administration stood self-confessed as unable to do. Search the record of the Republican party in vain for the instance where it was obliged to supplicate private bankers to maintain the credit of the greatest people on earth. Now, for a moment, let me contrast that with the McKinley Administration, which negotiated a loan of $200,000,000 in 1898 on the threshold of what was expected to be a vast war with Spain.

It did not turn out to be, because it was simply a contest between the civilization of the sixteenth and the nineteenth centuries; and it turned out that wherever the civilization of the sixteenth century met the civilization of the nineteenth, either upon land or upon sea, the older vanished before the new as the hoar frost vanishes before the rising morning sun. This $200,000,000 was negotiated at the rate of 3 per cent for twenty years, negotiated to the American people, seven times oversubscribed, and in amounts largely from $20 to $500. This is the record of these two great parties. Blazon it. Proclaim it from the house tops. Tell it in the market places. "He that hath ears to hear let him hear."

The SPEAKER. The time of the gentleman has expired.

Mr. LITTLEFIELD. Only a few minutes longer. Let the people say which of these parties they will select as their public servants.

Mr. COCKRAN of New York. Mr. Speaker, this is really most interesting. I hope the House will give the gentleman the time he desires.

Mr. LITTLEFIELD. Only two minutes.

The SPEAKER. The gentleman asks unanimous consent for two minutes. Is there objection?

There was no objection.

Mr. LITTLEFIELD. This is the record of these two great parties. These are their financial achievements, and the results that we see around us every day are the results that have been distributed and disseminated through the Republic by the operation of these policies; and when the arbitrament comes in November, what think you will be the judgment of the intelligent, law-abiding, God-fearing American people? Will they say that the party whose power and control of the Republic has always been signalized by a long trail of destruction, devastation, distress, depression, and ruin shall be vested again with its control? I think not.

On the contrary, I think they will say that the control of affairs shall remain in the hands of the great party, human though it may be, liable to mistakes though it may be, that has controlled and directed the mightiest Republic the world ever saw in its triumphal march along the great highway of nations, its progress signalized by a magnificent prosperity, unparalleled and unapproached since the morning stars sang together, a progress attended by a grandeur, a glory, and a splendor that is at once the unbounded admiration and the hopeless emulation of every other land that the sun shines on. [Prolonged applause on the Republican side.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed with amendment bills of the following titles; in which the concurrence of the House of Representatives was requested:

H. R. 4573. An act for the relief of Eugene Patenaude; and

H. R. 9891. An act giving consent of Congress to the removal of the restrictions on the sale of Puyallup allotted lands, and confirming and legalizing sales thereof since March 3, 1903.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 4504. An act for the relief of Smith R. Mershon; and

S. 3440. An act to revoke sentence and establish the military record of Capt. George G. Lovett, Company K, One hundred and eighty-seventh Regiment Pennsylvania Volunteers, war of the rebellion of 1861 to 1865.

LOUISIANA PURCHASE EXPOSITION.

The SPEAKER. The Chair announces the declination of Representatives HEMENWAY, LOVERING, and HEDGE from the committee to attend the opening of the Louisiana Purchase Exposition, and asks the consent of the House to excuse them. Is there objection?

There was no objection.

The SPEAKER announced as members of the committee to attend the opening of the Louisiana Purchase Exposition Messrs. BOUTELL, GREENE, and HUGHES of West Virginia.

PERSONAL REQUEST.

Mr. COCHRAN of Missouri requested leave to withdraw his previous request for leave of absence. There was no objection.

EMPLOYMENT OF UNITED STATES VESSELS FOR PUBLIC PURPOSES.

Mr. GROSVENOR. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. SPIGHT].

Mr. SPIGHT. Mr. Speaker, I yield to my colleague, the gentleman from Mississippi [Mr. WILLIAMS], such time as he may desire, of that which is left to this side of the House. [Prolonged applause on the Democratic side.]

Mr. WILLIAMS of Mississippi. Mr. Speaker, it is perhaps a good thing, at any rate a certain thing, that God has made certain unalterable rules that neither oratory nor debate can change. The gentleman from Maine said in the course of his remarks, quoting from William Shakespeare, that "changes come over the spirit of our dreams." I concede there are limitations within which changes can come over the spirit of our dreams. For each individual man, who has heredity behind him and environment around him, the limitations are exceedingly great, and for each political party in any country, if it has a history behind it, its limitations are exceedingly great. There is one principle running through all the woof of time that has been expressed in a plain way—"the leopard can not change its spots."

The party, Mr. Speaker, that is founded upon the idea that men, because they happen to live in different climates and different countries, are necessarily in an inimical attitude toward one another, so much so that they must not engage in amicable trade relations with each other except when it is absolutely necessary; that party, under whatever name it has been known in this country, whether as Federalists, when trying to pass the alien and sedition laws, or as Know-nothings, when saying: "No Irish need apply," can not have "a change come over the spirit of its dreams," except the change be subject to the inbred historical limitations which make that party narrow and Chauvinistic—narrow in its welcome of foreigners to our shores, narrow in world sympathies, narrow in its trade relations with the peoples of the earth. I think that was not the exact language used here yesterday, but the spirit was the same; "No Irish need apply." Whenever my friends on the Republican side take that as a rule of action it is idle to quarrel with them because they take the second step and want to deprive a man of entry into the grand arena of benefit which America furnishes to the world in its very civilization, and which it denied to no man in its national need, when, during the war, the Government wanted all such volunteers as it could get. [Applause.] It asked no questions about nativity then.

Mr. Speaker, I say "the leopard can not change his spots." Here is a significant illustration, strange in appearance though it is, in that it comes from the State where the battle of Gettysburg was fought. The gentleman from Pennsylvania [Mr. DALZELL], who made his eloquent peroration-tirade yesterday against foreign-born "hoodlums," does not live far from the field of Gettysburg. During the last war the Sixty-ninth Pennsylvania, "Owens's Own," as it was called, an Irish regiment, was in evidence in defending Pennsylvania soil. As a man of Welsh descent, I am glad to see the old Welsh name "Owen" at the head of the regiment; but the thing I wish you to note now is this; that the great majority of its members were Irishmen, "nearly all of them," as I read in Alexander H. Stephens's Pictorial Historic Views, in which he quoted the statement from a Federal officer, Mr. Wilson, "The only thing throughout that day that met the élan of the southern chivalry headed by Pickett in the grandest charge that the world ever saw was this brigade of Pennsylvania Irishmen." [Loud applause on the Democratic side.]

It strikes me, my friends, that it comes with a strange ring for a man even on that side, but a Pennsylvanian, the hearthstones of whose people those Irishmen protected, to have uttered these words which were uttered by the gentleman from Pennsylvania [Mr. DALZELL] on yesterday: "If there be any hoodlums among us," he said, "they are not the product of American soil, Ameri-

can institutions, or American civilization." The old Know-nothing cry, "America for Americans;" "American soil for American institutions." Mark that fact, gentlemen!

Now, Mr. Speaker, I think I have a right to speak upon this subject without being charged with a personal motive. There is not a drop of blood in my veins that does not come from the English-speaking race—Scotch, English, and Welsh. I am, of course, proud of my race—proud as the Germans are and ought to be of their race, as the French are and ought to be, as the Poles are and ought to be, of their race.

Mr. Speaker, my people came to America in the latter part of the seventeenth century, and if I chose I could "out-America" the gentleman from Pennsylvania, I suppose. I represent a constituency 96 per cent of whom are native born. His is exactly the language of old Know-nothingism. His language was followed by "loud and long-continued applause on the Republican side." That is the significant fact. Federalism had to drop "alien and sedition laws," because "alien and sedition laws" scotched, though they did not kill, Federalism. Know-nothingism was stamped into the pretense of nonexistence by the horse sense of Americans. The historic child of both—the Republican party—through its chosen mouthpiece, amidst its uproarious applause, reechoes their voices.

Can the leopard change its spots? Is there not a historic, scientific, fixed limit to this appearance of "a change that comes over the spirit of our dreams?" I ask this question—I, one of whose ancestors wore the King's uniform against French and Indians, and afterwards the Continental uniform, in which he battled against King and old British theories of colonialism for American liberty!

Mr. ADAMS of Pennsylvania. Will the gentleman permit me?

Mr. WILLIAMS of Mississippi. Certainly.

Mr. ADAMS. Only for a correction. That was the Sixty-ninth New York Regiment.

Mr. WILLIAMS of Mississippi. It is quoted in this book "the Sixty-ninth Pennsylvania," "Owens's Own," and I expect this Federal officer knew what he was talking about. [Applause on the Democratic side.]

Now, then, Mr. Speaker, I am no provincialist. I am intensely a southerner and intensely American, but, perhaps beyond that to a large extent, a cosmopolitan. I know the German people. I have studied with them, danced with them, slept in their houses, eaten their salt, and I love them. What does the distinguished gentleman from the St. Louis district of the great State of Missouri [Mr. BARTHOLDT] think about being one of the only possible "hoodlums" that can be furnished in America? [Applause on the Democratic side.] What does the distinguished gentleman of Swedish ancestry who represents so nobly and so bravely and intelligently upon this side of the House a district in the State of Minnesota, Governor LIND, think of this Federalistic outcropping? [Applause on the Democratic s de.] What does the gentleman from a Boston district who bears the Irish name of one of the ablest and bravest and noblest soldiers of the Revolution, General Sullivan, think of it? [Applause on the Democratic side.]

Mr. BARTHOLDT. Will my friend allow an interruption?

Mr. WILLIAMS of Mississippi. After one moment; but before you do it, I want to pay a tribute to the dear old fatherland, especially the Rhineland. [Applause.] I want to say that one of the best couplets ever written, or quatrain, whichever it was, was the advice the father gave to his son:

> Mein Sohn! mein Sohn!
> Ich rathe Dir gut;
> Zieh' nicht, zieh' nicht am Rhein,
> Da geht Dir alles zo lieblich ein,
> Du kehrst nicht mehr nach Heim.

I have lived among them and I have learned to love them, especially the Germans of southern Germany, and I have learned to love deutsche Frauen, deutsche Weine, und die alte deutsche Gemüthlichkeit. Moreover, alte deutsche Tapferkeit, known of all men since the day of Tacitus; that have we all learned to respect.

Mr. BARTHOLDT. Will my friend allow me?

Mr. WILLIAMS of Mississippi. Yes.

Mr. BARTHOLDT. I will say in reference to the citation that I could not have cited any better than he has, but as to the language implied by the gentleman from Pennsylvania I take it that that shoe does not fit me. [Applause on the Republican side.]

Mr. WILLIAMS of Mississippi. I take it that way, too, but the gentleman from Pennsylvania did not, and neither did your colleagues when they applauded it. Now, let us go on. The gentleman from Pennsylvania said:

> These hoodlums are to be found, rather, among those adventurers who, having left their own country for their country's good, find in the field of American politics prolific source of notoriety and pelf; men who, without conscience and without conviction, find an opportunity, now with one party, now with another, to find a market for their peculiar wares, among which is not respectability.

He took his seat amid another storm of Republican applause.

Oh, this supposition that because a man left Europe and came to America he must have "left his country for his country's good!" Why, even the 10,000,000, more or less, of descendants of the *Mayflower* Pilgrims know better than that, at least so far as the *Mayflower* fellows were concerned. They say that they left their old country for the world's betterment. They say that they left for the purpose of developing a new world, and giving it to religious and civil liberty and to the white man's civilization. They will tell you that they left because conditions "at home" were worse for a man who would be free and follow his conscience than they could be even in the wilderness among the wild red men, and because they could better there take their chances under God's providence to make a new civilization out of the wilderness in the presence of savages, carrying the white man's flag farther and farther in this world and higher and higher, than to have remained back "at home" amidst oppression and all that was narrow, chauvinistic, and wrong. [Applause on the Democratic side.]

I love *la belle France*, too. I have danced with her girls at the vintage; noted that, noble or peasant, the Frenchman is always polite and apt to be a gentleman. I love Moliere and Scarron. What does the gentleman from Louisiana [Mr. BROUSSARD] think? What does the gentleman from South Carolina [Mr. LEGARE], the descendant of Huguenots, think of this Know-nothing renaissance?

Mr. Speaker, I have a good deal of impatience with "hyphenation of Americanism." I do not know what a German-American is; I do not know what an Irish-American is; I do not know what an Italian-American is, or what a French-American is; but I do know what a German is, what a Frenchman is, what an Italian is, and what an American is; and I know, moreover, what an American of foreign birth, no longer hyphenated, except in popular and newspaper phrase-mongering, but devoted to the free institutions of a free country that he came to voluntarily and not by the accident of birth, is, and I know what they have done in the history of this country. Why, gentlemen, I mentioned General Sullivan. I might mention Commodore Barry. I might go back to Revolutionary days and recall him who distinguished himself in the person of Kosciusko. I might go back to Pulaski's time, and in him learn again to love the men of "the knights' republic"—Poland. I might go back to Lafayette's day if I chose, but I need not go that far.

Who are your bravest and boldest? Who made the 20-mile ride down the valley, wonderful, but the subject of overboasting? Phil Sheridan, an Irishman. Who is the one man in the Federal infantry whom Stonewall Jackson ever met with nearly equal forces that he did not rout in almost no time? Shields, at Front Royal, with his Irishmen. My friends, where are the great orators of the world—Bourke and Curran? Where are the great writers of the world—Goethe, and Schiller, and Racine, and Fontaine, and Lessing, and Dante, and Petrarch, and all the balance of them? Its great painters, sculptors, architects? Are they all Americans? There is nothing, in my opinion, more foolish than the notion that because you happen to be a German, or because you happen to be a Frenchman, or because you happen to be an Englishman, or because you happen to be an American, thereby you are better than anybody else. You are better if you are better, and you are not if you are not. [Applause.] Within certain great, broad, indelible race lines human nature is the same from the mouth of the Hudson to the mouth of the Danube. Wherever peoples are within the lines of mutual voluntary assimilation, God has marked them practically the same. He has laid down metes and bounds and race characters within certain broad lines—white, black, red, yellow—but no more than that. Now, my friends, the party of restriction, the party of chauvinism, the party which regards foreigners as necessarily more or less enemies, is the party that you represent.

Your thoughts along economical lines run with your thoughts along international lines. You are the men who, if you carried out your theories to their end, to their logical result, would not sell or buy, or at any rate would not buy one single article upon the surface of the earth from anybody but yourselves; let nobody serve you with his wares unless he were an American, no matter how much he robbed you in the name of "Americanism." The gentleman from Pennsylvania [Mr. DALZELL] the other day expressed that idea right frankly, when he was discussing the question of reciprocal trade relations, and said that it was "not republican" to have reciprocity unless it was in "noncompeting" articles. What does that mean, in this great "imperial Republic" of ours—with an imperial domain and republican institutions—except it means nothing; that you can not buy anything from abroad? The gentleman from Maine [Mr. LITTLEFIELD] this evening has propounded questions and demanded answers "yes or no." Where is the thing that you can mention now—and I will not confine you to a yes or no answer—which is not raised or made or mined somewhere under the flag of the United States? Where

is the noncompeting article? Give it to me. Somebody do it. Will the gentleman from Maine [Mr. LITTLEFIELD] do it? [Applause on the Democratic side.] Why, Mr. Speaker, I doubt if even my genial and nonpartisan personal friend the gentleman from Ohio [Mr. GROSVENOR], who can do mighty near anything, could do it. [Laughter and applause on the Democratic side.]

But, Mr. Speaker, so much for that. I want to go on to the speech just made by the gentleman from Maine [Mr. LITTLEFIELD]. I wish that I had his voice, his strength, his presence, his intellect, because if I had any one of the four—and if I had all four it would be easier yet—I could shatter the baseless fabric that he has erected here to such an extent that he, with his intellectual integrity, would be laughably ashamed of it. [Applause and laughter on the Democratic side.] The gentleman started out by saying that he agreed with the gentleman from New York [Mr. COCKRAN] that this bill is "the corollary of protection," and I happen to agree with both of them. What is protection but a subsidy? Indirect, yes, but still a subsidy. What is Republican historical association with this country's legislation except the history of subsidies, indirect or direct?

Here but the other day you appointed a commission which will result in recommending a bill to do—what? To pay money out of the common Treasury to subsidize the shipowners of the country. Let me dwell upon that just a moment to show how unfair you are. Suppose I were to introduce a bill here to-morrow morning, and in that bill were to provide that the United States Government should take out of the Treasury such money as was necessary for the purpose—naming the millions, or "so much thereof as was necessary"—and with that money should add 25 per cent to the wages of every sewing woman and every man in a sweat shop receiving less than 75 cents a day, or a dollar a day? Where is the man on that side, where is the man on this side, who would not rise in his place and say to me that I was an "anarchist," a "state socialist;" that I had gone back to what sapped and ruined Rome—"bread and circuses?" Is there one of you? Is there a man in this great national House of Representatives who, if I introduced that bill to-morrow, would vote for it? Let me hear his voice. Is there one—yes or no, as the gentleman from Maine says—who would vote for it? [Applause on the Democratic side.] And yet, Mr. Speaker, labor is the basic rock of production and prosperity in civilization and of your much boasted prosperity. Yet you would not dare subsidize labor directly out of the Treasury.

You would call me an old Roman agrarian when I would demand it of you, and you would be right! Yet you will come before the American people any time and you will say: "Let us subsidize the shipbuilders; let us subsidize the silk manufacturers; let us subsidize the pineapple raisers"—for I believe somebody told me the other day that you were absolutely "creating" a pineapple industry now! You would subsidize anything rich or influential to become richer, but not the people. You act in the name of "raising wages of labor," and yet you would denounce as a socialist, as a radical, as an anarchist, as an agrarian, any man who would introduce on this floor a bill directly to raise the wages of labor by money paid out of the United States Treasury. If you are sincere, why not give the pretended largess to labor directly? Why filter it through the hands of somebody to whose hands it may "accidentally or otherwise somehow" stick?

My friend from South Carolina [Mr. JOHNSON] suggests that there is perhaps this difference that may account for the fact—that under the bill, whose pretense is the raising of wages, the fellow employing the labor will get the money and the laborer will not. Sometimes he may, if the margin is big enough and the strike is strong enough and the trust is weak enough and the combine of labor is thus able to overcome the combine of the capitalists. But as a rule the laborer will not get the benefit. You say your legislation makes the employer able to pay, but God has not made him willing; and you can not do it by legislation. [Laughter and applause on the Democratic side.] In the other case of direct largess he would get it—no doubt about that—but even then I have sometimes doubted whether it would do him any good.

I was discussing the ship-subsidy bill with a gentleman not long ago, and I said: "If we really want to build up the interests, improve the status of the American seamen engaged in American shipping, why not just say that the American seaman shall receive out of the Treasury 25 per cent addition to his present wages?" The man to whom I was talking, who was a seaman, replied: "Oh, Mr. WILLIAMS, that would not do any good. The shipowners would immediately reduce by just that much the wages they are now paying."

So the workingman is ground between the upper and the nether millstone. Is it one of God's inscrutable and inexorable laws, which I can not understand? I have never understood why Christ said: "The poor ye have with you always." It has seemed to me now and then, in my weak way questioning the mysteries of God, that somehow it might have been possible not to have the poor with us always. But so far the world has had them, and to the end of time, perhaps, it will. And in this country—not speaking harshly to any one of you—in this country they seem, under the guidance of the Republican party, to exist for only one purpose; that is, to be exploited by name in the interest of the pocketbooks of the men who grind them. [Applause on the Democratic side.]

My friend "lambasted" free trade, and then he charged that the Democratic party was going into a campaign of "free trade;" and then he paid me the honor of reading a part of a magazine article that I have written. Mr. Speaker, I have many vices, but the ungentlemanly vice of taking myself too seriously, my worst enemies will say I am absolutely free from. [Laughter.] Perhaps I shall be excused, however, since gentlemen have paid so much attention to that magazine article, for saying that I will insert in the RECORD just what I did say about the tariff—not here a sentence and there a sentence. Upon that subject I used certain words, and I will stand by them. The gentleman asked me what would be in the next Democratic platform on the tariff question. Not because I wrote this article, not because it was published in this magazine, but because it is Democratic, because it is eternal truth, something mighty, to prevail because it is the truth, the Democratic platform will, I hope, be interestingly approximate to the kernel of this. I wrote for the February number of Everybody's Magazine:

> The two great parties are fundamentally divided, as Jefferson and Hamilton were. Issues change with changing conditions from year to year. But issues are, after all, but the application of fundamental principles to conditions. As to the tariff, the Democratic party stands for the principle that protection is a system of taxation.

You used to deny [addressing the Republican side of the House] that the tariff was a tax. In this day (another "yes or no" question) where is the man on that side of the House who will rise in his place and say the tariff is not a tax? [Applause.] I am waiting. [Laughter on the Democratic side.] Not one.

Mr. BOUTELL. I will answer the gentleman's question.

Mr. WILLIAMS of Mississippi. I shall be glad to hear the gentleman.

Mr. BOUTELL. I will answer that question in the language of the Father of the Constitution, the brighest luminary in the first session of the First Congress, James Madison, who, in the first debate on the first tariff, on April 9, 1789, used these words:

> There is another consideration: The States that are most advanced in population and ripe for manufactures ought to have their particular interests attended to in some degree. While these States retained the power of making regulations of trade, they had the power to protect and cherish such institutions; by adopting the present Constitution they have thrown the exercise of this power into other hands. They must have done this with an expectation that those interests would not be neglected here.

[Applause on the Republican side.]

Mr. WILLIAMS of Mississippi. That is sound doctrine. It comes from a Democrat. There is not a word of "protection" by tariff taxation in all that. The world knows that Madison was not a protectionist. I say, too, "cherish manufactures." I, too, say "protect" them, but by giving equal opportunities and equal burdens. There is not a word in it that answers the question I asked the gentlemen on the other side. Now, I ask the gentleman, again because I have the highest regard for his intellectual integrity, does he say that the tariff is not a tax?

Mr. BOUTELL. It is both a tax and a regulation of commerce, and always has been. [Jeering laughter on the Democratic side.]

Mr. WILLIAMS of Mississippi. The gentleman has answered, and he has answered with his accustomed intellectual integrity and with truth.

It is both a tax and a regulation of commerce, as the gentleman from Maine has substantially said, primarily and necessarily a tax, incidentally a regulation of foreign commerce. The difference between me and you is that you look upon the regulation side of the tax as a necessary blessing, and I look upon all taxes as necessary evils. [Applause on the Democratic side.] We have got to put up with taxes, just as we have got to put up with poverty and with sin and with schism in the church and with all sorts of things.

A few years ago there was another statement made by Republicans——

Mr. BOUTELL. Will the gentleman yield for a moment?

Mr. WILLIAMS of Mississippi. I will in a moment, when I finish my own thought. A few years ago there was another statement made by Republicans. There are still some Republicans living who will repeat that statement, but not many. They said that the tariff was not a tax—that was about their statement—that it was "not a tax, but although it was a tax, the foreigner paid the tax." [Laughter on the Democratic side.] Now, there are a few of you who will still state that the foreigner pays the tax.

Mr. BOUTELL. Just one other question, in further answer to the question which the gentleman from Mississippi asks. I should like to ask the gentleman from Mississippi if he recalls the preamble of the first tariff law which was under discussion when

Madison used the words I quoted a moment ago. If not, I should like just a minute.

Mr. WILLIAMS of Mississippi. Oh, I recall it perfectly.

Mr. BOUTELL. "Whereas it is necessary for the support of Government, for the discharge of the debts of the United States"——

Mr. WILLIAMS of Mississippi. Yes; I recall it.

Mr. BOUTELL. "And the encouragement and protection of manufactures, that duties be laid on goods, wares, and merchandise imported"—— [Applause on the Republican side.]

Mr. WILLIAMS of Mississippi. I recall it very well.

Mr. BOUTELL. Signed by George Washington. [Applause on the Republican side.] And on the 4th of July—Independence Day—1789, and it marked the emancipation of our country from commercial thralldom to Europe.

Mr. WILLIAMS of Mississippi. Why, there is not a Republican in this entire country who is not like the gentleman from Illinois. There is not one of them who has not learned that by heart—one of the few lapses of a man great in our early history, but essentially a Federalist and a distruster of the masses. [Derisive laughter on the Republican side.] That was said or written and enacted at a time when Federalism was in power and rampant. But does that statement make it true? My friend may say that the preamble of an act of Congress says all of that. But suppose it does say it, and suppose that that tariff was passed for that purpose. Does that answer the question that I asked him, whether the tariff is or is not a tax? And if I had the genial brutality of my friend from Maine [Mr. LITTLEFIELD] I would insist that the gentleman from Illinois should answer my question now and here, "yes or no." [Laughter on the Democratic side.] The gentleman may say, There are some things that can not be answered yes or no. That is what I am trying to prove.

Let me go on. I have read so much from myself, let me read some more:

As to the tariff, the Democratic party stands by the principle that protectionism is a system of taxation whereby many are robbed, in order that a few may be hothoused by legislation into artificial prosperity.

[Applause on the Democratic side.]

The method whereby "protection" does this is by deflecting capital and labor from naturally profitable pursuits into pursuits made by legislation profitable, pursuits which, without legislation, would have been less profitable, or perhaps not profitable at all.

The ultimate goal of Democratic striving is "tariff for revenue only," but in the striving toward this goal, common sense, good judgment, and conservatism will prevail, and time will enter as a factor. Perhaps it might be said that an ideal "Democratic tariff for revenue only" would consist in levying import duties upon all, or nearly all, imports, dividing them, however, into three classes: First, necessaries of life and necessaries of industries; secondly, comforts; and, third, luxuries.

THE REFORMER MUST GO SLOW.

The general principle that protectionism is wrong—morally wrong—a prostitution of government to private ends—should never be forgotten; the goal ought not to be lost sight of. At the same time, friends of tariff reform would not strike down in a revolutionary way—"overnight," as the Germans say—all the scaffolding which the false system has erected. Even in Great Britain, where free trade was and is possible, free trade was not reached in that way. Duties were reduced amidst the dismal predictions of the advocates of protectionism that "destruction and ruin," "starvation and poverty" would follow. Destruction, ruin, starvation, and poverty did not follow after duty was removed. Object lesson after object lesson was thus furnished to the people of the falsity of the claims of the advocates of the old system.

In this country, owing to the decision of the Supreme Court in the income-tax case, founded on the provision in the Constitution of the United States about direct taxes, the goal can not be, as it was in Great Britain, free trade. "A tariff for revenue to carry on a government economically and effectively administered" becomes the American tariff reformer's goal. It must be kept in mind until it is reached, but it must be reached by the exercise of wisdom and good sense. The tariff reformer who would do things recklessly or too suddenly would run the risk of destroying the very end which he had in contemplation, by furnishing object lessons which would not help but would hurt him, and in consequence of which he and those of his opinion might be hurled out of place and deprived of the power of doing anything.

There is also a tariff revision by piecemeal, which is a handmaiden of the other system. It is very important in its place, although it ought never to be permitted to handicap the larger movement by general legislation. This is tariff revision by reciprocal trade agreements with other nations. I have always thought that there ought to be about every tariff law some degree of elasticity—a maximum and a minimum—a margin within which, by international trading and bartering, the friends of untrammeled or comparatively untrammeled commerce could be rewarded for the admission of our farm and mining products free or nearly free—encouraged to continue in their course—and others encouraged to imitate it; and whereby, also, incident to the rewarding of these, peoples pursuing an inimical course toward our commerce could be punished. They could not complain, because they would not be punished directly; indeed, punishment would not be the end in view. They would be punished by their own act, and their punishment could be remitted by their own act.

Much can be done along this piecemeal line of tariff revision under a Democratic or approximately Democratic law. Some things along this line can be done even under the Dingley law, with nothing but the small 20 per cent margin of elasticity given in that act. Chamberlainism in England and in her colonies can be killed a-borning by a wisely executed policy of that sort, and with an advantage incalculable to American producers, whether on the farm, in the mine, or in the factory, while at the same time benefiting American consumers of British products.

I continued in another part of the article as follows:

The Democratic tariff idea, like anything else Democratic, is founded as nearly as possible upon the principle of "equality of opportunities and equality of burdens."

The gentleman from Maine [Mr. LITTLEFIELD] proved this evening, in connection with the tin-plate industry, his approval of the clause "whereby a few may be hothoused into artificial prosperity." He made the chief text of his eloquent address this evening the power of taxation to "create industries" and to hothouse men into prosperity. Why, whoever denied it? The gentleman has given me some figures here. He says that in 1891 tin was $5.30, and that it went down in 1900 to $3.65 at home—mark me, now. Then he says that in the first year, in 1891, it was $3 abroad, and that it went down in 1903 to $2.90. Then he said because it started in America at $5.30 and went down to $3.65, and because it started abroad at $3 and never got down below $2.90, that the smallness of the decline abroad proved that we were benefited here by having to buy the tin all the time and now at an increased price.

Why, here I find in the RECORD a speech made by the gentleman from Virginia [Mr. JONES] within twelve months after the formation of this colossal tin trust "created" by the tariff, wherein he shows that the price of tin plate advanced within that time 100 per cent. He says:

I hold in my hand a press dispatch from Indianapolis, Ind., dated two days ago, in which it is stated that tin plate was $2.25 per box two years ago, and that it is now selling at $5.30 per box, and that there will be another advance within the next two weeks.

Mr. LITTLEFIELD. What are the figures you give?

Mr. WILLIAMS of Mississippi. That speech was made December 15, 1899. The trust was formed just one year previous.

Mr. LITTLEFIELD. If the gentleman——

Mr. WILLIAMS of Mississippi. Wait until I get through with tin plate, and then interrupt me all at once. Let me finish this, and I will submit to the interruption later.

Now, what do we find, Mr. Speaker? We find that whereas it has gone down a larger *percentage* at home, it was because it had a higher place to go down from [laughter and applause on the Democratic side], and that it is still cheaper abroad. In other words, we find what everybody not a fool knew already. You can create a tin industry, and if you do it as, according to my genial friend, you have done, you must pay for the fun of doing it. You have paid for it for years, and what have you now? The price abroad, according to these figures is $2.90. That is what they were at that year you quoted. Now, what are the prices at home and abroad to-day? Still cheaper abroad. Now, then, tell me this. Let me call your attention to another curious thing. Will the gentleman from Maine give me his attention?

Mr. LITTLEFIELD. Certainly.

Mr. WILLIAMS of Mississippi. Because—I do not care if the whole of the balance of the House is away—because it is to you and to your magnificent personality that I am now paying obeisance. [Laughter.] Now, a few minutes ago I read a splendid critical dissertation, upon a tariff speech made by the gentleman from Maine in Lewiston, by a man of magnificent sense, Mr. Newman, who writes under the nom de plume of Savoyard. I say he is a man of magnificent sense, because he has praised both the gentleman from Maine and myself. I charge the accusation is true as to the gentleman from Maine and that he deserves it, and as to myself, I admit that I deserve it. [Laughter.]

Mr. LITTLEFIELD. Suppose we bow together. [Renewed laughter.] Let me say this before the gentleman reads from the article written by the distinguished gentleman he refers to.

Mr. WILLIAMS of Mississippi. I am not going to read it right now. I will insert it.

Perhaps it would be too harsh a term to employ if one were to characterize that speech the Hon. CHARLES E. LITTLEFIELD made in Maine last week as political heresy, but it was about as flat party recalcitrancy as ever was ordered. Mr. LITTLEFIELD is the most brilliant man on the Republican side, the best orator, and in the class of GROSVENOR and HEPBURN in debate, and he is what all too few of our public men are, an independent thinker without a mortgage on his mind or conscience. He will never be guilty of the blind and servile bigotry of voting for something he is opposed to solely because it is a party measure. That is the canker that disrupts governments and rots peoples. That is what is the matter with Spain and Turkey.

Mr. LITTLEFIELD has been talking about the tariff and has set up the late lamented "Iowa idea" down East in the State of Maine. What does the Ways and Means Committee think of this sort of stuff, coming from a Republican leader: "The primal purpose of the tariff must be the raising of sufficient revenue to carry on the Government?" There is a great big chunk of Democracy in that declaration. It is pretty tolerably constitutional, too. It is true that the Constitution of the United States and the Democratic party would substitute the word "sole" for "primal" in Mr. LITTLEFIELD'S proposition; but on the whole what Mr. LITTLEFIELD says is as excellent as it is astonishing, coming from the source it does. It is an ominous declaration and liable to cause more or less apprehension in that joss house, the room of the Ways and Means Committee.

The speech of the successor of Nelson Dingley fairly bristles with what the stand-patters might well call "party perfidy and party dishonor." Just listen:

"If upon investigation it turns out to be true that any product upon which there is a tariff is sold abroad cheaper than it is sold at home as the result of the operation of the tariff, the tariff upon such articles should be reduced to the extent that is necessary to prevent that result, assuming, of course, that the relation of cause and effect can be established in connection with the situation."

During the late extra session, that was a campaign against the beet-sugar squad, General GROSVENOR made a speech in which he declared that the

office of the tariff was to enable manufacturers to sell cheaper abroad than at home. He gloried in it and cited it as one of the astonishing triumphs of the protective principle. The argument was that the domestic consumer was bled so freely, the profits made off him were so enormous and so extortionate, that the protected manufacturer could afford to almost give away to foreigners the surplus of his shops; and so an office of the American tariff is to supply cheap goods to foreigner and dear goods to Americans. Thus, the Canada Pacific Railroad can buy steel rails in Pittsburg at $7 a ton less than the Northern Pacific road can buy them, and this is one of the "triumphs" of "the great American system of protection." What an admirable thing it would be if it could be reversed—high prices for foreigners and low prices for home folks. When a foreigner buys our unprotected cotton and our grain that no tariff can protect, he can get them no cheaper than an American. Why this discrimination in favor of steel rails?

Mr. LITTLEFIELD condemned a tariff that enables a trust, overcapitalized, to accumulate profits that would make it possible for it to pay dividends on its surplus and fungous capital stock. What does this man mean? What is he driving at? Is he determined to be a Democrat? What right has a Republican statesman—and from Maine, at that—to indulge such a Democratic preachment as that the taxpayers of this country have some rights? He even goes on to deliver this Democratic epigram that might have come from William L. Wilson or Frank Hurd: "The tariff was made for man, and not man for the tariff." The Ways and Means Committee, doubtless, saw insult in that as well as injury.

As if to sound the whole gamut of recalcitrancy, Mr. LITTLEFIELD said this:

"It is not within the province of the Executive to legislate, and it is the duty of the legislative branch to resist at all times in all places, and in whatever form it may appear, any attempt upon the part of the executive branch to encroach upon its domain."

That pronouncement has been a principle of Anglo-Saxon liberty ever since there was such a thing. It is the foundation stone of representative government. And pity it is that we have fallen on times where the people must seriously ask themselves if they have not chosen a Congress false enough and weak enough to tamely submit to an invasion of their domain and a usurpation of their right.

Mr. LITTLEFIELD. If the gentleman, before he wrote that article, had taken the pains to state the original principle which I stated here and which I stated in my speech before my convention, he would probably have put a different phase upon the suggestions that he makes in his article.

Mr. WILLIAMS of Mississippi. I have no doubt about that.

Mr. LITTLEFIELD. And he would have appreciated this fact, that I was not drawing these opinions in for repairs—not within a day or within a week. [Laughter.]

Mr. WILLIAMS of Mississippi. I wondered if I could be pardoned——

Mr. LITTLEFIELD. If the gentleman has left the branch of tin industry——

Mr. WILLIAMS of Mississippi. I wondered if I could be pardoned after inserting what Savoyard said in the RECORD, a single observation—following up the line of the argument the gentleman so tactfully used—the categorical "yes or no" line of argument. Let us see if I can get the gentleman from Pennsylvania [Mr. DALZELL], if he is in his seat, or the gentleman from Ohio [Mr. GROSVENOR], or the gentleman from New York [Mr. PAYNE] to answer. They are all old leaders of the Republican party. They heard the gentleman's speech. They heard some mighty good Democratic stuff in it to-day. You heard it repeated and explained in what I referred to from Savoyard. Now I will ask them, "yes or no"—do they indorse it or not? [Great laughter and applause.] "Yes or no"—do you indorse it or not?

Mr. LITTLEFIELD. What speech is that?

Mr. WILLIAMS of Mississippi. Your speech that you made to-day—the same speech you made in Lewiston. They will probably answer, "Partially." Now, that reminds me of my grandfather's reply about the battle of Buena Vista. The old man, who stood at the apex of the V on that day, was modestly denying that the First Mississippi Rifles had done all the fighting. He said that South Carolina was there, and the old North State was there, and Kentucky was there; and then somebody asked, "How about a certain other State?" The old gentleman, who never said any harsh thing to or about anybody, replied: "Well," he said, "they were partially there and partially not there." [Laughter.] My honest reply to the "yes *or* no" demand of the gentleman from Maine would be "Yes *and* no"—would be "Partially I do, and partially I do not," indorse what the gentleman from New York said in a magnificent oratorical outburst of two hours. [Laughter.] Now I will yield to the gentleman.

Mr. LITTLEFIELD. Does the gentleman wish me to answer his speech, or will he have me make a suggestion with reference to the tin schedule simply? I understood the gentleman to say that he would excuse me for something. I did not catch what he was reading from when he called my attention.

Mr. WILLIAMS of Mississippi. I was reading your figures, but I have lost them now.

Mr. LITTLEFIELD. It was in my figures, then; it was only my fault or my misfortune.

Mr. WILLIAMS of Mississippi. Yes; I "partially" agree to that. [Laughter.]

Mr. LITTLEFIELD. We both agree upon that.

Mr. WILLIAMS of Mississippi. "Partially."

Mr. LITTLEFIELD. Limited to the fact, and left free for the purposes of this occasion.

Mr. WILLIAMS of Mississippi. Yes.

Mr. LITTLEFIELD. We do not propose to hire a hall——

Mr. WILLIAMS of Mississippi. No; I will be glad enough to get away out of this Hall, which the country hires, when Congress adjourns at this session. I am tired. I do not know how you are.

Mr. LITTLEFIELD. I understood the gentleman to suggest, in criticising the figures I gave him, that the $5.30 per hundred pounds in 1891 was the price after the imposition of the tariff. I beg leave to suggest to the gentleman that that was the price of the imported article prior to the enactment of the tariff. The foreign price was $3 a hundred pounds at that time, and the same article imported, that cost $3 abroad, cost, when paid for by the domestic consumer here, $5.30 without any tariff.

Mr. WILLIAMS of Mississippi. It was $5.30 on December 15, 1899, which was long after the tariff was put on the article, and it has gone down to $3.65.

Mr. LITTLEFIELD. It has gone to $3.65 here under the tariff, but it has only gone down abroad 10 cents.

Mr. WILLIAMS of Mississippi. But it has gone down to $2.90.

Mr. LITTLEFIELD. Two dollars and ninety cents is 10 cents less than $3.

Mr. WILLIAMS of Mississippi. That reminds me, my dear friend, of a telegram I saw while over in Indiana once. It was about an election and scared me nearly to death. It said that the Republican vote of Yazoo County, Miss., had increased 300 per cent. And when I came to inquire I found out that they had cast two votes at the election prior to that, and it was something over 300 per cent because in that election they had cast nine. [Laughter and applause on the Democratic side.] Now, is not that an instance of Republican argument?

The gentleman wants to prove to the American people that they have "created an industry" to their own profit, to their own benefit, and to prove, therefore, if that were true, that they had created an industry which sold its products cheaper to them than they were sold to other people, and to prove it cites figures to show that we are still paying more than foreigners. He wants to prove that we have "created an industry," and while undertaking to do it he proved what I stated he would have to prove, to wit, that when we create one we must pay for creating it. The sole question is whether the whistle is worth the money. Now, then, I said you paid for it. I say you are still paying for it, and I say furthermore that the trust that is now controlling that industry is selling the very identical article cheaper for foreign exportation than for home consumption.

Mr. LITTLEFIELD. Well, I do not know the basis of facts the gentleman may have for his assertions, or if he has any basis of facts——

Mr. WILLIAMS of Mississippi. I have.

Mr. LITTLEFIELD. But does the gentleman deny that if we did not have any tariff to-day upon tin and no manufacturing production here that the price now of the imported article would be practicallly what the price was before the enactment of the tariff law, or substantially $5.20?

Mr. WILLIAMS of Mississippi. Why, of course I deny it.

Mr. LITTLEFIELD. How can you prove it? How can you demonstrate it? What conditions indicate it? Suggest some elements involved in the proposition that aid in the demonstration of the proposition.

Mr. WILLIAMS of Mississippi. The gentleman does not want to be unfair and take up all of my time.

Mr. LITTLEFIELD. Excuse me; if disagreeable, I apologize.

Mr. WILLIAMS of Mississippi. You are not disagreeable; you could not be if you tried to be. If I were a woman I would say that of my friend. When you wear that half Mephistophelian and half Maine woodsman look I would myself, if I were a woman, almost fall in love with you. You could not be disagreeable, if you tried. [Laughter.] But the gentleman can deal with arguments in a way which is disagreeable to a logical intellect, and he sometimes does it. [Applause on the Democratic side.] I mean by that a plain, blunt, logical intellect, not an overacute, overeducated intellect. Now, I say this: I say that these figures prove that your protection has not brought tin down at home to the point at which it has stopped abroad; and I say this, that while it is perfectly possible to "create" any industry, even a banana industry, as I illustrated upon this floor one day, and while it is perfectly possible to create a tin industry, yet, when you do create it, you have got to pay for creating it.

I say, moreover, this; when you create it in superabundance, like you sometimes do, and thereby enable it, by taxing all the people, to grow strong enough to form a great trust, that you have created an iron man with infinite power, without soul in it, who is so much "created," and so magnificently "prosperous" at the expense of the balance of us, that he can do three things: He can control the prices of the product which he makes in the home market at a higher level than they are held by him or others in the foreign market, although he himself may ship abroad at a profit; and that when he becomes that sort of a great, iron, indus-

trial giant, he can do another thing—he can control the price of the labor that works for him. Labor could strike against me; it could strike against the gentleman from New York [Mr. SCUDDER] and the gentleman from Mississippi [Mr. SPIGHT] and the gentleman from Illinois [Mr. HITT] when we were separate; and if Mr. HITT refused to pay the wages, his laborers could find employment from me while they were keeping him profitlessly idle; but if we all went in together and acquired this immense amount of combined power over the laborers whom we employed, and if we owned and controlled all or nearly all of the particular branch of industry in which we were engaged, then all the inundations of labor's power and force, as great as they are, would fall helplessly and as baffled against the wall of our industrial combination, as the waters of the Mediterranean do at the foot of Gibraltar. [Applause on the Democratic side.] The third thing that this law-created iron giant may do, and sometimes does do under the shelter of a tariff, is to dictate the price at which the producer of the raw material shall sell to him. The gentleman says that he defies anybody to prove that "protection is the mother of trusts." Protection is the mother of some sorts of trusts.

I will tell you the sort of trusts that protection is not the mother of. It is not the mother of that sort of trust which owes its success to increased efficiency of public service and to cheapened products and increased volume of product at the same cost, with wages remaining substantially the same or sometimes going higher up. But the tariff is the mother of that sort of trust which, under the shelter of special legislation, hothousing it into artificial prosperity, or at any rate greater prosperity than it would have had without the tariff, can exploit and extort from home consumers, beat strikes, and control the market for raw material. The proof of it lies in your own observation. Take Great Britain for example, where steel is free. Now, there might be a trust there, there might be a great industrial combination in steel in Great Britain, but if there were it would have to undersell the little manufacturers to succeed, and it would have to pay equal wages with them, and even if it got the whole tight little island under its power the same products could come from Germany, from France, and everywhere else across the narrow channel and could flood the British market, which the trust was trying to monopolize. That trust then would to-day or to-morrow have to go to the wall. But if you were to have around that island a high protective tariff of 50 per cent on steel that trust could afford not to undersell the other people, but to come within 45 per cent of selling at an equal price, and still hold the home market.

Mr. LITTLEFIELD. Mr. Speaker, right on that point, would the gentleman feel offended if I asked him a question in relation to a bill pending before his committee, introduced by Mr. RICHARDSON?

Mr. WILLIAMS of Mississippi. Has it anything to do with this particular matter that I am talking of?

Mr. LITTLEFIELD. Yes, certainly. It provides that where there is any product or manufacture the price of which is controlled by a trust the tariff shall be removed therefrom until the manufacture or production shall have ceased; that is to say, practically destroying the industry. Does the gentleman approve of that?

Mr. WILLIAMS of Mississippi. Mr. Speaker, I do not think it is fair for the gentleman to ask me to indulge in criticism of my colleague's bill.

Mr. LITTLEFIELD. Very well; I shall not do it.

Mr. WILLIAMS of Mississippi. But I will state this, independently of that bill, that I would not put on the free list every article that is produced by a trust. I would reduce the duties, however, on every article that is controlled by a trust to the point where there could be a possibility—aye, probability—of foreign competition entering the moment the trust or combine began to extort unreasonable prices and unfair profits from the American consumers. [Prolonged applause on the Democratic side.] And that is not all. I have higher authority than mine for that. I have the authority, substantially, of the gentleman from Maine [Mr. LITTLEFIELD] himself, which I shall assert. He says:

> I do not believe in imposing a tariff that would enable the accumulation of profits to pay dividends upon overcapitalization, what is peculiarly known as "wind and water" capitalization, and in many instances very attenuated wind and water——

Mr. LITTLEFIELD. That is almost word for word what I stated on the floor this afternoon.

Mr. WILLIAMS of Mississippi. Yes; that is what made me admire the gentleman's industry so well, because it shows that in order to be able not to alter these illogical things the gentleman has been uttering on this floor he has had to prepare his utterances by the lamp of midnight and mighty near memorize them; else a mind naturally as good as his could not possibly work twice without previous preparation upon the same illogical lines to the same inconsequential conclusions as in these two speeches. [Laughter and applause on the Democratic side.]

Mr. LITTLEFIELD. I suppose the gentleman will concede that notwithstanding the infirmity of the mind it got there.

Mr. WILLIAMS of Mississippi. Well, "partially there and partially not there." [Laughter.]

Mr. Speaker, the gentleman then does what I have heard many another man do. He begins to lambaste us—I use a not very classic English word, but a right strong one—he begins to lambaste us on the subject of "theory." Now, it always makes me tired to hear a man talk about a "theory" as if it were a bugaboo of some sort. Did you ever know of any sound system that did not have underlying it a sound theory?

Now, the theory underlying the Democratic contention about the tariff is the old slogan of equal opportunities and equal burdens amongst the sons and daughters of men. [Loud applause on the Democratic side.] The underlying theory is that taxation is a burden, and that, being a burden, and a burden upon the consumer, taxation ought to be adjusted so as to be as nearly as possible an equal burden upon all consumers, for the man who carries the lesser burden is thereby favored by politics and law at the expense of the man who carries the greater burden. That is the theory. But gentlemen are always talking about "theories" as if they were something to be run away from. Theories are the bases of right legislative practice and conclusion.

By the way, it seems to me a funny thing that the gentleman should come here with an elaborated question concerning the eloquent speech of the gentleman from New York [Mr. COCKRAN] and say, "Do you indorse it? Answer yes or no." I might ask him a similar question: "Do you indorse Buckle's History of Civilization? Answer yes or no." [Laughter.]

Mr. LITTLEFIELD. I have no objection to it. [Laughter.] But I hope the gentleman will not go too far and ask me any question about something I am not familiar with.

Mr. WILLIAMS of Mississippi. Well, I will comply with your wish. Do you indorse the policies of the Administration of President McKinley?—"yes or no."

Mr. LITTLEFIELD. Yes.

Mr. WILLIAMS of Mississippi. Yet you stood with me here, day in and day out, and we fought against that policy, we fought for the great old historic American principle of equal laws for every man under the American flag. We equally stood in antagonism against its un-American and old British system of colonialism and colonial exploitation. [Applause on the Democratic side.] That is not all. The gentleman stood here with me—and he was right when he did it—and he and I fought to the bitter end, though we went down in defeat, the McKinley policy of violating a vital article of the Constitution of the United States by putting an import duty upon articles coming from Porto Rico to a port anywhere else within the common domain of the United States. [Applause on the Democratic side.]

Mr. LITTLEFIELD. Yes.

Mr. WILLIAMS of Mississippi. Now, I will tell the gentleman why I did not answer his question yes or no.

Mr. LITTLEFIELD. Let me ask you this——

Mr. WILLIAMS of Mississippi. I beg pardon now. The gentleman has answered yes——

Mr. LITTLEFIELD. Yes, and I stand by it.

Mr. WILLIAMS of Mississippi. And I have proven beyond all doubt that his answer "yes" was not the correct answer.

Mr. LITTLEFIELD. No; you have not.

Mr. WILLIAMS of Mississippi. Now, if the gentleman had answered as I would have answered and as I will now answer his question about the speech of the gentleman from New York, then his answer would have been "yes *and* no," and would have abounded in his usual intellectual integrity; but he did not answer it that way. I did not answer the question about the speech of the gentleman from New York "yes or no," because if I had said "yes" it would not have been telling the whole truth. If I had said "no," it would not have been telling the whole truth. A witness when interrogated must tell the whole truth. Now, my answer to his question, which is not "yes or no," is this: In the main I indorse it, but in some particulars I differ with it. Let me ask the gentleman another question, yes or no. Does he indorse the last Republican platform—yes or no?

Mr. LITTLEFIELD. Yes.

Mr. WILLIAMS of Mississippi. You do! The colonialistic part of it?

Mr. LITTLEFIELD. Now, will the gentleman let me say in reference to the Administration of William McKinley?

Mr. WILLIAMS of Mississippi. Really, the gentleman must pardon me——

Mr. LITTLEFIELD. Oh, yes.

Mr. WILLIAMS of Mississippi. I will agree, after I am through——

Mr. LITTLEFIELD. Oh, no; when you are through I shall not have any time.

Mr. WILLIAMS of Mississippi. I will agree, after I am through,

to answer any questions, if they will extend the limit of time. How much more time have I, Mr. Speaker?

Mr. LITTLEFIELD. You have asked me a question.

Mr. WILLIAMS of Mississippi. I know I have.

Mr. LITTLEFIELD. And I have answered you.

Mr. WILLIAMS of Mississippi. My dear friend, I asked you a question in the same way you asked yours. I asked it unfairly. I asked for an answer, "yes or no." You pinned me down and you pinned the gentleman from Missouri [Mr. DE ARMOND] down to yes or no. That is all. I have asked you a question, and you make your answer "yes." And, by the way, it is a curious thing the gentleman asks us over here whether we indorsed every jot and line and tittle of the speech of the gentleman from New York—for that is what it meant—or whether we disapproved of every jot and line and tittle of a two-hour-and-a-quarter speech.

Mr. LITTLEFIELD. No.

Mr. WILLIAMS of Mississippi. And the gentleman from Missouri [Mr. DE ARMOND], with that magnificently incisive intellect of his, arose in his place and took less than three minutes by the watch to ask the gentleman these two questions; whether he would reduce the duty upon articles where the American manufacturers were charging more for them at home than abroad—yes or no to that—and whether he would reduce the tariff tax upon articles where the tariff tax was sheltering trusts? The gentleman from Maine might have answered yes or no, because each question contained a distinct proposition; and yet the gentleman, who was bulldozing us because we could not answer a question about a magnificent oratorical flight in one word "yes," or one word "no"—could not answer either question categorically, surrendered quietly to that little three-minute interruption, containing two distinct questions capable of distinct categorical replies, and never has answered, either yes or no, yet. [Applause on the Democratic side.]

Mr. LITTLEFIELD. Now, just one moment. I will appeal to the RECORD——

Mr. WILLIAMS of Mississippi. Oh, no——

Mr. LITTLEFIELD. Will the gentleman yield for a moment?

Mr. WILLIAMS of Mississippi. Yes; I want to be courteous. I will yield.

Mr. LITTLEFIELD. Then I want to say to the gentleman that I do not think he does it disingenuously—I will not suggest that, because the gentleman is a gentleman—but I did not ask him whether he indorsed every jot and tittle of the speech of the gentleman from New York [Mr. COCKRAN].

Mr. WILLIAMS of Mississippi. Oh, no; not in express words——

Mr. LITTLEFIELD. Wait a minute, please; you can not dodge that way.

Mr. WILLIAMS of Mississippi. Now, I will not yield any further.

Mr. LITTLEFIELD. Oh, yes; you yield when it is agreeable, and when it is disagreeable you decline to yield.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, rather than stand charged with that sort of a thing, with being unlike my friend from Maine—disagreeable—I will yield, provided the gentleman's question does not take over two and a half minutes.

Mr. LITTLEFIELD. I do not think the gentleman desires to misrepresent the question that I put; but I called attention to the fact that the gentleman from New York [Mr. COCKRAN] declared the issue upon the tariff and made his proposition upon the tariff, involving free trade, and I confined my question to that proposition. I did not ask if the gentleman approved of a two hours' speech or not. The RECORD will disclose that. The gentleman does not want to misrepresent me. I asked him, and I asked the gentleman from Missouri that question, whether upon that sentiment or upon that branch of the speech of the gentleman from New York the gentleman did or did not approve of that. Now the gentleman says my question covered a two hours' speech, and as to every jot and tittle of it.

Now, I want to say a word in relation to the Administration of McKinley. [Cries of "Oh, no," upon the Democratic side.]

Mr. WILLIAMS of Mississippi. I hope the gentleman will let me have some time.

Mr. LITTLEFIELD. I do not want to be offensive to my friend.

Mr. WILLIAMS of Mississippi. No; it is not offensive.

Mr. BAKER. You meant to be offensive to me—— [Laughter and great confusion.]

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask for order. Under the circumstances I will have to decline to yield further now.

The SPEAKER. The House will be in order.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, I will not rest quiet, under the insinuation even, that I have been unfair or disingenuous in dealing with the question asked by the gentleman from Maine, or in any other respect. The record is there, and I presume it will not be changed. The gentleman turned to me by name and said, "Do you approve or disapprove of the utterances of the gentleman from New York?"

Then, turning to the gentleman from Missouri [Mr. CLARK] by name, and then turning to this entire side, he repeated the same question. He did not say in so many words "every jot and tittle," and he perhaps meant the tariff part of Mr. COCKRAN'S talk, but if anybody should have answered "yes" he might single out one utterance and say that the respondent could not approve of that. Or if anybody had answered "no," he could have singled out something else that he knew that we did approve of and say the answer ought to be "yes" as to that. I want to ask another question of him. I want to ask another question of all of you on that side. I want to ask whether you approve or disapprove of this Spinosa philosophy? I want an answer—"yes" or "no." Another question, every one of you, "yes" or "no," whether you approve or disapprove of the first speech made by Daniel Webster on the tariff question?

Mr. LITTLEFIELD. That is, his first speech or his last speech?

Mr. WILLIAMS of Mississippi. The first one.

Mr. LITTLEFIELD. That is a free-trade speech.

Mr. WILLIAMS of Mississippi. Yes.

Mr. LITTLEFIELD. I do not think I would exactly approve of that.

Mr. WILLIAMS of Mississippi. I reckon not, nor could you disapprove wholly. The true answer would again be "partially," in view of the fact that if one answered generally "no" there are some things in that speech that every patriot and true American must believe in, and if one answered "yes" he would have approved of some things I know that no Republican approves of.

The gentleman from Maine has unintentionally misrepresented the speech of the gentleman from New York [Mr. COCKRAN], which the gentleman from Maine has called to our attention and made his text.

The gentleman has represented the gentleman from New York as saying that the issue in this year of our Lord's grace would be "free trade;" he has represented his speech as "involving free trade." He knows that that never occurred. It involved no such thing. He knows that "free trade"—no custom-houses—is an impossibility here. He knows that when the gentleman from New York quoted the utterance of the gentleman from Missouri about pulling down customs-houses "from turret to foundation stone," he went back to the time of Tantallon Castle, and was referring to a system of robbery and looting from the castle. But the gentleman knew, and he knows now, that the gentleman from New York likewise added that we had to have taxes, and that we had to gather taxes mainly from the tariff. The gentleman knows as well as I do that nobody is trying to make a campaign on "free trade;" that nobody could if anybody wanted to.

The gentleman knows that there can not possibly be any "free trade" in the United States. He knows that this Government must be supported partially—aye, mainly—by tariff taxation. That is no reason why the necessary tariff taxation should be esteemed by us, or anybody who is sane, as a blessing. Now, then, the gentleman asked me another question. I can give a yes or no answer to that. I was prepared to give it then and there. When you asked me if I indorse everything contained in the speech of the gentleman from New York, on the tariff question, if you will, as you stated his speech, I would be very far from approving it, for reasons of necessity as stated; but when you ask the same question of the same speech as the gentleman from New York stated it, all his statements taken together, I answer, in the main, I do indorse it, although there are some single utterances in it taken alone that I do not indorse.

No two Democrats ever had minds made and confined in the same mold, but it is altogether different with the Republicans, even with "blanket Indian" Republicans, the men who get off the Republican reservation and after a time get back again, as the gentleman from Maine has done. [Laughter.] You exhibit a wonderful receptivity for molding the very first time your party puts the clamps upon you. The gentleman read from the New York platform about corporations created by the States remaining subject to State authority. Did he read it for what it really means? Here is the language, and, if this language be correct, I will give my opinion:

> Corporations chartered by the State must be subject to just regulations by the State in the interest of the people.

Why, how can you state that that platform takes a corporation engaged in interstate-commerce business out from under the control of the Federal Government? It does nothing of the sort. It only states that they should be subject to just control by the State. Why, that is the most harmless utterance ever made, I find, when I read it. [Laughter on the Republican side.] With my understanding of the plank in the platform as contained, as I understand it, in this quotation just read here, I do approve it. If it had been, however, what the gentleman from Maine, stated it to be, or what

I understood him to state it to be—a denial of the right of the Federal Government to deal with corporations engaged in interstate commerce—then my answer would be "No." I do not approve of the Federal Government having its strong arm taken away from regulating corporations, whether created by States or not, when those corporations engage in interstate commerce.

A good Democrat pins his faith to what Thomas Jefferson said when he spoke of the rights delegated to the Federal Union as the sheet anchor of our national safety and independence, and of the rights which were reserved to the States "or the people thereof" as essential safeguards of our liberties. One is as sacred as the other. I would exercise every legitimate power that the Federal Government has to stop extortions, to stop abuse, to stop public swindles and public cheatings on the part of water-capitalized combinations of corporations. And that is not denied in this platform I have just read at all. Now, I want this to go in the RECORD exactly right. It reads:

Corporations chartered by a State must be subject—

To what?

to just regulations by the State in the interests of the people.

There is nothing here about dispensing with "just regulations" by the Federal Government.

I want to ask the gentleman a question. Is the gentleman willing to say that "a corporation chartered by a State ought not to be subject to just regulations by the State?"

Mr. LITTLEFIELD. I will answer, "Not at all." Does the gentleman say that he understood me so stating?

Mr. WILLIAMS of Mississippi. What were you quarreling with, then?

Mr. LITTLEFIELD. What are you quarreling with?

Mr. WILLIAMS of Mississippi. Nothing but your statement. You seemed disturbed. You were the man who started the controversy when you made that quarrel with the plank of the New York platform. I judged by your tone of voice and the facial workings of your mind, your gesticulations, and what you said, that that was what you were doing at that time. [Applause on the Democratic side.] Now, Mr. Speaker, the gentleman says——

Mr. LITTLEFIELD. That simply illustrates——

Mr. WILLIAMS of Mississippi. Now, the gentleman says he does not want to argue "theories," but he wants to argue "results," and then goes on the dearly beloved "beef is 6 cents a pound in Missouri" argument. Results! But results of what? There is the point of difference we come to. Is there a man anywhere here who believes that beef on the foot is worth 6 cents in Missouri because of the protective tariff? Nobody short of the idiot who asked the question of CHAMP CLARK when he was making his speech in Missouri ever thought of that, though he being one of CHAMP'S constituents it is hardly possible he could have been a real idiot. The "result" of what? Our prosperity, now or ever the result of pampering taxation! Why, the answer I give is this: In this great magnificent country, with the daring spirits of the world who have come to our shores, thank God, as "adventurers" [applause on the Democratic side], from the time my Welsh ancestors landed here long before the Revolution to the time that the last Irishman landed in New York six months before he was made a policeman [laughter], from that time down to this we have culled the world's bravest spirits that have given our country bravery, and freedom, and enterprise. The people are the State. Courage and adventure always win. They win in a race, they win in the individual.

I would rather have a man of magnificent courage and small intelligence to do work for me than to have a man with magnificent intelligence and very little courage. When these brave spirits came into the country from all the world they made the country brave, they made the people industrially brave and adventuresome, taking chances that led on to great fortunes, never neglecting the tide when it was at its "flood" of opportunity. Then, in addition to that, we had this magnificent area of unbroken free trade from Canada to the Gulf and from ocean to ocean. Not a man is reckless enough to raise his voice, even upon that side of this Chamber, in order to say that he would like to have New England protected from the pauper industry of Pennsylvania, or Pennsylvania protected from the pauper industry of Florida and the balance of the country. We Democrats—and you Republicans, too, except when you are talking politics—say that we have grown prosperous and great because we have been free, because we have been industrious, because we have had unhampered free trade over vast continental space. We say that we have been prosperous in spite of your efforts to stop it, but you say that we have grown great because of the manacles that you have placed upon us in our great race toward the goal of prosperity. [Applause on the Democratic side.]

Why, the gentleman reminds me of an argument that I once heard was made, but which it was not my good fortune to hear, by a boy in a debating society undertaking to prove that dams cause currents in rivers. He said to somebody, "If you do not believe it, come and go out with me to the river down here and I will show you that dam put up there by that mill and you can see that the current is just running like all the world." He did not know that the duty of a dam was to obstruct the current, and if it did not succeed in doing that it simply failed in that much of its purpose, and that, instead of creating a current, the current was there before the dam ever came, and all the dam could do was simply to some extent check or change the current. [Applause on the Democratic side.] What is your tariff? What would a tariff between Maine and New Hampshire be?

Why, if there was a tariff along the line between those two States the gentleman would tell me that it was that much incumbrance, a hampering and an obstacle to trade, and if anybody said to him that it made trade grow between New Hampshire and Maine to line the common boundary with custom-houses, collecting tolls on commerce, he would turn to that man and tell him that he was a fit subject for a lunatic asylum. Yet the same gentleman will come here and tell us that we have an "immense foreign trade" because we have had tariff laws trying to restrict it, trying to stop it! What sort of conflict is that with your principal theory of protection? The chief theory of your party is that you grow prosperous by keeping the products of the world away from your people! Then if you fail in keeping out a single product, in that far you fail of your restrictive purpose. Why, if you say you have any foreign commerce at all it must be a concession of the fact that you have gotten it in spite of the chief principle of your Republican theory.

Mr. Speaker, the gentleman from Maine [Mr. LITTLEFIELD] said this morning that he would not imitate what he attributed to the gentleman from New York [Mr. COCKRAN]. He said he made a "violent, vituperative, and demagogic assault upon the Republican party." He said he would not imitate him, but I am sorry to say that he has exceeded him, even if his description of the gentleman's speech were correct, because he said that "the Democratic party was a party held together by the cohesive power of public plunder"—quoting the expression of a Democrat about the Republican party. It is the first time that this was ever said of a party in the minority. It has often been applied to your party. He said we would go out in the next campaign without any issues of any sort.

What issue are you going on? You are going upon the issue borrowed from the gambler's table of "standing pat." [Applause on the Democratic side.] What is that issue, thus expressed in your own way, but negation, stagnation, passivity, nonaction? And why are you in such a hurry to leave here now? Why is it that the public rumor says, at any rate, that over there in that body at the other end of this Capitol—where the brilliant Iowan, Mr. DOLLIVER; the brilliant Tennesseean, Mr. CARMACK; the old sage, Mr. MORGAN, of Alabama and the balance of them, disport themselves to the great amusement, sometimes, but sometimes to the great edification, of the world—orders are being received from the White House, "Hist! get thee gone?" Why is it that public rumor says that the Chief Executive is hurrying up the Senate and hurrying up the House and trying to get rid of our sort of "cattle?"

You say we are "going into the next campaign with no principles and no policies." Why, the only trouble with us is that the policies made by your nonaction and by your malaction have been growing up around us until they are numerous enough to constitute a political wilderness, out of which we can hardly find our way. You say we have no issues, and yet you are literally running away from Washington in order to evade issues. We want to know which is the biggest plank in your political concern? You answer, "Stand pat." The other day I was asked the question, why it was that you were in such a hurry to get away, and I answered it in an interview in the Washington Post, and in that interview I spoke as follows:

You ask me why the Republican majority seems to be so anxious to adjourn Congress and if in an early adjournment it will leave behind it any matters of great importance unconsidered. My answer is, generally, that they are anxious to adjourn for the express purpose of preventing the consideration of matters which will be, or ought to be, issues in the coming campaign—matters of such importance to the people of the United States as cryingly to demand attention. For example, there is pending before the Committee on the Post-Office and Post-Roads a resolution requesting that there be transmitted to the House of Representatives all the papers and evidence touching upon the investigation of the frauds and irregularities in the Post-Office Department. The executive department has shielded itself behind the plea that such a transmission of its information would "defeat the ends of public justice," and have never furnished either to the House or to the country all of such information even as it chose to obtain.

PROSECUTION OF COAL TRUST.

Again, there is pending before the Committee on Judiciary a resolution calling for such information as has been obtained by any investigation made with the view of prosecuting the so-called anthracite coal trust, consisting of the anthracite coal-carrying railways doing an interstate business, and before that same committee a resolution of inquiry asking whether any criminal proceedings have been instituted by the Department of Justice against the criminals declared guilty by the Supreme Court in the Northern Securities case of having violated the antitrust act. Thus far nothing save a letter

from the Department of Justice saying that it would be "incompatible with the good of the public service" to give the information that has been received, and the committee has done nothing in the premises. This, taken together with the declaration of the Attorney-General that the Government would not "run amuck" against the trusts, which, being translated into plain English, means that the Government will not wield the sword of the law, is very significant. It is not novel, however.

The people of the United States have become accustomed to two ideas: The idea that the Executive can make laws—for example, by declaring frog legs to be "dressed poultry," and by declaring a piano tuner's wooden hammer to be "manufactures of wool," and by declaring a bill seeking enactment in both Houses for service pension to be already law.

They have also become accustomed to the second idea, to wit, that notwithstanding the oath of the Executive "to faithfully execute the laws of the United States," the Executive will exercise a broad discretion and will execute such laws as it deems wise or politic and will leave unexecuted those deemed by it unwise or impolitic. In this connection, it goes without saying that if the party in power did its full duty it would investigate the alleged frauds in the Indian Territory, punishing the guilty parties—if any there be—and also the alleged frauds in the Land Office, the allegations in both cases being made by servants of the Government itself and servants seemingly worthy of credence.

GRANT OF NECESSARY POWER.

There are important matters pending before the Interstate and Foreign Commerce Committee which ought to receive consideration before the adjournment of Congress. There is a bill pending to give the Interstate Commerce Commission—the power has been begged for by the Interstate Commerce Commission itself—when a given rate, involved in actual litigation, after a full hearing, is declared unreasonable, power to declare at the same time what shall constitute a reasonable rate in lieu thereof. And yet such is the power of the railroads in Washington that a hearing and a vote upon the bill have not thus far been procured in the Committee on Interstate and Foreign Commerce, though I have been informed by a distinguished gentleman from Chicago, an officer in the Shippers' Association, that if it could be gotten to a vote in the committee there are at least three Republican members of that committee pledged to vote for it, in which event, of course, it would pass.

There is a bill pending before that same committee in the interest of the victims of exploiting syndicates to penalize overissuance of stock by combinations or trusts engaged in interstate commerce, and thereby to penalize and to prevent the overvaluation of plants consolidated. Fraudulent, "get-rich-quick" concerns have wrought no greater and no broader nor more criminal oppression and swindling than that which is sought to be cured by the proposed legislation.

There is also pending before that same committee a bill to provide that no person, firm, corporation, or combination of corporations engaged in interstate commerce shall make it a condition of the sale of articles handled by them that the purchaser shall not sell to or buy from any other person, firm, corporation, or association. There is nothing novel about this act. It is copied verbatim from the Massachusetts statutes. The enactment of this single bill would, in my opinion, prevent most of the harmful operations of the sugar and tobacco trusts. It is a fact known of all men that these trusts dictate that those who purchase from them shall not deal with certain persons in certain goods. These trusts not only fix the wholesale price of sugar and tobacco, but dictate to the retail dealer the price at which he shall sell, to whom he shall not sell; and to the producer what he shall receive for the raw material.

LIBERTY IN THE PHILIPPINES.

There is pending before the Committee on Insular Affairs a resolution requesting the Secretary of War to inform the House "whether and to what extent, since the close of the war in the Philippines, the right of free speech prevails in those islands, and particularly whether there is any denial of the right of the inhabitants of those islands to advocate through the press, by petitions, or in orderly public meetings the independence of their country by a peaceable separation from the United States?" It is curious that a Republican National Legislature, which can find time to exploit the Philippines for purposes of greed, by declaring that the coastwise laws of the United States do and ought to apply there, can not find time to declare that the right of petition, the right of public association, and the constitutional guaranty of the freedom of the press do also apply in those islands, even in times of profound and boasted peace.

It is curious to note how, like Mahomet's coffin, the Philippines are suspended in midair. All of those laws, by application of which the rank commercialism of the United States can make money, are applied to the Philippine Islands and to the people of the Philippine Islands. For the purpose of commercial exploitation the Philippines are domestic territory. But when it comes to the right of petition, the right of peaceable assembly, the right of freedom of the press, and the right to enjoy the incalculable benefits of the broadest free-trade relations this world has ever known, viz, the free-trade constitutionality guaranteed between all parts of the domain of the American Union, these laws are declared, within the discretion of the Philippine czar, who is the American Secretary of War, not to be applicable, and a Republican National Legislature can not find time, forsooth, to declare them, or any of them, applicable. And thus it is that, for purposes of benefit to the Filipinos themselves, the Philippine Archipelago is foreign territory and not entitled to the equal benefits of equal laws.

NOTHING EXCEPT SPEND MONEY.

This Congress has done nothing except spend money, and yet it can not find time, forsooth, to consider a bill pending before the Committee on War Claims for the purpose of refunding money now in the Treasury, collected as a cotton tax in 1865, 1866, and 1867, under a law declared by the Supreme Court of the United States to be unconstitutional. The money lies there—legally speaking, the money of no man—awaiting the technical action of Congress to restore it to its rightful owners.

The Republican party would have the country to believe that there is "no time" to consider a resolution which is pending, having been referred to the Committee on Foreign Affairs, to wit, a resolution expressing the pleasure which the House of Representatives would feel if the President of the United States would "take steps toward reconvening the Joint High Commission for the purpose of considering and agreeing upon freer and more amicable trade relations between the United States and the Dominion of Canada." Thirty thousand heads of families moved from the United States last year to Canada. About that number of farms have been opened by Americans settling there. The "manifest destiny" of the North American Continent is first commercial and then afterwards—perhaps long afterwards—political unity; and yet the present trade relations between the two countries are such that Canada regards as enemies, so far as trade is concerned, the hundreds of thousands of Canadians who have settled in New England and in other parts of the United States, and the United States treats as enemies the tens of thousands of our sons and daughters who are now occupying and cultivating Canadian soil.

RECIPROCITY WITH CANADA.

Notwithstanding the fact that perhaps eight-tenths of the American people are desirous of closer trade relations with our northern neighbors, the present committee in the House has not "found time," although much time has been spent about little things, to report to the House the resolution referred to, and the House "could not find time" to consider it if reported, and yet the other day, in the Massachusetts Republican convention, the junior Senator from that State, who appears to be, intellectually or otherwise, the Republican "boss" there, defeated a resolution in favor of Canadian reciprocity by professing that Canadian reciprocity was the intention of the Republican Administration, and that the passage of a resolution of that sort would be "a slap in the face of the Administration."

And yet the junior Senator from Massachusetts understood before he said that, and while he was saying it, that Representative DALZELL of Pennsylvania had been put forward by his party in the House of Representatives to express the orthodox Republican view upon this question of reciprocity, and, amid the cheers and plaudits of his Republican colleagues, had announced that the Republican policy consisted in "reciprocity in noncompeting products." When asked what possible product there was of the farm, the mines, the forest, or the factory in Canada which was noncompetitive—that is to say, which would not have its duplicate in the shape of a like product in the United States of America—he naturally could not reply, and finally, amid the cheers of his colleagues, said substantially—I am not quoting his words exactly—that he could not understand any sort of reciprocity with Canada that could be beneficial to the United States. A convention was never more clearly "bunkoed" than the Massachusetts convention was "bunkoed" by its junior Senator.

In that connection it is well to remember also that several reciprocity measures are pending before the Committee on Ways and Means. One of them is a bill to carry into effect the provisions of the French reciprocity convention, which was approved on July 24, 1897, and transmitted to the Senate, with his approval, by the lamented President McKinley, whose policy the present incumbent of the White House pretends to be carrying out. Consideration has not thus far been obtained in that committee for the consideration of that bill, although it has been, at least, requested. It will not be reported favorably, although I hope to get consideration in committee for it.

EFFORTS OF SENATOR LODGE.

It is said, though with how much truth I do not know, that the French reciprocity treaty was defeated in the Senate mainly by the efforts of the junior Senator from Massachusetts, and it is also said, with how much truth I do not know, that the reason for his bestirring himself in that behalf was that the treaty would, in his opinion, decrease the profits made by a certain New England factory in certain knit goods.

To show the importance of that treaty one has only to remember that if it were concluded we would be liable to pay as import duties on our goods shipped to France only the minimum rates of the French tariff law, rates now enjoyed by most of the other countries of the world, whereas now we pay the materially higher maximum rates, thereby excluding from the French markets very many American products that ought to find a sale there and making more difficult the sale of all American products except such few as are upon the French free list. When it is asked what we would give in return it may be answered that the highest reduction of duties that we make for all this is 20 per cent on nine schedules and 15 per cent, 10 per cent, and 5 per cent upon various other schedules. When it is remembered that the Dingley bill itself declares that a reduction of 20 per cent can not be harmful to American industries by providing that that percentage of reduction may be made by the President in reciprocity treaties, it will become for sane men a still greater cause of wonderment that a Republican National Legislature, which can "find time" for all sorts of little things, can not "find time" for the consideration of this bill.

SECURE MARKETS OF WORLD.

A bill of much more importance than this, however, has been pending before the Committee on Ways and Means, and was voted down in committee by a strict party vote—viz, a bill to enlarge our markets all over the world by holding out as a reward a 20 per cent reduction upon our tariff rates, to be extended to all nations which do now, or may hereafter, admit the natural products of the United States to their markets free of import duties. Natural products mean the products of the forest, of the mine, and of the field. Let all Americans, but especially the American farmer, deliberate long and well upon what this, and the course of policy which it would inaugurate, mean to the country, and then let the Republican party, if it will, meet them with the idle pretense that there was "no time to consider" it.

The great Secretary of the Treasury, Robert J. Walker, recommended to Congress a very restricted free list. Being a Democrat, he realized the truth of the Democratic contention, first, that the tariff is a tax; secondly, that it is a tax upon the consumer, and, thirdly, that it is Democratic for taxation to constitute, as nearly as possible, an equal burden upon all citizens without undue favoritism or undue hindrance to any, and, therefore, that there ought not to be a very extensive free list, and such articles as are placed on the free list ought to consist of the prime necessities of life or of industries. Among the very few things which he recommended to be put on the free list as a prime necessity, both of life and of industries, especially in the curing of meats for export, was salt. By a strict party vote in the Committee on Ways and Means a bill to put salt on the free list was voted down. There ought to "have been time" to permit the House of Representatives to consider that measure.

WANT HIDES ADMITTED FREE.

There was pending before the Committee on Ways and Means a bill to put hides upon the free list, and with hides to place leather of all sorts—boots, shoes, saddles, and harness—on the free list. New England has been pleading piteously for free hides, and a majority of its boot and shoe manufacturers have announced that they would rather have free boots and shoes than not to have free hides. Well might they have made the announcement, because they have demonstrated, by selling their boots and shoes to all parts of the world, in competition with the capital and with the labor of the world, the fact that the boot and shoe industries of the United States need no protection. This bill was voted down in the committee by a strict party vote.

The committee was then asked to consider another bill upon the same question, viz, to reduce the duty on hides to 5 per cent ad valorem and to cut down one-half the duty now imposed by law, under the Dingley Act, on harness, leather, boots and shoes, imported into the United States. Certainly, methought that if New England boot, shoe, and harness makers can sell to the world, they will be safe at home from invasion of the "products of pauper labor," whose competition they meet abroad, after paying freight and insurance, if they had a reduction of 50 per cent of the existing rate, especially when a majority of them have said that they would rather have no protection at all than to pay the present tax on hides. But this was also bowled down by a party vote upon a committee where the Republicans have eleven members and the Democrats only six.

On the 1st of January, 1903, the Republican national legislature, forced to it by public opinion, put anthracite coal upon the free list, and subsequently paid back a rebate of duties upon all other coals for the period of one year.

Coal, therefore, went down, as I demonstrated on the floor of the House, by the testimony of the actual dealers and importers thereof, but it did not go down to a point where it either stopped the profits of the American producers or caused any material or hurtful reductions of those profits. A year's experience demonstrated to West Virginians, who had gone Republican because of the menace of "free coal" and because of an actual reduction of the duty on it by a Democratic national legislature, that West Virginia and Alabama and Tennessee coal was perfectly safe from the competion of the world without a cent of duty. Not only a year's experience, but the experience from January 1, 1903, until now has demonstrated the same fact with regard to anthracite coal, which has been permanently put upon the free list, and is there now, to the great benefit of New England and New England manufacturers and housekeepers.

COAL ON THE FREE LIST.

Keeping these facts in mind, learn this in addition: There was a bill introduced and referred to the Committee on Ways and Means to put bituminous coal—that is, "all coal"—upon the free list. That was voted down by a strict party vote. Then just to see if the Republican party would do anything to prevent in the future in the case of bituminous coal, the horrible suffering and excitement which had taken place with regard to the control of anthracite coal by anthracite coal-carrying transportation companies, constituting, with the mine owners, an anthracite coal trust, an innocent little bill was introduced and referred to that committee, to extend the rebate upon bituminous coal, which had been given for one year, from January 1, 1903, until January 1, 1904, still further one year until January 1, 1905. This bill was also voted down by a strict party vote in committee.

Remember that it had been demonstrated by a year's experience that the bituminous coal fields of Alabama, Tennessee, West Virginia, and Illinois, and other parts of the country were not in the slighest degree injured by the competition of the bituminous coal of all the world, although they were prevented from keeping prices up to the extortionate level at which they had them, and at which they would have held them but for the rebate. Now, what can be the object in the minds of the Republican Members of the House in refusing to learn this little lesson of experience? It must be either one of two things—the disinclination to continue to furnish an object lesson of the inutility of certain schedules of the Dingley bill, or else a desire to enable their campaign-fund providers to have a further shelter under which to extort from the American consumer.

Just to see how far the Republican party would go in its idiotic determination to "stand pat," a bill was introduced and referred to the Ways and Means Committee to reduce duties wherever now over 500 per cent (whether expressed specifically or ad valorem, or in both ways) to the level of 500 per cent. This bill has not yet received the consideration of the committee, but if it shall be considered it will be defeated in committee, and if it were reported favorably by the committee the pretext would be urged that we have "no time" to consider it.

NOTHING MUCH BUT TIME.

The average Senator and Congressman, except from some parts of New England and the extreme West, where they are very wealthy, has more time than anything else to spend. These are great matters—all of them far-reaching in their results. I take it that the conclusion from it all is that the Republican party is determined to prevent the consideration of these things and other things equally important, and that this determination explains its anxiety to adjourn both Houses.

There was introduced and referred to the Committee on Ways and Means a bill to do for the city of Baltimore—after the great fire—just what was done for the city of Chicago after its great fire, to wit: To provide that all materials used for the rebuilding of edifices destroyed by the fire should be admitted free of duty. Whether it was because Baltimore was a Democratic city or not, or whether it was because the Republican party, in its last agonized and agonizing struggle of desperation, dared not loosen one little joint in its armor of protectionism, this bill was also voted down in the committee by a strict party vote. By this same vote the same committee has refused to break up the present unholy partnership existing between the Federal Treasury and the national banks, whereby over $150,000,000 of the people's money is now lent to the national banks for an indeterminate time, without any prescribed rule to determine just which bank shall receive the special favor, and free of all interest on the amounts thus deposited or lent.

To sum up the situation, the Republican party is anxious to "get home" because, until after the election, it does not want corruption in the Departments, abuses in the law, Executive usurpation of legislative power, tariff-tax extortions, or anything else to be investigated or corrected, except by the friends of the abuses, usurpations, corruptions, or extortions.

[Great applause.]

The SPEAKER. The time of the gentleman from Mississippi has expired.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 14500. An act to ratify and confirm the present right of way of the Oahu Railway and Land Company through the military reservation of Kahauiki, Territory of Hawaii;

H. R. 1925. An act providing for the removal of the port of entry in the customs collection district in Alaska from Sitka, Alaska, to Juneau, Alaska; and

H. R. 15128. An act to authorize the Secretary of the Treasury to cancel a certain bond to Klaw & Erlanger.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 5603. An act for the preservation of historic and prehistoric ruins, monuments, archæological objects, and other antiquities, and to prevent their counterfeiting;

S. 5544. An act to authorize payment to the Henry Philipps Seed and Implement Company for seed furnished to and accepted by the Department of Agriculture during the fiscal year 1902; and

S. R. 73. Joint resolution amending an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903.

ADDITIONAL JUDGES FOR INDIAN TERRITORY.

Mr. JENKINS. Mr. Speaker, I call up the conference report on the bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes, and ask unanimous consent that the statement of the conferees be read in lieu of the report.

The SPEAKER. The gentleman from Wisconsin calls up a conference report, and asks unanimous consent that the statement may be read in lieu of the report. Is there objection. [After a pause.] The Chair hears none, and it is so ordered.

The Clerk read the statement of the conferees, which, together with the report, is as follows:

STATEMENT.

Statement of the House conferees on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes.

The amendments of the Senate were as follows: Strike out all after the enacting clause of the House bill and insert the following:

"That there shall be appointed by the President, by and with the advice and consent of the Senate, four additional judges of the United States court in the Indian Territory, one for the northern district, one for the western district, one for the central district, and one for the southern district. And said judges shall have all the authority, exercise all the powers, perform like duties, and receive the same salary as other judges of said court, and shall each serve for a term of two years from date of appointment, and shall be members of the court of appeals for the Indian Teraitory: *Provided*, That none of said judges shall have power to appoint clerks of courts, United States commissioners, or United States constables."

"That an additional recording district in the Indian Territory is hereby established, with a United States court at Wapanucka. The boundaries of said recording district shall be fixed by the judge of the central district of Indian Territory, who shall also have authority to appoint a commissioner and constable for said district."

By the amendment on page 1, line 4, by striking out the word "three" and inserting the word "four," it gives four additional judges for the Territory. The other amendment, on page 1, line 5, creates an additional judge for the northern district.

The amendment on page 2, lines 17 to 25, inclusive, and on page 3, from line 1 to line 6, inclusive, takes from the bill the additional recording districts provided for in the House bill, and prevents the judges from appointing commissioners and constables as provided for in the House bill, and the additional paragraph to section 2 appropriates $20,000 for the payment of the salaries of the judges, to be immediately available.

JOHN J. JENKINS.
LOT THOMAS.
JOHN S. LITTLE.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12647) entitled "An act to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment to the bill of the House, and agree to the same with an amendment as follows, to wit: In lieu of the matter inserted by the Senate amendment insert the following:

"That there shall be appointed by the President, by and with the advice and consent of the Senate, four additional judges of the United States court in the Indian Territory, one for the northern district, one for the western district, one for the central district, and one for the southern district. And said judges shall have all the authority and exercise all the powers, perform like duties, and receive the same salary as other judges of said court, and shall each serve for a term of four years from date of appointment, unless said offices are sooner abolished by law. Neither the additional judges nor their successors in office shall be members of the court of appeals for the Indian Territory, but they shall hold such courts, in their respective districts, as may be directed by the court of appeals of the Indian Territory, or majority of the judges thereof in vacation: *Provided*, That none of said judges shall have power to appoint clerks of courts, United States commissioners, or United States constables in said districts, and hereafter at least three terms of court shall be held in each year at

each place of holding court in the Indian Territory, the times to be fixed in the manner now provided by law.

"SEC. 2. All the laws of Arkansas heretofore put in force in the Indian Territory are hereby continued and extended in their operation, so as to embrace all persons and estates in said Territory, whether Indian, freedmen, or otherwise; and full and complete jurisdiction is hereby conferred upon the district courts in said Territory in the settlements of all estates of decedents, the guardianships of minors, and incompetents, whether Indians, freedmen, or otherwise.

"That the sum of twenty thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of salaries of the judges hereby authorized, the same to be immediately available."

And the House agree to the same.

Amend the title so as to read: "A bill to provide for additional United States judges in the Indian Territory, and for other purposes."

JOHN J. JENKINS,
LOT THOMAS,
JOHN S. LITTLE,
Managers on the part of the House.

O. H. PLATT,
C. D. CLARK,
A. O. BACON,
Managers on the part of the Senate.

Mr. JENKINS. Mr. Speaker, I move the adoption of the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

On motion of Mr. JENKINS, a motion to reconsider the last vote was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. BARNES, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On April 26, 1904:

H. R. 2009. An act for the relief of the estate of Sven J. Johnson;

H. R. 15014. An act to enable the Secretary of War to permit the erection of a lock and dam in aid of navigation in the Tennessee River near Chattanooga, Tenn., and for other purposes;

H. R. 9331. An act to extend the time for completion of the East Washington Heights Traction Railroad Company; and

H. R. 10018. An act granting to the State of North Dakota 640 acres of land, embracing the White Stone Hills battlefield and burial ground of soldiers killed in that engagement.

On April 27, 1904:

H. R. 4570. An act to provide an American register for the steamer *Beaumont;*

H. R. 11676. An act to ratify and amend an agreement with the Indians of the Crow Reservation, in Montana, and making appropriations to carry the same into effect;

H. R. 4483. An act declaring each of the tunnels under the Chicago River an obstruction to navigation, and for other purposes; and

H. R. 12044. An act to authorize the establishment of a life-saving station at or near Eagle Harbor, Keweenaw Point, Michigan.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 7246. An act to provide for the construction of a lighthouse and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras;

H. R. 12899. An act constituting Coal City, Grundy County, Ill., a port of delivery;

H. R. 14826. An act to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska;

H. R. 8421. An act for the relief of Russel A. McKinley; and

H. R. 614. An act granting a pension to Michael O'Brien, alias Michael Clifford.

The SPEAKER announced his signature to enrolled bills and joint resolution of the following titles:

S. 2698. An act to establish a life-saving station at or near the entrance to Tillamook Bay, Oregon;

S. 5557. An act to authorize the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, to construct a bridge across the Connecticut River between Chicopee and West Springfield, in said county and Commonwealth;

S. R. 67. Joint resolution providing for the printing of Senate Document No. 240, relating to the beet-sugar industry in the United States;

S. 4955. An act to provide for the appointment of an additional assistant appraiser of the port of Boston;

S. 3182. An act to pay certain Choctaw (Indian) warrants held by James M. Shackelford;

S. 5169. An act making Lewes, Del., a subport of entry; and

S. 3165. An act providing for second and additional homestead entries, and for other purposes.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 13712. An act granting an increase of pension to Urbanus Hubbs;

H. R. 13531. An act granting an increase of pension to Lyman J. Jones;

H. R. 13485. An act granting an increase of pension to William Glasgow;

H. R. 13405. An act granting an increase of pension to Harriet S. Gilbert;

H. R. 13381. An act granting an increase of pension to John Calloway;

H. R. 14000. An act granting an increase of pension to Bradford A. Gehr;

H. R. 14658. An act granting an increase of pension to Juliana H. Barry;

H. R. 14145. An act granting an increase of pension to Abel D. Brooks;

H. R. 14179. An act granting an increase of pension to Jesse Stinnett;

H. R. 14102. An act granting an increase of pension to Robert W. Foster;

H. R. 14270. An act granting an increase of pension to Loucinda M. Thompson;

H. R. 14307. An act granting an increase of pension to Devernia White;

H. R. 14286. An act granting an increase of pension to Jennie L. Cardwell;

H. R. 14155. An act granting an increase of pension to George W. Kinsey;

H. R. 14363. An act granting an increase of pension to Pocahontas C. Monteiro;

H. R. 1903. An act granting an increase of pension to Claudius Tifft;

H. R. 2183. An act granting an increase of pension to Joseph A. Soule;

H. R. 2940. An act granting an increase of pension to Hester A. Hanback;

H. R. 2948. An act granting an increase of pension to John Wilson;

H. R. 2994. An act granting an increase of pension to Minnie H. Eaton;

H. R. 13371. An act granting an increase of pension to James T. Thompson;

H. R. 14510. An act granting an increase of pension to Daniel M. Graves;

H. R. 14409. An act granting an increase of pension to William F. McMillan;

H. R. 14016. An act granting an increase of pension to William Whealton;

H. R. 14693. An act granting an increase of pension to Susan A. Schell;

H. R. 13364. An act granting an increase of pension to John Cook;

H. R. 13643. An act granting an increase of pension to Joseph Welsh;

H. R. 12992. An act granting an increase of pension to Henry Hiete;

H. R. 13409. An act granting an increase of pension to Alfred Small;

H. R. 14017. An act granting an increase of pension to Louis Voll;

H. R. 14149. An act granting an increase of pension to David Wiels;

H. R. 13958. An act granting an increase of pension to Eliza A. Moss;

H. R. 12413. An act granting an increase of pension to Timothy Haley;

H. R. 12553. An act granting an increase of pension to Amaziah Havey;

H. R. 12676. An act granting an increase of pension to James A. Barber;

H. R. 12253. An act granting an increase of pension to Margaret Dilley;

H. R. 12164. An act granting an increase of pension to Joseph Davis;
H. R. 12199. An act granting an increase of pension to James Bramble;
H. R. 3829. An act granting an increase of pension to Eben Fuller;
H. R. 4201. An act granting an increase of pension to Walker Wilson;
H. R. 875. An act for the relief of Harry C. Mix;
H. R. 965. An act granting an increase of pension to Franklin Webb;
H. R. 784. An act granting an increase of pension to Joseph Vactor;
H. R. 785. An act granting an increase of pension to Henry C. Bobst;
H. R. 748. An act granting an increase of pension to Eben H. Meader;
H. R. 747. An act granting an increase of pension to George D. Totman;
H. R. 737. An act granting an increase of pension to Albert Hemenway;
H. R. 683. An act granting an increase of pension to Thomas S. Strohecker;
H. R. 186. An act granting an increase of pension to Amalia C. Young;
H. R. 12613. An act granting an increase of pension to Edward L. Haney;
H. R. 12194. An act granting an increase of pension to Nathaniel Warren;
H. R. 12323. An act granting an increase of pension to Josiah Wood;
H. R. 12804. An act granting an increase of pension to Smith B. Mills;
H. R. 12480. An act granting an increase of pension to Henry J. Arnold;
H. R. 12174. An act granting an increase of pension to John Smith;
H. R. 12966. An act granting an increase of pension to Charles H. Laky;
H. R. 12993. An act granting an increase of pension to John Hotchkiss;
H. R. 12248. An act granting an increase of pension to Hezekiah Bruce;
H. R. 12277. An act granting an increase of pension to James A. Rapp;
H. R. 14278. An act granting an increase of pension to Byron Bowers;
H. R. 13744. An act granting an increase of pension to Frederick C. Abel;
H. R. 13527. An act granting an increase of pension to William Odenheimer;
H. R. 13363. An act granting an increase of pension to Benjamin L. Commons;
H. R. 13543. An act granting an increase of pension to Henry Clay Hall;
H. R. 13142. An act granting an increase of pension to William M. Lang;
H. R. 13879. An act granting an increase of pension to Abraham S. Van Fleet;
H. R. 13907. An act granting an increase of pension to John W. Hilton;
H. R. 13345. An act granting an increase of pension to Jeremiah Gill;
H. R. 9978. An act granting an increase of pension to Samuel Iverson;
H. R. 9797. An act granting an increase of pension to Thomas Langridge;
H. R. 9687. An act granting an increase of pension to Alexander S. Hempstead;
H. R. 9585. An act granting an increase of pension to Nelson McIntosh;
H. R. 10708. An act granting an increase of pension to Alfred A. Burrell;
H. R. 10182. An act granting an increase of pension to Isaac Innis;
H. R. 10555. An act granting an increase of pension to William L. Gerard;
H. R. 10642. An act granting an increase of pension to Garrett Stanley;
H. R. 14306. An act granting an increase of pension to Martha Taylor;
H. R. 14005. An act granting an increase of pension to George W. Jaques;
H. R. 14579. An act granting an increase of pension to Elizabeth J. Moore;
H. R. 13196. An act granting an increase of pension to Fanny A. Hutchason;
H. R. 13110. An act granting an increase of pension to George C. Birch;
H. R. 13792. An act granting an increase of pension to Ellenora Clavier;
H. R. 15228. An act establishing a regular term of the United States circuit and district courts at East St. Louis, Ill.;
H. R. 9740. An act granting an increase of pension to William W. Newton;
H. R. 10169. An act granting an increase of pension to Isaac N. Flanagan;
H. R. 10544. An act granting an increase of pension to Henry H. Rhoads;
H. R. 11259. An act granting an increase of pension to George W. Stennett;
H. R. 11748. An act granting an increase of pension to Edward E. Curran;
H. R. 11193. An act granting an increase of pension to Abbie W. Griffin;
H. R. 11315. An act granting an increase of pension to Christian Mott;
H. R. 11576. An act granting an increase of pension to James E. Stalker;
H. R. 11150. An act granting an increase of pension to Marvin A. Wixson;
H. R. 11293. An act granting an increase of pension to Frank Fuchs;
H. R. 11308. An act granting an increase of pension to Silas T. Overstreet;
H. R. 11468. An act granting an increase of pension to Edson G. Holcomb;
H. R. 11487. An act granting an increase of pension to John Wybrant;
H. R. 11536. An act granting an increase of pension to Mattie Graziani;
H. R. 12398. An act granting an increase of pension to Samuel N. Johnson;
H. R. 12617. An act granting an increase of pension to Ezra V. Felton;
H. R. 12526. An act granting an increase of pension to Henry Ford;
H. R. 12727. An act granting an increase of pension to Theodore Coonley;
H. R. 12440. An act granting an increase of pension to Edward M. Sheppard;
H. R. 12276. An act granting an increase of pension to Isaac W. Acker;
H. R. 8219. An act granting an increase of pension to William H. Broadwell;
H. R. 8480. An act granting an increase of pension to Elijah Rearick;
H. R. 8783. An act granting an increase of pension to Mary Ann Phipps;
H. R. 8787. An act granting an increase of pension to Robert W. Brasher;
H. R. 8921. An act granting an increase of pension to John McCollister;
H. R. 9788. An act granting an increase of pension to George W. Blanchard;
H. R. 9496. An act granting an increase of pension to Hester E. Bloor;
H. R. 9839. An act granting an increase of pension to James A. Kemp;
H. R. 9832. An act granting an increase of pension to Edwin M. Alden;
H. R. 9257. An act granting an increase of pension to John Ogden;
H. R. 9575. An act granting an increase of pension to John Donahoe;
H. R. 9516. An act granting an increase of pension to Henry Johnson;
H. R. 9427. An act granting an increase of pension to Chester A. Buck;
H. R. 9388. An act granting an increase of pension to Lineus V. Vance;
H. R. 9963. An act granting a pension to Grace Miller;
H. R. 13729. An act granting a pension to Margaret W. Goodwin;
H. R. 13728. An act granting a pension to Isabella McDowell;
H. R. 13328. An act granting a pension to Martin R. Gentry;
H. R. 13190. An act granting a pension to Eveline Crouch Dunbar;
H. R. 13937. An act granting a pension to George W. Litherland;

H. R. 8822. An act granting a pension to Bird L. Francis;
H. R. 8469. An act granting a pension to Silas R. Harris;
H. R. 8464. An act granting a pension to Susan T. Bunch;
H. R. 187. An act granting a pension to Clarissa Wolcott;
H. R. 11776. An act granting a pension to Hugh Mooney;
H. R. 11989. An act granting a pension to Emma C. Dougal;
H. R. 11058. An act granting a pension to Mary Apple.
H. R. 10288. An act granting a pension to Anna E. Harman;
H. R. 10270. An act granting a pension to Mary F. Kenaday;
H. R. 2462. An act granting a pension to Martha Briscoe;
H. R. 5737. An act granting a pension to John Whitehead;
H. R. 8961. An act granting a pension to Frances E. Grisson;
H. R. 10286. An act granting a pension to Ellen M. Malloy;
H. R. 12400. An act granting a pension to Ellen Cain;
H. R. 12529. An act granting a pension to Sarah Greene;
H. R. 12783. An act granting a pension to Harlen Scarlett;
H. R. 12062. An act granting a pension to Edward H. Bennett;
H. R. 7985. An act granting a pension to Alice Jenifer;
H. R. 6643. An act granting a pension to Harry Hirschensohn;
H. R. 5600. An act granting a pension to David Kimball;
H. R. 4907. An act granting a pension to Henry A. Hartley;
H. R. 4583. An act granting a pension to Ella C. Baker;
H. R. 4044. An act granting a pension to William H. Slough;
H. R. 13869. An act granting a pension to Sarah M. Greer;
H. R. 13494. An act granting a pension to Cader B. Brent;
H. R. 13115. An act granting a pension to Sarah Jane Van Alstine;
H. R. 13178. An act granting a pension to Julius H. Rogge;
H. R. 14517. An act granting a pension to Lillie A. Schoppaul;
H. R. 2367. An act granting a pension to Merton C. Sanborn;
H. R. 1045. An act granting a pension to Matilda Witt;
H. R. 13299. An act granting a pension to Edah A. Kittridge;
H. R. 14598. An act granting a pension to Joseph Otis;
H. R. 14354. An act granting a pension to Peter Bunn;
H. R. 14518. An act granting a pension to Henderson Evins;
H. R. 13687. An act granting an increase of pension to Henry A. Davies;
H. R. 5033. An act granting an increase of pension to Roland J. Roberts;
H. R. 5361. An act granting an increase of pension to Lucilius C. Moss;
H. R. 6697. An act granting an increase of pension to Luther F. Palmer;
H. R. 7245. An act granting an increase of pension to Prescilla C. Dodd;
H. R. 7471. An act granting an increase of pension to John Schade, sr.;
H. R. 7502. An act granting an increase of pension to John W. Moore;
H. R. 8496. An act granting an increase of pension to Joseph Howard;
H. R. 8386. An act granting an increase of pension to Andrew S. Esdell;
H. R. 8915. An act granting an increase of pension to Warren McCracken;
H. R. 8498. An act granting an increase of pension to Jonathan Klingenfus;
H. R. 12591. An act granting an increase of pension to Thomas Haydock;
H. R. 14397. An act granting a pension to Mary E. Vanzant;
H. R. 12652. An act granting an increase of pension to Mary L. Johnson;
H. R. 12105. An act granting an increase of pension to James A. Lowe;
H. R. 13461. An act granting an increase of pension to William Curtis;
H. R. 13421. An act granting an increase of pension to Micajah Hill, alias Michael C. Hill;
H. R. 13623. An act granting an increase of pension to Marion A. Carlile;
H. R. 13650. An act granting an increase of pension to William J. Caldwell;
H. R. 13669. An act granting an increase of pension to Mary E. Wyse;
H. R. 13767. An act granting an increase of pension to Daniel Pew;
H. R. 13743. An act granting an increase of pension to David C. Welch;
H. R. 13071. An act granting an increase of pension to John S. Whitmore;
H. R. 13453. An act granting an increase of pension to Ezekiel Steel;
H. R. 13321. An act granting an increase of pension to John B. Mitchell;
H. R. 13518. An act granting an increase of pension to Chester R. Heath;
H. R. 10699. An act granting an increase of pension to Henry J. Brockway;
H. R. 11063. An act granting an increase of pension to Robert L. McMurtry;
H. R. 11843. An act granting an increase of pension to William Hall;
H. R. 10126. An act granting an increase of pension to Job Throckmorton;
H. R. 9393. An act granting an increase of pension to Thomas P. Ryan;
H. R. 9969. An act granting an increase of pension to James Frederic;
H. R. 10062. An act granting an increase of pension to Oscar Murray;
H. R. 6610. An act granting an increase of pension to Samuel Hendrickson;
H. R. 8709. An act granting an increase of pension to James A. Porter;
H. R. 3805. An act granting an increase of pension to Mary A. Disbrow;
H. R. 902. An act granting an increase of pension to Isaac C. B. Suman;
H. R. 1339. An act granting an increase of pension to Joseph P. Scott;
H. R. 1480. An act granting an increase of pension to Edgar W. Thornton; and
H. R. 3265. An act granting an increase of pension to Catharine Cook.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4352. An act relative to fees and commissions on final entry or commutation of homestead entries—to the Committee on the Public Lands.

S. 5462. An act for the relief of Joseph W. I. Kempa, executor of the last will and testament of William J. Grutza, deceased—to the Committee on Claims.

S. 3043. An act for the relief of the estate of the late John Jacoby—to the Committee on Claims.

S. R. 73. Joint resolution amending an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903—to the Committee on Immigration and Naturalization.

S. 5603. An act for the preservation of historic and prehistoric ruins, monuments, archæolgical objects, and other antiquities, and to prevent their counterfeiting—to the Committee on the Public Lands.

S. 4504. An act for the relief of Smith R. Mershon—to the Committee on Claims.

S. 3440. An act to revoke sentence and establish the military record of Capt. George G. Leavett, Company K, One hundred and eighty-seventh Regiment Pennsylvania Volunteers, war of the rebellion of 1861 to 1865—to the Committee on Military Affairs.

LEAVE TO PRINT.

Mr. GROSVENOR. I send to the desk a report from the Committee on Rules.

The Clerk read as follows:

Resolved, That for the remainder of this session and for three days after the close thereof general leave to print in the RECORD shall be, and hereby is, given to all Members of the House.

Mr. GAINES of Tennessee. I object.

The SPEAKER. To what does the gentleman object?

Mr. BARTLETT. I desire to make a parliamentary inquiry.

Mr. GROSVENOR. I ask for the previous question.

Mr. BARTLETT. I wish to know in what shape this matter comes before the House—whether as a report from the Committee on Rules or as a proposition from an individual Member?

The SPEAKER. It is a report from the Committee on Rules.

Mr. BARTLETT. We did not so understand.

The SPEAKER. That is not strange, in view of the confusion.

Mr. WILLIAMS of Mississippi. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Mississippi rise?

Mr. WILLIAMS of Mississippi. I understand that the question is upon a resolution to allow three days after the adjournment of Congress for the printing of leave to print speeches. Before that resolution is adopted by the House, I should like to say a few words in opposition to it.

Mr. GROSVENOR. Let the previous question be ordered, and then the gentleman can be heard.

Mr. WILLIAMS of Mississippi. Well, I will take the usual twenty minutes after the ordering of the previous question.

Mr. GROSVENOR. I will yield to the gentleman now, and then I will ask the previous question.

Mr. WILLIAMS of Mississippi. All right.

Mr. GROSVENOR. How much time does the gentleman want?

Mr. WILLIAMS of Mississippi. I did not think I should occupy more than five minutes——

Mr. GROSVENOR. I yield to the gentleman five minutes.

Mr. WILLIAMS of Mississippi. But I should like to give five minutes to the gentleman from Tennessee [Mr. GAINES].

Now, Mr. Speaker, my objection to this resolution, while it is partially partisan it is also partially nonpartisan. The partisan objection is this:

The other side of the Chamber is in power. That side has clerks in these Departments under Republican officials, who can prepare everything they want from a Republican standpoint; and matter thus prepared can, under this resolution, be shoved into the RECORD after we have all gone home and when there is no chance to contradict anything or to disprove anything. That is the objection from a partisan standpoint.

Now, from the nonpartisan standpoint—the public standpoint—I believe it is bad policy—it is bad political morals—to give Members liberty, after the House has adjourned, to insert in the RECORD things that perhaps they would have said or perhaps would not have said upon the floor of this House.

Such a proceeding is putting a premium upon political disintegrity. It is discouraging intellectual integrity; it is putting a premium upon the lack of honor, upon shrewd manipulation; and it is denying its natural reward to courage and candor—the qualities that prompt a man always to want to say what he has got to say in public, and if he has anything to say about any antagonistic person or any antagonistic body, to say it so that the antagonist can hear it and meet it.

I never but once in my life obtained in this House leave to print. I did obtain such leave once, but when I came to think the matter over, the publishing of a speech in that way seemed so much like doing a thing behind the door and not in the open that I declined to use the privilege.

I do not believe that a resolution of this sort ought to pass; I do not think it is fair to the country.

Mr. Speaker, I do not wish further to consume the time of the House. There is but that one simple thought at the bottom of anything I could say, no matter how long a time I might spend in elaborating it. It just seems to me that it is not right, after you have closed up the House, to let men shove into the RECORD whatever they please, without any chance to answer it or contradict it, giving them a chance to send it home to commit a fraud upon the people, because it appears to the people as if the thing were said upon the open floor; and the people see that and do not see any contradiction of what is said, and they say, "Here is this statement, that statement, or the other statement made in the Congress of the United States, never contradicted by anybody, and therefore necessarily true."

I do not think a resolution of this sort ought to pass.

Mr. BURLESON. It is neither fair nor just.

Mr. GROSVENOR. Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Ohio moves the previous question.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. WILLIAMS of Mississippi demanded a division.

The House divided; and there were—ayes 119, noes 117.

Mr. ROBINSON of Indiana. Tellers, Mr. Speaker.

Mr. WILLIAMS of Mississippi. I suggest to the gentleman that he take the record vote on the adoption of the resolution.

Mr. ROBINSON of Indiana withdrew the demand.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question being taken, the Speaker announced that the noes appeared to have it.

Mr. GROSVENOR. I ask for a division.

The House divided; and there were—ayes 130, noes 123.

Mr. WILLIAMS of Mississippi and Mr. SULZER demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 105, nays 134, answered "present" 16, not voting 126, as follows:

YEAS—105.

Adams, Pa.	Capron,	Flack,	Hemenway,
Alexander,	Castor,	Fordney,	Henry, Conn.
Allen,	Cooper, Pa.	Foster, Vt.	Hepburn,
Bartholdt,	Cousins,	Fowler,	Hildebrant,
Bates,	Currier,	French,	Hill, Conn.
Bingham,	Curtis,	Gaines, W. Va.	Hinshaw,
Birdsall,	Dalzell,	Gardner, Mich.	Hogg,
Boutell,	Deemer,	Gardner, N. J.	Howell, N. J.
Brandegee,	Draper,	Gibson,	Howell, Utah
Brick,	Dresser,	Graff,	Huff,
Burke,	Driscoll,	Greene,	Jones, Wash.
Burkett,	Dunwell,	Grosvenor,	Kennedy,
Butler, Pa.	Dwight,	Haskins,	Kinkaid,
Calderhead,	Evans,	Haugen,	Knapp,
Knopf,	McLachlan,	Perkins,	Tawney,
Kyle,	McMorran,	Porter,	Townsend,
Lacey,	Mahon,	Powers, Me.	Van Voorhis,
Lafean,	Marsh,	Reeder,	Vreeland,
Landis, Chas. B.	Miller,	Roberts,	Wanger,
Lanning,	Moon, Pa.	Scott,	Wiley, N. J.
Lilley,	Morgan,	Slemp,	Williamson,
Littlefield,	Morrell,	Smith, Iowa	Wilson, Ill.
Longworth,	Olmsted,	Smith, N. Y.	Wright,
Loud,	Otis,	Southard,	Young.
Loudenslager,	Palmer,	Southwick,	
Lovering,	Patterson, Pa..	Spalding,	
McCall.	Payne,	Sterling,	

NAYS—134.

Adamson,	Fitzgerald,	Lind,	Scudder,
Babcock,	Fitzpatrick,	Lindsay,	Sheppard,
Badger,	Flood,	Little,	Sherley,
Baker,	Gaines, Tenn.	Livernash,	Shull,
Bankhead,	Garner,	Lloyd,	Sims,
Bartlett,	Gilbert,	McAndrews,	Slayden,
Bassett,	Gillespie,	McCarthy,	Small,
Beall, Tex.	Glass,	McNary,	Smith, Ky.
Bell, Cal.	Goldfogle,	Macon,	Smith, Samuel W.
Benny,	Granger,	Maddox,	Smith, Pa.
Benton,	Gregg,	Martin,	Smith, Tex.
Bonynge,	Hamlin,	Minor,	Snook,
Bowers,	Hardwick,	Mondell,	Southall,
Bowersock,	Harrison,	Moon, Tenn.	Spight,
Brantley,	Hay,	Needham,	Stanley,
Breazeale,	Henry, Tex.	Norris,	Stephens, Tex.
Broussard,	Hill, Miss.	Overstreet,	Stevens, Minn.
Brown, Wis.	Hitchcock,	Padgett,	Sulzer,
Brundidge,	Hopkins,	Page,	Swanson,
Burleson,	Houston,	Patterson, N. C.	Taylor,
Burnett,	Hughes, N. J.	Patterson, Tenn.	Thayer,
Caldwell,	Humphreys, Miss.	Pou,	Thomas, N. C.
Candler,	James,	Pujo,	Vandiver,
Cassel,	Johnson,	Rainey,	Van Duzer,
Clark,	Jones, Va.	Randell, Tex.	Wallace,
Clayton,	Kehoe,	Ransdell, La.	Webb,
Cockran, N. Y.	Keliher,	Richardson, Ala.	Weems,
Cowherd,	Kitchin, Claude	Rider,	Wiley, Ala.
Davis, Minn.	Kitchin, Wm. W.	Rixey,	Williams, Ill.
De Armond,	Kline,	Robinson, Ark.	Williams, Miss.
Dickerman,	Kluttz,	Robinson, Ind.	Wynn,
Esch,	Lamar, Fla.	Russell,	Zenor.
Field,	Lamar, Mo.	Ryan,	
Finley,	Lamb,	Scarborough,	

ANSWERED "PRESENT"—16.

Cochran, Mo.,	Goulden,	Livingston,	Ruppert,
Denny,	Hamilton,	Meyer, La.	Sullivan, Mass.
Dovener,	Hull,	Miers, Ind.	Wade,
Gillett, Mass.	Legare,	Otjen,	Woodyard.

NOT VOTING—126.

Acheson,	Davis, Fla.	Ketcham,	Rodenberg,
Adams, Wis.	Dayton,	Landis, Frederick	Rucker,
Aiken,	Dinsmore,	Lawrence,	Shackleford,
Ames,	Dixon,	Lester,	Sherman,
Bede,	Dougherty,	Lever,	Shiras,
Beidler,	Douglas,	Lewis,	Shober,
Bishop,	Emerich,	Littauer,	Sibley,
Bowie,	Foss,	Lorimer,	Smith, Ill.
Bradley,	Foster, Ill.	Lucking,	Smith, Wm. Alden
Brooks,	Fuller,	McCleary, Minn.	Snapp,
Brown, Pa.	Garber,	McCreary, Pa.	Sparkman,
Brownlow,	Gardner, Mass.	McDermott,	Sperry.
Buckman,	Gillet, N. Y.	McLain,	Stafford,
Burgess,	Gillett, Cal.	Mahoney,	Steenerson,
Burleigh,	Goebel,	Mann,	Sullivan, N. Y.
Burton,	Gooch,	Marshall,	Sulloway,
Butler, Mo.	Griffith,	Maynard,	Talbott,
Byrd,	Griggs,	Metcalf,	Tate,
Campbell,	Gudger,	Mudd,	Thomas, Iowa
Cassingham,	Hearst,	Murdock,	Tirrell,
Connell,	Hedge,	Nevin,	Trimble,
Conner,	Hermann,	Parker,	Underwood,
Cooper, Tex.	Hitt,	Pearre,	Volstead,
Cooper, Wis.	Holliday,	Pierce,	Wachter,
Cromer,	Howard,	Pinckney,	Wadsworth,
Crowley,	Hughes, W. Va.	Powers, Mass.	Warner,
Crumpacker,	Humphrey, Wash.	Prince,	Warnock,
Cushman,	Hunt,	Reid,	Watson,
Daniels,	Hunter,	Rhea,	Weisse,
Darragh,	Jackson, Md.	Richardson, Tenn.	Wilson, N. Y.
Davey, La.	Jackson, Ohio	Robb,	
Davidson,	Jenkins,	Robertson, La.	

So the resolution was rejected.

The Clerk announced the following additional pairs:

For the session:

Mr. DAYTON with Mr. MEYER of Louisiana.

Until further notice:

Mr. BROWNLOW with Mr. PIERCE.

Mr. BRADLEY with Mr. GOULDEN.

Mr. CONNER with Mr. WADE.

Mr. PEARRE with Mr. GUDGER.

Mr. SPERRY with Mr. LEVER.

Mr. SULLOWAY with Mr. EMERICH.

On this vote:

Mr. JENKINS with Mr. UNDERWOOD.

Mr. MCCLEARY of Minnesota with Mr. HOWARD.

Mr. HAMILTON with Mr. GRIGGS.

Mr. CAMPBELL with Mr. TATE.

Mr. BEIDLER with Mr. CROWLEY.

Mr. ACHESON with Mr. CASSINGHAM.

Mr. LAWRENCE with Mr. RICHARDSON of Tennessee.

Mr. HUGHES of West Virginia with Mr. RUCKER.
Mr. GILLETT of California with Mr. GARBER.
Mr. MCCREARY of Pennsylvania with Mr. WILSON of New York.
Mr. MURDOCK with Mr. MAYNARD.
Mr. SMITH of Illinois with Mr. SHACKLEFORD.
Mr. WACHTER with Mr. LUCKING.
For the balance of the session:
Mr. JACKSON with Mr. DOUGHERTY.
For the day:
Mr. HITT with Mr. DINSMORE.
For the remainder of the day:
Mr. MUDD with Mr. DENNY.
Mr. KETCHAM with Mr. AIKEN.
Mr. LITTAUER with Mr. HEARST.
Until 9 p. m.:
Mr. GILLETT of Massachusetts with Mr. TALBOTT.

Mr. GOULDEN. Mr. Speaker, I wish to withdraw my vote of "no" and answer "present."

The Clerk called the name of Mr. GOULDEN, and he answered "present."

Mr. DENNY. Mr. Speaker, I voted "no." I desire to withdraw that vote and to answer "present."

The Clerk called the name of Mr. DENNY, and he answered "present."

The result of the vote was then announced as above recorded.

[Applause on the Democratic side.]

On motion of Mr. WILLIAMS of Mississippi, a motion to reconsider the vote by which the resolution was rejected was laid on the table.

BRIDGES ACROSS SPUYTEN DUYVIL CREEK.

The SPEAKER. The gentleman from New York [Mr. GOULDEN] calls up the following bill, which was pending a short time ago.

The Clerk read as follows:

A bill (S. 4713) to authorize the Spuyten Duyvil and Port Morris Railroad Company and its lessee, the New York Central and Hudson River Railroad Company, to build and maintain bridges or other structures for their railroad across the Spuyten Duyvil Creek and the Harlem River north of the Harlem River pier and the bulkhead lines as now established in the city of New York.

The SPEAKER. The gentleman will forward his amendment.

Mr. GOULDEN. Mr. Speaker, I have withdrawn my amendment under the urgency of the case entirely, and allow the bill to go through as it is.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. GOULDEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

ARSENAL GROUNDS, ST. LOUIS, MO.

Mr. BARTHOLDT. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution I send to the desk.

The Clerk read as follows:

Joint resolution (H. J. Res. 149) authorizing the Secretary of War to allow the Anheuser-Busch Brewing Association a right of way through the eastern limits of the arsenal grounds at St. Louis, Mo.

Resolved, etc., That the Secretary of War be, and he is hereby, authorized to allow to the Anheuser-Busch Brewing Association a right of way through the extreme eastern limits of the United States arsenal grounds at St. Louis, Mo., for railroad purposes, upon such terms and conditions as he may prescribe, reserving to the United States the right to remove, at the expense of the said association, the rails, ties, and other parts of said road whenever the Secretary of War shall direct, without any claim or right of damages on the part of said company.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The joint resolution was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. BARTHOLDT, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

TRINITY RIVER, TEXAS.

Mr. BEALL of Texas. Mr. Speaker, I ask unanimous consent for the present consideration of Senate bill 5092.

The Clerk read as follows:

A bill (S. 5092) to amend an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas.

Be it enacted, etc., That the provision, as provided in an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas, is hereby so amended as to authorize the Secretary of War to expend so much as may be necessary of the funds appropriated and pledged in the construction of one lock and dam on the river between the mouth and section 1, and, in his discretion, to modify the plans of locks and dams described in House Document No. 409, Fifty-sixth Congress, first session, in such manner as in his judgment will be most suitable and beneficial to the interests of navigation.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert:

"That the provision in an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas, is hereby so amended as to authorize the Secretary of War, in his discretion, to spend so much as may be necessary of the funds appropriated in the construction of one lock and dam on the river between the mouth and section 1."

The SPEAKER. Is there objection?

Mr. PAYNE. I would like to inquire if this bill has been favorably reported by the River and Harbor Committee?

Mr. BEALL of Texas. In answer to the gentleman I will say that the bill has been reported from the Committee on Rivers and Harbors.

Mr. RANSDELL of Louisiana. It was unanimously reported.

The amendment was agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. BEALL of Texas, a motion to reconsider the vote by which the bill was passed was laid on the table.

The title of the bill was amended so as to read as follows:

An act to amend the provision in an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas.

PUYALLUP ALLOTTED LANDS.

The SPEAKER laid before the House the bill (H. R. 9891) giving the consent of Congress to the removal of the restrictions on the sale of Puyallup allotted lands, and confirming and legalizing sales thereof since March 3, 1903, with Senate amendment, which was read.

Mr. JONES of Washington. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

On motion of Mr. JONES of Washington, a motion to reconsider the vote by which the Senate amendment was agreed to was laid on the table.

The title was amended so as to read:

An act confirming the removal of restrictions upon the alienation by the Puyallup Indians of the State of Washington of their allotted lands.

BRIDGE ACROSS MISSISSIPPI RIVER, MINNESOTA.

Mr. TAWNEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table and consider the following Senate bill.

The bill was read, as follows:

A bill (S. 5504) to amend an act entitled "An act to authorize the counties of Sherburne and Wright, Minn., to construct a bridge across the Mississippi River," approved March 29, 1904.

Be it enacted, etc., That an act entitled "An act to authorize the counties of Sherburne and Wright, Minn., to construct a bridge across the Mississippi River," approved March 29, 1904, is hereby amended so as to read as follows:

"That the town of Otsego, in the county of Wright, the county of Wright, and the village of Elk River, in the State of Minnesota, through their corporate authorities, are hereby authorized and empowered to construct and maintain a wagon and foot bridge, with necessary approaches, across the Mississippi River for the purpose of connecting the village of Elk River, in Sherburne County, with the town of Otsego, in Wright County. Such bridge shall be constructed to provide for the passage of wagons and vehicles of all kinds, animals, foot passengers, and for all road travel.

"SEC. 2. That the said bridge authorized to be constructed under this act shall be built and constructed, upon plans to be approved by the Secretary of War, from the south side of the river, in the town of Otsego, county of Wright, at or near where the sixteenth section line of section 10, township 121 north, of range 23 west, projects into and across the Mississippi River to a point on the north side of the river, in the village of Elk River, county of Sherburne, at or near where the aforesaid line if projected across the river would touch block four in said village, and shall be subject to the free use of the public under such rules and regulations as may be prescribed by the counties of Sherburne and Wright:

"*Provided*, That the said bridge shall be constructed under and subject to such regulations for the security of navigation as the Secretary of War shall prescribe; and to secure that object the said counties shall submit for his examination and approval a design and drawing of the bridge and a map of the location; and until the location and plan of the bridge are approved by the Secretary of War the bridge shall not be commenced or built; and should any change be made in the plan of said bridge during the progress of construction or after completion such change shall be subject to the approval of the Secretary of War.

"SEC. 3. That said bridge shall be a lawful structure, and shall be recognized and known as a post route, and shall enjoy the rights and privileges of other post-roads in the United States; and no higher charge shall be made for the transmission over the same of the mails, troops, and munitions of war of the United States than the rate per mile paid for the transportation over the road or roads leading to such bridge. Equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies, and the United States shall have the right of way across said bridge and its approaches for postal, telegraph, and telephone purposes; and all changes in said bridge required by the Secretary of War at any time, or its entire removal, shall be at the expense of the corporation owning or operating said bridge.

"SEC. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved.

"SEC. 5. That this act shall be null and void unless the bridge authorized is commenced within two years and completed within three years from the date of approval thereof."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. TAWNEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS ST. FRANCIS RIVER, MISSOURI.

Mr. VANDIVER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 12533.

Mr. GROSVENOR. I demand the regular order.

The SPEAKER. The Chair will state to the gentleman from Ohio, if he still demands the regular order, that this bill is a very short one, a bridge bill, for which the gentleman from Missouri asks unanimous consent; and then there is a joint resolution to correct an error in the army bill.

Mr. GROSVENOR. I withdraw my demand for the regular order.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 12533) to authorize the Paragould and Memphis Railroad Company to construct a bridge across St. Francis River.

Be it enacted, etc., That the Paragould and Memphis Railroad Company be, and is hereby, authorized to construct and maintain a bridge across St. Francis River at a point about 1 mile north of the State line between the States of Arkansas and Missouri.

SEC. 2. That any bridge constructed under this act shall be built and located under and subject to such regulations for the security of the navigation of said river as the Secretary of War shall prescribe; and to secure that object the said company shall submit to the Secretary of War, for his examination and approval, a design and drawing of the proposed bridge and a map of the location, and until said plan and location of the bridge are approved by the Secretary of War the bridge shall not be built; and should any change be made in the plan of said bridge during the progress of construction or after its completion such change shall be subject to the approval of the Secretary of War.

SEC. 3. That the bridge constructed under this act shall be a lawful structure, and shall be recognized and known as a post route, upon which no higher charge shall be made for the transportation over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for transportation of said mails, troops, and munitions over the railroads and public highways leading to said bridge; and the United States shall have the right of way for a postal telegraph across said bridge; and said structure shall be so kept and managed at all times as to afford reasonable and proper means for the passage of vessels through or under said bridge, and for the safety of vessels passing at night there shall be displayed on said bridge, from sunset to sunrise, at the expense of the owners thereof, such lights and other signals as may be prescribed by the Light-House Board; and the said bridge shall be changed or altered at the cost and expense of the owners thereof from time to time, as the Secretary of War may direct, so as to preserve the free and convenient navigation of said river.

SEC. 4. That all railroad companies desiring the use of the bridge constructed under this act shall have and be entitled to equal rights and privileges relative to the passage of railway trains or cars over the same and over the approaches thereto upon payment of a reasonable compensation for such use; and in case the parties interested shall fail to agree upon the sum or sums to be paid and upon the rules and conditions to which each shall conform in using said bridge, all matters at issue between them shall, upon the application of either party, be determined by the district court of the United States in and for any district in which any portion of said bridge may be; and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies.

SEC. 5. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the approval of this act.

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. VANDIVER, a motion to reconsider the vote by which the bill was passed was laid on the table.

NATIONAL TROPHY AND MEDALS FOR RIFLE CONTESTS.

Mr. HULL. Mr. Speaker, I ask unanimous consent for the present consideration of a bill making an appropriation for national trophy and medals for rifle contests.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 15527) making an appropriation for national trophy and medals for rifle contests.

Be it enacted, etc., That for the purpose of furnishing a national trophy and medals and other prizes to be provided and contested for annually, under such regulations as may be prescribed by the Secretary of War, said contest to be open to the Army, Navy, Marine Corps, and the National Guard or organized militia of the several States, Territories, and of the District of Columbia, and for the cost of the trophy, prizes, and medals herein provided for the sum of $2,500 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended for the purposes hereinbefore prescribed under the direction of the Secretary of War.

The SPEAKER. Is there objection? [A pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

On motion of Mr. HULL, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. SMITH of Kentucky. Regular order, Mr. Speaker.

Mr. PAYNE. Mr. Speaker, I move that the House take a recess until 9 o'clock to-night.

The motion was agreed to; and accordingly (at 6 o'clock and 24 minutes p. m.) the House took a recess until 9 o'clock to-night.

The recess having expired, the House was called to order by the Speaker.

CONFERENCE REPORT ON BILL CONTINUING RIVER AND HARBOR IMPROVEMENTS.

Mr. BURTON. Mr. Speaker, I desire to present a conference report with an accompanying statement on the bill (H. R. 14754) providing for the restoration or maintenance of channels, or of river and harbor improvements, and for other purposes.

The SPEAKER. The gentleman from Ohio calls up the following conference report with a request for unanimous consent that the statement be read in lieu of the report. Is there objection? [A pause.] The Chair hears none, and the Clerk will read the statement.

The Clerk read the statement.

[See Senate proceedings of to-day for statement and report.]

Mr. BURTON. Mr. Speaker, I move the adoption of the report.

The question was taken; and the conference report was agreed to.

On motion of Mr. BURTON, a motion to reconsider the vote by which the report was agreed to was laid on the table.

The SPEAKER. Will the gentleman from Ohio give the Chair his attention? Does this close this bill?

Mr. BURTON. As far as the House is concerned.

The SPEAKER. Are there other amendments remaining undisposed of?

Mr. BURTON. None whatever; it is a full, complete report.

GRANTING MINNESOTA CERTAIN LANDS FOR FORESTRY PURPOSES.

Mr. VOLSTEAD. Mr. Speaker, I ask unanimous consent for the present consideration of bill S. 4401.

The SPEAKER. The gentleman from Minnesota asks unanimous consent for the present consideration of the following Senate bill, which the Clerk will report.

The Clerk read as follows:

A bill (S. 4401) to grant to the State of Minnesota certain lands for forestry purposes.

Be it enacted, etc., That the State of Minnesota, through its State land commissioner and State forestry board, is hereby authorized to select for experimental forestry purposes not to exceed 20,000 acres of vacant public land within said State not heretofore withdrawn or reserved, and as nearly as practicable in one body and from lands which, according to the field notes of the Government surveyors, are third or fourth rate; which lands are hereby granted to said State of Minnesota for forestry purposes: *Provided*, That said selection of lands shall have the approval of the Secretary of the Interior: *And provided further*, That no tract shall be included in this grant which, in the opinion of the Forester of the United States Bureau of Forestry, should form a part of any United States forest reserve.

SEC. 2. That it shall be the duty of the Secretary of the Interior to make accurate lists and plats of all such lands, and transmit the same to the governor of said State, to cause patents to be issued to said State therefor conveying to said State the fee simple of said lands: *Provided*, That this act shall not prejudice any adverse claim to any of said lands.

The amendment recommended by the committee was read, as follows:

Add, at the end of section 2, the words:

"*And provided further*, That the land hereby granted shall be cared for and managed by the State of Minnesota, and shall be used for forestry purposes only; and if the said land or any part thereof shall cease to be so used the said lands or such part shall revert to the United States and become a part of the public domain."

The SPEAKER. Is there objection?

Mr. UNDERWOOD. Mr. Speaker, I object. Mr. Speaker, I wish to say this: I understood this was a bill to which Mr. WILLIAMS of Mississippi objected. He is not present, but I am informed by the gentleman from Minnesota [Mr. LIND] that an amendment has been made that meets his objection. If that is so, I withdraw the objection.

Mr. LIND. I wish to say I am not prepared to say that the amendment would meet his objection; but I will state briefly what the amendment is.

Mr. UNDERWOOD. Well, I do not know anything about the bill, and I think in the absence of the gentleman from Mississippi the bill ought not to come up.

Mr. LIND. He has never objected to this bill; it was another bill.

The SPEAKER. The Chair has no recollection of the submission of this bill.

Mr. UNDERWOOD. Then, if it is not the bill, I will not object.

Mr. BURLESON. Mr. Speaker, I object; I understand it is the same character of bill.

Mr. LIND. It is entirely different, if the gentleman will permit me. This does not grant anything to the State except on the condition that it uses it for forestry purposes. When that use ceases it reverts to the General Government. There are a few isolated tracts of land that have no earthly value except for the purpose of forestry.

Mr. BURLESON. And when that use is abandoned it reverts to the General Government?

Mr. LIND. Yes.

Mr. BURLESON. In the light of that statement, I withdraw the objection.

The SPEAKER. Is there objection? [A pause.] The Chair hears none.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was read the third time, and passed.

On motion of Mr. VOLSTEAD, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendment of the House to the bills of the following titles:

S. 128. An act granting an increase of pension to Clara M. Gihon;

S. 76. An act granting a pension to Mary H. Cornell;

S. 3734. An act granting an increase of pension to Martha W. Cushing; and

S. 3489. An act granting a pension to Annie Colt McCook.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 11972. An act to authorize the Ox Bow Power Company, of South Dakota, to construct a dam across the Missouri River;

H. R. 4085. An act to amend an act entitled "An act to establish a code of law for the District of Columbia;"

H. R. 3393. An act for the relief of Columbia Brewing Company, of Shenandoah, Pa.;

H. R. 23. An act in relation to pharmacy in the Indian Territory;

H. R. 11337. An act for the relief of G. H. Dearen;

H. R. 10688. An act for the relief of Johann A. Killian;

H. R. 10511. An act for the relief of the estate of Mary Keating;

H. R. 10306. An act to authorize a duplicate medal to be struck off and presented to John Horn, of Detroit, Mich., for life-saving;

H. R. 10208. An act for the relief of Allegheny College, at Meadville, Pa.;

H. R. 9457. An act for the relief of Alexander S. Rosenthal;

H. R. 8690. An act to amend the law relating to taxation in the District of Columbia;

H. R. 7535. An act for the relief of Jacob Swigert, late deputy collector, seventh Kentucky district;

H. R. 6921. An act for the relief of the estate of Mary P. Gilmore;

H. R. 6493. An act to ratify and confirm act No. 47 of the legislative assembly of the Territory of Arizona;

H. J. Res. 102. Joint resolution relating to the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerent powers;

H. R. 14424. An act for the extension of Wyoming avenue to Twenty-third street west;

H. R. 13773. An act to provide for the settlement of certain outstanding checks drawn by the disbursing officers of the District of Columbia;

H. R. 13218. An act for the relief of Adolph Weinhold;

H. R. 12533. An act to authorize the Paragould and Memphis Railroad Company to construct a bridge across St. Frances River; and

H. R. 12382. An act authorizing the payment of the Choctaw and Chickasaw town-site fund, and for other purposes.

SALE OF LANDS IN YAKIMA INDIAN RESERVATION.

Mr. JONES of Washington. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 14468) to authorize the sale and disposition of surplus and unallotted lands in the Yakima Indian Reservation, in the State of Washington, which I shall send to the desk and ask to have read.

The SPEAKER. The gentleman from Washington asks unanimous consent for the present consideration of the bill, of which the Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 14468) to authorize the sale and disposition of surplus and unallotted lands of the Yakima Indian Reservation, in the State of Washington.

The SPEAKER. Is there objection?

Mr. SMITH of Kentucky. Mr. Speaker, I object.

Mr. JONES of Washington. Mr. Speaker, I will ask the gentleman to reserve his objection until I can make an explanation of the bill.

Mr. SMITH of Kentucky. I will do so.

Mr. JONES of Washington. Mr. Speaker, I will state to the gentleman that this has the unanimous report of the Committee on Indian Affairs and that the bill is recommended by the Department. I have a favorable report here from the Indian Commissioner and also from the Commissioner on Public Lands, approved by the Secretary of the Interior. The bill was examined very carefully by the committee.

This reservation is located about 4 miles from my own town in the center of an irrigated part of the country. The Indians have all received their allotments, and under the conditions of this bill all of the proceeds of the land go to the Indians to be used in the development of the irrigation, in the purchase of farming implements, the erection of schoolhouses, and for their general development and civilization, as the Secretary of Interior may see fit to direct. It is along the line of many of the other bills which have passed the House, and in my judgment is more favorable to the Indian, as well as protecting well the interests of the Government.

Mr. GAINES of Tennessee. Mr. Speaker, I will ask the gentleman what this bill is for.

Mr. JONES of Washington. Mr. Speaker, it is a bill for the disposition of the unallotted lands on the Yakima Indian Reservation, in the State of Washington.

Mr. GAINES of Tennessee. This is a bill to help provide for the better condition of the Indians?

Mr. JONES of Washington. Yes.

Mr. GAINES of Tennessee. Mr. Speaker, I desire to call the attention of the gentleman to the fact that the Senate is holding up the tobacco growers of the South in the matter of legislation for their relief, which we passed here a few days ago——

Mr. JONES of Washington. Well, Mr. Speaker, I will state to the gentleman that I know nothing about that. I will be glad to do all I can to help them.

Mr. GAINES of Tennessee. Here we are legislating for the Indians, while the people down South, whose forefathers helped with their lives and fortunes to frame this Government, and will be forced by the sheriff and mortgagee to give up their homes and farms, all because we have not done our duty here. [Applause on the Democratic side.]

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed, as hereinafter provided, to sell or dispose of unallotted lands embraced in the Yakima Indian Reservation proper, in the State of Washington, set aside and established by treaty with the Yakima Nation of Indians, dated June 8, 1855 (12 Stat., p. 951):

Provided, That the claim of said Indians to the tract of land adjoining their present reservation on the west, excluded by erroneous boundary survey and containing approximately 203,837 acres, according to the findings, after examination, of Mr. E. C. Barnard, topographer of the Geological Survey, approved by the Secretary of the Interior April 7, 1900 (as set forth in H. Doc. No. 621, 56th Cong., 1st sess.), is hereby recognized, and the said tract shall be regarded as a part of the Yakima Indian Reservation for the purposes of this act.

Provided further, That where valid rights have been acquired prior to March 5, 1904, to lands within said tract by bona fide settlers or purchasers under the public-land laws, such rights shall not be abridged, but the United States hereby obligates itself to pay for these lands, for the benefit of the Indians, such sum as may be fixed and determined by the Secretary of the Interior as the fair and reasonable value thereof, exclusive of improvements made by such settlers or purchasers.

SEC. 2. That allotments of land shall be made, under the direction of the Secretary of the Interior, to any Indians entitled thereto, including children now living born since the completion of the existing allotments who have not heretofore received such allotments.

The Secretary of the Interior is also authorized to reserve such lands as he may deem necessary or desirable in connection with the construction of contemplated irrigation systems, or lands crossed by existing irrigation ditches; also lands necessary for agency, school, and religious purposes; also such tract or tracts of grazing and timber lands as may be deemed expedient for the use and benefit of the Indians of said reservation in common.

SEC. 3. That the residue of the lands of said reservation—that is, the lands not allotted and not reserved—shall be classified under the direction of the Secretary of the Interior as irrigable lands, grazing lands, timber lands, mineral lands, or arid lands, and shall be appraised under their appropriate classes by legal subdivisions, with the exception of the mineral lands, which need not be appraised, and the timber on the lands classified as timber lands shall be appraised separately from the land. The basis for the appraisal of the timber shall be the amount of standing merchantable timber thereon, which shall be ascertained and reported.

Upon completion of the classification and appraisements the irrigable, grazing, and arid lands, and the timbered lands upon the completion of the classification, appraisement, and the sale and removal of the timber therefrom, shall be disposed of under the general provisions of the homestead laws of the United States, and shall be opened to settlement and entry at not less than their appraised value by proclamation of the President, which proclamation shall prescribe the manner in which these lands shall be settled upon, occupied, and entered by persons entitled to make entry thereof, and no person shall be permitted to settle upon, occupy, or enter any of said lands, except as prescribed in such proclamation, until after the expiration of sixty days from the time when the same are opened to settlement and entry:

Provided, That the rights of honorably discharged Union soldiers and sailors of the late civil and Spanish wars and the Philippine insurrection, as defined and described in sections 2304 and 2305 of the Revised Statutes, as amended by the act of March 1, 1901, shall not be abridged:

Provided further, That the price of said lands when entered shall be that fixed by the appraisement or by the President, as herein provided for, which shall be paid in accordance with rules and regulations to be prescribed by the Secretary of the Interior, upon the following terms: One-fifth of the purchase price to be paid in cash at the time of entry, and the balance in five equal annual installments, to be paid in one, two, three, four, and five years, respectively, from and after the date of entry.

In case any entryman fails to make the annual payments, or any of them, promptly when due, or within sixty days thereafter, all rights in and to the land covered by his entry shall cease, and any payments theretofore made shall be forfeited and the entry canceled, and the lands shall be reoffered for

sale and entry: *And provided further*, That the lands embraced within such cancelled entry shall, after the cancellation of such entry, be subject to entry under the provisions of the homestead law, at the appraised value until otherwise directed by the President, as herein provided.

When the entryman shall have complied with all the requirements and terms of the homestead laws as to settlement and residence and shall have made all the required payments aforesaid, he shall be entitled to a patent for the lands entered: *Provided*, That the entryman shall make his final proofs in accordance with the homestead laws within six years; and that aliens who have declared their intention to become citizens of the United States may become such entrymen, but before making final proof and receiving patent they must have received their full naturalization papers.

Provided further, That the fees and commissions to be paid in connection with such entries and final proofs shall be the same as those now provided by law where the price of the land is $1.25 per acre: *And provided further*, That the Secretary of the Interior may, in his discretion, limit the quantity of irrigable land that may be taken by any entryman to 80 acres, but not to less than that quantity:

And provided further, That when, in the judgment of the President, no more of the said land can be disposed of at the appraised price, he may, by proclamation, to be repeated at his discretion, sell from time to time the remaining lands subject to the provisions of the homestead law, or otherwise as he may deem most advantageous, at such price or prices, in such manner, upon such conditions, with such restrictions, and upon such terms as he may deem best for all the interests concerned.

The timber on lands classified as timber lands shall be sold at not less than its appraised value, under sealed proposals in accordance with such rules and regulations as the Secretary of the Interior may prescribe.

The lands classified as mineral lands shall be subject to location and disposal under the mineral-land laws of the United States: *Provided*, That lands not classified as mineral may also be located and entered as mineral lands, subject to approval by the Secretary of the Interior and conditioned upon the payment, within one year from the date when located, of the appraised value of the lands per acre fixed prior to the date of such location, but at not less than the price fixed by existing law for mineral lands: *Provided further*, That no such mineral locations shall be permitted on any lands allotted to Indians in severalty or reserved for any purpose as herein authorized.

SEC. 4. That the proceeds arising from the sale and disposition of the lands aforesaid, including the sums paid for mineral lands, exclusive of the customary fees and commissions, shall, after deducting the amounts of the expenses incurred from time to time in connection with the appraisements and sales, be deposited in the Treasury of the United States to the credit of the Indians belonging and having tribal rights on the Yakima Reservation, and shall be expended for their benefit under the direction of the Secretary of the Interior in the construction, completion, and maintenance of irrigation ditches, purchase of wagons, horses, farm implements, materials for houses, and other necessary and useful articles, as may be deemed best to promote their welfare and aid them in the adoption of civilized pursuits and in improving and building up homes for themselves on their allotments.

Provided, That a portion of the proceeds may be paid to the Indians in cash per capita, share and share alike, if in the opinion of the Secretary of the Interior such payments will further tend to improve the condition and advance the progress of said Indians, but not otherwise.

SEC. 5. That the Secretary of the Interior is hereby authorized, in the cases of entrymen and purchasers of lands now irrigated or that may be hereafter irrigated from systems constructed for the benefit of the Indians, to require such annual proportionate payments to be made as may be just and equitable for the maintenance of said systems:

Provided, That in appraising the value of irrigable lands, such sum per acre as the Secretary of the Interior may deem proper, to be determined as nearly as may be by the total cost of the irrigation system or systems, shall be added as the proportionate share of the cost of placing water on said lands, and when the entryman or purchaser shall have paid in full the appraised value of the land, including the cost of providing water therefor, the Secretary of the Interior shall give to him such evidence of title in writing to a perpetual water right as may be deemed suitable:

Provided, That the Secretary of the Interior shall have power to determine and direct when the management and operation of such irrigation works shall pass to the owners of the lands irrigated thereby, to be maintained at their expense, under such forms of organization and under such rules and regulations as may be acceptable to him: *Provided also*, That the title to and the management and operation of the reservoirs, and the works necessary for their protection and operation, shall remain in the Government until otherwise provided by Congress.

SEC. 6. That the Secretary of the Interior is hereby vested with full power and authority to make all needful rules and regulations as to manner of sale, notice of same, and other matters incident to the carrying out of the provisions of this act, and with authority to reappraise and reclassify said lands if deemed necessary from time to time, and to continue making sales of the same, in accordance with the provisions of this act, until all of the lands shall have been disposed of.

SEC. 7. That nothing in this act contained shall be construed to bind the United States to find purchasers for any of said lands, it being the purpose of this act merely to have the United States to act as trustee for said Indians in the disposition and sales of said lands and to expend or pay over to them the proceeds derived from the sales as herein provided.

SEC. 8. That to enable the Secretary of the Interior to classify and appraise the aforesaid lands as in this act provided, and to conduct the sales thereof, and to define and mark the boundaries of the western portion of said reservation, including the adjoining tract of 293,837 acres, to which the claim of the Indians is, by this act, recognized, as above set out, and to complete the surveys thereof, the sum of $53,000, or so much thereof as may be necessary, is hereby appropriated from any moneys in the Treasury not otherwise appropriated, the same to be reimbursed from the proceeds of the sales of the aforesaid lands: *Provided*, That when funds shall have been procured from the first sales of the land the Secretary of the Interior may use such portion thereof as may be actually necessary in conducting future sales and otherwise carrying out the provisions of this act.

The Clerk read the following committee amendments:

Strike out words in parentheses in lines 8 and 9, page 1.

Strike out words in parentheses in lines 2, 3, and 4, page 2.

On page 2 strike out all after the word "abridged," in line 10, to and including the word "purchasers," in line 15, and insert the following: "and any claim of said Indians to these lands is hereby declared to be fully compensated for by the expenditure of money heretofore made for their benefit and in the construction of irrigation works on the Yakima Indian Reservation."

After the word "common," in line 2, page 3, insert: "*Provided*, That such reserved lands, or any portion thereof, may be classified, appraised, and disposed of from time to time under the terms and provisions of this act."

In line 18, page 4, strike out the words "within sixty days thereafter."

In line 23, page 6, strike out the words "the amounts of."

In line 9, page 7, strike out the word "up."

Mr. SULZER. Mr. Speaker, I wish to ask the gentleman a question. I would like to know if the Indians are in favor of this bill? Everybody seems to be in favor of these bills to take away the lands of the Indians but the Indians.

Mr. JONES of Washington. Mr. Speaker, I will state to the gentleman from New York that this bill has not been submitted to the Indians. No agreement has been made with these Indians because, for some reason, they have failed to accept any of the offers of the Government. Repeated attempts have been made to secure an agreement with them. From 1896 to 1900 there was a commission which negotiated with these Indians in an endeavor to secure an agreement with them.

The Government made very liberal offers, but they were rejected. There are differences among the Indians there, because of reasons which I do not care to here state, and no agreement could be made with them.

Mr. SULZER. I understand the representatives of the Indians—that is, the Indian chiefs of the Indians on this reservation—have been here and protested against the passage of this bill. Is that so?

Mr. JONES of Washington. No; some of the Indians were down here in reference to a claim for some additional territory to what the Government has heretofore recognized as the boundaries of the reservation.

Mr. SULZER. Then I understand there has been no protest from the Indians filed with the Indian Commissioner?

Mr. JONES of Washington. Not that I know of; and none has been called to my attention.

These Indians came here and wanted a bill introduced to refer their claim to this additional territory to the Court of Claims.

The bill prepared by the Indians could not have passed. It had provisions in it which the Department opposed most violently. The bill now being considered recognizes the very thing that the Indians claim—it recognizes their title to that land. There is no doubt they are entitled to it under the terms of the treaty.

Hence, I say the bill recognizes their claims. It gives them everything they are entitled to without a lawsuit. It gives them their land, but instead of providing for paying them a certain sum of money it provides for the disposition of the lands, all the proceeds going to the Indians.

This bill was framed by me with the intention of fully protecting the Indians in all their rights; and I believe it does this as no other bill has done. I can not conceive of a bill that would be fairer or more just to the Indians. The bill provides that these Indians shall get every cent due them on account of this land.

I believe it is one of the fairest bills for the Indians that has ever been presented in this House. When the Indians understand it I think they will approve it, and it will result in their rapid development and in great growth in this community.

I now propose to yield to the gentleman from Nevada [Mr. VAN DUZER] for eight minutes.

Mr. SULZER. Does the bill provide that the consent of the Indians shall be obtained?

Mr. JONES of Washington. It does not, because of our experience with the Indians in these negotiations that have been had during a period of seven or eight years through commissioners and special agents.

Mr. SULZER. Has this bill been unanimously reported by the committee?

Mr. JONES of Washington. It has been; it was gone over section by section in the committee.

Mr. SULZER. Well, under all the circumstances, I shall not object. Will the gentleman yield to the gentleman from Texas [Mr. GILLESPIE] for two minutes?

Mr. JONES of Washington. I will, after I yield eight minutes to the gentleman from Nevada [Mr. VAN DUZER].

Mr. VAN DUZER. Mr. Speaker, I have examined with considerable care the bill which has been introduced here by the distinguished gentleman from Washington [Mr. JONES], and which is now before the House for consideration, and I wish to say that I am heartily in favor of its passage, relating, as it does, to the opening up to settlement of an Indian reservation, the lands of which will thus become fruitful and productive under the operation of the Newlands national irrigation act.

This bill appeals to me strongly because it involves an addition to the public domain of a large body of land which will hereafter become available for the home seeker who is now looking westward with hope for his future habitation.

This particular bill involves the opening of an Indian reservation in the State of Washington which contains much land that will come under the administration of the reclamation commission provided for by the Newlands Act. The application and effect of this bill is local, but the question of irrigation, to which it relates, is a question now of national importance, and it is upon that subject that I propose to address the House at this time. [Applause.]

The State of Nevada is now opening up great opportunities to home seekers under the beneficent operation of the Newlands national irrigation act, and I propose to say a few words concerning Nevada's development under it.

I have been granted the courtesy of the House on numerous occasions. As a new Member I have had no ambition in the direction of statesmanship, and I have left the discussion of the questions of the tariff, reciprocity, imperialism, and other great questions to men whose years of experience in this House and whose national reputation entitle them and their views to consideration; but when it comes to the subject of the State of Nevada I have no hesitancy in addressing this House, because my long residence in that State certainly entitles me to speak intelligently upon her many resources and with a firm belief in her magnificent future. [Applause.]

Finding that my remarks during the present session of Congress have led Members of the House to believe that the great State of Nevada was nothing but a mining State; that we had but one resource, namely, the mining industry, and that with its exhaustion we would eventually become a worn-out State, I have taken the floor this evening for the purpose of showing to my colleagues in Congress that however great Nevada may be as a mineral State that fifty years hence her reputation will rest more largely upon her agricultural development and growth than upon her mineral production [applause]; and one of the purposes of this speech is to let you know that under the operation of the Newlands Act we have a great future from an agricultural standpoint. [Applause.]

When you call to mind that Nevada is one of the largest States in area in the Union, and that she has numerous valleys containing millions of acres of bench and valley lands, with a soil that is wonderfully fertile, needing only the magic touch of water to make it productive, the mind can hardly grasp the possibilities of the agricultural development of Nevada. Nevada is peculiarly favored in climatic conditions. Montana and Idaho, to the north, every few years are swept by blizzards and shriveled by severe cold waves [laughter] and deep snows, while the State of Wyoming—and I will concede to my friend and colleague [Mr. MONDELL] that he has a great State—yet, as compared with Nevada, Wyoming is a wind-swept and bleak plateau [great laughter], while Arizona and New Mexico, whose admission to the Union as separate States I hope will some day come to pass, are subject not only to severe droughts, but to blisteringly hot winds. [Laughter.]

Nevada possesses a singularly equable climate. Blizzards are unknown, and while it is true that we have a sort of continual drought, mildly speaking [laughter], yet we have in the mountains heavy falls of snow which, yielding to the soft and gentle warmth of spring, send forth to the arid and thirsty plain streams of water which, impounded by the reservoirs soon to be built, will turn the gray sage-covered plains of Nevada into beautiful fields of alfalfa and cereals, dotted with happy homes, every township with a schoolhouse flying the American flag, and, with her churches and villages, making her an ideal agricultural community. [Loud applause.]

In view of the fact that Nevada will be the first State to receive a practical demonstration of the success of this measure, in view of the fact that Nevada will receive more direct benefit possibly than any other of the arid States from the operation of this act, and because we have the honor of claiming the author of this great measure as one of our distinguished citizens, it is my purpose at this time to consider Nevada's development as well as the history of the Newlands national irrigation act.

I shall consider Nevada's future, because from every congested city in the East, where vice, crime, and pauperism are bred [applause], a large population is constantly yearning for the freedom of the West. From the worn-out and debilitated fields and valleys of New England, where agriculture is rapidly becoming a lost art [loud laughter], the New Englanders are seriously thinking of enlarging and widening out their intellectuality and freedom by going beyond the sound of the dear old Atlantic's roar [laughter] and finding out what there is beyond the snow-capped summits of the West—a land that was conquered and given to civilization by their fathers. [Applause.]

I shall take up the history of the Newlands Act, on which Nevada's future depends, because the Republican party showed in the last Congressional campaign, and will more strongly show in the coming national campaign, a disposition to claim the credit for this great act which Mr. NEWLANDS, then Representative and now Senator from Nevada, originated and urged as a nonpartisan measure.

I shall ask at this time the indulgence of the House to print extracts from newspaper articles, from speeches, and any and all data bearing upon either the history of the measure or upon the projects now being carried forward in the State of Nevada under direction of the reclamation service of the Geological Survey. I shall also ask permission to incorporate in my remarks for the benefit of the home seeker, who is particularly making anxious inquiry regarding this work in my State, such information from the reclamation service as will give him some definite idea as to when the project may be sufficiently completed to enable him to take advantage of it, and also statements showing how, when, and where titles to these lands may be secured. But before I proceed to take up these matters, I wish to submit a few additional facts regarding the State of Nevada. [Applause.]

I am happy to perceive that any statement of mine regarding Nevada is at least received with some interest upon the floor of the House; and if I have omitted any fact in her history or industrial development, or if I have omitted to make any prophecy ascribing to her a little more glory and greatness than that claimed by any other State [laughter], I hope that my colleagues will have the kindness to come to me and suggest in what way I may fill up any omissions, because I assure you that any omissions I have made regarding my loyal devotion to my State are omissions not of the heart, but of the head. [Laughter.]

THE ARID WEST.

Under the policy and management of the reclamation service a $3,000,000 project has been inaugurated in the State of Nevada, which means that within the next five years the population of Nevada will be more than doubled. Mr. Newell, the able chief of the reclamation service, has said that within the next thirty years, under the operation of the reclamation commission, the State of Nevada ought to have a population of over 500,000 souls. [Applause.]

I wish to congratulate the House of Representatives; I wish to congratulate the friends of irrigation in general who stood so loyally by the great West in this winning fight for irrigation, upon the successful inauguration of this work under the operations of this act; I wish to congratulate the Democratic party [applause from the Democratic side] upon the carrying into operation of its time-honored policy and doctrine, which is in line with what Jefferson undertook in the Louisiana purchase, what Benton foresaw, what Lewis and Clark opened up, namely, the internal growth and development of our own industrial greatness.

It would be a matter of surprise to the people of the East if they all understood how deeply interested the home seeker and home builder of America is in watching the development of this great enterprise in Nevada, and the other enterprises which are to follow in the States of the West. It is estimated that at the present time there are something like 100,000 families in the eastern cities who are ready to move out in the great and rapidly developing West for the purpose of building up homes, from British Columbia on the north to Mexico on the south, constituting an empire capable of supporting a population equal to that of any European nation. [Applause.]

There are thousands of letters coming into the Land Office from workingmen, farmers, and mining men asking about these reclamation projects. They want to know how to secure the land. They are men who have saved a few dollars and, tiring of the great struggle in the East, want to spend their days in the West, building up a home where they may see the sunshine, experience the surpassing clearness of the air, breathe the pure atmosphere, all of which blessings are denied them in the smoke-clouded and microbe-infested air of the eastern cities. [Laughter.]

I wish to say that before the end of the next twenty years, as a result of the Newlands national irrigation act, which has recently passed Congress, you will have added not only to the industrial wealth of the entire United States millions upon millions of property, but you will have taken a vast number of people from congested cities in the East to find homes upon the broad prairies and arid plains of the West. [Applause.] The land of sage brush. [Laughter and applause.] The land of sunshine and silver [applause], high snow-capped mountains, arid, thirsty plains. The land of precious metals and practical results [laughter], where the eagle skims the sky and the horned toads sun themselves in the burning sands [laughter]—a land of splendid revelations, fascinations, and riches. [Applause.] And when I say that the State of Nevada can raise cotton and tobacco [laughter], and that we can raise oranges, lemons, pomegranates, and tropical fruit [applause], I can in some measure appreciate your loss of education when I know a quarter of century has neglected to enlighten you upon Nevada.

You have been led to believe that we have a few rich mines and a few enthusiastic citizens who believe in the State, but it is a fact that in the southern portion of the State we can harvest a crop of cotton every year. [Applause.] My friends from the South are amused that I should say harvest; I should say pick or gather cotton; but I assure the cotton kings of Dixie that they need not fear that we shall ever be a dangerous competitor in that product. [Laughter.]

My friends facetiously suggest that I have told everything

about Nevada, and I want to say that my story is not half told. [Laughter.] Now, I want to get down to facts and figures and give you a few substantial facts about the State of Nevada to paste in your hats [laughter], and when I have given you this information you will agree with me that I am not too sanguine regarding Nevada's future. [Applause.]

NEVADA'S RECLAMATION PROJECTS.

Nevada is entering upon an era of substantial development, in which she is destined quickly to rise to the full majesty of statehood. It is a development of an enduring character which will insure to the State a steady growth during the years to come, a large increase in rural and urban population, in taxable and wealth-producing property, and new transportation lines crossing and recrossing the State in all directions. This rejuvenation is to take place with the completion of a comprehensive system of irrigation works, the construction of which is now well under way by the Federal Government.

Nevada is the first State to profit by the reclamation act, and several years before other States will be benefited water will be making productive thousands of acres of land in the silver State.

In storage reservoirs located at the headwaters of the rivers which drain the lofty Sierras the melting snows are to be impounded, and through hundreds of miles of broad canals spread over many square miles of Nevada's thirsty desert. Out of the sagebrush desert will rise countless productive farms and populous towns and villages. Conservative estimates place Nevada's population at half a million when the present plans of the Government are worked out. The area comprised in these lands is approximately 3,000,000 acres, or six times the acreage now irrigated in the State. This will make homes for 37,500 families and an addition of more than $150,000,000 to the taxable property of the State. The annual income from these farms will exceed $8,730,000.

Since August, 1903, the engineers have been directing the work of canal construction on the Truckee River below Reno, and many miles of excavation have been made. This canal, which is but an integer of a great system comprehending three rivers—Carson, Truckee, and Walker—takes the flood and excess waters of the Truckee in a southeasterly direction to a reservoir on the lower part of Carson River. Into this reservoir the excess waters of the latter stream are also impounded. Distributing canals radiating from the reservoir will cover several hundred thousand acres near Carson Sink.

During the progress of canal construction the Government engineers have made surveys of the irrigable lands, and are now making examination of the character of the soil. Diamond drilling has been begun at the dam site on the Carson River, and, during the next quarter, it is proposed to complete the examination of the foundation of the lower Carson dam site and the classification of the soil; also to continue the topographic survey of the irrigable land and the location of distributing drainage canals. Prior to their occupancy by settlers, the subdivision of the public lands into farm tracts will be made. It is believed that part of the distributing canals can be commenced during this period, as the plans therefor are about complete.

In order that the engineers may be in constant touch with the work, it is proposed to inaugurate soon a telephone line 75 miles long, extending from Reno to the head of the Truckee Canal, thence along the canal to the lower Carson dam site, and thence along the main distributing canal to a point near Fallon, where a construction camp will be located.

Elsewhere in the State the Government engineers, in cooperation with the State engineer, are making measurements of important streams and gathering facts concerning the location and extent of irrigated lands. These investigations will be continued in order that all the important facts relating to the water supply, reservoir sites, and irrigable lands will be available for future work. An investigation of special importance is proposed on the Truckee to determine the amount of the return of the seepage water entering the river below the irrigated lands in Reno Valley.

A general reconnoissance of Walker River has been made by Engineer Taylor, and several canal lines and reservoir sites have been surveyed. The present plans of the reclamation service contemplate further investigations on this stream, in the valley of which are many thousands of acres of irrigable land. Reservoir sites have been located on Robinson Creek, in Mono County, Cal., on West Walker River, at Alkali Lake, and at Big Meadows, on East Walker River. Canal lines on the Walker and its branches cover large irrigable areas in Mason and Antelope valleys.

On the Humboldt, Nevada's greatest river system, a careful investigation is being made. Two reservoir sites have been selected—one on South Fork, in Elko County, the other on North Fork, above Beaver Creek, in Elko County. The first has a capacity of 113,414 acre-feet, the second 23,026 acre-feet.

The products of the land to be irrigated are fruits, vegetables, cereals, and grasses of the Temperate Zone. As to the productivity of the soil, we have only to visit the oases in the desert at Lovelocks, Humboldt County, or gaze upon the thriving farms in the valleys of the Truckee and Carson rivers, to be convinced that water only is needed to make this region a veritable Garden of Eden.

The construction of great reservoirs impounding floods now going to waste involves features not connected with irrigation, but of relatively vast importance to the State. These immense dams will make available an enormous amount of water power, which can be transmitted electrically over distances aggregating hundreds of miles to other localities, where it can be utilized for many purposes. As these works ultimately become the property of the settlers, this power becomes a most valuable asset, its lease or rental producing an income which will make lighter the burden of canal maintenance. Mines now idle will be opened, manufacturing will increase, and a general development will take place throughout a wide section. Whatever power in excess of that required for pumping purposes is obtainable from the national works may serve for operating railways and electric lighting in the communities which have grown up as the result of the Government work in supplying water to lands previously uninhabited.

The magnitude of the power development possibilities can not be measured at this time, but it does not require prophetic vision to see that this is to become one of the great factors in the development of the arid country.

Within the short period of thirty years the chief engineer of the Geological Survey predicts that we shall have half a million people. This prediction represents the aims of the Government, and that it will be realized even within a shorter period is not doubted by any citizen of this State who knows the productive capacity and the unsurpassed fertility of Nevada's valleys when bountifully supplied with water.

During Nevada's early history men were too busily engaged in securing fortunes out of mining to pay any attention to the slow process of home building. It was a question of building mansions in California and elsewhere. There was a general decline in population. Nineteen hundred has witnessed a revolution in sentiment regarding the State of Nevada. The exhaustion of her mines at Virginia City, Austin, Ely, and Pioche, after having added to the wealth of the world over $1,000,000,000, was supposed to have constituted her whole product as far as mineral was concerned, and she was looked upon as an exhausted mining State, so that the closing ten years of the century just passed constitued a period of despondency in the State of Nevada; but her regeneration has been swift, and rising Phœnix-like from the ashes of her blasted hopes, she suddenly stands revealed to the admiring eyes of the sisterhood of States as rivaling in variety of resources and in possibilities of wealth any of the mountain States.

Three or four years ago there was discovered in and near Reno a mine by an old prospector, a piano tuner, and this property was christened "Wedekind." This mine, discovered practically on the edge of the alfalfa field of the Truckee Meadows, stimulated new prospecting, and following swiftly upon this discovery was the marvelous discovery made at Tonopah, which has opened up one of the greatest modern mining camps of the world, and within the past six months Gold Fields has been discovered, promising to rival Cripple Creek. This has attracted a large population of speculators, investors, and moneyed men. Along with this mining development came the passage of the Newlands national irrigation act through a long series of years of popular education upon this subject conducted by her distinguished Congressman, now Senator, FRANCIS G. NEWLANDS. The result has been a renewed interest in Nevada by homeseekers.

Many home seekers are asking about the lands to come under the operation of this act. They wish to know how locations are to be made; when and where applications will be considered. After the Newlands national irrigation act was passed the Land Office issued the following circular:

Instructions relative to entries on lands withdrawn for the construction of irrigation works for the reclamation of arid lands, etc., in certain States and Territories under act of June 17, 1902.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 9, 1902.

REGISTERS AND RECEIVERS,
United States land offices in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming.

GENTLEMEN: Your attention is called to the provisions of sections 3 and 4 of the act of Congress approved June 17, 1902 (public, No. 161), entitled: "An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands."

A copy of said act is hereto attached.

You will observe that lands withdrawn under the provisions of this act are subject to entry under the provisions of the homestead law only; that entries made on lands so withdrawn are subject to all the provisions, limitations, charges, terms, and conditions of the act; that not less than 40 nor more than 160 acres can be embraced in one entry; that such entries are not subject to the commutation provisions of the homestead law, and that, on the determination of the Secretary of the Interior that the proposed irrigation project is practicable, the entries may be reduced in area to the limit representing the acreage which, in the opinion of the Secretary, may be reasonably required for the support of a family upon the lands in question, and will become subject to the charges per acre which may be determined upon, to be paid in annual installments not exceeding ten.

You will indorse across the face of each duplicate receipt, and also across the face of each homestead application, the following:

"This entry allowed subject to the provisions of the act of June 17, 1902 (Public—No. 161)."

Each entryman under this act should be advised of the provisions of the same by furnishing him with a copy of this circular.

Very respectfully,

W. A. RICHARDS, *Acting Commissioner.*

Approved.

THOS. RYAN, *Acting Secretary.*

Since the publication of this circular by the Land Office the rapidity with which the work is being completed has enabled the reclamation service to prepare maps as to the exact location of lands to be irrigated, and giving somewhat definite information as to when these titles can be secured and the general policy to be pursued by the Department in the allotment of lands under this act.

For information I shall insert here the full text of the

NEWLANDS NATIONAL IRRIGATION ACT.

[PUBLIC—NO. 161.]

An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands.

Be it enacted, etc., That all moneys received from the sale and disposal of public lands in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming, beginning with the fiscal year ending June 30, 1901, including the surplus of fees and commissions in excess of allowances to registers and receivers, and excepting the 5 per cent of the proceeds of the sales of public lands in the above States set aside by law for educational and other purposes, shall be, and the same are hereby, reserved, set aside, and appropriated as a special fund in the Treasury to be known as the "reclamation fund," to be used in the examination and survey for and the construction and maintenance of irrigation works for the storage, diversion, and development of waters for the reclamation of arid and semiarid lands in the said States and Territories, and for the payment of all other expenditures provided for in this act: *Provided*, That in case the receipts from the sale and disposal of public lands other than those realized from the sale and disposal of lands referred to in this section are insufficient to meet the requirements for the support of agricultural colleges in the several States and Territories, under the act of August 30, 1890, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of Congress approved July 2, 1862," the deficiency, if any, in the sum necessary for the support of the said colleges shall be provided for from any moneys in the Treasury not otherwise appropriated.

SEC. 2. That the Secretary of the Interior is hereby authorized and directed to make examinations and surveys for, and to locate and construct, as herein provided, irrigation works for the storage, diversion, and development of waters, including artesian wells, and to report to Congress at the beginning of each regular session as to the results of such examinations and surveys, giving estimates of cost of all contemplated works, the quantity and location of the lands which can be irrigated therefrom, and all facts relative to the practicability of each irrigation project; also the cost of works in process of construction as well as of those which have been completed.

SEC. 3. That the Secretary of the Interior shall, before giving the public notice provided for in section 4 of this act, withdraw from public entry the lands required for any irrigation works contemplated under the provisions of this act, and shall restore to public entry any of the lands so withdrawn when, in his judgment, such lands are not required for the purposes of this act; and the Secretary of the Interior is hereby authorized, at or immediately prior to the time of beginning the surveys for any contemplated irrigation works, to withdraw from entry, except under the homestead laws, any public lands believed to be susceptible of irrigation from said works: *Provided*, That all lands entered and entries made under the homestead laws within areas so withdrawn during such withdrawal shall be subject to all the provisions, limitations, charges, terms, and conditions of this act; that said surveys shall be prosecuted diligently to completion, and upon the completion thereof, and of the necessary maps, plans, and estimates of cost, the Secretary of the Interior shall determine whether or not said project is practicable and advisable, and if determined to be impracticable or unadvisable he shall thereupon restore said lands to entry; that public lands which it is proposed to irrigate by means of any contemplated works shall be subject to entry only under the provisions of the homestead laws in tracts of not less than 40 nor more than 160 acres, and shall be subject to the limitations, charges, terms, and conditions herein provided: *Provided*, That the commutation provisions of the homestead laws shall not apply to entries made under this act.

SEC. 4. That upon the determination by the Secretary of the Interior that any irrigation project is practicable he may cause to be let contracts for the construction of the same in such portions or sections as it may be practicable to construct and complete as parts of the whole project, providing the necessary funds for such portions or sections are available in the reclamation fund; and thereupon he shall give public notice of the lands irrigable under such project and limit of area per entry, which limit shall represent the acreage which, in the opinion of the Secretary, may be reasonably required for the support of a family upon the lands in question; also of the charges which shall be made per acre upon the said entries, and upon lands in private ownership which may be irrigated by the waters of the said irrigation project, and the number of annual installments, not exceeding ten, in which such charges shall be paid and the time when such payments shall commence. The said charges shall be determined with a view of returning to the reclamation fund the estimated cost of construction of the project, and shall be apportioned equitably: *Provided*, That in all construction work eight hours shall constitute a day's work, and no Mongolian labor shall be employed thereon.

SEC. 5. That the entryman upon lands to be irrigated by such works shall, in addition to compliance with the homestead laws, reclaim at least one-half of the total irrigable area of his entry for agricultural purposes, and before receiving patent for the lands covered by his entry shall pay to the Government the charges apportioned against such tract, as provided in section 4. No right to the use of water for land in private ownership shall be sold for a tract exceeding 160 acres to any one landowner, and no such sale shall be made to any landowner unless he be an actual bona fide resident on such land, or occupant thereof residing in the neighborhood of said land, and no such right shall permanently attach until all payments therefor are made. The annual installments shall be paid to the receiver of the local land office of the district in which the land is situated, and a failure to make any two payments when due shall render the entry subject to cancellation, with the forfeiture of all rights under th's act, as well as of any moneys already paid thereon. All moneys received from the above sources shall be paid into the reclamation fund. Registers and receivers shall be allowed the usual commissions on all moneys paid for lands entered under this act.

SEC. 6. That the Secretary of the Interior is hereby authorized and directed to use the reclamation fund for the operation and maintenance of all reservoirs and irrigation works constructed under the provisions of this act: *Provided*, That when the payments required by this act are made for the major portion of the lands irrigated from the waters of any of the works herein provided for, then the management and operation of such irrigation works shall pass to the owners of the lands irrigated thereby, to be maintained at their expense under such form of organization and under such rules and regulations as may be acceptable to the Secretary of the Interior: *Provided*, That the title to and the management and operation of the reservoirs and the works necessary for their protection and operation shall remain in the Government until otherwise provided by Congress.

SEC. 7. That where in carrying out the provisions of this act it becomes necessary to acquire any rights or property, the Secretary of the Interior is hereby authorized to acquire the same for the United States by purchase or by condemnation under judicial process, and to pay from the reclamation fund the sums which may be needed for that purpose, and it shall be the duty of the Attorney-General of the United States upon every application of the Secretary of the Interior, under this act, to cause proceedings to be commenced for condemnation within thirty days from the receipt of the application at the Department of Justice.

SEC. 8. That nothing in this act shall be construed as affecting or intended to affect or to in any way interfere with the laws of any State or Territory relating to the control, appropriation, use, or distribution of water used in irrigation, or any vested right acquired thereunder, and the Secretary of the Interior, in carrying out the provisions of this act, shall proceed in conformity with such laws, and nothing herein shall in any way affect any right of any State or of the Federal Government or of any landowner, appropriator, or user of water in, to, or from any interstate stream or the waters thereof: *Provided*, That the right to the use of water acquired under the provisions of this act shall be appurtenant to the land irrigated, and beneficial use shall be the basis, the measure, and the limit of the right.

SEC. 9. That it is hereby declared to be the duty of the Secretary of the Interior in carrying out the provisions of this act, so far as the same may be practicable and subject to the existence of feasible irrigation projects, to expend the major portion of the funds arising from the sale of public lands within each State and Territory hereinbefore named for the benefit of arid and semiarid lands within the limits of such State or Territory: *Provided*, That the Secretary may temporarily use such portion of said funds for the benefit of arid or semiarid lands in any particular State or Territory hereinbefore named as he may deem advisable, but when so used the excess shall be restored to the fund as soon as practicable, to the end that ultimately, and in any event within each ten-year period after the passage of this act, the expenditures for the benefit of the said States and Territories shall be equalized according to the proportions and subject to the conditions as to practicability and feasibility aforesaid.

SEC. 10. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect.

Approved, June 17, 1902.

Under the provisions of this act about $18,000,000 has been collected in the reclamation fund from the sale of public lands, and the enormous receipts from this source of late indicate that the fund will soon reach $30,000,000, and as the fund is a constantly revolving fund, the expenditure on the projects being restored to the fund by the sale of water rights, it is probable that within twenty years that $150,000,000 will be spent under this act in irrigation projects. Under this act already five or six large enterprises have been inaugurated, the first in time in the State of Nevada, the others in Arizona, Colorado, Wyoming, and Montana.

In Nevada the national work has been greatly aided by a Nevada statute, intended to secure the State cooperation in the national work. This bill was drawn by Mr. NEWLANDS in cooperation with the irrigation committees of the Nevada legislature, and was declared by President Roosevelt, upon the occasion of his recent visit to Nevada, to be a model of legislation for the other States.

A NONPARTISAN WORK.

All irrigation work is being conducted by the reclamation service of the Geological Survey. This bureau has always been a scientific bureau nonpartisan in character. That President Roosevelt or any other President will maintain it as such I have no doubt. But in the campaign of 1902 the Republican newspapers and the Republican stump speakers all endeavored to make it appear that the irrigation act was a party measure, and its administration would be so conducted as to prefer the projects of Republican States and to discriminate against the projects of Democratic States.

The action of President Roosevelt has given the lie to this, and I imagine no one would be more indignant than he with the declarations of the Republican newspapers and politicians of Nevada and other arid States who are constantly doing him the injustice to infer that he will pervert the action of a scientific and nonpartisan bureau to the punishment of a State which fails to give him its Presidential votes.

It is as yet difficult to say when the Nevada project will be completed. Maps are being prepared showing the tracts, and they are being subdivided into 20, 40, 80, and 160 acre tracts for home seekers. When the reservoirs are completed and laterals for the distribution of water started the Government will then make public information as to location. The land must be resided on by settlers. A great many home seekers have taken advantage of the work, and either as laborers or contractors have taken up land adjacent to the canals and have bored wells to get a domestic supply of water. This enables many men to sustain themselves while the development work is being prosecuted. The intending settler may as well understand now as at any time that no agent, colonization bureau, or any person representing himself as having authority to locate and designating land has any authority or inside information. The Government alone can give accurate information. Anyone who places money in the hands of men who advertise will likely find themselves located upon worthless desert land miles from water.

A NOTE OF WARNING.

In this connection, Mr. F. H. Newell sounded a timely note of warning. The agricultural possibilities of the West being largely stimulated by the passage of the Newlands national irrigation act has caused a large number of financial buzzards, who have been feasting off of fake mining enterprises, to turn their attention to the above possibilities of the West. I have hitherto commented on the notorious and corrupt methods of the men engaged in getting money from the pockets of the people in the East through mining fakes, and it has developed that since the passage of this act, owing to the large number of people in the East who are endeavoring to secure homes, that a number of cleverly worded and yet vague advertisements are appearing in the newspapers of this country intimating that certain parties, who have secured inside information by being on the ground, are prepared to locate intending home seekers upon ground which will come under the direct benefit of the reservoirs and canal systems to be carried out by the Government.

It is in some cases boldly stated that the parties who can secure these locations have much inside information of the plans of the draftsmen connected with the department. These advertisements, sometimes almost as boldly worded as mining advertisements, simply show that for $5, $10, or $25, and in some cases $50, land will be picked out and held open for settlers. The result is that the farmer or home seeker in the East, desiring to take advantage of the agricultural growth of the West, sends his money into the hands of these financial sharks, who have neither authority nor accurate information regarding these matters, and having received the money, proceed to locate the inquiring settlers upon lands in a large number of cases miles from irrigation enterprises.

The statement herewith submitted by Mr. Newell ought to be a note of warning to intending purchasers of land throughout the United States, and is a warning for them that no one has knowledge or authority to locate them, and that the only safe way will be for them to proceed through Government channels of the reclamation commission and the Land Office, which will in the future, as hitherto, control the location and final entry of all lands owned and controlled by the Government.

The reclamation service has sent the following press bulletin out for general circulation:

GOVERNMENT ISSUES WARNING TO HOME SEEKERS.

An organized band of swindlers is actively at work in several Western States, notably Utah, North and South Dakota, and also operating to a lesser extent in the East. These sharpers have selected as easy victims prospective home seekers who are greatly interested in the various reclamation projects undertaken by the Government.

By means of advertisements cleverly worded, in which they claim to have secured inside information regarding the plans of the engineers, and by the display of alleged copies of Government maps and surveys, they have been successful in duping many unwary home seekers. For a consideration of from $50 to $200 these swindlers guarantee to locate settlers upon the best irrigable lands under the Government works.

Notwithstanding that the Government some time ago issued a circular warning the people against being taken in by just such frauds, the swindling goes right along, and the sharks are reaping a rich harvest. It should be clearly understood that these sharpers have no inside information. Their maps are mere township plats or rough drafts, such as can be obtained from the Land Office. The swindlers have no data other than any intending settler can obtain upon request of the Department.

The lands under these Government projects are withdrawn from all entry excepting homestead before any actual work of construction is ordered, and the Secretary is by law required to outline the size and location of each farm. Until the plans are completed for construction and the contract has been let for the works, it is impossible to state with any degree of accuracy what the cost of the water will be or what lands will be irrigated. Settlers who make filings based on the information received from these swindlers will not only lose the money paid out, but are liable later to find the lands are not included in the Government's proposed system, and thus will have exhausted their homestead entry upon worthless land. When the proper time comes for throwing open to homestead entry the lands under these great irrigation projects, the Secretary of the Interior will give due notice through the public press. Until such announcement it will not be safe for settlers to locate upon these lands.

THE IRRIGATION MOVEMENT.

Over fourteen years ago Mr. NEWLANDS, realizing Nevada's development had been one-sided, being confined almost entirely to mining, and that an equal and harmonious development was required on the lines of agriculture, commerce, and manufacturing, as well as mining, started an agitation for the irrigation development of the State. He employed at a large expense and from his private means engineers and surveying parties to report upon the irrigation and storage possibilities of the four principal rivers of Nevada—the Truckee, Walker, Carson, and Humboldt. He also caused to be located storage reservoirs and canal lines where necessary for the purposes of irrigation, asserting that his work was not intended for private profit but with a view to its utilization in the public interest, either by the State or by the local authorities.

Later on, when the suppression of the silver-mining industry caused such a financial depression in Nevada as to make a State or local enterprise impossible, having been elected to Congress, he inaugurated a series of educational speeches upon irrigation in the House of Representatives, intended to familiarize the men from the humid States with the great question upon which the development of one-third of our country depended, and to gradually bring about national action resulting in the conservation of the flood waters caused by the melting snows and their application to the public lands within their reach, and the promotion in this way of the settlement of the West by the creation of homes for home builders.

No opportunity was lost, in season or out of season, to impress the importance of this question upon Congress, and the work in Congress was supplemented by newspaper interviews, by communications to our magazines and periodicals, by irrigation banquets, at which Cabinet officers, scientists, Senators, and Congressmen presented their views upon this question. In this work he had the able cooperation of western Senators and Representatives without regard to party; and although there was much difference amongst western Senators and Representatives as to what form national action should take—whether of cession of public lands to the States, or of aid to the States in the storage of water, or of storage and conservation simply by the National Government, leaving to the States and to local enterprise the construction of irrigation ditches and the distribution of water, or whether it should take the form of a complete naturalization of irrigation by the General Government—they finally, after a long period of discussion among themselves, acquiesced in the principles of the bill known as the "Newlands bill," which was first introduced by him in the House of Representatives in the Fifty-sixth Congress, before Mr. Roosevelt became President.

At a meeting of the western Senators and Representatives Senator HANSBROUGH was requested to introduce Mr. NEWLANDS's bill in the Senate, and from that time on the matter was vigorously prosecuted by Mr. NEWLANDS and Senator HANSBROUGH before the Senate and House committees of the Fifty-sixth Congress and favorable reports were secured covering the essential principles of this bill, which was generally known as the "Newlands bill" or the "Hansbrough-Newlands bill." This smoothed the way for the final passage in the Fifty-seventh Congress, after Mr. Roosevelt succeeded to the Presidency, of the bill now on the statute books almost identical in terms with the original bill introduced by Mr. NEWLANDS.

Under this bill the first project was commenced in Nevada. It embraces both the Carson and the Truckee rivers, and the work so auspiciously commenced will be supplemented by work on the Walker and Humboldt rivers.

NONPARTISAN ACTION.

Throughout this propaganda it was the effort of Mr. NEWLANDS and the western men generally to secure nonpartisan action upon irrigation measures, for it was clear that only in this way could an irrigation act be passed.

Democrats and Republicans alike joined in this educational propaganda to which I have referred, and while the Nevada and Colorada Representatives, Messrs. NEWLANDS, SHAFROTH, and BELL, differed from the Wyoming Representatives as to the method of national action or cooperation, and while there was strong contention between western men among themselves, some siding with Wyoming in its view as to State cession, the engineers bill and other bills contracting the area of national operation while enlarging the area of State operation, and others cooperating with NEWLANDS, SHAFROTH, and BELL as to the nationalizing of the whole scheme of arid-land reclamation, they kept their differences to themselves, and finally, after thoroughly thrashing the matter out in meetings of the western Senators and Representatives from the arid and semiarid States, the Wyoming Representatives yielded to the views entertained by NEWLANDS, HANSBROUGH, SHAFROTH, BELL, and others as to the thorough

nationalization of arid-land reclamation and cordially cooperated in the passage of the bill.

THE REPUBLICAN PARTY'S CLAIM.

Now, the Republican party claims this measure as a partisan measure. In the Republican campaign book of 1902 the Republican party refers to the party plank adopted by its national convention in 1900 recommending national legislation for the reclamation of arid lands, but says nothing about a similar plank in the Democratic platform. The Republican party, also, in this campaign book endeavors to show that President Roosevelt's influence secured the passage of the act and, also, quotes liberally the wise and statesmanlike provision of the act as evidences of Republican policy, and throughout the West during the last campaign the Republican party relied upon the passage of this act as its claim to the suffrages of the West. Nothing was said about its being framed by a Democrat. Nothing was said about the participation of Democrats in its passage. It was claimed everywhere as a Republican measure.

It is the same old policy of the Republican party, claiming everything good under the sun and disclaiming responsibility for everything baneful; claiming all the benefits which accrue from prosperity and ascribing all the evils of adversity to the Democratic party. When the sun shines, it is Republican sunshine; when the sun is darkened, it is by Democratic clouds; when the rain falls, it is Republican rain; when drought occurs in the land, it is from Democratic hot winds. The Republicans cause the fields to smile with verdure and waving grain. But the Democrats can produce nothing but blizzards and woe; when prosperity comes it is Republican prosperity, and when hard times come it is Democratic misfortune, and since they have so long and so persistently claimed credit for everything that turns out to be good, the people have allowed themselves time and again to be fooled by their specious plea; but in this particular case, involving as this measure does so much for the industrial development of the West, and so much for the political supremacy of one or the other of the parties, the evidence which has been placed before the people of the country impartially and as nearly in line with historical accuracy as the means of data and record can afford, demonstrates that the Republican party falls far short of establishing its claim.

THE FATHER OF THE MEASURE.

Now, what are the principal provisions of the irrigation act?

First. A reclamation fund in the Treasury, consisting of all moneys received from the disposal of public lands in sixteen arid and semiarid States and Territories.

Second. Investigation and report as to irrigation projects by the Interior Department through the Geological Survey.

Third. After the approval of such projects by the Secretary of the Interior construction to commence under contracts made by him. No contract to be made unless the money necessary for the completion of the project is available in the reclamation fund.

Fourth. Compensation to the fund of the actual cost of each project by the sale of water rights, to be made in a series of installments running over ten years.

Fifth. The holding of the public lands for actual settlers under the homestead act; holdings to be limited to small areas, sufficient for the support of a family; no commutation.

Sixth. Sale of water rights to private land holders, but not for more than 160 acres, thus discouraging land monopoly and promoting the breaking up of large tracts.

Seventh. The ultimate control of irrigation works, except reservoirs, by the settlers under a system of home rule. This plan will enable the West to reclaim itself without calling upon the taxpayers of the country. It entirely relieves the irrigation agitation of the charge that it is intended to tax the East for the improvement of the West. The Government simply puts its Government lands in condition for settlement by storing and making available the flood waters which are essential for reclamation.

Did Mr. Roosevelt originate this measure? No; he simply approved in his message the principles of a measure already introduced in the Fifty-sixth Congress, before he became President, and the principles of which had been practically indorsed by the western Senators and Representatives, by the Public Lands Committee of the Senate, the Public Lands Committee of the House, and by the Irrigation Committee of the House in the previous session.

That bill was framed by Mr. NEWLANDS. It is not my purpose to detract from the credit deservedly due to Mr. Roosevelt for his advocacy of national irrigation and for his friendliness for western interests, for which he has received deserved praise. What I object to is the attempt of Republican managers to claim the credit of originating a measure which was framed by a Democrat and whose main support came from Democrats and not Republicans, as I shall hereafter show.

The history of this bill can not be better shown than by the words of Mr. NEWLANDS, the author of the bill, upon the floor of the House in the great irrigation debate of 1902, without contradiction from anyone, then or since, in which he gives the history of the bill and the nonpartisan character of its support. He said:

Now, I contend, Mr. Speaker, that this is a nonpartisan measure; that it is in harmony with the platforms of all parties in the last campaign; that it is in harmony with the enlightened sentiment of the country, which has gradually been formulating itself upon this subject and which found its expression in the party platforms.

It is also in harmony with the opinion of the Senators and Representatives from the arid and semiarid States and Territories regardless of politics. Every Senator and every Representative from that great region has supported this measure.

Now, the gentleman insists that we have been driven by the President into this report of a Republican measure. Let me give the gentleman the history of this measure. For years the arid States have been insisting upon some action by the Federal Government in reference to the arid public lands, composing as they do in some States 95 per cent of their entire area, and they have been insisting that it is the duty of the Government to prepare these lands for settlement, so that the States in which they are located may become populated.

They urged for a long time the cession of these lands to the States. But Congress, regarding this great public domain as a public trust, not to be lightly turned over to sparsely settled States to be managed according to the judgment or lack of judgment, the discretion or indiscretion, the honesty or dishonesty, the providence or improvidence of State legislatures, regarding it as a heritage for the entire Union, to be preserved for our unborn millions, has refused in its wisdom a cession to the States. So, at last, after the subject had been debated in and out of Congress for twenty years or more, the two parties in 1896 met in their respective conventions and formulated their expression on this subject, almost identical in terms—certainly identical in spirit.

Both parties declared in favor of the reclamation of these arid lands by the National Government and the holding of such lands for actual settlers, and in so declaring they but followed the general sentiment of the country, which was against any abandonment of its trust by the National Government and its surrender to the States.

As soon as that campaign was over I sought to shape a measure which would be in harmony with the two platforms and in harmony with the general sentiment of the country. At the last session of Congress, and before Mr. Roosevelt came into power, I introduced a bill which was the result of careful study of legislation prior to that time, and of consultation with the Secretary of the Interior, the Secretary of Agriculture, the Director of Geological Survey, the chief hydrographer of the Survey, the chairman of the National Irrigation Association, and other well-informed and experienced men on this subject.

Its purpose was to present a settlement of the entire question, to relieve the Treasury of the United States of any burden, and simply to devote the proceeds of the sales of lands in the arid regions to the conservation of flood waters, so as to make the waters available for settlers who would do the actual work of reclamation. The purpose was to present a comprehensive plan, which would impose no burden on the taxpayers of the country, which would enable the West to reclaim itself, and which would preserve this vast domain for home builders, and save it from concentrated and monopolistic holdings.

And if the gentleman will examine that bill—introduced in Congress before Mr. Roosevelt became President—he will find that it is identical in its provisions, though differing somewhat in phraseology, with the bill which is now before us for consideration. That bill, after its introduction, was presented to a meeting of western men, regardless of party—Democrats and Republicans and Populists—and received their approval, and they requested Senator HANSBROUGH, chairman of the Senate Committee on Public Lands, to introduce it in the Senate.

This was all in the short session of the last Congress, and there was not sufficient time to obtain consideration of the measure. Later on, after Mr. Roosevelt came into power, he made a recommendation in his message to this Congress substantially in line with the bill of which I have spoken. Shortly after this the Senators and Representatives from thirteen States and three Territories, constituting the arid region, met together and appointed a committee of seventeen, regardless of party, to frame and present for their approval an irrigation measure.

They met, and after prolonged meetings, lasting over a month, they agreed upon a bill, which was later on approved at a general meeting of the Senators and Representatives from the arid and semiarid States, regardless of party; and these Senators and Representatives instructed Senator HANSBROUGH, a Republican, to introduce it in the Senate, and myself, a Democrat, to introduce it in the House, thus securing nonpartisan action. It was referred to the committees of the Senate and House and was reported favorably.

It passed in the Senate by a unanimous vote, and then President Roosevelt, who is entirely familiar with that region and knows its wants, invited in consultation some members of the Irrigation Committee of the House, regardless of party. He was somewhat in doubt as to whether the bill was sufficiently guarded in the interest of homeseekers.

It was a question simply of construction. We all wanted to preserve that domain in small tracts for actual settlers and home builders. We all wanted to prevent monopoly and concentration of ownership, and the result was that certain changes were made absolutely satisfactory both to the Executive and to the Irrigation Committee, and intended only to carry out the intentions of both.

And let me say to the gentleman from Indiana, lest he charge that our action was the result of Executive dictation, that these changes were absolutely in harmony with the original bill, which I had introduced before Mr. Roosevelt succeeded to the Presidency, and with the platform of both parties.

Now, the gentleman refers to the Congressional campaign committee of the Democratic party as having assumed a jurisdiction that did not belong to it. Who pretends that the Democratic Congressional committee has a right to bind the conscience and mind of any member of its party on this floor?

But when the Democratic members from the entire region affected, and all the Democratic members of the Irrigation Committee of the House, and the Democratic members of the Committee on Rules were in favor of this measure as one in harmony with the party pledge in the national platform, it was the privilege and right of the Democratic Congressional campaign committee to express its views on the subject, and it did so, without a dissenting voice, in the following words:

"Whereas the Democratic platform of 1900 declared as follows:

"'We favor an intelligent system of improving the arid lands of the West, storing the waters for the purpose of irrigation, and the holding of such lands for actual settlers': Now, therefore,

"*Resolved by the Democratic Congressional committee*, That we regard the pending bill for the irrigation of the arid lands of the West, which devotes the proceeds of the sales of public lands in the arid and semiarid States and Territories to the construction of storage and irrigation works, and makes each project self-compensatory by fixing the cost on the lands to be reclaimed,

to be repaid by the settlers in ten annual installments, and also reserves the land so reclaimed for actual settlers and home builders, as complying with the pledge contained in the national Democratic platform, and we therefore favor the passage of said bill as a needed step in the line of domestic development."

I do not pretend for a moment that the action of the Democratic Congressional committee is binding upon any Member of this House; but I do say that it is a persuasive utterance, indicating the opinion of Democrats upon this floor and engaged in important party work regarding a measure which has received the sanction of every Democratic member of the Committee on Irrigation and which will, I believe, receive the almost unanimous support of this side of the House.

That the irrigation bill as finally passed in June, 1902, during the Fifty-seventh Congress, was identical in its terms with the bill originally introduced by Mr. NEWLANDS in the Fifty-sixth Congress, is shown by comparing the statement made by Mr. NEWLANDS January 30, 1901, during the Fifty-sixth Congress, concerning the provisions of the bill which he had shortly before introduced, on page 1701, volume 34, part 2 of the CONGRESSIONAL RECORD, with the exposition of the bill as finally enacted made by Mr. NEWLANDS on the 18th of September, 1903, at the National Irrigation Congress, Ogden, Utah, in an address entitled "State cooperation in national irrigation," which is published as an appendix to Mr. NEWLANDS'S remarks on land reform on page 3848, volume 7, of the CONGRESSIONAL RECORD, Fifty-eighth Congress, second session.

It should be recollected that the first statement was made long before Mr. Roosevelt became President. I shall publish these statements in succession, as indicating how exactly Mr. NEWLANDS'S views as to a comprehensive automatic irrigation law were crystallized into a law which will, without further legislation, actually accomplish the reclamation of the entire West, under which $18,000,000 is already accumulated in the reclamation fund and under which through the revolving fund provided for by him at least $150,000,000 will be expended during the next twenty years.

[Remarks by Mr. NEWLANDS in reply to Mr. Moody, January 31, 1901, before Mr. Roosevelt became President, page 1701, CONGRESSIONAL RECORD, volume 34, part 2, second session Fifty-sixth Congress.]

Mr. NEWLANDS. Another plan, presented by a bill which I have introduced, absolutely relieves the Federal Treasury of any demand for appropriations. It provides that all the moneys coming from the sales of public lands in the arid or semiarid States shall go into and form a special fund in the Treasury, to be called the "arid-land reclamation fund," commencing with the proceeds of sales during the present fiscal year.

It then provides that the Secretary of the Interior, with the aid and assistance of the Geological Survey, shall make plans and estimates for the construction of storage reservoirs and hydraulic works, which estimate shall include the area that can be irrigated by them; that when the plan for a particular project is perfected and adopted by the Interior Department as feasible, the lands included in the reservoir sites and essential for the hydraulic work shall be withdrawn from general entry, and also that the public lands embraced within the area of the benefit of this particular storage system, subject to reclamation from it, shall also be withdrawn from general entry, and shall only be subject to entry under the act.

The act then provides that contracts for the work shall be let either for the whole or part, and that no contracts shall be let unless money sufficient for payment is then in the arid-land reclamation fund; that when the project is completed the entire cost shall be ascertained and fixed pro rata upon the acreage benefited, and that the lands may be entered under the homestead law in tracts not exceeding 80 acres, and that water rights shall be sold at a price compensatory, when all the land is entered and the water rights are sold, of the amount expended upon the storage system. The water right is to be paid in ten equal annual installments by the settler.

The bill also provides that no man shall be entitled to enter more than 80 acres, and that a less amount may be prescribed by the Secretary of the Interior, according to the character of the land—its richness, fertility, and adaptability to certain forms of intense cultivation. It provides also that if there is more water than is required for the public lands, and there are lands within reach in private occupancy subject to this reclamation scheme, that the occupants of these lands can secure water rights at the same price as that paid by the settler, payable also in ten annual installments, with a provision also that no occupant of private lands can secure a water right for more than 80 acres.

The purpose of the bill is to prevent the monopoly of land in the settlement of public lands, and also to prevent these great tracts of land now under private ownership from obtaining water rights from the Government which will encourage monopolistic holdings. It inaugurates the policy which will make it to the interest of the holders of large tracts to divide them up into small farms of 80 acres, in order that the purchasers may avail themselves of the act and secure water rights. It does not compel the settlement of these large tracts, which have been secured under improvident laws, but it makes it to the interest of their owners to divide them up. The aim of the act is to prevent monopoly of every form, to open up the public domain to actual settlers who desire homes, and to disintegrate the monopolistic holdings of land that prevail on the Pacific coast and in the intermountain region.

[Remarks of Mr. NEWLANDS at the Irrigation Congress, at Ogden, Utah, September, 18, 1903, after the bill became a law.]

STATE COOPERATION IN NATIONAL IRRIGATION.

MR. PRESIDENT AND GENTLEMEN OF THE ELEVENTH NATIONAL IRRIGATION CONGRESS: It gives me great pleasure to attend a meeting of the irrigation congress in the State of Utah. Eleven years ago, in common with many whose faces I see about me, I attended the first session of the irrigation congress in the Territory of Utah; and we there received the inspiration which through ten years of temporary discouragement and continuous effort sustained us, until we finally placed upon the statute book of the United States an act not simply providing an appropriation for an individual project, the whole force and strength of the movement to be stayed until the success of that project was demonstrated, but a general and comprehensive law operating through all time, so long as an acre of land capable of irrigation remained unreclaimed; providing an ample fund for the present and the future, depending in the future upon none of the accidents of legislation or caprice of public policy—a statute which had as its essential spirit and motive home-building, limitation of entry to the amount of land necessary for and capable of supporting a family, and the protection of every irrigation project against the schemes of speculation and monopoly.

It is fitting, therefore, as the first irrigation congress was held in the State which, under the guidance of Brigham Young, gave to the country an illustration of the beneficial effects of irrigation, that this congress, called together after the passage of that triumphant act, should meet here for the purpose of deliberation and counsel as to the best method of carrying it into effect and of securing its comprehensive and beneficent administration. That the Government of the United States, representing the entire people, has done everything that statute can do to forward this great work is evident by a review of its provisions. It provides a perpetual reclamation fund in the Treasury, derived from the sale of public lands in thirteen States and three Territories. These receipts are forever dedicated to irrigation. The receipts of this year, of next year, of all the future years, are appropriated now to the construction of irrigation works. We have the unit of entry fixed at the number of acres capable of supporting a family—from 40 to 160, according to the discretion of the Secretary of the Interior. We have provided that only those can obtain title who live upon the land for five years and reclaim the land. The commutation clause of the homestead act, which has been the means of fraud in the securing of land titles throughout this entire region, is repealed, so far as the lands coming under this act are concerned; and residence for five years—honest work for five years—is required as the condition of title. Thus this work is dedicated forever to the home builders.

Then as to the water rights. The Government stores the water, accumulates it in vast reservoirs, leads it out from the reservoirs in great ditches, brings it within the reach of the settler, and then grants him a water right, payable in ten years without interest, in annual installments of one-tenth each. Then the Government for all time will administer these great reservoirs, surrendering, however, final control of individual projects to a government of home rule, created by the settlers themselves, with the approval of the Secretary of the Interior. The existing landowner, also, is not neglected. The sentiment which at first prevailed that this act should be applied only to Government lands was overcome, and we have a provision, ample and comprehensive in its character, which permits the Interior Department to grant water rights as to land now in private ownership.

But even there it secures the country against the evils of concentration of land in single ownership and of land monopoly; for instead of selling the large landowner a water right covering his entire tract, the act provides that the right can be granted for 160 acres only. But whilst the large landowner can secure a water right for only 160 acres, he can divide his tract into 160-acre farms, and each grantee can buy from the Government a water right, payable in ten annual installments, and thus large tracts of land in private ownership to-day, lacking the water sufficient to give them value, and for that reason lacking a market, will be brought into the market. The owners will be able to dispose of them by subdivision into 160-acre farms, for the Government stands behind ready to sell each grantee of the large landowner a right for water which will be perpetually appurtenant to his farm. We have given those who now own large tracts of land and are land poor a chance to realize money for land, and at the same time we have created, in this very act, by these provisions appealing to the self-interest of these large land proprietors, the machinery that will force and compel the subdivision of these great areas of land now standing in single ownership and constituting a menace to the development of our States and Territories.

The National Government has done everything. The National Government stands as the benefactor. We stand as the beneficiaries, present and prospective. What can we, the beneficiaries, do, then, to sustain and support the Government in its great work? This involves the question of State cooperation in national irrigation. I take it that it is the sense of every man in this Congress that no means should be neglected of securing the friendly aid of the Government in each State and Territory. I take it for granted that the spirit of cooperation exists everywhere. The only question is, How can that spirit be shown and demonstrated? Let me say a few words upon that subject and give you from time to time illustrations derived from the experience of my own State.

It will be observed that Mr. NEWLANDS, at the Fifty-sixth Congress, whilst Mr. Roosevelt was Vice-President, gave a full exposition of his bill, identical in terms with his exposition at the Irrigation Congress in 1903 of the act as finally passed. It will be noted that his first exposition was prior to the elevation of Mr. Roosevelt to the Presidency. Mr. NEWLANDS had wrought out his bill, which later on, in the next Congress, was crystalized into law.

NATIONALIZATION OF IRRIGATION.

A careful examination of the data herewith submitted shows that the central ideas of the bill were the ideas gradually evolved by Mr. NEWLANDS. Whilst a great impetus was given this measure by President Roosevelt's indorsement of its principle, the perfection of this measure is due to Mr. NEWLANDS. It took ten years of agitation. There were two theories regarding irrigation which developed toward the closing years of the agitation. A large number of men believed that the Government should cede all the lands to the States or should store water as a national enterprise. This was largely known as the Wyoming idea.

The constant endeavor of Mr. NEWLANDS was to nationalize irrigation and his persistent work upon these lines finally perfected the bill, and time has demonstrated that there was only one measure which could ever have accomplished the results sought for, and that was the bill introduced by Mr. NEWLANDS; and as conference after conference of western Members took place, and as different ideas were advanced by different men from different States, and after long days of fruitful discussion, the western Senators and Members slowly came to the conclusion that the only practicable solution was along the lines of the bill as presented by Mr. NEWLANDS.

Not only was Mr. NEWLANDS very active in the constructive feature of the bill, but he became a strong proselyting agent upon the floor of Congress, and while there was some slight opposition from the Democratic party, he was constantly alert with his colleagues, and in the end brought them to his views.

Mr. NEWLANDS secured the indorsement of the Democratic Congressional committee, and in the final passage of the bill only thirteen Democrats voted against it. On the other hand, it ap-

pears from the analysis of the vote that President Roosevelt was not so potent an influence with the Republican party, because the final debate and analysis of the vote shows that every Republican leader of importance assailed the bill and voted against it, and had it not been for the work of Mr. NEWLANDS in securing sufficient Democratic votes to insure its passage it would have failed because of Republican opposition.

I have had the honor of succeeding Congressman NEWLANDS in the lower House of Congress, and my association in the House of Representatives has been made exceedingly pleasant because of the strong personality of Mr. NEWLANDS, who, I found, stood exceedingly high; and for the purpose of clearing up the historical data regarding this bill I have made careful inquiry among my colleagues, and I find there is no question or doubt ever raised, or any dispute made, regarding the authorship of the irrigation bill as belonging to Mr. NEWLANDS. During the long years of agitation on the question Mr. NEWLANDS became a recognized leader. He was generally known as the most prominent advocate of irrigation in the House, and the bill, when it was finally passed, was known throughout the country as "the Newlands irrigation bill," and was so designated.

The Republican leaders, whose respect and confidence Mr. NEWLANDS always had, have been as strong in their assertion regarding him as the Democrats, and I found upon the floor of Congress that all Members unite in acknowledging that the bill was the product of the persistency, ability, and work of Mr. NEWLANDS, and that its final passage was largely due to his active and persistent agitation; and while for partisan and political purposes the bill has been held forth to the world at this late day as a measure emanating from the Republican party, and its paternity fixed upon President Roosevelt, yet the historical facts stand uncontroverted and undenied, that it was the ability, the persistency, and the statesmanship of FRANCIS G. NEWLANDS, Member of Congress from the State of Nevada during ten years, which shaped the destiny of the bill to its final passage.

Thomas Jefferson gave to America the Louisiana purchase; Lewis and Clark opened the wonders of the Northwest. Jefferson gave to America an empire; FRANCIS G. NEWLANDS gave to America the key that unlocked that empire. When a century has passed, and the slow evolution of this bill shall have been accomplished, and when all the enterprises contemplated by wisdom and knowledge shall have been perfected, the population of the arid States will be as great as that of the Union to-day, and identified with the history and upbuilding and the growth of the great arid regions will be the name of NEWLANDS, to whose genius and ability future generations will pay reverence, just as to-day we honor Thomas Jefferson for having added to our country a vast empire, contiguous and continental, which would become the home of a homogeneous and liberty-loving people.

THE PRESS.

The newspaper correspondents of the country and the press associations of the country record with absolute accuracy contemporaneous history, and if we refer to the press reports of the Fifty-sixth and Fifty-seventh Congresses we will find everywhere, without variance or contradiction, the various stages of progress of the Newlands bill.

I quote a few of these expressions taken from my scrapbook after the passage of the bill. They constitute but part of a large number of clippings recognizing Mr. NEWLANDS'S authorship and persistent agitation of this measure, which may well be regarded as the most important measure relating to internal improvement passed during the last half century.

[From the San Francisco Examiner.]

WE CONGRATULATE CONGRESSMAN NEWLANDS.

The Examiner wishes to congratulate Congressman NEWLANDS on the splendid work he has done in passing the irrigation bill. Congressman Newlands was backed up in this measure by the united Democratic party, and was successful through the kindly aid of the western Republicans, who, with the Democrats, presented a united front against the Republican leaders and the Republicans of the Eastern States, who have no interest in irrigation.

In congratulating Congressman NEWLANDS on the passage of this great measure the Examiner desires to testify to the tireless energy and splendid diplomacy he has shown in the management of his bill. For years Congressman NEWLANDS'S home in Washington has been turned into a huge picture gallery, hung around with maps and surveys to use in demonstrating the great importance of irrigating the western half of the United States. He has spent days and nights in demonstrating to the Representatives from the Middle West the value and importance of the work of bringing water to the arid lands of the United States, and that he has succeeded in interesting others in the affairs of the intermountain region and the Pacific coast is no small tribute to his perseverance.

It would be a good thing for California if we had a few Representatives and Senators of the NEWLANDS type. Though a rich man, his sympathies are all with the common people. His aims are all for the public good, and he has only valued personal political advancement in the ratio that it has enabled him to help the great mass of the honest working people of the United States.

[From Harpers Weekly, July 5, 1902.]

There is some reason to believe that the unexpected strength which the irrigation bill displayed in Congress in its final stages was due to the particularly glowing picture which the happily named Representative from Nevada presented to the national imagination in his great speech in favor of the measure.

[From the Scientific American, June 23, 1902.]

According to Mr. NEWLANDS, the Representative from Nevada, who has promoted the legislation of the subject, this bill is very complete and comprehensive in its scope and automatic (so to speak) in its plan of action.

[From the Cincinnati Enquirer, July 13, 1902.]

It remained for Representative NEWLANDS to devise the plan which finally obtained Congressional sanction and which is now a law. He has been in Congress for ten years, and in season and out has persistently agitated the question of irrigation, believing that the public mind must be educated upon this great question before legislation could be had.

[From the Review of Reviews, July, 1902.]

Mr. NEWLANDS, of Nevada, one of the most prominent advocates, predicts that under the provisions of the bill at least $100,000,000 of the proceeds of the public lands will be available in the next thirty years for irrigation works without further appropriation.

[From the Los Angeles (Cal.) Capital, August 30, 1902.]

His work in Congress, not only for his constituency, but for the entire Pacific coast, has won for him the admiration and gratitude of all political factions, and he stands a remarkable example of the untrammeled Representative. He is ready to do what he may for the good of the West, dictated solely by the circumstances of legislation and his own judgment, which has as yet never proven to be faulty.

[From the San Francisco Examiner, August 28, 1902.]

The election of Mr. NEWLANDS will be gratifying from a Democratic point of view, but beyond that it should be highly satisfactory to the Pacific and intermountain States generally, aside from mere partisan considerations. His record in the House of Representatives has been an enviable one. His standing has at all times been excellent, and as a member of the Committee of Foreign Affairs, Banking and Currency, and Ways and Means he has made a reputation broadly national in character. He was a strong factor in the legislation which led to the annexation of Hawaii, and has been active and prominent in all measures relating to Cuba, opposing the Republican plan of reciprocity, but favoring the annexation of the islands. He is, of course, in full sympathy with his people on the money question, and he rendered most effective aid in securing the enactment of the irrigation law, from which the arid West hopes to realize far-reaching benefits. Mr. NEWLANDS has been indefatigable in his efforts in behalf of his State, and having served faithfully for nearly ten years in the lower House it would seem that he would fairly earn a promotion to the Senate.

[From the Bulletin, San Francisco, August 27, 1902.]

A man of large ideas, NEWLANDS'S measures and efforts are of national influence, and his country, as well as Nevada, may well be proud of his statesmanship. California and other sections of the country will benefit largely by the passage of the irrigation bill, which contains a section aimed at the protection of American labor.

[From the Denver (Colo.) Republican, September 14, 1902.]

With photographs as his chief ally, but using a magic lantern as his supplementary aid, FRANCIS G. NEWLANDS, Representative in Congress from Nevada, has succeeded in causing his long-pending irrigation bill to become a law. It has remained for Mr. NEWLANDS to discover an entirely unique method of using photographs and the magic lantern.

[From Leslie's Weekly, March 19, 1903.]

THE FATHER OF IRRIGATION.

The irrigation bill for the reclamation of the vast arid tracts west of the Mississippi, which so recently became a law, was named for him in recognition of his extreme labor, both in its framing and in securing its passage through Congress.

[From the Washington Post, June 29, 1902.]

CREDIT TO NEWLANDS.

The man who is largely responsible for the passage of this bill is Representative NEWLANDS, who has fought for its passage for many years, and too much can not be said in praise of his efforts.

[From the Washington Times, July 6, 1902.]

Probably no measure so far-reaching in importance as regards the development of this country has been enacted in recent years as the Newlands irrigation bill. So persistent has the Nevada Representative been in urging irrigation that the cartoonists have pictured him with a sprinkling pot, as they do Senator TILLMAN with his pitchfork.

[From the Washington Post.]

NEWLANDS PLEASED.

The President yesterday signed the irrigation bill. There was much rejoicing among the members of the Senate and the House over the fact. Mr. NEWLANDS, the author of the measure and the originator of the plan, was especially jubilant.

[Correspondence San Francisco Chronicle, June 1, 1902.]

IRRIGATION BILL SIGNED.

Another hope of the great West, which two weeks ago a Republican in the House characterized as an irridescent dream, was realized to-day when President Roosevelt attached his signature to the national irrigation bill. Representative MONDELL, of Wyoming, secured the pen with which the bill was signed, though it ought to have gone to NEWLANDS, of Nevada, the real father of the irrigation bill.

It appears, then, that the measure was introduced before Mr. Roosevelt became President; that it was framed and introduced in the House by a Democrat—Mr. NEWLANDS; that it was subsequently indorsed by western Senators and Representatives, and

at their request was introduced in the Senate by Senator HANSBROUGH, a Republican; that its essential principles were indorsed by the committees of both Houses before Mr. Roosevelt became President; that after his succession the western Senators and Representatives again considered the measure, and when it was finally perfected a resolution was passed by the western Senators and Representatives, requesting Mr. NEWLANDS, a Democrat, to introduce the revised bill in the House, and Senator HANSBROUGH, a Republican, in the Senate; that the Democratic Congressional Committee by a unanimous vote indorsed the bill and recommended its passage. All this before the final passage.

THE FINAL PASSAGE.

Now, how was it on the final passage? Did the House leaders of the Republican party yield to the President's views or did they hold out as they had always held out during the many years of agitation? Of course in the Senate the action was thoroughly nonpartisan and the vote for the bill was unanimous. Republicans and Democrats alike voted for it. This arose from the fact that one-third of the Senate was from the arid and semiarid States, and for years the Senators from the West had been engaged in educational work there, but in the House it was different. The arid and semiarid States had very few Representatives.

There had not been a time in the past ten years when an irrigation bill could not have passed in the Senate, but the House was the stumbling-block. The Republican leaders of the House had for years stood like a stone wall against it. They were for any form of foreign exploitation taking the shape of colonialism or imperialism. They stood for the annexation of insular possessions, but they were unwilling to annex the arid West and to aid in any plan of internal improvement which would aid the masses of the people. Was the President, through his message and otherwise, able to persuade them? Were they willing to have their Congressional campaign committee indorse an irrigation measure as did the Democrats? Oh, no! Every Democratic leader supported the bill. Every Republican leader spoke and voted against it. Mr. PAYNE, the chairman of the Committee on Ways and Means, and the leader of the House; Mr. DALZELL, of the Committee on Rules; Mr. CANNON, then the chairman of the Committee on Appropriations; Mr. RAY, the chairman of the Committee on Judiciary; Mr. GROSVENOR, and Mr. HEPBURN, all of them constituting the Republican leadership of the House of Representatives, aided by other strong and forceful Republican debaters, opposed the bill vigorously, and in some cases bitterly.

Mr. HEPBURN of Iowa, always forceful, came boldly out into the open, saying:

> Mr. Chairman, if I were not one of the most humble and polite men in this House, I would take the liberty of saying that the proposition involved in this bill is the most insolent attempt at larceny that I have ever seen embodied in a legislative proposition.

General GROSVENOR, among other things, said:

> If this scheme can be carried into execution, I would not give 5 cents on the dollar ten years hence for all the beet-sugar stock this side of the Missouri River. What is the evidence that has been taken this year before the Committee on Ways and Means? Why, sir, the evidence is that the beet-sugar men of Utah, California, and Colorado can manufacture beet sugar almost a cent a pound cheaper than can be done without the application of irrigation.

Mr. GROSVENOR spoke of this bill as proposing "a great national wrong" to be perpetrated on the farming community of the entire United States and as involving a competition that would "crush the farming industry of the entire great Central West and East." He quoted freely from Republican papers of the East and Central West, protesting against its passage.

The above extracts sufficiently indicate the attitude of the Republican party upon this bill, and yet we find the Republicans, after the measure had passed the House solely by the aid of Democratic votes, declaring that it was a great supporter and advocate of the policy of the bill, the wise provisions of which are now being appreciated by both parties, and a strong claimant for the exclusive credit of this accomplishment. We find that while the Republican leaders bitterly opposed the passage of the bill, the Republican party is now claiming the entire glory for the final enactment of this bill into law simply because the President favored it.

The analysis of the vote in the House shows that outside of a few broadminded eastern Republicans who supported the bill the main Republican support came from the West, including such men as REEDER, of Kansas, and MONDELL, of Wyoming, who vigorously supported the bill.

The really unanswerable argument to support the contention which I make that the Republican party is not to be credited with the passage of the irrigation bill is the figures which are developed from a careful analysis of the vote by which the bill finally passed.

The analysis shows the vote, as follows:

VOTE ON IRRIGATION BILL, JUNE 13, 1902.

For the bill in the House.

Republicans—Adams, Allen of Maine, Bartholdt, Bishop, Boutell, Bowersock, Bristow, Brown, Brownlow, Burke, Burkett, Burleigh, Calderhead, Conner, Coombs, Cromer, Curtis, Cushman, Dahle, Eddy, Esch, Fletcher, Gaines of West Virginia, Gibson, Graff, Henry of Connecticut, Hitt, Holliday, Hopkins, Hugnes, Hull, Irwin, Jack, Jones, Joy, Kahn, Lawrence, Littauer, Long, McLachlan, Mann, Martin, Mercer, Metcalf, Minor, Moody of Oregon, Mondell, Morris, Moss, Needham, Reeder, Reeves, Roberts, Rumple, Scott, Skiles, Smith of Iowa, Smith of Illinois, Sperry, Stevens of Minnesota, Sutherland, Tawney, Tayler of Ohio, Thomas of Iowa, Tirrell, Tongue, Warner, Woods, Young—69.

Democrats—Allen of Kentucky, Ball of Texas, Bell, Bellamy, Bowie, Brantley, Breazeale, Brundidge, Burgess, Burleson, Burnett, Candler, Clark, Clayton, Cochran, Cooney, Cowherd, Davis, De Armond, Dinsmore, Dougherty, Finley, Fox, Gilbert, Griffith, Griggs, Henry of Mississippi, Hooker, Howard, Jackson of Kansas, Jett, Johnson, Kehoe, Kern, Kitchin, Livingston, Lloyd, McCulloch, McRae, Mickey, Newlands, Norton, Padgett, Pierce, Randell, Ransdell, Reid, Richardson of Tennessee, Richardson of Alabama, Robb, Robinson of Nebraska, Rucker, Ryan, Selby, Shafroth, Shackleford, Shallenberger, Sims, Slayden, Smith of Kentucky, Spight, Stephens, Taylor of Alabama, Thayer, Thomas of North Carolina, Thompson, Underwood, Vandiver, Wheeler, Wiley, Williams of Illinois, Williams of Mississippi, Zenor—73.

Silver—Edwards—1.

Populists—Glenn, Neville, Stark—3.

Adverse vote in House:

Republicans—Barney, Bates, Bingham, Brick, Bromwell, Burk, Butler, Cannon, Capron, Cassel, Crumpacker, Dalzell, Deemer, Draper, Driscoll, Gardner, W., Gardner, J. J., Gillet, Haskins, Hemenway, Hepburn, Howell, Knapp, Kyle, Landis, Lewis, Mahon, Olmsted, Palmer, Parker, Payne, Perkins, Ray, Showalter, Sibley, Southard, Southwick, Steele, Stewart, Van Voorhis, Warnock—41.

Democrats—Bartlett of Georgia, Cassingham of Ohio, Fleming of Georgia, Flood, Gillett of Massachusetts, Hay of Virginia, Jones of Virginia, Maddox of Georgia, Moon of Tennessee, Pou of North Carolina, Rhea of Kentucky, Rixey of Virginia, Robinson of Indiana, Snook of Ohio—14.

FOR.

Democrats	73
Silver	1
Populists	3
Republicans	69
Total	146

AGAINST.

Democrats	14
Republicans	41
Total	55

It will be seen that seventy-three Democrats, one Silver man, and three Populists voted for the bill, making seventy-seven votes in all of these three parties, and that sixty-nine Republicans voted for the bill. We find further that a large percentage of these Republicans were from the West, the section particularly affected by the provisions of the bill. An analysis of the vote shows that the bill could never have passed by Republican votes. In opposition to the bill we find only fourteen Democrats, and yet there are forty-one Republicans against it.

It is with some hesitancy that I have injected the political question into this discussion at this time, as this question should be nonpartisan. The administration of this bill is in the hands of a scientific department of the Government thoroughly nonpartisan, in the hands of men whose well-known ability and integrity entitle them to the support and respect of all political parties—the present Secretary of the Interior and his subordinates, the Director of the Geological Survey, Mr. Walcott, and the chief of the reclamation service, Mr. Newell. The passage of this bill by the action of both parties marked a new era in the industrial development of America which the people of this age hardly appreciate, and I should not refer to politics were it not for the contention of the Republican party that they are entitled to the credit for the passage of the Newlands national irrigation act.

REPUBLICAN LARCENY.

This is about as bold a piece of political larceny as was ever attempted in any political campaign in the history of this country, and yet with a blare of trumpets and with sounding brass the Republicans will go through the West, as they did in the last campaign, telling the farmers that it was the Republican party that originally conceived the proposition of irrigation, that it was the Republican party that breathed life into the measure, that Republican votes passed it through Congress, and that it was a Republican President who signed the bill.

I of course have no desire to differ with the latter statement. I wish to do President Roosevelt all honor for his stand on this question, but I simply wish to call the attention of the thinking American people to the fact that the Republican President would never have had the opportunity to sign the bill if its passage depended upon Republican votes, and that its passage was secured by Democratic votes.

The Republican party, always ready to claim the glory of the makers of legislation and the benefits which come from it after its passage has been accomplished, has always been negligent and neglectful of interests of the West. Its leaders have placed themselves in violent opposition to the interest of the Western States upon the question of mining and crippled a great industry. They placed themselves in violent opposition to the passage of the irrigation act, yet both these measures were supported by the Democratic party. The interest and the hope as well as the strength of the Republican party in the future, as in the past, lies in the manufacturing centers and the trust-protected regions of

the United States. But the money which came to the public Treasury from the sales of public lands has been used in expenses for exploiting these regions of the United States; and when it was discovered that this channel of revenue was about to be diverted back to the great region from which it came, for purposes of internal improvement, there was a howl of opposition.

It is timely to call attention to these historical facts regarding irrigation at this stage of our history, when the two great political parties have widely differed in reference to the policy of expansion. Within the past eight or ten years, following the results of the unexpected Spanish-American war and the taking possession of the Philippine Islands by the Government of the United States, there has grown up a new policy, advocated by the Republican party and known as "expansion."

The question of expansion has always been one of more or less importance in American politics. We have, through expansion, grown from thirteen colonies, which fringed the Atlantic coast, to our present magnificent proportions. This expansion has been a continental expansion—internal expansion—an expansion which believes in utilizing our own resources, building up our own domain, and adding to the happiness, contentment, and prosperity of the people within the legitimate boundaries of American territory; an expansion which possibly Thomas Jefferson might have viewed as legitimately including British North America, so that one flag should fly from the Bering Sea on the north to the Gulf of Mexico on the south.

The true expansion in this country has been the continental expansion of the Democratic party, dating from the Administration of Thomas Jefferson. All the great additions to our territory have been acquired by diplomacy or conquest (except in the case of Alaska) under the inspiration and administration of Democrats. So that when the question of the development and of the building up of the great western empire was first presented to the people of this country the Democrats readily took up the proposition, because it was old-time Democratic doctrine.

The policy of the Republican party for the past ten years has been that our growth should be in the nature of development on the outside. The demand which has been put upon the Treasury of the United States through increased military armament and enlarged naval equipment, and the demands upon this country from the Philippine Islands, and incidentally from Cuba, asking for preferentials, have occupied the time and attention of the Republican party and drained the proceeds of taxation in this country, showing that the tendency of the Republican party has been to deny anything in the way of appropriations for internal development for the purpose of keeping up the outward show.

The problem presented in the industrial development of what is known as the great arid region that extends from British Columbia to Mexico and from the Missouri Valley to the shores of the Pacific, exhibits features of an industrial conquest greater than that ever undertaken by any civilized nation, both as to geographical extent and economic magnitude; that section of the country contains everything in the way of climate and agricultural products practically to be found in all other zones. In raw materials there is no section in the world that presents an equal opportunity.

The present sparse population of the entire arid region is due to the fact that the enterprises looking particularly to the agricultural development of that section could not be successfully undertaken by private enterprise, and it became apparent, if the great agricultural interests of the West were ever to subserve the general benefit of the people of the United States, that the Government must stand behind irrigation with some comprehensive plan and avoid the uncertainties and the failures which would follow from private undertakings and an accidental development.

The Democratic leaders readily recognized that the problems involved in the industrial development of western America meant a great future for the upbuilding of America and much for her supremacy as a commercial nation and more for the happiness and contentment of the American people than any benefit which might flow from the expenditure of vast sums of money in subjugating the islands of the Pacific. The irrigation problem brought out the contrast between the two parties into strong relief. The Republican party preferred monopoly. Their policy for years has been to enrich the few at the expense of the many. This particular act was aimed at monopoly. It was designed for the home seekers, the home builders, the masses, and intended to secure an equitable distribution of wealth. This was historic Democratic policy. The Republican party preferred foreign conquest, vast colonial expenditure, and neglect of internal development. The Democratic doctrine was internal improvement, building up and fostering American home building. The Republican leaders therefore naturally opposed the Newlands bill, while the Democratic party indorsed and supported it.

Such has been the disposition of the Republican party in reference to the Newlands national irrigation act. Yet we find by a fair and impartial study of the political attitude of the two parties that, while both of the great national conventions indorsed the ideas of national irrigation, the Republican party, true to its traditional policy, and particularly in reference to this policy toward the West, when the final test came, absolutely repudiated the plank in their platform, if we are to take the leadership in Congress as any criterion as to the party stand upon public questions. The sincerity of the two parties was demonstrated upon their platform planks. The Democratic party, standing by their party utterances, supported the policy. The Republicans repudiated their platform.

On the other hand, the Democratic party took the strong stand that it was better Americanism to expend the money of the Government in building up our own country than in building up other countries; that it was better Americanism to create happy homes and build up a large agricultural population, contributing directly to the taxation and power of our Government at home, than to maintain by indirect taxation of the people extensive establishments abroad. Foreign graves rather than American homes has been the fatal policy of Republican imperialism. Fortunes for the few and special privileges has been the Republican policy as contrasted with the happiness of the masses and special privileges to none, the watchword to modern Democracy.

These facts ought to fix beyond all dispute the political paternity of the bill. And the people of the West can look with hope of warmest support for the future development of this work to the Democratic party. The entire opposition to the irrigation measure has not yet died out. It is practically admitted by everybody in the East now that the measure is going to be one of vast benefit, but there is heard ever and anon a discordant note, and it is always sounded from the Republican side.

This great legislative enactment, one of the most important acts ever passed by a civilized legislative body, will go down in history as one of the far-reaching and consequential accomplishments of statesmanship, redeeming to civilization a region marvelously rich in raw materials and undeveloped resources. One hundred years hence the valleys of the West will be as populous and as beautiful as those of the Euphrates and the Tigris. Agricultural development in humid regions has never reached the great advancement and perfection which was reached by the historic nations of antiquity. The populous regions of the earth were the rich valleys of southern Asia.

The arid West resembles more nearly the Valley of the Nile and the valleys of southern Asia than any other territory in the world, and we may look in time to a duplication in population on the broad expanse of these unwatered plains of the dense population of the Ancient World, a more marked advance in the growth of civil institutions, greater comfort of living, a higher wage system, emancipation from the industrial slavery, and a higher general culture, a swifter advancing in the arts and sciences, and the substituting of the moral for the commercial ideals in life.

The great theaters of events in the past were the arid regions of Europe, Asia, and Africa. Facing, as our arid region does, the very portals of eastern life, the arid region of America is destined to be the theater of human energy of the future, where scientific discoveries yet undreamed-of and a civilization yet in embryo may surpass the sum of all human advancement since the dawn of history.

This is the region of future hope. NEWLANDS foresaw it, just as Jefferson looked forward to it a century ago. Two Democrats standing at the milestones of a century and representing the binding links between the old Democracy and the new Democracy—a Democracy ever watchful of America's development and ever ambitious for America's supremacy. [Loud applause.]

Mr. JONES of Washington. Mr. Speaker, I yield to the gentleman from Texas [Mr. GILLESPIE].

Mr. GILLESPIE. Mr. Speaker, Mr. HILL of Connecticut, in his speech of January 21, 1904, on the floor of this House, uses this language:

> It will continue (meaning the overgrowth of our industries) to hurt until this country grows up to the capacity of the manufacturing industries of the country by a natural and normal growth.

And yet we are told that our manufacturing industries need protection in order to their full development, when here is the candid true admission by one of the ablest exponents on this floor of the high protective policy that our manufacturing industries are overgrown, that there is too much capital invested in them, and that they produce already more than our people can consume.

It is clearly the purpose, through the instrumentality of the tariff, as expressed in the Dingley rates and combinations and trusts, to force the American consumers to sustain, not an infant industry, not the weak struggling concerns lacking in capital and development; but the overdeveloped, the overgrown, and the overcapitalized manufacturing concerns of the nation by fixing an artificial and arbitrary price upon their products, wholly out of proportion to the world price for said products.

What is the condition of the manufacturing industries of this

country as shown by the census of 1900? Upon examination of that census, we find there were about ten billion dollars invested in manufactures, $404,000,000 paid in salaries, and $2,322,333,877 paid in wages. The cost of material was over seven billion dollars and the value of products something over thirteen billion dollars. The average number of employees was 5,308,406.

In the year 1880 the capital invested in our manufacturing industries was $2,790,272,606; in 1890 the capital invested was $6,525,156,486, while in 1900 the capital invested was $9,817,434,799, the increase from 1880 to 1890 being 133 per cent, and the increase from 1890 to 1900 50 per cent.

Do our manufacturers need the high protection afforded them in the Dingley rates? Let us see how they stand, naked and alone, unsupported by any tariff duties whatever. I call your attention again to the Twelfth Census report, concerning our manufactures. In volume 7 of said report on manufactures, page 56, occurs the following statement:

MANUFACTURING ADVANTAGES OF THE UNITED STATES.

The rapid rise of the United States to the first position among manufacturing nations is attributable to certain distinct causes, natural and otherwise, five of which may be definitely formulated as follows:

1. Agricultural resources.
2. Mineral resources.
3. Highly developed transportation facilities.
4. Freedom of trade between States and Territories.
5. Freedom from inherited and overconservative ideas.

A study of these causes affords an explanation of the great development of manufacturing in the United States in the past, as well as an indication of its possibilities in the future.

In discussing agricultural resources, the following statement is made:

Both food supplies and agricultural materials for manufacture are cheaper, more abundant, and more varied in the United States than in any other manufacturing country.

Under the head of mineral resources, the following statement is made:

The United States produces nearly every mineral required for manufacturing industries. In most of these the supplies appear to be sufficient for years to come, and are obtainable at prices which compare favorably with prices in other parts of the world.

Coal, the basis of modern manufactures, exists in great abundance, and the fields are so widely distributed throughout the country as to afford easy transportation, by rail or water, to the chief distributing points and manufacturing centers. * * * Reference should be made also to the extensive supplies of natural gas, a fuel which is utilized chiefly in manufacturing. * * * The coal production of the United States is now larger than that of any other country, having passed the production of Great Britain for the first time in 1899. * * * A supply of iron ore is equally important to the manufacturing development of a country.

Tables are given showing that the United States led all other nations of the earth in the production of iron ore in 1899. Table 8 shows that the United States produced more copper in 1899 than any other country in the world.

On transportation facilities the following statement is made:

Over 18,000 miles of navigable rivers not only facilitate transportation directly but cause competition with railroads, and thus make possible the cheap marketing of products. The coastwise trade of the United States exceeds that of any other country. It includes steamship lines to and from New York, Boston, Philadelphia, Baltimore, and other points, and between several of these cities and Charleston, Richmond, Savannah, Jacksonville, New Orleans, Galveston, and other southern ports.

In recent years navigation on the Great Lakes has become a most important factor in the internal traffic of the country. These lakes, with the Sault Ste. Marie and Canadian canals around the rapids of St. Marys River, the St. Clair River, the Detroit River, and the Welland Canal, allow unbroken navigation between Duluth and the eastern end of Lake Ontario, a distance of 1,000 miles.

The development of the freight traffic over this route has been so great during the past decade that in 1899 it had become the greatest internal waterway in the world, having a ton mileagee qual to nearly 40 per cent of that of the entire railroad system of the United States. In 1899 more than five times as many vessels passed through the United States and Canadian canals at Sault Ste. Marie as through the Suez Canal. In the value of manufactured products the eight States which touch the waterways of the Lake system rank first, second, third, fifth, eighth, ninth, tenth, and thirteenth, the aggregate value of products being over seven billion dollars, or 57 per cent of the total of the United States. This route thus borders upon the great manufacturing belt of this country. At its head are situated the most extensive mines of iron and copper and the largest hard-wood forests in North America. The average cost of transportation on the Great Lakes is about six-tenths of a mill per ton mile.

In discussing the railroad facilities of the United States, the same authority says:

In 1899 the total mileage of the United States was 189,295 miles, as against 172,621 in Europe, constituting 39.4 per cent of the entire railroad system of the world. * * * The railroad systems of the United States are so highly organized and so efficiently managed that the transportation of freight by rail is cheaper than in any other country.

On the subject of interstate commerce, the same authority says:

These exceptional transportation facilities are utilized in the interchange of products between States and Territories covering an area of 2,970,230 square miles of land surface, possessing a population of 75,994,575, and not separated by any commercial barrier. The mainland of the United States is the largest area in the civilized world which is thus unrestricted by customs, excises, or national prejudice, and its population possesses, because of its great collective wealth, a larger consuming capacity than that of any other nation.

Statements of this character are confirmed by the statistics of 1900, which show that the value of agricultural products was $4,739,118,752, of manufactured products $13,004,400,143, and of mining products $1,067,605,587, a total of $18,811,124,482, which was all consumed at home, except the sum of $1,370,763,571, representing the value of all articles of domestic merchandise exported in the year 1900.

Under the head of Freedom from Tradition, the same authority says:

Another advantage which has contributed to the rapid development of manufactures in the United States is the comparative freedom from inherited and overconservative ideas. This country entered upon its industrial development unfettered by the old order of things and with a tendency on the part of the people to seek the best and quickest way to accomplish every object.

* * * * * * *

In the United States the tendency of the artisan class to abandon the slow hand processes has been as strong as the tendency elsewhere has been to adhere to them. Moreover, there has developed among the laboring classes in the United States a mobility such as is unknown elsewhere in the world. This has made it possible to attract to any point in the country the skilled labor required to develop any branch of industry.

* * * * * * *

Nevertheless, there can be no complete understanding of the remarkable development of the United States during the nineteenth century unless all these things are taken into consideration. More particularly is this true in respect to use of tools, machinery, and labor-saving devices of all kinds. It is the judgment of foreign commentators upon American development that in the adaptation of machinery to all branches of industry, this country displays a facility greater than is shown anywhere else; that the number and variety of labor-saving machines employed here is larger than in any other manufacturing country; and that in many industries the subdivision of labor has reached a minuteness and a degree of perfection not elsewhere equaled.

This authority puts before the mind a strong outline of the natural advantages possessed by the manufacturers of this country. Think of it! The unrivaled free-trade area of these States, our immense stores of raw material, coming from the farms, ranches, and mines of our people; the easy means of transportation along our unsurpassed rivers, lake, ocean, and gulf coasts; our two hundred thousand mile system of railways; and add to these the highest and most important factor of all, an intelligent, industrious, and progressive laboring class having no prejudice against the use of machinery!

America's laboring man stands ready to discard everything that shackles his progress or the progress of his country, and is willing to take hold of the most improved appliances, the latest inventions, and whatever agencies are placed within his grasp to make this country of ours move on in grander strides!

I ask the great body of consumers of this country, and address my question to each man, woman, and child who has to pay a tax to the manufacturer, Is the plea just, is it right, is it patriotic, for the protected baron, in the face of all these advantages, to stand up and put forth the pitiful plea that his industries need for their support this heavy tax drawn from the pockets of honest toil by the Dingley rates?

Look at what our manufacturers have accomplished along individual lines. I refer again to the Twelfth Census Report. Take the manufacture of carpets. The report says:

[Twelfth Census Report, Vol. 7, Manufactures.]

CARPETS.

Beyond question the United States is the greatest carpet-manufacturing nation. Eighty million square yards of carpet were manufactured in 1900, valued at $48,192,351.

HOSIERY AND KNIT GOODS.

In this industry, also, the United States is outstripping the rest of the world. More machine-knit goods, both underwear and hosiery, are turned out annually in this country than in all other countries combined. (Page 147.)

The value of the products of the hosiery and knit-goods mills in the census year was $95,482,566, an increase of 42 per cent since 1890.

SILK.

The United States has, in fifty years, become the chief silk manufacturing nation in the world, with the possible exception of France. (Page 148.)

IRON AND STEEL MANUFACTURES.

In these mills have occurred the most marked advances in labor-saving machinery and in appliances for reducing labor costs. To these advances, which are nearly all of American invention, is due the fact that since the last census was taken the United States has reached a point where, measured by value of products, it stands preeminently the greatest iron manufacturing nation in the world.

The value of this product in 1900 was $1,793,490,918. (Pages 149-150.)

LUMBER INDUSTRY.

The output of this industry in 1900, after deducting the cost of material purchased in a partly manufactured form by the planing mills, was $641,038,150, or eleven times the amount reported fifty years before. The abundance of the forests of the United States and the great variety of timber which they contain have contributed chiefly to this enormous development. (Page 150.)

BOOT AND SHOE MANUFACTURES.

Factory methods made possible the production in the census year of 219,000,000 pairs of boots, shoes, and slippers of all descriptions for men's, women's, and children's wear. A large and increasing proportion is exported, the increasing popularity of American shoes in foreign countries being due to the superior quality and comparative cheapness of this particular product of American inventive genius. This means an average of three pairs for every man, woman, and child in the United States in 1900. (Page 151.)

PAPER AND PRINTING INDUSTRY.

Product of 1900, $606,317,768.

From a somewhat precarious and widely scattered industry, carried on generally in small establishments situated at remote points where water power was available, the paper manufacturer has shown a marked tendency toward concentration in large establishments, equipped with the most mod-

ern machinery and labor-saving devices. These improvements, together with the utilization of the cheaper raw material of wood pulp, have resulted in a pronounced decrease in the cost of paper, while in turn the industry has been stimulated by the extraordinary development of the newspaper press and by the great demand for reading matter which characterizes the American people. This demand for paper, and the abundance and accessibility of the materials from which it is manufactured, have brought this industry to a point of perfection in the United States not known elsewhere, and in recent years have resulted in a marked increase in the demand for American paper for export trade. (Page 151.)

This is a record of which we are all proud, but before we give any system our indorsement as sensible men we must consider the cost. Now, I invite the attention of the country to the cost of the protective system under the Dingley rates.

In 1903 we imported into this country products upon which a duty was collected amounting to $599,538,258, upon which we collected revenue of $284,479,581.81, or an average duty of 50 per cent. Of course the consumers of this country had to pay that enormous tax, but this tax went into the Treasury of the United States to defray the expenses of the Government.

Now, how are we to get at what does not go into the Treasury of the United States, but into the coffers of the protected barons of this nation? To do this we have to find out, not what goods were imported, but what were consumed by our people, that were manufactured at home, because tariffs allow the home manufacturer to inflate the cost of his product at about the rate placed upon that product by the tariff law.

Mr. Mulhall, the eminent statistician, says that the manufactures of the United States are inflated in price by our tariff laws fully 33⅓ per cent. In other words, the consumers of protected goods are required, on an average, to pay more by that much than they otherwise would. So we get down to the proposition, what amount of home-manufactured goods is consumed by the people of the United States annually?

As quoted above, the Twelfth Census report correctly states that on account of the great collective wealth of our population we have a larger consuming capacity than any other nation, and that we consumed in manufactured, agricultural, and mining products in 1900 the stupendous sum of $18,811,121,432, except the sum of $1,370,763,571, which represents all of our exports for the year 1900. In this statement we see that in that year our people consumed more than thirteen billion dollars worth of manufactured products, less the amount exported, which ought not to be considered, because we imported more than we exported, taking out of account the exports of agriculture.

But suppose we make allowance for articles in the manufactured list that receive no benefit from protection, and to be entirely safe we will take just one-half of the thirteen billion dollars, or say in round numbers six billion dollars. If the average duty were no more than 33⅓ per cent (and it is conceded to be much higher) we would have the enormous tax of two billion dollars paid each year by the consumers of this country into the pockets of the manufacturer to be by him dispensed in any way his charity, whims, or interest may direct. If this calculation is anything like correct, and I submit that the figures are not too large, what an appalling amount of taxes our people are required to pay annually by reason of the Dingley rates!

About three hundred million into the Treasury of the United States, and about two thousand million into the treasuries of the manufacturing institutions, combinations, and trusts of this country! In other words, where we pay one dollar into the Treasury of the United States, we put more than six dollars into the pockets of the protected industries of this country. Now, I ask the question, What justice in this immense tax on the consumption of our people?

But the protected baron says, "I do not ask this for my own benefit; I am a man of charity. I want you to give me this immense bonus that I may, in turn, give it to my employees." Now, what are the facts? Is the American skilled laborer receiving one cent more for making a pair of shoes, a steel rail, a yard of cloth, or any other given article than his competitor in foreign fields? I submit that he is not paid one cent more. On account of the American workman's superior intelligence, of his stronger body (because he is better fed), of his willingness to use the most approved appliances, and the latest inventions; because of his great superiority in every respect, the facts are that his output is greater than that of any other workman in the world.

Mr. Mulhall estimates that the British workman in 1894 turned out annually about $500 worth of products, while his competitor in the United States turned out $1,300 worth, or nearly three times as much. According to the Twelfth Census report on manufactures, page 55, vol. 7, in the year 1900 the average product per wage earner in the United States was $2,450, nearly five times Mr. Mulhall's estimate for Great Britain.

No; the truth of it is that the manufacturer of this country as a rule does not pay as much for labor on any given article as his competitor in other parts of the world. Our labor is better paid because it is more productive, and because of the united effort of the laboring men, through their unions, to maintain a respectable wage scale and to improve the conditions of labor.

I represent upon the floor of this House a district largely agricultural, consisting of as loyal, brave-hearted, and industrious men and women as are to be found upon any spot on God's green earth. They are large consumers of the products of our factories. Their surplus wheat, corn, oats, and cotton has to come in competition with like surpluses of all the countries of the world.

In the name of these patient, hard-working people I feel it is my duty, upon the floor of this House, to protest before the American people against the rank injustice contained in these high Dingley rates.

But we are told that prosperity succeeded after the enactment and enforcement of these high rates. Let us see.

To refute this argument, let us put upon the stand one of the most able stand-patters on the Dingley tariff on this floor. I refer to Mr. HILL of Connecticut, in a speech delivered by him in the House on January 21, 1904.

In this speech Mr. HILL attributes the remarkable prosperity that succeeded 1897 to the vast sums of money expended by the United States Government in preparation for and carrying on the war with Spain, and also in the vast sums of money spent by the British Government in the United States for the purpose of carrying on the South African war.

Mr. HILL says, "I find that during the past five years, since 1898—when we declared war upon Spain—to 1892, we spent in excess of the five years preceding, $818,903,236 in this country; almost entirely war expenses." He further says, "During these same years the British Government was engaged in the war in South Africa and they bought largely of their supplies in this country. I made those comparisons, and I find that during the Boer war we shipped to England and to South Africa $203,980,118 more of our products than we had in the preceding three years; so that during the past six or seven years the industries of this country have been stimulated to the extent of more than $1,000,000,000."

In this speech Mr. HILL did not have in view the giving of a reason for the prosperity of the country during those five years, but he had in view to account for the adverse conditions in the New England States during the last two years, which he admitted to exist; but, whether wittingly or unwittingly, he gave the proper reason for the prosperity that succeeded Mr. McKinley's election in 1896, with the exception that he ought to have added, as additional causes for this prosperity, the increase in the gold currency of the nation by reason of the Klondyke discoveries, which amounted in those years to several millions of dollars; and the further addition to the currency of the nation by an increase of $200,000,000 in the national bank note issue. Also the further fact of the constantly increasing demand for cotton throughout the world; and because of the shortage of the cotton crop in this country these facts have resulted in an increase in the price of cotton; the shortage of the wheat crop of the world, outside of the United States, which resulted in the high prices of wheat. If Mr. HILL had given these reasons, he would have told the whole truth as to the prosperity which succeeded 1896.

These facts clearly contradict the claim that the prosperity which succeeded Mr. McKinley's election in 1896 was due to the Dingley tariff—a claim the bare statement of which ought to reveal its fallacy to any fair-minded man. It requires us to believe that permanent prosperity can be brought to this country by compelling the vast army of consumers of the nation to pay more for what they consume. This claim can only be applied to those who own and operate the protected manufacturing industries of this country, because it forces the consumers to buy from them at their prices; but in proportion as this system brought prosperity to the owners and operators of the manufacturing industries, it brought adversity to the vast army of consumers of the country, which, in the years mentioned, was overcome by the favorable conditions above referred to.

Of course every intelligent man knows that when large sums of money are turned loose in the channels of trade, commercial activity will at once spring into existence, the wheels of commerce will begin to turn and hum, and labor will be employed, and in that way, apparent prosperity will be brought to the people; but whether this constitutes permanent prosperity depends upon whether this money is from an outside source, coming through the normal or natural channel, or whether it is arbitrarily taken from a part of the people of a given country and turned loose among the same people. In the latter event, we are just robbing Paul to pay Peter, and the day of sad accounting must come to pass.

Suppose the Government should give to the wheat raisers of this country 10 cents per bushel for each bushel of wheat raised (which would be as just as giving to our manufacturers), 1 cent per pound for each pound of cotton raised, 5 cents per bushel for each bushel of corn, or would give the merchant a premium of 10 per cent for each dollar's worth of goods he sells. Temporary

prosperity in a sense would result to these classes, and from them spread somewhat over the whole country. But what man of any intelligence would say there was any permanence to any such prosperity, leaving out the question of justice in taxing other people to give to these. It would simply be a tax upon the whole people. It would be taking money out of the pockets of those who have honestly made it and giving it to favorites; but still for the injustice and iniquity of such a system it does not surpass that demanded now by the manufacturers of this country through the Dingley rates.

Talk about patriotism, party loyalty, broad statesmanship, and the glorious history of our past in considering the protective tariff system! It is all nonsense! Patriotism is it? Party loyalty is it? Let us see. There is but one standpoint from which you can explain the political course of protected tariff barons, and that is from the standpoint of a temporary increase of their dollars. We have got to leave men, patriotism, and loyalty out of the problem; and to convince you that this is done and that dollars are here considered first, I refer you again to the speech of Mr. HILL of Connecticut of January 21, in which he stated, with great accuracy, what the real demand of the protected baron is.

WHAT THE REAL DEMAND IS.

He said, "Now, gentlemen, the whole question of the tariff simmers right down to this: Who are the people of this country who are proposing to fix the tariff rates and provide for its industrial policy? They are the men who are interested in it." This clearly puts the right to make tariff schedules in the hands of the men who are receiving the profits of the high protective system; they are demanding that they, and they alone, are to be consulted when it comes to fixing the tariff schedule for this great country of ours. Now, I submit to any candid, fair-minded man whether it is not a fact that they are disqualified, by reason of their direct personal interest in the legislation, from sitting as judges of what this legislation should be. This interest would unfit them as judges in any court in any civilized country.

Having made this clear statement of the demands of the tariff barons, the gentleman from Connecticut then proceeds in his graphic and forceful manner to describe the workings of this House. He says, "How is business done in Congress? You know as well as I that it is not done as it is in the legislative halls of the various States of the Union, where every proposition brought in is reported and voted on—reported 'yes' or 'no' by the committee. It is done here by a great big machine, and is done in accordance with the policy of the country, and you gentlemen, every one of you, sitting in your committee rooms, know what is the result when bills are brought in that are not in accordance with that policy. They go to the waste basket, and that which the great big machine of the General Government, not what the individual wishes, prescribes shall be done is done.

"Now, who are the men who are to do it under that system here? Let me give you the composition of the Ways and Means Committee to-day and what the membership represents, not with any sectional feeling whatever, but with reference to the proposition that the majority in this country ought to govern, and if that is not good Democratic doctrine then I do not know what is. Now, think of the majority membership as represented by this committee when you talk about changing the policy of this Government. What would be the effect of it? The distinguished and able gentleman from Mississippi would take the head of the table on the Ways and Means Committee and the Democratic machine would dictate the policy of the country.

"Now, what do they represent in the industrial system of this country? He represents 1,443 votes cast in the last election. There are more manufactured products in my district than are represented by the whole Democratic membership in the Ways and Means Committee."

Further on in the same speech, Mr. HILL says, "Now, I want to show where the majority of the industrial portion of this country is found. The district which the gentleman from Mississippi represents has industrial products to the amount of $5,565,662. The single city which Mr. BOUTELL, of Illinois, has the honor to represent has industrial products to the amount of $888,000,000."

"Now, think of it" (says Mr. HILL); "and yet these gentlemen propose that this great country of ours shall turn over the whole magnificent industrial system of this country to the care of people who do not represent it. Will we do it? I think not."

We have in this statement the clear, cold declaration that dollars shall control, and not men, and this House is but a huge machine to record the verdict of the dollars; that the real issue is between those who profit by this system and those who have these profits to pay—between the taxgatherer and the taxpayer. It is well for this House and the country to know and never forget that with the beneficiaries of a high protective tariff, stripped of all sentiment and partizanship, the ruling motive is private gain. It is a question of dollars and cents.

I want to put this question to this House and the country: Suppose the Republican party were to conclude, as they reasonably might in the interest of the whole American people, that in view of the over-developed condition of our manufacturing industries, and in view of the fact that we have given them more than they are entitled to, as their overdeveloped condition testifies, by legislation in the past, and in view of the fact that the great purpose which called the Republican party into being was to champion the rights of all men everywhere and maintain, under law, the rights of every citizen, and keep one class or section from denying the enjoyment of these rights to all men, that it is time for this great party to turn its attention to the great mass of consumers of this nation and conserve and protect their interests, that therefore they will reduce this tariff to a revenue basis strictly or declare for a horizontal reduction of, say, 20 per cent.

Suppose that in some strange and miraculous way this just and humane idea should get into the councils of the Republican party and control, I wish to submit this question: How long would the beneficiaries of the present Dingley rates remain in the ranks of the Republican party? How long would they give of their money to its support, provided, on the other hand, the Democratic party, in some strange and miraculous manner should adopt the very unjust and inhumane conclusion that the present Dingley rates are not too high and ought to be preserved? Don't you know and doesn't the country know that every beneficiary of the Dingley rates would desert the Republican party and clamor for the election of a Democratic President, and would pour out his gold to defeat the Republican ticket?

It is a question with them of dollars and cents. It is not a question of patriotism or party loyalty that controls the beneficiaries of the high protective tariff system. It is true they send out the best talent of the nation, men who are controlled by loyalty to the Republican party, and men who are as eloquent as Cicero in proclaiming and in holding up before the people the glorious history of the Republican party in its successful effort to secure the freedom of the slave, and preserve the union of the States; but from the standpoint of the protected manufacturer, this eloquence and this patriotism are both branded with the dollar mark.

It is true that the statement above quoted from Mr. HILL shows up the real truth in all its iniquity to the agricultural portions of the country, and to counteract this effect, in a speech delivered subsequently, in discussing what Democracy stands for, Mr. HILL tried to make the leaders of the majority, especially those on the Ways and Means Committee, appear as the special champions of the agricultural interests. He would have the country look at Farmer DALZELL, Farmer HILL, and Farmer PAYNE, et al. He gave a table showing how the agricultural products of the States represented by the majority members of that committee compared with the same interests of those represented by the minority members. The table given is as follows:

Statistical information concerning Ways and Means Committee, by States represented.

Membership.	State.	Population.	Rank of State in agriculture.	Per capita of agricultural products.	Total agricultural products.	Rank of State in manufacturing.	Per capita of manufactured products.	Total manufactured products.
REPUBLICAN MEMBERS.								
Sereno E. Payne	New York	7,268,894	Fourth	$34	$245,270,600	First	$299	$2,175,726,900
John Dalzell	Pennsylvania	6,302,115	Eighth	33	207,895,600	Second	291	1,834,790,800
C. H. Grosvenor	Ohio	4,157,545	Third	62	257,066,826	Fifth	200	832,436,113
James A. Tawney	Minnesota	1,751,394	Eleventh	92	161,217,304	Thirteenth	150	262,655,881
S. W. McCall	Massachusetts	2,805,346	Thirty-first	15	42,298,274	Fourth	309	1,035,198,989
J. W. Babcock	Wisconsin	2,069,042	Twelfth	76	157,445,713	Ninth	174	360,818,242
V. H. Metcalf	California	1,483,053	Fourteenth	89	131,690,606	Twelfth	204	302,874,761
E. J. Hill	Connecticut	908,420	Thirty-eighth	31	28,276,948	Eleventh	368	352,824,106
H. S. Boutell	Illinois	4,821,550	Second	72	345,649,611	Third	261	1,259,730,168
J. E. Watson	Indiana	2,516,462	Ninth	81	204,450,196	Eighth	150	378,120,140
C. E. Curtis	Kansas	1,470,495	Seventh	143	209,895,542	Sixteenth	117	172,129,398
Total		35,556,316			1,985,656,220			8,967,308,258

Statistical information concerning Ways and Means Committee, by States represented—Continued.

Membership.	State.	Population.	Rank of State in agriculture.	Per capita of agricultural products.	Total agricultural products.	Rank of State in manufacturing.	Per capita of manufactured products.	Total manufactured products.
DEMOCRATIC MEMBERS.								
John S. Williams	Mississippi	1,551,270	Eighteenth	$66	$102,492,283	Thirty-ninth	$26	$40,431,386
S. M. Robertson	Louisiana	1,381,625	Twenty-third	53	72,607,302	Twenty-second.	88	121,181,683
C. A. Swanson	Virginia	1,854,184	Twenty-first	47	86,548,545	Twentieth	71	132,172,910
S. B. Cooper	Texas	3,048,710	Fifth	79	239,823,244	Twenty-third	39	119,414,982
Champ Clark	Missouri	3,106,665	Sixth	71	219,296,970	Seventh	124	385,492,784
G. B. McClellan	New York	7,268,894	Fourth	34	245,270,600	First	299	2,175,726,900
Total		18,211,348			966,098,944			2,974,420,645
Republican average		3,232,392			180,514,202			815,209,841
Democratic average		3,035,225			161,016,491			495,736,774

This is an artful dodge to try to make it appear to the country that the protected barons are particularly interested in agriculture.

But we will show the country that the rule laid down in his speech of January 21 that dollars must control, is the rule by which the majority members are guided. In order to prove this, we turn to the State of New York, for instance, and compare the agricultural products of that State as submitted by him and the manufactured products of that State as we find in the Census Reports, and here is how they stand: Total agricultural products, $245,260,600; total manufactured products, $2,175,726,900.

Now, apply his rule as first stated to New York—that is, that dollars must control. Why, the manufactured product is more than eight times that of the agricultural product of New York. Following this rule as to New York, we would see that New York must have "stand-patters" on the Ways and Means Committee and so on with the other States represented by the majority on the Ways and Means Committee except Kansas.

I submit to the House tables comparing the agricultural products and the manufactured products of all the States represented by the majority members of the Ways and Means Committee, just in order to show how the matter stands on the principle that dollars must rule are the dollars of the farmers or the dollars of tariff barons.

Here it is:

	Total agricultural products.	Total manufactured products.
New York	$245,260,600	$2,175,726,900
Pennsylvania	207,895,600	1,834,790,860
Ohio	257,065,826	832,438,113
Minnesota	161,217,304	262,655,881
Massachusetts	42,298,274	1,035,198,989
Wisconsin	157,445,713	360,818,942
California	131,690,606	302,874,761
Connecticut	28,276,948	352,824,106
Illinois	345,649,611	1,259,730,168
Indiana	204,450,196	378,120,140
Kansas	209,895,542	172,129,328
Total	1,985,656,220	8,967,308,258

This says to the farmers of those States, "Stand aside. You haven't got money enough to be represented on the Ways and Means Committee."

These tables show that the protected barons follow their rule laid down by the gentleman from Connecticut—that dollars must control. Suppose they adopted the rule that some of us consider more humane—that is, that men should control and not dollars, how would the matter stand? We submit herewith a table showing the number of people engaged in the different occupations in the States mentioned above:

Total number and percentage of persons in the following States engaged in each class of occupations.

	Agriculture.	Professional service.	Domestic and personal service.	Trade and transportation.	Manufacturing and mechanical pursuits.
New York	375,990.12.6	15[illegible],393.5.3	673,374.22.5	753,160.25.1	1,034,557.34.5
Pennsylvania	341,712.14	10[illegible],011.4.2	566,171.23.1	454,846.18.6	982,849.40.1
Ohio	414,662.26.8	7[illegible],120.5	306,433.19.8	283,932.18.4	463,805.30
Minnesota	258,944.40.1	[illegible],216.4.7	124,904.19.3	112,918.17.5	118,892.18.6
Massachusetts	66,551. 5.5	[illegible],603.5	231,003.19.1	283,474.23.5	566,776.46.9
Wisconsin	270,007.36.8	[illegible],266.4.4	148,491.20.3	105,260.14.4	176,514.24.1
California	152,371.23.7	[illegible],847.6.5	146,324.22.7	140,612.21.8	163,113.25.3
Connecticut	44,796.11.6	[illegible],969.4.4	75,317.19.5	71,714.18.6	176,814.45.9
Illinois	462,781.25.7	[illegible],321.5.3	366,342.20.3	397,046.22	481,550.26.7
Indiana	342,733.38.1	[illegible],473.4.7	168,591.18.8	138,545.15.4	206,611.23
Kansas	271,252.53.4	[illegible],760.5.3	66,963.13.2	70,871.13.9	71,894.14.2
Total	3,001,799	[illegible]3,979.5	2,873,913	2,812,378	4,443,375

We find that in the State of New York only 34½ per cent of the people are engaged in manufacturing and mechanical pursuits, and clearly one-third of these get no benefit whatever from the protective tariff. But say they all do receive benefit from the high Dingley rates. We then have the interest of 34½ per cent of the people preferred over the interests of 65½ per cent of the people.

The gentleman from Connecticut nor anyone else can get away from the truth of the proposition that the great Ways and Means Committee of this House is constructed purposely to subserve the interests and profits of those whose interests and profits require the very highest tariff rates it is possible to put into effect without exposing their greed in all of its grinning hideousness to such an extent as will result in the complete overthrow of the whole system.

It seems appropriate right here to address an inquiry to the country as to whether each of the great committees of this House is not constructed for the express purpose of guaranteeing to special interests the highest profits possible to be wrung from the people by way of taxation. Take the Committee on Banking and Currency. Is this committee specially constructed in the interests of the national banks of the country? Whatever measure comes from that committee to the floor of this House we know in advance has the approval of the national bankers and bondholders of the country, and that they have had abundant opportunity to see that their profits out of the system are in no wise made less.

Take the Committee on Coinage, Weights, and Measures. Take any of the great committees. Take the general question whether Congress, through its committee organization, is anything more than a hugely organized machine to take from the people, in some form or other, the last cent they will stand and give it to the pets and favorites of the Government. This scheme demands power. Has the majority power in this House? How complete and tyranous is their power? This scheme would deny the right to full and free debate on all questions. Is that denied in this House? To the shame of our country be it said that full debate is a thing of the past for the House of Representatives.

Suppose numbers of men and not numbers of dollars are to control.

How does the matter stand, viewed from the standpoint of mere numbers of people? We find the total number of laborers in this country in 1900 to be about 29,000,000. Of this number, about 7,000,000 are engaged in industrial and mechanical pursuits, and of this 7,000,000 fully one-third are engaged in nonprotected industries, leaving not exceeding four and one-half million engaged in protected industries. Now, granting that it is of benefit to these four and one-half million laborers to have a high pro-

tective tariff, which we deny, how stands it with the twenty-four and one-half millions who receive no such direct benefit from this system? In the twenty-four and one-half million workers not engaged in protected industries are included those who are engaged in agricultural pursuits, professional pursuits, personal and domestic service, the hand trades, railroad pursuits, etc.

If the Government intends to deal fairly and squarely with all interests and all people, why, in making up the great Ways and Means Committee of this House, should the twenty-four and one-half millions be entirely ignored and the interest of the four and one-half millions only considered, and why should the majority of this committee be selected from among those who believe in the very highest protection possible? It is true the four and one half millions have more money. They are thoroughly organized. They have the finest educational system to advance their interests in the way of publications of different kinds, which are placed in the hands of each member of this House every day.

Their centers are in the large cities of the Union. They can easily get together and easily devise ways and means to carry out their purposes. They are an effective fighting force, as they have both brains and money to fight with. But I ask the question, if this Government is to be controlled by the principles of right and justice, how can we ignore the twenty-four and one-half millions of men and only pay regard to the four and one-half millions of men because they are well organized, well supplied with money, and are able to employ and bring to their support the finest talent of this country?

This presents an unjust discrimination. It has within it the element of injustice and should and must be repugnant to every true, disinterested American citizen. What is the issue between this vast majority on the one hand and this small minority on the other? I submit that to take an unbiased view of the whole situation as it exists to-day, and the history of political parties and political actions of this Government in the past, there is no sensible, fair-minded man who will contend for a moment that there is any effort anywhere, by any considerable body of men, to bring about a condition of free trade.

Of course, every man must admit, if such a thing were possible, that free and unrestricted commerce between men, countries, and nations, is an ideal state, and the end toward which all the nations of the world ought constantly to strive; but as matters now stand, it is practically impossible.

That body of American citizens who have recognized the injustice and inequality of the high protective tariff system have always admitted that in collecting money through tariff regulations necessary to run this Government these duties should be so regulated as to stimulate American industries, and to that extent protect them; and it ought to be conceded by every fair-minded man, every man who wants to be just to the great body of consumers of this nation, that we can not collect the necessary amounts to run the Government through tariff taxation without ample protection to American industries. I submit it as a truth of the political history of this country that it is the desire and belief of our people that home industries should be encouraged to enable them to compete in the markets of the world with foreign industries; that our present high standard of living for our laboring classes should be maintained; that the present standard of wages received by them should, at least, not be lowered, and that our country should be amply self-sustaining in all branches of trade and industry.

I submit this as a proposition to which the vast majority of all men, of all parties who wish to be fair, will subscribe, concerning the tariff question: That in determining what rate of duty shall be collected on any given article, we should consider, first, whether it comes in competition with a like article of home production, if not, and it is one of the staples or necessaries of life, it should be admitted free of duty; second, that if it is only one of the comforts of life, it should bear a small tariff rate; and, third, if it is one of the luxuries of life, it should bear the highest duty.

Now, if it is an article that comes in competition with one of home production, we should inquire into the labor cost of that article at home and abroad, compare these costs, and levy such a tariff duty as will amply protect the labor of this country. In ascertaining the labor cost, we should seek to discover, not so much what home labor receives per hour, day, week, month, or year, as compared with foreign, but rather what is the difference of labor cost represented in a given article; that is, if we consider shoes, what is the difference in the cost of making a pair of shoes in this country and the cost of making the same or a similar pair of shoes in foreign countries. If there is no difference in the labor cost, or if the labor cost in this country is smaller than that of foreign countries with reference to any given article, in levying a tariff duty the same rules ought to govern as stated above; in reference to the noncompetitive article—that is, if it be a necessary of life—no duty; if a comfort of life, some duty; and if a luxury of life, the highest duty; but at all events to protect the labor of this country.

Now, Mr. Speaker, I submit that in passing upon these questions it ought not to be left entirely in the hands of those citizens who are directly interested in receiving the highest profits possible. Of course, every citizen is more or less interested, because it affects his cost of living; but I submit that it is unfair and unjust to the vast army of consumers of the nation to ignore them entirely and leave it in the hands of those who expect to reap the profits of a high protective tariff to say what the tariff rate on a given article shall be. It is just as unfair to select a ways and means committee the majority of whom represent the highest tariff taxes possible, as it is to select those who do not believe in any tax at all.

One would tend just as strongly to unjustly take from the great body of consumers as the other, to deprive the laboring man of the country of a just protection, with this at least in favor of the latter; their plan which contemplates an advantage to a vastly greater number of people, and on this account is more just.

It is easy enough for a man, when he receives the direct and positive benefit of any system, to convince himself that that system is right and ought to prevail, and the universal history of mankind teaches us that where any system has prevailed its beneficiaries have been led to conclude that it is just and right, and this belief is handed down from sire to son as time runs. It is true of the various forms of government that have always existed in the Old World.

Those who are the pets and special beneficiaries of any system of government are taught, and firmly believe, that benefit to be theirs by right, and they are ready to defend it with their property and their lives. They claim and believe that it is a right given to them by high heaven; and that God Almighty has selected them as his ministers to do justice among men. It is true with all the systems of slavery that have existed in all ages of the world. My ancestor who received the direct benefits of the system of slavery in this country, believed honestly and sincerely that that system was in favor with high heaven, and in its defense he was willing, at any time, to sacrifice property and life itself. So it is with this protective tariff system. Men who receive the direct positive benefit of the system in dollars and cents and have seen this advantage handed down from sire to son; children who have grown up the constant recipients of the benefits of this system, who have heard it defended by their fathers, are taught to believe that it is right and are willing to defend it at great cost or sacrifice; but I submit to this House and the country that back of all these systems is human selfishness.

As a pretense to deceive the people, it has long been the argument of the advocates of a high protective tariff that under this system home industries would be so stimulated and competition so rife among them that the consumers of this nation would get manufactured products as cheaply as the consumers of any other nation. This doctrine is a very plausible and logical one, and I believe to-day that if competition were free and unrestricted, it would be an actual result and it would be immaterial to either the manufacturing or consuming classes what the tariff rates are; that foreign manufactured articles would be successfully kept out of the American market for the plain reason that they could not compete with the home articles. And in this manner the consuming power of our own people would be increased, and likewise there would be an increased demand for the products of our factories. But the conduct of the protected barons of this nation has long since revealed the falsity of their pretense—that they desire to see the American consumer get manufactured articles as cheaply as possible.

When they became convinced that they had the American consumer at their mercy, through the firm establishment of a high-protective tariff system into the laws of this country, they set about, with their usual skill and ability, to throttle home competition, and thus deny to the home consumer a cheap market and secure to themselves the highest profits possible. They have said to the Republican party, "You have taught the country that we are entitled, as a matter of right, to the home market, but the home market will do us no good unless we are able to control it and keep up prices. We can do this by the means of monopolies, combinations, and trusts; therefore, to enable us to get the full benefits to which you have taught the people we are entitled, you must favor us in our monopolies, combinations, and trusts."

What are the historical facts? Who is it that does not know that the trust system never boldly entered the field of American business life, threw down the gauntlet to all challengers, and asserted its right to plunder the American people until after the enactment of the Dingley law in 1897, their confidence resting largely upon the dissensions existing in the Democratic party? The people have cried out mightily against these trusts. The Republican party has had abundant opportunity to wipe them off

the face of the earth so far as this country is concerned. They have had complete control of the Government since 1896. The very fact that they have not done so, nor made a decent pretense to do so, shows that they are forced to accept the claim of the trusts that the home market is to be made secure to the home manufacturer, which condition now only means monopoly in some form.

What relief is there on behalf of the people of this country against this condition of affairs? How long shall they be required to continue to pay two thousand million dollars every year as a bonus to the protected barons of this nation? One answer is, The relief of the people is through the courts by suppressing all unlawful combinations. We answer that this is one remedy and would be effective if engaged in heartily by all departments of the Government having to do with the successful enforcement of the antitrust statute. This means willing courts, willing prosecuting attorneys, and willing juries. It means also the settlement of all intricate questions of law as to the rights of the Federal Government and the rights of State government, the rights of individuals, and the rights of corporations. At best, this means a slow, tedious remedy, and if there is a disinclination to act in any part of the judicial machinery, it is an entirely ineffectual remedy.

There is another remedy that the people have in their own hands, which they can apply at the ballot box, and that is to give themselves relief by electing to power a party pledged to the reform of the tariff rates, and to lower them so that the people, since they are denied home competition, can have the full benefit of foreign competition. This is a complete remedy. It at once throws the home trusts into competition with the foreign concerns and the American consumer will get the benefit of this competition. Not that any more foreign goods will be shipped into this country than are now shipped in, but the home trust will be compelled to reduce the price of the home-manufactured article, which he will do, and this will keep out the foreign manufactured article.

Shall the immense army of toilers of our nation, who have been grievously burdened far too long already, be forced to carry this burden longer? Think of it! Two thousand million dollars! This monumental injustice! There ought not to be, there can not be, a cessation of the demand of our people for tariff reform until this mountain of injustice is removed.

High protection has long, long ago served its purpose. It has long outlived its usefulness. Mr. Clay, the father of the system, in the last years of his wonderful career, saw this and repeatedly gave assertion to the fact that high protection had served its purpose and was no longer needed. Mr. Lincoln saw this in 1859, when he was considering the platform of the Republican party, for he said in a letter to a friend, dated October 11, 1859, "It is my opinion that, just now, the revival of that (the tariff) question would not advance the cause itself or the man who revives it.

"We, the old Whigs, have been entirely beaten out on the tariff question; and we shall not be able to reestablish the policy until the absence of it shall have demonstrated the necessity for it in the minds of men heretofore opposed to it."

In 1835 Mr. Clay, in advocating his compromise tariff measure, said, "The true theory of protection supposed, too, that after a certain time the protected arts would have acquired such strength and protection as would enable them subsequently to stand up against foreign competition."

In 1840 Mr. Clay, in one of his speeches, made the following statement with reference to the tariff question: "No one, Mr. President, in the commencement of the protective policy ever supposed that it was ever to be perpetual. We hoped and believed that temporary protection, extended to our infant manufactures, would bring them up and enable them to withstand competition with those of Europe. If the protective policy were entirely to cease in 1842 (he was speaking of the graduated decrease of the tariff) it would have existed twenty-six years from 1816, or eighteen from 1824—quite as long as, at either of those periods, its friends supposed might be necessary."

In the same year Mr. Clay repeatedly stated in letters to friends that the protective policy was never intended to be permanent. In 1844, in Mr. Clay's tours of the country, he repeated his views that "the tariff was a temporary arrangement, which the infant industries, rapidly growing up to manhood, would not much longer require."

In the last Congress in which Mr. Clay was active, in a speech on public questions generally, he said this of the tariff: "For one I would be extremely delighted if the subject of the tariff of 1846 could be taken up in a liberal, kind, and national spirit; not with any purpose of reviving those high rates of protection, which, at former periods of our country, were established for various causes—sometimes for sinister causes—but to look deliberately at the operation of the tariff of 1846; and, without disturbing its essential provisions, I should like a consideration to be given to the question of the prevention of frauds and great abuses, of the existence of which there is no earthly doubt."

The tariff of 1846 was considered by many a free-trade tariff, but the country prospered, both as to its manufacturing and other interests after the enactment of that tariff, and made such strides of material progress during the years following, up to 1860, that that period is denominated by all writers upon American economy as the period of greatest general prosperity and development.

To reform the tariff in a substantial manner is the patriotic duty of the American people. We are collecting too large a revenue; we are encouraging extravagance in public expenditures at an alarming rate. The Government has one hundred and fifty millions of dollars tied up in national banks upon which the people get not one cent of interest. The people are getting restive everywhere.

They are asking themselves the question, if this system is to be purpetual, if we are to be continually plundered in this manner by the laws of our Government, then we are entitled to have this money spent in our respective localities. And every imaginable scheme for expending the public treasure is now being advocated. These schemes have their birth in the despair of the people for relief from burdensome taxation, and the sense of fair play that dwells in every true American heart is asserting itself.

I believe that two wrongs never make a right, that if we wrongfully collect money from the people it is not proper to wrongfully spend it among the people and thus bribe them to accept the first wrong. The true remedy, the just remedy, is to reform the tariff and quit hoarding up large sums of money in the Treasury. Cut down expenses to an economical basis, reform the tariff in the interest of the consumers of the nation so that not only will the Government not heap up unnecessary treasure in her vaults, but the consumers of the nation shall be enabled to keep in their pockets their own money and buy the necessaries and comforts of life and not be required to take this money out of their pockets and put it into the pockets of the manufacturing trusts of this nation. A tariff for revenue only is the only true basis, and ultimately will be adopted because in the end the right will prevail.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. JONES of Washington, a motion to reconsider the last vote was laid on the table.

ORDER OF BUSINESS.

Mr. GROSVENOR rose and was recognized.

Mr. BABCOCK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BABCOCK. I should like to ask if this is still District day; and if so, I would ask that Senate bill 5583 be resumed and that the reading of it be completed.

The SPEAKER. The Chair will state to the gentleman from Wisconsin that it is still District day, and while it is in order to call up District business, the matter that the gentleman from Ohio [Mr. GROSVENOR] desires to call up is one upon which the previous question has been ordered, and it is also privileged outside of that. The Chair will be delighted to recognize the gentleman from Wisconsin later.

EMPLOYMENT OF UNITED STATES VESSELS FOR PUBLIC PURPOSES.

Mr. GROSVENOR. Mr. Speaker, resuming the consideration of the bill S. 2263, I wish to yield to the gentleman from Michigan [Mr. LUCKING] ten minutes.

The SPEAKER. The gentleman can not do that save by unanimous consent, as the previous question has been ordered.

Mr. GROSVENOR. I ask unanimous consent that we may have twenty minutes' debate on this bill, upon the subject-matter of the bill, ten minutes to be allotted to the gentleman from California and ten minutes on this side.

Mr. MADDOX. Is that the special order that is before the House?

Mr. GROSVENOR. Yes.

The SPEAKER. Is there objection?

Mr. SMALL. Mr. Speaker, I should like to know if this bill is open to amendment?

The SPEAKER. It is not. The previous question has been ordered.

Mr. GROSVENOR. I think I shall be able before we get through to give what the gentleman wishes. I think I understand what it is. The gentleman will be satisfied when we come to have a vote on the bill.

Mr. SMALL. I would like to have five minutes.

Mr. GROSVENOR. I can not yield any more time. The bill has already been talked to death.

The SPEAKER. Is there objection?

Mr. SMALL. I object, Mr. Speaker.

Mr. GROSVENOR. Then, I ask for a vote.

Mr. GAINES of Tennessee. I did not object, Mr. Speaker.

The SPEAKER. The gentleman from North Carolina objected, as the Chair understood. Is there objection?

Mr. SMALL. I withdraw my objection.

The SPEAKER. The previous question has been ordered upon this bill, and the gentleman from Ohio asks unanimous consent——

Mr. GAINES of Tennessee. I withdraw my objection, on the statement of the gentleman from Ohio that the bill has already been talked to death. I want to see it buried to-night.

The SPEAKER. The gentleman from Ohio asks unanimous consent that there be ten minutes' debate on a side upon the bill. Is there objection? [After a pause.] The Chair hears none.

Mr. GROSVENOR. I yield to the gentleman from Michigan [Mr. LUCKING].

Mr. LUCKING. Mr. Speaker, it is something of a pleasant innovation to be able to have some discussion in regard to the bill which is before the House to be voted upon. Now, there is an important measure up for consideration which Members are to vote upon, and it is doubtful if more than one Member out of ten knows a thing about it. Therefore, I regard it as an agreeable violation of the rules and practice of the last few days to have a little discussion upon the measure itself. This is a bill to require all the military and naval supplies of the Government to be carried in American vessels. It is one of a trio of vicious measures which have been projected into this House and carried through at the behest of the shipping lobby which has been around this Capitol for the last three or four months persistently. [Applause.]

Other measures of vast importance to different sections of the country, and some of them affecting the whole country, have been utterly neglected and shoved aside here, as we have heard from time to time; but three of the most important which have been before this Congress have been brought here in the interest of one special private industry and driven through without any reasonable opportunity for discussion. This measure went through the Committee on Merchant Marine and Fisheries in just ten minutes, without any previous notice whatever that it was to be considered by that committee. In fact, it properly belonged to the Committee on Military Affairs, as I understand the jurisdiction of these several committees. But it is undisputed that this bill is not conceived or pressed in the interest of the Government of the United States or of its Treasury. The bill is not fathered by the War Department or the Navy Department, nor does it come from the Naval Committee or the Military Affairs Committee, but it comes from the Committee on Merchant Marine and Fisheries, and it was introduced into the Senate and passed there, and is now being pushed here strictly as a measure for private interests and for no other real consideration.

Now, in that connection I have not time to discuss it at length or fully; but to summarize the objections, let me read to you what the late Secretary of War, Mr. Root, said in regard to this identical measure. He said, in an official communication to the Senate:

> Under these circumstances, if we were confined absolutely to American bottoms for this business, we would have no way of escaping from the payment of at least three times as much as we now pay for this class of transportation. * * * I should be in favor of increasing the preference to, say, 25 or 30 per cent.

Now, in 1901 the Government paid $4,500,000 for this class of transportation. Last year the War Department alone paid $519,000. We have not the figures for the Navy Department. If the estimate of Secretary Root is correct, and if his opinion is justified by the facts (there is no time to discuss it or prove it, but it was a deliberate official communication upon this proposition) then the service which cost half a million dollars last year for the War Department alone will cost a million and a half of dollars under this law. That is a clear bounty and gift out of the money of the people of the United States to a few shipowners who have declined to spread the benefits a little bit by accepting an amendment that the ships for which they receive this gratuity should at least be manned by American sailors. They will have an absolute monopoly and they can charge what they choose, and there will be no check upon them except a very ineffectual one, to which I will refer in a moment.

Now, here is a statement of Rear-Admiral Converse, of the Navy Department, in regard to this bill:

> I do not think that the Navy Department should be the one to pay all the subsidy for building up the American merchant marine, and I do not think the Bureau of Equipment should have to increase its estimates for coal transportation beyond a reasonable amount simply to carry coal in American ships. It is my opinion therefore, as previously stated, that there should be a means provided for carrying American coal in any vessel, giving preference to American bottoms whenever they can be obtained at a reasonable advance over the price offered by foreign ships, said advance to be limited by a certain percentage.

Now, in the House in the last Congress a measure of this kind was introduced at the request of the vessel owners themselves, giving them a preference of simply 10 per cent over foreign vessels, and they were satisfied with that. This year they refused to accept four several amendments in the Senate offered to this bill, giving them a preference of 25 per cent, 50 per cent, 75 per cent, or 100 per cent; so you see how bold they have become in their demands. In the Fifty-seventh Congress they were humble mendicants, asking modest alms; now they stand upon their strict rights, demand an absolute monopoly, and refuse to accept any limitations whatever. They are the sturdiest and most determined set of beggars that I have ever seen in my brief experience in the Congress of the United States. [Applause on the Democratic side.] Two years ago they were pleased and gratified at the idea of receiving a 10 per cent advance, and now they will not permit an amendment of 50 per cent or even 100 per cent. It was my intention to offer an amendment here, and I shall have it sent to the desk and ask for its consideration, even though under our peculiar rules consideration of it shall be denied. It is as follows:

> In section 1, at the end thereof, insert: "*Provided*, That rates of freight paid to such vessels shall not exceed the rates which may be offered by foreign vessels by more than 50 per cent."

Now, it was claimed in the hearings before the committee by the representatives of the vessel interests that the increase of freight rates would not be to exceed 25 or 30 per cent. The Secretary of War thought they would be 300 per cent. Why, if the shipowners are honest, should they object to a limitation of 50 per cent? Now, the bill contains a clause if the President shall find that the rates which these vessels charge are excessive and unreasonable he may revert to the old law for letting the contracts. This might seem like some check upon extortion, but the Senate has refused and the House committee has refused to place any percentage limitation upon the charges to be made, not even 100 per cent above the rates offered in open competition, and the declared purpose of the act being to subsidize American shipping, the President will not feel authorized to limit them to any particular amount.

If Congress refuses to place an extreme limit, why should he, since Congress will have declared its purpose to open the Treasury to these gentlemen. And again, these are matters which can not receive the personal attention of the President; and if this ship lobby could come here, as it has done, and, in the face of the opposition of the Administration itself, at the beginning of this Congress cow down the members of that Administration and make them accede to their demands to this extent, what will that lobby succeed in doing with the underlings in the War Department and Navy Department who will have the letting of these contracts? [Applause on the Democratic side.] The President will never hear of the contracts until scandals fester and burst and the reeking corruption comes to the surface. The House committee has been far more complacent, to use a mild adjective, toward these gentlemen than even the Senate was, for the bill as it came to us contained the following provision, which I shall submit as an amendment, and which I understand I have the consent of the gentleman from Ohio to propose as an amendment to the bill, namely:

> In section 1, at the end thereof, insert: "*Provided*, That no greater charge shall be made by such vessels for transportation of articles for the Army and Navy than are made by such vessels for like goods for private parties or companies."

Now, surely, this is a reasonable amendment and ought to be voted for by every Member of the House. It was in the bill as it passed the Senate, but was stricken out by the Committee of Merchant Marine and Fisheries. Another amendment I wish to offer and ask leave to have submitted is as follows:

> *Provided*, That no ship shall be so employed unless manned by American sailors, and not by Mongolian sailors.

This is brought forth by the fact, gentlemen of the House, that the seventeen vessels on the Pacific Ocean which are now carrying our commerce are manned exclusively by Chinese sailors, and they work for about one-quarter of what American sailors will work for, and therefore the results of this bill, if passed, will be not only to increase the freight charges 300 per cent if Secretary Root is right, but to give the whole benefit thereof to about half a dozen big ship companies, who are not willing to share a portion of the benefits thereof with American sailors and American seamen. [Applause.] These, Mr. Speaker, are some of the objections which exist to the proposed law; but I confess my feeling of utter hopelessness in opposition to this measure when I recall the abject surrender of this House to the ship lobby in the vote of last Saturday, when it voted down my amendment to the ship-commission bill, providing that no plan should be reported or recommended which called for subsidies out of the United States Treasury. Our Republican friends voted almost solidly against that amendment, and hence went on record as willing to support a subsidy measure. If the country approves their course next November, they will urge, and with much reason, that their course has received the sanction of the people and that the country demands a subsidy measure.

The issue is made and it is for the electorate to decide.

This bill is a subsidy measure, pure and simple. The majority justify themselves on the ground that it is necessary to do something for our merchant marine; but this can be, in the nature of things, nothing but an inadequate, sporadic, and expensive treatment of the problem of aiding our merchant marine. Conceding that our merchant marine should be fostered, our efforts should be bended in an honest, patriotic endeavor to adopt a policy at once constitutional and reasonable, and broad and comprehensive enough to cover the whole subject. In our report upon the Gardner commission bill (H. R. 7056) we recommended the plan of discriminating duties as adopted by the First Congress of the United States, which proved a complete success in building up our merchant marine and which was indorsed by the Republican national platform of 1896; but our opponents object to that plan upon the ground that we must first abrogate certain trade treaties with foreign nations, among them, for example, the treaty with Russia.

If we needed any excuse or justification for the repeal of that treaty we could readily find it in the insolent manner in which our rights under the first clause of the treaty are violated with respect to our Jewish fellow-citizens.

I desire to call attention in the most emphatic manner that our treaty with Russia is being violated every day by the manner in which she refuses to honor passports issued by our Government and carried by our Jewish fellow-citizens, simply and solely because of their religious belief.

It became my duty recently to investigate this subject in connection with the application made to me by a widow lady of the city of Detroit, who desired to visit her sons who are living in a certain city in Russia and all of whom, like their mother, are respectable, law-abiding, and well-to-do people. I visited the Russian embassy and found that under no circumstances would a passport issued to a Jewess receive official recognition or be properly honored by the Russian officials.

At our own State Department I was confronted with a circular containing the following:

> The laws of Russia also exclude from Russian territory, except by special permission, all people of the Jewish faith, and while this Government has been endeavoring for some time to secure a relaxation of this restriction, it is only proper to warn those who are in the category to which they refer that it has not been able to secure from the Russian Government uniform treatment for all American travelers in Russia without regard to their religious belief or place of birth.

Surely this is a most humiliating confession to be made by the greatest and most powerful government in the world with reference to the very point upon which we are the most sensitive. One of the foundation stones of American liberty and of the American Republic is religious freedom and equality of privileges in the exercise thereof. And yet we find one large and powerful class of American citizens absolutely barred from one of the important rights of American citizenship wholly on account of their religious belief.

Astounded at finding this condition of affairs I turned to the treaty between the United States and Russia, which was executed December 18, 1832. For three-quarters of a century this treaty is supposed to have been in force, and yet the very first provision thereof is being constantly violated by the Russian Government. The first article provides:

> Inhabitants of their respective states shall mutually have privileges to enter the ports, places, and rivers of the territories of each party wherever foreign commerce is permitted. They shall be at liberty to sojourn and reside in all parts whatsoever of said territories in order to attend to their affairs, and they shall enjoy to that effect the same security and protection as natives of the country wherein they reside, on condition of their submitting to the laws and ordinances there prevailing.

It will be noticed that this treaty makes no distinctions between different classes of American citizens only so long as they be law-abiding. No exceptions or reservations are contained in its language which by any construction, however strained, can warrant the Russian Government in heaping insult and humiliation upon Jewish-American citizens by turning them back from the gates because of their admirable adherence to the religious faith which has come down to them from their fathers, and which under all manner of persecution they have clung to and cherished for many centuries.

And therefore, Mr. Speaker, in passing I desire to express here and now, publicly, my profound sympathy with and entire approval of the resolution introduced into this House on the 4th day of last January by the honorable gentleman from New York [Mr. GOLDFOGLE], which reads as follows:

> *Resolved*, That it is the sense of the people of the United States that uniform treatment and protection should be accorded to every American citizen, regardless of race or creed, when traveling or sojourning abroad, and that every earnest effort should be made by the executive department of this Government to secure from the Imperial Government of Russia such uniformity of treatment and protection, especially in the recognition and honoring of the passports held by our citizens, to the end that there be no discrimination made by the Government of Russia between American citizens on the ground of their religious belief or faith; and the President of the United States is hereby respectfully requested to take such steps and cause such diplomatic negotiations to be set on foot as may tend to secure, through means of treaty or otherwise, the honoring and the uniform recognition by the Russian Government and its authorities of American passports, irrespective of the religious faith or denomination of their holders, to the end that every law-abiding citizen provided with a passport duly issued by this Government shall, regardless of what may be his race, creed, or religious faith, have freedom in traveling and sojourn in the territory of Russia, subject to such provisions in any treaty between the United States and Russia as are not inconsistent with the spirit and intent of this resolution.

This is a wise, just, and patriotic resolution, and does honor to the conservatism and self-restraint of the distinguished gentleman from New York, who is justly indignant at the undeserved odium and unmerited stigma placed upon citizens of the Jewish faith by this unwarranted discrimination on the part of the Russian Government.

It will be noticed that this resolution does not deal with nor even call attention to the barbarous policy pursued by Russia toward her own subjects of Jewish faith. It deals only with the rights of American citizens. I do not care to dwell to-day upon the shocking brutalities and awful outrages perpetrated upon the Jews in Russia. The Government of Russia may not be directly responsible for these barbarous and inhuman practices, but the undoubted fact that the Russian Government treats the Jew largely as an outcast and in many respects not entitled to the rights of citizenship unquestionably incites and encourages the bigoted mob to vent its bloodthirsty propensities upon the helpless and unoffending Israelites. Woeful and pitiful as is the condition of those helpless and unoffending people, they are within the jurisdiction of the Russian Government, and it is beyond our power to do more than to protest in the name of humanity and civilization against the massacres and outrages, and thus help to awaken a sentiment which may penetrate even to the heart of Russia.

But in matters pertaining to the rights and privileges of American citizens we have full authority and power, and it is the duty of our Government to act. No justification can be pleaded nor excuse given for selecting out from the great body of American citizens, with all their different creeds and beliefs, the Jewish citizen and placing upon him alone the ban of exclusion, insult, and obloquy. They are the most peaceful and the least violent of all our citizens. Crimes of violence are very rarely committed by Jews, and seldom are they found in our prisons or in our almshouses. They are a quiet, inoffensive, industrious, peaceable, law-abiding population. They do not ask to go to Russia to plot against the Government or to breed disturbance, or even to agitate for greater recognition of their natural rights, but only on the peaceful errands of business or of paternal, maternal, or brotherly or sisterly affection. It is not pretended that they would interfere with the Government in any way or disturb the peace of the Empire, but it appears their only offense is that their faith is obnoxious to the ruling powers.

Under these circumstances the reflection and odium arising from their exclusion is not so much upon them as upon our Government. The ignominy is cast upon the American name, for we ask these privileges only for American citizens. It is not a question of Jew or Gentile; it is a question of American citizenship. Our efforts in behalf of the Israelites is not intended to be disrespectful toward the Russian Government, but arises from a just and proper desire that our citizens should be received abroad with entire respect as such citizens and should be received in Russia on the same footing as in other countries and as the Russians are received in the United States.

It is the greatest glory of our institutions and the secret of our unexampled progress that all our citizens are equal before the law, and when one of our citizens is dishonored abroad unjustly our Government to that extent is dishonored. It is in the spirit involved in this thought that this matter should be taken up by our Government. Every citizen in America is a sovereign and every sovereign equal. A large body of our sovereigns are discriminated against, humiliated, insulted, derided, and ostracised and excluded from the rights secured to them by our solemn treaty by one of the great powers of the earth. This is a disgrace to the Government of the United States.

Think of it, sir! One of the men thus humiliated and insulted is a Senator of the United States, one of the most brilliant and accomplished citizens of this Republic. Several of the honorable and most respected and intellectual Members of this body belong to that ancient and honorable race. Tens of thousands of our most honored, respected, influential, and affluent citizens, and hundreds of thousands of our most industrious, peaceable, law-abiding, faithful, and honorable people are classed by a foreign and otherwise friendly power as unfit to travel or sojourn within her borders. As an American Representative, with all the power at my command, I protest.

Mr. Speaker, it is almost beyond belief that the Government of a civilized people in the twentieth century should maintain such barbarous and proscriptive practices, and it is quite beyond belief that the United States of America should submit to it with respect to a great body of her honorable citizens.

How loud would be the protests and clamor if Episcopalians or Catholics or Presbyterians or Methodists, being citizens of the United States, were excluded by Russia simply because of their religious belief! The nation would instantly be in a ferment, amounting almost to war. And now, sir, why should not our Government, with great respect, but firmly and resolutely, insist—not simply urge but insist—that our citizens of the Hebrew faith shall have equal, absolutely equal, rights or break off all treaty connections? Is it because they are dangerous citizens? No. To their everlasting honor be it said there are no anarchists of Jewish faith, no plotters against human kind, nor even against human governments.

The Constitution and laws of the United States hold sacred the religious belief of the citizen, and the full power of the Government should be exerted to protect him in that belief and to preserve that peculiar sacredness and to save it from degradation and insult in whatever part of the world he may be. The name Jew or Gentile does not appear in the Russian treaty, and the Russian Government has no right to proscribe the one and admit the other when both are alike citizens of the United States and entitled to all the protection of our laws and treaties.

It may be no concern of ours if Russia deliberately chooses to continue a course of bigotry and religious hatred so far as the administration of her internal affairs is concerned, but when she bids defiance to the Great Seal of the United States upon our passports and flings it back in the faces of our sovereign citizens, solely because of their religious belief, it is time for our Government to make representations to the Russian Government so strong, so clear, and so convincing as to produce a change.

There has never been a time in our history so opportune, so appropriate as the present. Not that we would take advantage of Russia's present trouble, but she is ostentatiously seeking our friendship. Let her then show herself friendly. Let her at least seek to understand the fundamental genius of our institutions; let her at least comprehend that each one of our honest and law-abiding citizens stands upon the same plane with every other and is entitled to the same privileges, both at home and abroad.

Mr. Speaker, I sincerely hope and trust that the resolution of the honorable gentleman from New York [Mr. GOLDFOGLE] will be reported favorably by the Committee on Foreign Affairs, that we shall unanimously adopt the same in this House, and that in compliance with the letter and the spirit thereof the President will proceed to carry out its mandate.

And, Mr. Speaker, as in the case of the treaty with Russia, so with our treaties with all of the other powers of the earth which stand in the way of our adopting the discriminating-duty plan for the relief of our merchant marine. It is a reasonable justification for the denouncement of those treaties, under the terms thereof severally, that those treaties have proved an injury to one of the greatest and most important of our industries, and that it is essential to our prosperity and well-being that we should resume at least one-half of our carrying trade. The discriminating-duty plan would result in building up a profitable business for our ships, while the present bill takes money out of the Treasury to pay them for running light.

The SPEAKER. The question is on agreeing to the amendment reported by the committee as a substitute.

Mr. GROSVENOR. I ask the House to defeat that amendment.

The question being taken, the amendment was rejected.

Mr. LUCKING. There was such a noise just now when the vote was being taken that we did not understand what was the effect of the vote.

The SPEAKER. The vote was upon the amendment proposed by the committee to this bill, striking out all after the enacting clause and inserting as a substitute what was read. Upon the vote that amendment was disagreed to.

Mr. GROSVENOR. And now the question recurs on the third reading of the Senate bill.

The SPEAKER. The question recurs on ordering the Senate bill to a third reading.

Mr. LUCKING. When will the vote be taken on my amendment?

The SPEAKER. The gentleman's amendment is not pending.

Mr. LUCKING. I asked unanimous consent that the amendment, which the gentleman from Ohio assured me should be considered, might be submitted.

Mr. GROSVENOR. Why, Mr. Speaker, that has been submitted and voted down.

Mr. LUCKING. When?

Mr. GROSVENOR. Now; it has been voted out of the bill.

Mr. LUCKING. Let us have a clear statement of this matter; we have plenty of time. I do not understand the effect of the vote just taken.

Mr. WILLIAMS of Illinois. Give us a fair deal.

Mr. LUCKING. The Speaker will do that. I am simply inquiring as to the parliamentary situation.

The SPEAKER. The Chair does not quite understand what his colleague [Mr. WILLIAMS of Illinois] means by "a fair deal." [Laughter.]

Mr. WILLIAMS of Illinois. I beg pardon; I was addressing the gentleman from Ohio; that is all.

The SPEAKER. If there be no objection, the Clerk will again read the committee amendment for the instruction of the House.

The amendment reported by the committee, to strike out all after the enacting clause and insert a substitute, was again read.

The SPEAKER. The amendment just read to the House, known as the committee amendment, has just been voted on and rejected.

Mr. LUCKING. That leaves the Senate bill?

The SPEAKER. Precisely.

Mr. LUCKING. Now, I ask unanimous consent——

The SPEAKER. The question is now upon ordering the Senate bill to a third reading, and the previous question is operating.

Mr. LUCKING. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. LUCKING. To ask unanimous consent to submit the amendment marked, I think, No. 3 or 4, relating to the nativity of seamen engaged on United States vessels.

The SPEAKER. The gentleman from Michigan [Mr. LUCKING] asks unanimous consent to submit an amendment.

Mr. GROSVENOR. I object. We can not go into the Chinese question to-night.

The SPEAKER. The gentleman from Ohio objects.

Mr. SULZER. I rise to a parliamentary inquiry. I move to recommit the bill with instructions.

The SPEAKER. Oh, the gentleman has not the floor for that purpose, and the bill is not in a recommittable stage. [Laughter.]

The question being taken on ordering the bill to a third reading, it was agreed to, there being on a division—ayes 136, noes 99.

The bill was accordingly read the third time.

The SPEAKER. The question is now on the passage of the bill.

Mr. LUCKING. Mr. Speaker, can I be recognized now for the purpose of moving to recommit the bill with instructions?

The SPEAKER. The gentleman is not recognized.

Mr. GROSVENOR. I move to recommit the bill.

Mr. SMITH of Kentucky. Mr. Speaker, I rise to a point of order. The gentleman from Michigan [Mr. LUCKING] had risen from his place and addressed the Chair.

The SPEAKER. The gentleman from Michigan addressed the Chair, but he was not recognized for the purpose he stated. He was informed by the Chair that he was not. Recognition is now due, under all the rules, to the gentleman in charge of the bill; and, therefore, the Chair has recognized the gentleman from Ohio [Mr. GROSVENOR].

Mr. LUCKING. Mr. Speaker, a parliamentary inquiry, in perfect respect to the Chair.

The SPEAKER. Certainly, and the Chair responds with perfect respect to the gentleman.

Mr. LUCKING. Was not that rule of this House adopted for the purpose of giving the opposition an opportunity to test some questions?

The SPEAKER. Not at all——

Mr. LUCKING. It would seem as if the object of the rule was something of that kind.

The SPEAKER. The object of the rule was to give the House a chance to cure a mistake, if perchance any had been made in the engrossment of a bill, or a mishap to it. The debate from time to time, as the Chair recalls it, has been along that line. The Chair wishes to be perfectly fair to the gentleman. The present occupant of the chair, the Speaker of the House, follows the usual rule that has obtained ever since he has been a Member of the House, that the Chair chooses whom he will recognize. That is the universal rule.

Mr. LUCKING. When only one——

The SPEAKER. According to the parliamentary usages. In a body of 386 men it would be impossible to proceed in a practical way and do otherwise, and the Chair will go further and say to the gentleman, to be exactly fair to him, that other things being even, or anything near even, if there be a question, under present conditions, in the closing hours, the Chair has a perfect right, following the parliamentary precedents of all parties, to prefer some one with whom, perchance, the Chair is in sympathy, or upon the Chair's side of the House.

The gentleman from Ohio [Mr. GROSVENOR] is recognized.

Mr. GROSVENOR. I move to recommit the bill, and upon that I demand the previous question.

The SPEAKER. The gentleman from Ohio moves to recommit the bill, and upon that moves the previous question.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. LUCKING demanded a division.

The House divided; and there were—ayes 128, noes 104.

Mr. SMITH of Kentucky. Tellers, Mr. Speaker.

Mr. CURTIS and others demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 127, nays 99, answered "present" 18, not voting 137, as follows:

YEAS—127.

Acheson,	Dresser,	Knapp,	Parker,
Adams, Pa.	Driscoll,	Knopf,	Patterson, Pa.
Adams, Wis.	Dunwell,	Kyle,	Payne,
Alexander,	Dwight,	Lacey,	Porter,
Allen,	Esch,	Landis, Chas. B.	Powers, Mass.
Babcock,	Evans,	Lanning,	Reeder,
Bartholdt,	Flack,	Lawrence,	Roberts,
Bates,	Fordney,	Lilley,	Rodenberg,
Beidler,	Foster, Vt.	Littlefield,	Shiras,
Bingham,	French,	Loud,	Smith, Ill.
Birdsall,	Gaines, W. Va.	Loudenslager,	Smith, Iowa
Bishop,	Gardner, N. J.	Lovering,	Smith, Samuel W.
Bonynge,	Gillet, N. Y.	McCall,	Smith, Pa.
Boutell,	Gillett, Mass.	McCleary, Minn.	Southard,
Bowersock,	Goebel,	McCreary, Pa.	Southwick,
Brandegee,	Graff,	McLachlan,	Spalding,
Brick,	Greene,	McMorran,	Steenerson,
Brooks,	Grosvenor,	Mahon,	Sterling,
Brown, Wis.	Hamilton,	Marsh,	Stevens, Minn.
Burke,	Haskins,	Marshall,	Tawney,
Burkett,	Haugen,	Martin,	Thomas, Iowa
Campbell,	Hemenway,	Miller,	Townsend,
Cassel,	Hepburn,	Minor,	Van Voorhis,
Castor,	Hildebrant,	Mondell,	Volstead,
Cooper, Pa.	Hill, Conn.	Moon, Pa.	Vreeland,
Cousins,	Hogg,	Morgan,	Wachter,
Currier,	Howell, N. J.	Needham,	Wanger,
Curtis,	Howell, Utah	Norris,	Weems,
Davis, Minn.	Huff,	Olmsted,	Wiley, N. J.
Deemer,	Hull,	Otis,	Wilson, Ill.
Douglas,	Jones, Wash.	Otjen,	Young.
Draper,	Kinkaid,	Overstreet,	

NAYS—99.

Adamson,	Gillespie,	Lindsay,	Shull,
Baker,	Goldfogle,	Little,	Sims,
Bankhead,	Granger,	Livernash,	Small,
Bassett,	Gregg,	Lloyd,	Smith, Ky.
Beall, Tex.	Hamlin,	Lucking,	Smith, Tex.
Bell, Cal.	Harrison,	McAndrews,	Snook,
Benny,	Hay,	McLain,	Southall,
Bowers,	Henry, Tex.	McNary,	Spight,
Brantley,	Hill, Miss.	Macon,	Stephens, Tex.
Breazeale,	Hitchcock,	Maddox,	Sulzer,
Broussard,	Hopkins,	Maynard,	Tate,
Brundidge,	Houston,	Moon, Tenn.	Taylor,
Burleson,	Howard,	Padgett,	Thayer,
Burnett,	Hughes, N. J.	Page,	Thomas, N. C.
Candler,	Humphreys, Miss.	Patterson, N. C.	Underwood,
Cassingham,	James,	Patterson, Tenn.	Vandiver,
Clark,	Johnson,	Pou,	Van Duzer,
Cowherd,	Jones, Va.	Pujo,	Wallace,
Crowley,	Kehoe,	Rainey,	Webb,
De Armond,	Keliher,	Randell, Tex.	Wiley, Ala.
Dickerman,	Kitchin, Claude	Robinson, Ind.	Williams, Ill.
Field,	Kline,	Ryan,	Wilson, N. Y.
Fitzgerald,	Kluttz,	Scarborough,	Wynn,
Gaines, Tenn.	Lamar, Mo.	Shackleford,	Zenor.
Garner,	Lind,	Sheppard,	

ANSWERED "PRESENT"—18.

Bede,	Dovener,	Mann,	Slayden,
Cockran, N. Y.	Hardwick,	Miers, Ind.	Sullivan, Mass.
Dalzell,	Henry, Conn.	Pierce,	Wade.
Davidson,	Jenkins,	Powers, Me.	
Denny,	Legare,	Ruppert,	

NOT VOTING—137.

Aiken,	Darragh,	Hermann,	Morrell,
Ames,	Davey, La	Hinshaw,	Mudd,
Badger,	Davis, Fla.	Hitt,	Murdock,
Bartlett,	Dayton,	Holliday,	Nevin,
Benton,	Dinsmore,	Hughes, W. Va.	Palmer,
Bowie,	Dixon,	Humphrey, Wash.	Pearre,
Bradley,	Dougherty,	Hunt,	Perkins,
Brown, Pa.	Emerich,	Hunter,	Pinckney,
Brownlow,	Finley,	Jackson, Md.	Prince,
Buckman,	Fitzpatrick,	Jackson, Ohio	Ransdell, La.
Burgess,	Flood,	Kennedy,	Reid,
Burleigh,	Foss,	Ketcham,	Rhea,
Burton,	Foster, Ill.	Kitchin, Wm. W.	Richardson, Ala.
Butler, Mo.	Fowler,	Lafean,	Richardson, Tenn.
Butler, Pa.	Fuller,	Lamar, Fla.	Rider,
Byrd,	Garber,	Lamb,	Rixey,
Calderhead,	Gardner, Mass.	Landis, Frederick	Robb,
Caldwell,	Gardner, Mich.	Lester,	Robertson, La.
Capron,	Gibson,	Lever,	Robinson, Ark.
Clayton,	Gilbert,	Lewis,	Rucker,
Cochran, Mo.	Gillett, Cal.	Littauer,	Russell,
Connell,	Glass,	Livingston,	Scott,
Conner,	Gooch,	Longworth,	Scudder,
Cooper, Tex.	Goulden,	Lorimer,	Sherley,
Cooper, Wis.	Griffith,	McCarthy,	Sherman,
Cromer,	Griggs,	McDermott,	Shober,
Crumpacker,	Gudger,	Mahoney,	Sibley,
Cushman,	Hearst,	Metcalf,	Slemp,
Daniels,	Hedge,	Meyer, La.	Smith, N. Y.
Smith, Wm. Alden	Sullivan, N. Y.	Wadsworth,	Williamson,
Snapp,	Sulloway,	Warner,	Woodyard,
Sparkman,	Swanson,	Warnock,	Wright.
Sperry,	Talbott,	Watson,	
Stafford,	Tirrell,	Weisse,	
Stanley,	Trimble,	Williams, Miss.	

So the previous question was ordered.

The following additional pairs were announced:

Until further notice:

Mr. SLEMP with Mr. CALDWELL.

Mr. GARDNER of Michigan with Mr. GILBERT.

For the remainder of the day:

Mr. SMITH of New York with Mr. MCDERMOTT.

Mr. BUTLER of Pennsylvania with Mr. SWANSON.

Mr. DALZELL with Mr. BARTLETT.

Mr. GIBSON with Mr. GARBER.

Mr. CAPRON with Mr. SLAYDEN.

Mr. JENKINS with Mr. LAMAR of Florida.

Mr. FOSS with Mr. WILLIAM W. KITCHIN.

Mr. AMES with Mr. RIDER.

Mr. BROWN of Pennsylvania with Mr. FITZPATRICK.

Mr. WRIGHT with Mr. WILLIAMS of Mississippi.

Mr. PALMER with Mr. CLAYTON.

Mr. POWERS of Maine with Mr. RUSSELL.

Mr. LONGWORTH with Mr. SHERLEY.

Mr. BURTON with Mr. RICHARDSON of Tennessee.

Mr. LITTAUER with Mr. LIVINGSTON.

Mr. CALDERHEAD with Mr. BADGER.

Mr. COOPER of Wisconsin with Mr. BENTON.

Mr. HUMPHREY of Washington with Mr. BOWIE.

Mr. LAFEAN with Mr. RANSDELL of Louisiana.

Mr. KENNEDY with Mr. LEWIS.

Mr. MCCARTHY with Mr. RIXEY.

Mr. SCOTT with Mr. RICHARDSON of Alabama.

Mr. WADSWORTH with Mr. SCUDDER.

Mr. WOODYARD with Mr. ROBINSON of Arkansas.

Mr. HEDGE with Mr. STANLEY.

Mr. MORRELL with Mr. COCKRAN of New York, until after recess.

On this bill:

Mr. GARDNER of Massachusetts with Mr. HARDWICK.

Mr. HENRY of Connecticut with Mr. LAMB.

Mr. DIXON with Mr. FINLEY.

The result of the vote was then announced as above recorded.

The SPEAKER pro tempore (Mr. BABCOCK). The question is now on the motion of the gentleman from Ohio, to recommit.

The question was taken; and the Speaker pro tempore announced that the noes seemed to have it.

Mr. SMITH of Kentucky. Division, Mr. Speaker.

The House divided; and there were—ayes 87, noes 124.

Mr. SMITH of Kentucky. Tellers, Mr. Speaker.

Mr. GROSVENOR. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 99, nays 126, answered "present" 14, not voting 142, as follows:

YEAS—99.

Adamson,	Gillespie,	Little,	Shull,
Baker,	Goldfogle,	Livernash,	Sims,
Bassett,	Granger,	Lloyd,	Small,
Beall, Tex.	Gregg,	Lucking,	Smith, Ky.
Bell, Cal.	Harrison,	McAndrews,	Smith, Tex.
Benny,	Hay,	McLain,	Snook,
Bowers,	Henry, Tex.	McNary,	Southall,
Brantley,	Hill, Miss.	Macon,	Spight,
Breazeale,	Hitchcock,	Maddox,	Stephens, Tex.
Broussard,	Hopkins,	Maynard,	Sulzer,
Brundidge,	Houston,	Moon, Tenn.	Tate,
Burleson,	Howard,	Padgett,	Taylor,
Burnett,	Hughes, N. J.	Page,	Thayer,
Candler,	Humphreys, Miss.	Patterson, N. C.	Thomas, N. C.
Cassingham,	James,	Patterson, Tenn.	Underwood,
Clark,	Johnson,	Pou,	Vandiver,
Cowherd,	Jones, Va.	Pujo,	Van Duzer,
Crowley,	Kehoe,	Rainey,	Wallace,
De Armond,	Keliher,	Randell, Tex.	Webb,
Dickerman,	Kitchin, Claude	Ransdell, La.	Wiley, Ala.
Field,	Kline,	Robinson, Ind.	Williams, Ill.
Finley,	Kluttz,	Ryan,	Wilson, N. Y.
Fitzgerald,	Lamar, Mo.	Scarborough,	Wynn,
Gaines, Tenn.	Lind,	Shackleford,	Zenor.
Garner,	Lindsay,	Sheppard,	

NAYS—126.

Acheson,	Brick,	Deemer,	Gillet, N. Y.
Adams, Pa.	Brooks,	Douglas,	Gillett, Mass.
Adams, Wis.	Brown, Wis.	Draper,	Goebel,
Alexander,	Burke,	Dresser,	Graff,
Allen,	Burkett,	Dunwell,	Greene,
Babcock,	Calderhead,	Dwight,	Grosvenor,
Bates,	Campbell,	Esch,	Hamilton,
Bingham,	Cassel,	Evans,	Haskins,
Birdsall,	Castor,	Flack,	Haugen,
Bishop,	Cooper, Pa.	Fordney,	Hemenway,
Bonynge,	Cousins,	Foster, Vt.	Hildebrant,
Boutell,	Currier,	French,	Hill, Conn.
Bowersock,	Curtis,	Gaines, W. Va.	Hogg,
Brandegee,	Davis, Minn.	Gardner, N. J.	Howell, N. J.

Howell, Utah	McCall,	Otis,	Steenerson,
Huff,	McCarthy,	Otjen,	Sterling,
Hull,	McCleary, Minn.	Overstreet,	Stevens, Minn.
Jones, Wash.	McCreary, Pa.	Parker,	Tawney,
Kinkaid,	McLachlan,	Patterson, Pa.	Thomas, Iowa
Knapp,	McMorran,	Payne,	Townsend,
Knopf,	Mahon,	Porter,	Van Voorhis,
Kyle,	Marsh,	Reeder,	Volstead,
Lacey,	Marshall,	Roberts,	Vreeland
Lafean,	Martin,	Rodenberg,	Wachter,
Landis, Chas. B.	Miller,	Shiras,	Wanger,
Lanning,	Minor,	Smith, Ill.	Weems,
Lawrence,	Mondell,	Smith, Iowa	Wiley, N. J.
Lilley,	Moon, Pa.	Smith, Samuel W.	Wilson, Ill.
Littlefield,	Morgan,	Smith, Pa.	Wright,
Loud,	Needham,	Southard,	Young.
Loudenslager,	Norris,	Southwick,	
Lovering,	Olmsted,	Spalding,	

ANSWERED "PRESENT"—14.

Bede,	Dovener,	Mann,	Sullivan, Mass.
Conner,	Hardwick,	Miers, Ind.	Wade.
Dalzell,	Henry, Conn.	Powers, Me.	
Denny,	Legare,	Ruppert,	

NOT VOTING—142.

Aiken,	Dinsmore,	Jackson, Ohio	Robb,
Ames,	Dixon,	Jenkins,	Robertson, La.
Badger,	Dougherty,	Kennedy,	Robinson, Ark
Bankhead,	Driscoll,	Ketcham,	Rucker,
Bartholdt,	Emerich,	Kitchin, Wm. W.	Russell,
Bartlett,	Fitzpatrick,	Lamar, Fla.	Scott,
Beidler,	Flood,	Lamb,	Scudder,
Benton,	Foss,	Landis, Frederick	Sherley,
Bowie,	Foster, Ill.	Lester,	Sherman,
Bradley,	Fowler,	Lever,	Shober,
Brown, Pa.	Fuller,	Lewis,	Sibley,
Brownlow,	Garber,	Littauer,	Slayden,
Buckman,	Gardner, Mass.	Livingston,	Slemp,
Burgess,	Gardner, Mich.	Longworth,	Smith, Wm. Alden
Burleigh,	Gibson,	Lorimer,	Smith, N. Y.
Burton,	Gilbert,	McDermott,	Snapp,
Butler, Mo.	Gillett, Cal.	Mahoney,	Sparkman,
Butler, Pa.	Glass,	Metcalf,	Sperry,
Byrd,	Gooch,	Meyer, La.	Stafford,
Caldwell,	Goulden,	Morrell,	Stanley,
Capron,	Griffith,	Mudd,	Sullivan, N. Y.
Clayton,	Griggs,	Murdock,	Sulloway,
Cochran, Mo.	Gudger,	Nevin,	Swanson,
Cockran, N. Y.	Hamlin,	Palmer,	Talbott,
Connell,	Hearst,	Pearre,	Tirrell,
Cooper, Tex.	Hedge,	Perkins,	Trimble,
Cooper, Wis.	Hepburn,	Pierce,	Wadsworth,
Cromer,	Hermann,	Pinckney,	Warner,
Crumpacker,	Hinshaw,	Powers, Mass.	Warnock,
Cushman,	Hitt,	Prince,	Watson,
Daniels,	Holliday,	Reid,	Weisse,
Darragh,	Hughes, W. Va.	Rhea,	Williams, Miss.
Davey, La.	Humphrey, Wash.	Richardson, Ala.	Williamson,
Davidson,	Hunt,	Richardson, Tenn.	Woodyard.
Davis, Fla.	Hunter,	Rider,	
Dayton,	Jackson, Md.	Rixey,	

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

For this day:

Mr. DIXON with Mr. HAMLIN.

Mr. HEPBURN with Mr. BANKHEAD.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. JAMES. Division, Mr. Speaker.

The House divided; and there were—ayes 115, noes 94.

Mr. ROBINSON of Indiana. Mr. Speaker, I call for tellers. I withdraw the demand.

Mr. DE ARMOND. Yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 124, nays 97, answered "present" 18, not voting 142, as follows:

YEAS—124.

Acheson,	Cousins,	Hamilton,	McCall,
Adams, Wis.	Currier,	Haskins,	McCarthy,
Adams, Pa.	Curtis,	Hemenway,	McCleary, Minn.
Alexander,	Davis, Minn.	Henry, Conn.	McCreary, Pa.
Allen,	Deemer,	Hildebrant,	McLachlan,
Babcock,	Douglas,	Hill, Conn.	McMorran,
Bartholdt,	Draper,	Hogg,	Mahon,
Bates,	Dresser,	Howell, N. J.	Marsh,
Beidler,	Driscoll,	Howell, Utah	Marshall,
Bingham,	Dunwell,	Huff,	Martin,
Birdsall,	Dwight,	Hull,	Miller,
Bishop,	Esch,	Jones, Wash.	Minor,
Bonynge,	Evans,	Kinkaid,	Mondell,
Boutell,	Flack,	Knapp,	Moon, Pa.
Bowersock,	Fordney,	Knopf,	Morgan,
Brandegee,	Foster, Vt.	Kyle,	Needham,
Brick,	French,	Lacey,	Norris,
Brooks,	Gaines, W. Va.	Lafean,	Olmsted,
Brown, Wis.	Gardner, N. J.	Landis, Chas. B.	Otis,
Burke,	Gillet, N. Y.	Lanning,	Overstreet,
Burkett,	Gillett, Mass.	Lawrence,	Patterson, Pa.
Calderhead,	Goebel,	Lilley,	Payne,
Cassel,	Graff,	Littlefield,	Porter,
Castor,	Greene,	Loud,	Reeder,
Cooper, Pa.	Grosvenor,	Loudenslager,	Roberts,
Rodenberg,	Southard,	Tawney,	Wachter,
Shiras,	Southwick,	Thomas, Iowa	Weems,
Smith, Ill.	Spalding,	Townsend,	Wiley, N. J.
Smith, Iowa	Steenerson,	Van Voorhis,	Wilson, Ill.
Smith, Samuel W.	Sterling,	Volstead,	Wright,
Smith, Pa.	Stevens, Minn.	Vreeland,	Young.

NAYS—97.

Badger,	Gillespie,	Little,	Sims,
Baker,	Goldfogle,	Livernash,	Small,
Bassett,	Granger,	Lloyd,	Smith, Ky.
Beall, Tex.	Gregg,	Lucking,	Smith, Tex.
Bell, Cal.	Harrison,	McAndrews,	Snook,
Benny,	Hay,	McLain,	Southall,
Bowers,	Henry, Tex.	McNary,	Spight,
Brantley,	Hill, Miss.	Macon,	Stephens, Tex.
Breazeale,	Hitchcock,	Maddox,	Sulzer,
Broussard,	Hopkins,	Maynard,	Tate,
Brundidge,	Houston,	Moon, Tenn.	Thayer,
Burleson,	Hughes, N. J.	Padgett,	Thomas, N. C.
Burnett,	Humphreys, Miss.	Page,	Underwood,
Candler,	James,	Patterson, N. C.	Vandiver,
Cassingham,	Johnson,	Pujo,	Van Duzer,
Clark,	Jones, Va.	Rainey,	Wallace,
Cowherd,	Kehoe,	Randell, Tex.	Webb,
Crowley,	Keliher,	Ransdell, La.	Wiley, Ala.
De Armond,	Kitchin, Claude	Rider,	Williams, Ill.
Dickerman,	Kline,	Robinson, Ind.	Wilson, N. Y.
Field,	Kluttz,	Ryan,	Wynn,
Finley,	Lamar, Mo.	Scarborough,	Zenor.
Fitzgerald,	Lamb,	Shackleford,	
Gaines, Tenn.	Lind,	Sheppard,	
Garner,	Lindsay,	Shull,	

ANSWERED "PRESENT"—18.

Bede,	Denny,	Mann,	Sullivan, Mass.
Campbell,	Dovener,	Miers, Ind.	Wade,
Cochran, Mo.	Hardwick,	Powers, Me.	Wanger.
Conner,	Haugen,	Ruppert,	
Dalzell,	Jackson, Ohio	Slayden,	

NOT VOTING—142.

Adamson,	Emerich,	Kitchin, Wm. W.	Robb,
Aiken,	Fitzpatrick,	Lamar, Fla.	Robertson, La.
Ames,	Flood,	Landis, Frederick	Robinson, Ark.
Bankhead,	Foss,	Legare,	Rucker,
Bartlett,	Foster, Ill.	Lester,	Russell,
Benton,	Fowler,	Lever,	Scott,
Bowie,	Fuller,	Lewis,	Scudder,
Bradley,	Garber,	Littauer,	Sherley,
Brown, Pa.	Gardner, Mass.	Livingston,	Sherman,
Brownlow,	Gardner, Mich.	Longworth,	Shober,
Buckman,	Gibson,	Lorimer,	Sibley,
Burgess,	Gilbert,	Lovering,	Slemp,
Burleigh,	Gillett, Cal.	McDermott,	Smith, Wm. Alden
Burton,	Glass,	Mahoney,	Smith, N. Y.
Butler, Mo.	Gooch,	Metcalf,	Snapp,
Butler, Pa.	Goulden,	Meyer, La.	Sparkman,
Byrd,	Griffith,	Morrell,	Sperry,
Caldwell,	Griggs,	Mudd,	Stafford,
Capron,	Gudger,	Murdock,	Stanley,
Clayton,	Hamlin,	Nevin,	Sullivan, N. Y.
Cockran, N. Y.	Hearst,	Otjen,	Sulloway,
Connell,	Hedge,	Palmer,	Swanson,
Cooper, Tex.	Hepburn,	Parker,	Talbott,
Cooper, Wis.	Hermann,	Patterson, Tenn.	Taylor,
Cromer,	Hinshaw,	Pearre,	Tirrell,
Crumpacker,	Hitt,	Perkins,	Trimble,
Cushman,	Holliday,	Pierce,	Wadsworth,
Daniels,	Howard,	Pinckney,	Warner,
Darragh,	Hughes, W. Va.	Pou,	Warnock,
Davey, La.	Humphrey, Wash.	Powers, Mass.	Watson,
Davidson,	Hunt,	Prince,	Weisse,
Davis, Fla.	Hunter,	Reid,	Williams, Miss
Dayton,	Jackson, Md.	Rhea,	Williamson,
Dinsmore,	Jenkins,	Richardson, Ala.	Woodyard.
Dixon,	Kennedy,	Richardson, Tenn.	
Dougherty,	Ketcham,	Rixey,	

So the bill was passed.

The Clerk announced the following additional pairs:

For the session:

Mr. WANGER with Mr. ADAMSON.

For the balance of the day:

Mr. LOVERING with Mr. PATTERSON of Tennessee.

Mr. CAMPBELL with Mr. POU.

For the vote:

Mr. HAUGEN with Mr. GRIGGS.

The result of the vote was announced as above recorded.

On motion of Mr. GROSVENOR, a motion to reconsider the last vote was laid on the table.

EUGENE PATENAUDE.

The SPEAKER laid before the House the bill (H. R. 4573) for the relief of Eugene Patenaude, with Senate amendments.

The Senate amendments were read.

On motion of Mr. FOSTER of Vermont, the Senate amendments were agreed to.

On motion of Mr. FOSTER of Vermont, a motion to reconsider the last vote was laid on the table.

USE OF COLORADO RIVER FOR IRRIGATION PURPOSES.

The SPEAKER. The Chair lays before the House the following Senate joint resolution, which the Clerk will report, a similar resolution from the House committee being upon the Calendar.

The Clerk read as follows:

Senate joint resolution (S. R. 71) requesting the Secretary of the Interior to institute an investigation relative to the use of the waters of the Colorado River for irrigation, and to report to Congress thereon.

Resolved, etc., That the Secretary of the Interior is hereby directed to institute an investigation of and report to the Congress on the various questions involved in connection with the use of the waters of the lower Colorado River for the irrigation of arid lands in the State of California and the Territory of Arizona with the view of determining the extent to which the waters of the said stream may be made available for the said purpose through works under the national irrigation act and by private enterprise, and as to what legislation, if any, is necessary to grant or confirm to present and future appropriators and users thereof perpetual rights in the use of said waters for irrigation.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was ordered to be read a third time, read the third time, and passed.

The SPEAKER. Without objection, a motion to reconsider the last vote will be laid upon the table.

There was no objection.

ACCEPTING BUST OF WASHINGTON FROM COUNT DE ROCHAMBEAU AND OTHERS.

Mr. MCCLEARY of Minnesota. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution No. 36, accepting a reproduction of the bust of Washington from certain citizens of the Republic of France, and tendering the thanks of Congress to the donors therefor, which I send to the desk and ask to have read.

The Clerk read as follows:

Whereas Count de Rochambeau, Marquis de Lafayette, Marquis de Grasse, Mr. Henry Jouin, and other citizens of France, have tendered to the Government of the United States a reproduction of the bust of Washington by David d'Angers which was destroyed in the fire at the Capitol in 1851, to be placed in the Capitol of the United States: Therefore,

Resolved, etc., That said gift is hereby accepted in the name of the people of the United States, and the thanks of Congress are tendered to the donors therefor.

SEC. 2. That the Joint Committee on the Library are hereby instructed to make arrangements for the formal presentation of said gift to Congress on a day to be hereafter fixed by said committee, and that said committee shall cause said bust to be placed in an appropriate and conspicuous place in the Capitol building.

SEC. 3. That the Secretary of State be directed to transmit a copy of this joint resolution to the donors, through the Government of the French Republic.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the Senate joint resolution.

The resolution was ordered to be read a third time, read the third time, and passed.

On motion of Mr. MCCLEARY of Minnesota, a motion to reconsider the last vote was laid on the table.

MEXICAN COTTON-BOLL WEEVIL.

Mr. CHARLES B. LANDIS. Mr. Speaker, I call up the privileged House resolution No. 355, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That there be printed for the use of the House of Representatives, to be distributed through the document room of the House, 3,000 additional copies of Bulletin No. 45, Division of Entomology, United States Department of Agriculture, entitled "The Mexican Cotton-Boll Weevil."

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

SIOUX TRIBE OF INDIANS.

Mr. CHARLES B. LANDIS. Mr. Speaker, I call up the following privileged resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That there be printed for the use of the House of Representatives, for distribution through the House document room, 2,000 copies of public law No. 148, Fifty-eighth Congress, second session.

Mr. SMITH of Kentucky. Mr. Speaker, I desire to inquire what particular law this is.

Mr. CHARLES B. LANDIS. Mr. Speaker, I will state that this provides for the publication of an agreement with the Sioux tribe of Indians recently made, and for which there is great demand on the Indian Committee and upon the Commissioner of Indian Affairs.

Mr. SMITH of Kentucky. I would ask the gentleman if there is any objection to distributing these from the folding room instead of from the document room.

Mr. CHARLES B. LANDIS. I do not know that there is any particular objection to distributing them from the folding room.

Mr. LACEY. Mr. Speaker, I will state that there are only a few localities where they are wanted, some localities wanting a large number of them, while many will not want any.

Mr. SMITH of Kentucky. That is all right. I have no objection.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

PRINTING, BINDING, AND DISTRIBUTION OF PUBLIC DOCUMENTS.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 5597) to amend an act entitled "An act providing for public printing and binding and the distribution of public documents," which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That chapter 23 of the Statutes of the United States entitled "An act providing for public printing and binding and the distribution of public documents," approved January 12, 1895 (Stat. L., 28, p. 606), be, and is hereby, amended as follows:

In paragraph 20 of section 73, strike out the words "to the Department of Labor, 5 copies," and insert after the words "to the Department of Agriculture, 50 copies," the words "to the Department of Commerce and Labor, 300 copies."

In paragraph 24 of section 73, strike out the words "to the Department of Labor, 5 copies," and insert after the words "to the Department of Agriculture, 50 copies," the words "to the Department of Commerce and Labor, including those for the officers of the Immigration Service, 300 copies."

In paragraph 68 of section 73, strike out the words "to the Department of Labor, four copies;" and also the words "to the Commissioner of Fish and Fisheries, two copies;" and insert after the words "to the Department of Agriculture, fifteen copies," the words "to the Department of Commerce and Labor, 150 copies."

The SPEAKER. Is there objection?

Mr. SMITH of Kentucky. Reserving the right to object, I should like to ask the gentleman from Indiana [Mr. CHARLES B. LANDIS] what publications this has reference to.

Mr. CHARLES B. LANDIS. This provides simply for furnishing to the Department of Commerce and Labor the statutes of the sessions of Congress and the volumes of the Statutes at Large, the official register, and other publications that this Department ought to have as other Departments have.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

On motion of Mr. CHARLES B. LANDIS, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 12268. An act granting an increase of pension to Jane K. Carpenter.

H. R. 12197. An act granting an increase of pension to Daniel M. Candor;

H. R. 12177. An act granting an increase of pension to Isaac W. Waters;

H. R. 12006. An act granting an increase of pension to Amelia Coster;

H. R. 11827. An act granting an increase of pension to Daniel Smith;

H. R. 11486. An act granting an increase of pension to Samuel B. Loewenstine;

H. R. 11397. An act granting an increase of pension to William Leonard;

H. R. 11374. An act granting an increase of pension to William Wells;

H. R. 11336. An act granting an increase of pension to Samuel R. Hazen;

H. R. 11335. An act granting an increase of pension to John Trader;

H. R. 11262. An act granting a pension to John Hegarty;

H. R. 11086. An act granting an increase of pension to Charles W. Crary;

H. R. 10846. An act granting an increase of pension to Heinrich Erbstoeser;

H. R. 11013. An act granting an increase of pension to William Flaig;

H. R. 10851. An act granting an increase of pension to Nancy Smallwood;

H. R. 10334. An act granting an increase of pension to John S. Allison;

H. R. 10285. An act granting an increase of pension to Henry McCreary;

H. R. 10284. An act granting a pension to Elizabeth Broomall;

H. R. 10029. An act granting a pension to Charles E. Arnett;

H. R. 9901. An act granting a pension to John M. Stoner;

H. R. 9623. An act granting an increase of pension to Robert H. Betts;

H. R. 9477. An act granting an increase of pension to George Smith;

H. R. 9394. An act granting an increase of pension to Mary Leffler;
H. R. 9365. An act granting an increase of pension to John S. Edgar;
H. R. 9354. An act granting an increase of pension to John Richmond;
H. R. 9338. An act granting an increase of pension to Solon D. Moore;
H. R. 9107. An act granting a pension to Margaret J. Randolph;
H. R. 8716. An act granting an increase of pension to Peter Crenger;
H. R. 8280. An act granting an increase of pension to James A. Morrison;
H. R. 9497. An act granting a pension to Emma A. Webster;
H. R. 7373. An act granting a pension to Harriet J. Woodbury;
H. R. 7145. An act granting an increase of pension to Ambrose L. Hendee;
H. R. 7085. An act granting an increase of pension to William Spiegelberg;
H. R. 6718. An act granting an increase of pension to James E. Phillips;
H. R. 6537. An act granting an increase of pension to Benjamin F. Hawthorn;
H. R. 6338. An act granting an increase of pension to Antoinette I. Sawyer;
H. R. 6182. An act granting a pension to Erastus J. Horton;
H. R. 6111. An act granting an increase of pension to Edwin A. Morris;
H. R. 5829. An act granting an increase of pension to Thomas Ellmaker;
H. R. 5725. An act granting a pension to Grace Dressel;
H. R. 5711. An act granting an increase of pension to Jacob Chronister;
H. R. 5565. An act granting a pension to Eliza Workman;
H. R. 5309. An act granting an increase of pension to John McConnell;
H. R. 5012. An act granting an increase of pension to Jacob Reitzel;
H. R. 4903. An act granting an increase of pension to Solomon F. Hallett;
H. R. 4891. An act granting a pension to Julia R. Braxton;
H. R. 4771. An act granting a pension to Aaron Taylor;
H. R. 4602. An act granting an increase of pension to Helim Thompson;
H. R. 4584. An act granting an increase of pension to Daniel A. Butler;
H. R. 4582. An act granting an increase of pension to John S. Miller;
H. R. 4572. An act granting an increase of pension to Peter Lauder;
H. R. 4379. An act granting an increase of pension to Alexander Adams;
H. R. 4152. An act granting an increase of pension to George B. Hartley;
H. R. 3924. An act granting an increase of pension to Ira Waldo;
H. R. 3921. An act granting an increase of pension to Madison C. Staves;
H. R. 3431. An act granting an increase of pension to William Basnett;
H. R. 3107. An act granting an increase of pension to James E. Chappell;
H. R. 3036. An act granting an increase of pension to William H. Romaine;
H. R. 2976. An act granting an increase of pension to Enoch J. Evans;
H. R. 2577. An act granting an increase of pension to Harmon P. Cole;
H. R. 2675. An act granting an increase of pension to Robert J. Tate;
H. R. 2499. An act granting an increase of pension to Smith Bilderbock;
H. R. 2124. An act granting an increase of pension to Henry J. Grannis;
H. R. 1305. An act granting an increase of pension to Gilbert A. Kenney;
H. R. 4398. An act granting a pension to Ellen A. Wilson;
H. R. 1093. An act granting a pension to Rose B. Noa;
H. R. 934. An act granting an increase of pension to Frank Brock;
H. R. 749. An act granting an increase of pension to Humphrey M. Glines;
H. R. 740. An act granting an increase of pension to Ira Meserve;
H. R. 698. An act granting an increase of pension to William M. Crow;
H. R. 487. An act granting an increase of pension to Mary J. Waugh;
H. R. 12348. An act granting an increase of pension to John Pickering;
H. R. 14592. An act granting an increase of pension to Alfred B. Scovill;
H. R. 13000. An act granting an increase of pension to Robert Elliott;
H. R. 12861. An act granting an increase of pension to Bartlett J. Mingus;
H. R. 12702. An act granting an increase of pension to Margaret G. Howarth;
H. R. 12629. An act granting a pension to Ida Diamond;
H. R. 12604. An act granting a pension to Edward M. Fowler;
H. R. 12402. An act granting a pension to Orson Burlingame;
H. R. 14870. An act granting an increase of pension to William Hougendobler;
H. R. 14859. An act granting an increase of pension to Matthias Ridenour;
H. R. 14865. An act granting an increase of pension to Mercy J. Wilder;
H. R. 14802. An act granting an increase of pension to Thomas C. Wiley;
H. R. 14801. An act granting a pension to John W. Shrader;
H. R. 14747. An act granting an increase of pension to Symphoroso Bartley;
H. R. 14702. An act granting a pension to Mary E. Dunford;
H. R. 14641. An act granting a pension to Allan Dunning;
H. R. 14640. An act granting an increase of pension to Caroline McGimsey;
H. R. 14639. An act granting an increase of pension to Joseph J. Mead;
H. R. 14638. An act granting an increase of pension to Park Avery;
H. R. 14637. An act granting an increase of pension to William Kimbrough;
H. R. 14631. An act granting a pension to William T. Spencer;
H. R. 14636. An act granting an increase of pension to James R. Fletcher;
H. R. 14630. An act granting a pension to Augustus Finley, now known as Davis;
H. R. 14612. An act granting an increase of pension to Myron Imas;
H. R. 14611. An act granting a pension to William L. Beverly;
H. R. 14578. An act granting a pension to Edward Taylor;
H. R. 14572. An act granting an increase of pension to Alexander P. Nelson;
H. R. 14541. An act granting an increase of pension to Azariah S. Elwood;
H. R. 14531. An act granting an increase of pension to Prince A. Gatchell;
H. R. 14524. An act granting a pension to Jennie A. Brown;
H. R. 14521. An act granting an increase of pension to Samuel H. Phillips;
H. R. 14512. An act granting an increase of pension to Thomas L. Sweeney;
H. R. 14511. An act granting an increase of pension to Robert R. Keys;
H. R. 14508. An act granting an increase of pension to John Brady;
H. R. 14490. An act granting an increase of pension to Degraphenreed P. McKinley;
H. R. 14484. An act granting an increase of pension to Charles W. Lee;
H. R. 14464. An act granting an increase of pension to Elizabeth B. Yount;
H. R. 14437. An act granting an increase of pension to Daniel White;
H. R. 14343. An act granting an increase of pension to William Neuberg;
H. R. 14336. An act granting an increase of pension to Everton J. Conger;
H. R. 14308. An act granting an increase of pension to Archie C. Fisk;
H. R. 14201. An act granting an increase of pension to James W. Smith;
H. R. 14204. An act granting a pension to John B. Hobday;
H. R. 14153. An act granting an increase of pension to Peter C. Wood;
H. R. 14141. An act granting an increase of pension to King Kerley;
H. R. 14001. An act granting an increase of pension to Leslie C. Armour;
H. R. 13911. An act granting an increase of pension to Calvin Hitt;

H. R. 13886. An act granting an increase of pension to Thomas Mahers;
H. R. 13816. An act granting a pension to Annie Hynes;
H. R. 13805. An act granting a pension to Emma W. Hays;
H. R. 13690. An act granting an increase of pension to Cephas H. John;
H. R. 13636. An act granting a pension to George S. Noland;
H. R. 13605. An act granting an increase of pension to Elizabeth E. Conatt;
H. R. 13586. An act granting an increase of pension to Abraham Harris;
H. R. 13490. An act granting an increase of pension to Henry Good;
H. R. 13437. An act granting a pension to William P. Crawford;
H. R. 13404. An act granting a pension to Emanuel Peck;
H. R. 13391. An act granting an increase of pension to Garret I. Post;
H. R. 13373. An act granting an increase of pension to William W. Dennis;
H. R. 13347. An act granting an increase of pension to William C. Crumbaugh;
H. R. 13272. An act granting a pension to Delana A. Lynch;
H. R. 13173. An act granting an increase of pension to Mary E. Houghton;
H. R. 15204. An act granting an increase of pension to Mary Taggart;
H. R. 15183. An act granting a pension to Ella F. Kennealy;
H. R. 15148. An act granting an increase of pension to Armour W. Patterson;
H. R. 15126. An act granting an increase of pension to Joseph A. Cox;
H. R. 15076. An act granting an increase of pension to Lawrence Le Bron;
H. R. 14992. An act granting a pension to Phebe A. Daw;
H. R. 14938. An act granting a pension to Francis Rogers;
H. R. 14894. An act granting an increase of pension to John Gideon;
H. R. 14890. An act granting an increase of pension to Allen R. Harris;
H. R. 14884. An act granting an increase of pension to William Huffman;
H. R. 14882. An act granting a pension to Mary Dingler;
H. R. 14876. An act granting an increase of pension to Francis Stadler, jr.; and
H. J. Res. 29. Joint resolution providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department.

The message also announced that the Senate had passed, with amendments, bills of the following titles; in which the concurrence of the House of Representatives was requested:

H. R. 9773. An act granting an increase of pension to Absalom Shilts;
H. R. 13592. An act granting an increase of pension to Stephen M. Ferguson; and
H. R. 13481. An act to ratify and amend an agreement with the Indians residing on the Shoshone or Wind River Indian Reservation, in the State of Wyoming, and to make appropriations for carrying the same into effect.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 12833. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes;
H. R. 15054. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes;
H. R. 14093. An act to incorporate the Carnegie Institution of Washington;
H. R. 940. An act granting a pension to Oscar M. Parsons;
H. R. 10077. An act granting a pension to Julia A. Henderson;
H. R. 7718. An act for the relief of the estate of Artemus E. Gibson;
H. J. Res. 136. Joint resolution for appointment of members of Board of Managers of the National Home for Disabled Volunteer Soldiers;
H. R. 6049. An act granting an increase of pension to Peter B. Phillips;
H. J. Res. 150. Joint resolution providing for the publication of 50,000 copies of the Special Report on the Diseases of Cattle; and
H. R. 7056. An act creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2710. An act for the opening of connecting highways on the east and west sides of the Zoological Park, District of Columbia;
S. 2134. An act to connect Euclid place with Erie street;
S. 2621. An act for the widening of V street NW.; and
S. 127. An act authorizing the joining of Kalorama avenue.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 8285. An act granting an increase of pension to William S. Peck;
H. R. 13936. An act granting an increase of pension to John W. Thomas;
H. R. 12666. An act granting an increase of pension to Henry E. W. Campbell;
H. R. 14491. An act granting an increase of pension to Eli Prebble;
H. R. 14700. An act granting an increase of pension to H. C. Washburn;
H. R. 8790. An act granting a pension to C. Annette Buckel;
H. R. 14826. An act to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska;
H. R. 14944. An act establishing a regular term of the United States circuit and district courts at Lewisburg, W. Va.;
H. R. 14533. An act to change and fix the time for holding the district and circuit courts for the northern division of the eastern district of Tennessee;
H. R. 614. An act granting a pension to Michael O'Brien, alias Michael Clifford;
H. R. 8431. An act for the relief of Russel A. McKinley;
H. R. 1953. An act to provide for an additional associate justice of the supreme bench of the Territory of New Mexico;
H. R. 14673. An act to create a new division of the southern judicial district of Iowa, and to provide for terms of court at Davenport, Iowa, and for a clerk for said court, and for other purposes;
H. R. 15054. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes; and
H. R. 12833. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes.

INDIANS RESIDING ON SHOSHONE RESERVATION, WYO.

The SPEAKER laid before the House, with Senate amendments, the bill (H. R. 13481) to ratify and amend an agreement with the Indians residing on the Shoshone or Wind River Indian Reservation, in the State of Wyoming.

Mr. MONDELL. I move that the House concur in the amendments of the Senate.

Mr. FITZGERALD. I raise the question of consideration on this motion.

Mr. SULZER. Let us have the amendments read.

The SPEAKER. Without objection, the amendments will be read.

The Clerk read the amendments.

Mr. FITZGERALD. Does one of these amendments strike out the provision for filing the written consent of the Indians?

Mr. MONDELL. It does.

Mr. FITZGERALD. Very well; I insist on my motion.

Mr. MONDELL. Allow me to explain to the gentleman that the Indians have agreed to this treaty——

Mr. FITZGERALD. This bill passed the House by unanimous consent. There was no objection from me, because this amendment was inserted by the Indian Committee; and I will——

Mr. MONDELL. Will the gentleman allow me to explain the situation?

Mr. FITZGERALD. I understand the situation perfectly well.

Mr. MONDELL. Major McLaughlan has recently been to the reservation and made a treaty with the Indians, and we have a message giving us the two particulars in which the agreement differs from the bill. We have changed the bill in accordance with those two changes, so that the bill now corresponds with the agreement adopted by the Indians.

Mr. FITZGERALD. My understanding, based upon information received from the Department of the Interior, differs from the statement made by the gentleman. Without, of course, impugning the gentleman's veracity, I must insist on my motion.

The SPEAKER. The gentleman from New York raises the question of consideration.

The question being taken whether the motion of Mr. MONDELL should be considered, there were—ayes 132, noes 116.

Mr. FITZGERALD. I ask for tellers.

Tellers were ordered; and Mr. MONDELL and Mr. FITZGERALD were appointed.

The House again divided; and the tellers reported—ayes 96, noes 76.

Mr. FITZGERALD. I make the point of order that there is no quorum present.

The SPEAKER (having counted the House). There are 198 Members present—a quorum.

Mr. FITZGERALD. I ask for tellers.

The SPEAKER. The gentleman can not have tellers on the point of no quorum.

Mr. FITZGERALD. Then I ask for the yeas and nays on the question of consideration.

The yeas and nays were ordered, 48 Members voting in favor thereof.

The question was taken; and there were—yeas 100, nays 76, answered "present" 20, not voting 186, as follows:

YEAS—100.

Acheson,	French,	Lilley,	Porter,
Adams, Wis.	Gaines, W. Va.	Littlefield,	Reeder,
Allen,	Gardner, N. J.	Loud,	Roberts,
Babcock,	Goebel,	Loudenslager,	Rodenberg,
Bartholdt,	Graff,	Lovering,	Smith, Iowa
Bates,	Greene,	McCleary, Minn.	Smith, Samuel W.
Beidler,	Hamilton,	McCreary, Pa.	Southard,
Bingham,	Haskins,	McMorran,	Southwick,
Birdsall,	Hemenway,	Mahon,	Spalding,
Bishop,	Henry, Conn.	Mann,	Steenerson,
Bonynge,	Hepburn,	Marsh,	Stephens, Tex.
Brandegee,	Hildebrant,	Marshall,	Sterling,
Brooks,	Hogg,	Martin,	Stevens, Minn.
Burke,	Howell, Utah	Miller,	Tawney,
Calderhead,	Hull,	Minor,	Thomas, Iowa
Cassel,	Jones, Wash.	Mondell,	Townsend,
Cooper, Pa.	Kinkaid,	Needham,	Van Duzer,
Cousins,	Knapp,	Norris,	Van Voorhis,
Currier,	Knopf,	Olmsted,	Volstead,
Davis, Minn.	Kyle,	Otis,	Vreeland,
Deemer,	Lacey,	Otjen,	Webb,
Dresser,	Lafean,	Overstreet,	Wilson, Ill.
Dunwell,	Lamb,	Padgett,	Wright,
Esch,	Landis, Chas. B.	Parker,	Young,
Fordney,	Lanning,	Payne,	The Speaker.

NAYS—76.

Badger,	Flood,	Keliher,	Robinson, Ind.
Baker,	Gaines, Tenn.	Kitchin, Claude	Ryan,
Bassett,	Gillespie,	Kluttz,	Scarborough,
Beall, Tex.	Goldfogle,	Lamar, Mo.	Shackleford,
Benny,	Granger,	Lind,	Sheppard,
Bowers,	Gregg,	Lindsay,	Sims,
Brantley,	Hardwick,	Little,	Smith, Ky.
Breazeale,	Harrison,	Livernash,	Smith, Tex.
Broussard,	Hay,	Lloyd,	Snook,
Brundidge,	Henry, Tex.	Lucking,	Southall,
Burleson,	Hill, Miss.	McAndrews,	Sulzer,
Burnett,	Hopkins,	McNary,	Tate,
Candler,	Houston,	Macon,	Thomas, N. C.
Clark,	Hughes, N. J.	Moon, Tenn.	Underwood,
Cowherd,	Humphreys, Miss.	Page,	Vandiver,
Crowley,	James,	Patterson, N. C.	Wallace,
De Armond,	Johnson,	Randell, Tex.	Williams, Ill.
Finley,	Jones, Va.	Ransdell, La.	Wynn,
Fitzgerald,	Kehoe,	Rider,	Zenor.

ANSWERED "PRESENT"—20.

Adamson,	Denny,	Legare,	Ruppert,
Bell, Cal.	Dovener,	Morrell,	Small,
Campbell,	Goulden,	Patterson, Pa.	Smith, N. Y.
Cochran, Mo.	Haugen,	Powers, Me.	Sullivan, Mass.
Davidson,	Jackson, Ohio	Pujo,	Wade.

NOT VOTING—186.

Adams, Pa.	Castor,	Field,	Hill, Conn.
Aiken,	Clayton,	Fitzpatrick,	Hinshaw,
Alexander,	Cockran, N. Y.	Flack,	Hitchcock,
Ames,	Connell,	Foss,	Hitt,
Bankhead,	Conner,	Foster, Ill.	Holliday,
Bartlett,	Cooper, Tex.	Foster, Vt.	Howard,
Bede,	Cooper, Wis.	Fowler,	Howell, N. J.
Benton,	Cromer,	Fuller,	Huff,
Boutell,	Crumpacker,	Garber,	Hughes, W. Va.
Bowersock,	Curtis,	Gardner, Mass.	Humphrey, Wash.
Bowie,	Cushman,	Gardner, Mich.	Hunt,
Bradley,	Dalzell,	Garner,	Hunter,
Brick,	Daniels,	Gibson,	Jackson, Md.
Brown, Pa.	Darragh,	Gilbert,	Jenkins,
Brown, Wis.	Davey, La.	Gillet, N. Y.	Kennedy,
Brownlow,	Davis, Fla.	Gillett, Cal.	Ketcham,
Buckman,	Dayton,	Gillett, Mass.	Kitchin, Wm. W.
Burgess,	Dickerman,	Glass,	Kline,
Burkett,	Dinsmore,	Gooch,	Lamar, Fla.
Burleigh,	Dixon,	Griffith,	Landis, Frederick
Burton,	Dougherty,	Griggs,	Lawrence,
Butler, Mo.	Douglas,	Grosvenor,	Lester,
Butler, Pa.	Draper,	Gudger,	Lever,
Byrd,	Driscoll,	Hamlin,	Lewis,
Caldwell,	Dwight,	Hearst,	Littauer,
Capron,	Emerich,	Hedge,	Livingston,
Cassingham,	Evans,	Hermann,	Longworth,
Lorimer,	Perkins,	Sherman,	Taylor,
McCall,	Pierce,	Shiras,	Thayer,
McCarthy,	Pinckney,	Shober,	Tirrell,
McDermott,	Pou,	Shull,	Trimble,
McLachlan,	Powers, Mass.	Sibley,	Wachter,
McLain,	Prince,	Slayden,	Wadsworth,
Maddox,	Rainey,	Slemp,	Wanger,
Mahoney,	Reid,	Smith, Ill.	Warner,
Maynard,	Rhea,	Smith, Wm. Alden	Warnock,
Metcalf,	Richardson, Ala.	Smith, Pa.	Watson,
Meyer, La.	Richardson, Tenn.	Snapp,	Weems,
Miers, Ind.	Rixey,	Sparkman,	Weisse,
Moon, Pa.	Robb,	Sperry,	Wiley, Ala.
Morgan,	Robertson, La.	Spight,	Wiley, N. J.
Mudd,	Robinson, Ark.	Stafford,	Williams, Miss.
Murdock,	Rucker,	Stanley,	Williamson,
Nevin,	Russell,	Sullivan, N. Y.	Wilson, N. Y.
Palmer,	Scott,	Sulloway,	Woodyard.
Patterson, Tenn.	Scudder,	Swanson,	
Pearre,	Sherley,	Talbott,	

So the House determined to consider the motion.

The Clerk announced the following additional pairs:

For the session:

Mr. PATTERSON of Pennsylvania with Mr. DICKERMAN.

Until further notice:

Mr. CONNER with Mr. WADE.

Mr. BOUTELL with Mr. GRIGGS.

For remainder of day:

Mr. BOWERSOCK with Mr. GARNER.

Mr. BRICK with Mr. GLASS.

Mr. BROWN of Wisconsin with Mr. HITCHCOCK.

Mr. GARDNER of Massachusetts with Mr. MCLAIN.

Mr. HEDGE with Mr. RAINEY.

Mr. CURTIS with Mr. TAYLOR.

Mr. DWIGHT with Mr. THAYER.

Mr. WACHTER with Mr. WILSON of New York.

Mr. EVANS with Mr. SPIGHT.

Mr. WILLIAMSON with Mr. WILEY of Alabama.

Mr. HOWELL of New Jersey with Mr. PATTERSON of Tennessee.

Mr. GILLETT of Massachusetts with Mr. BANKHEAD.

Mr. ADAMS of Pennsylvania with Mr. CASSINGHAM.

Mr. GILLET of New York with Mr. MIERS of Indiana.

Mr. HOLLIDAY with Mr. MAYNARD.

Mr. HILL of Connecticut with Mr. PUJO.

Mr. CASTOR with Mr. MADDOX.

Mr. DRAPER with Mr. KLINE.

Mr. ALEXANDER with Mr. FIELD.

Mr. BURKETT with Mr. SHULL.

On this vote:

Mr. GROSVENOR with Mr. HEARST.

The SPEAKER. The Chair notes the "presents," during the roll call, of the gentleman from Texas [Mr. SLAYDEN] and the gentleman from Iowa [Mr. WADE]. Either of them, under the rule, can vote.

Mr. WADE answered "present."

The SPEAKER. The Clerk will call my name.

The Clerk called the Speaker, and he voted "aye."

Mr. GOULDEN. Mr. Speaker, I am paired with the gentleman from New York [Mr. BRADLEY], and I have not heard the pair announced.

The SPEAKER. It was announced earlier in the day.

On this question, the yeas are 100, the nays 76, answering "present" 19, noted as present, the gentleman from Texas [Mr. SLAYDEN], making 196 voting and present, a quorum. The ayes have it, and the motion prevails. The question is on the motion of the gentleman from Wyoming [Mr. MONDELL] that the House concur in the Senate amendments. As many as are in favor will say "aye"——

Mr. FITZGERALD. Mr. Speaker, this motion is to concur in the Senate amendment made to a House bill. This bill provides for the opening of the Shoshone Reservation, in Wyoming——

The SPEAKER. Does the gentleman from Wyoming yield?

Mr. MONDELL. "The gentleman" does not.

Mr. FITZGERALD. The gentleman has not reserved the floor for any purpose.

The SPEAKER. The gentleman from Wyoming [Mr. MONDELL] is recognized.

Mr. FITZGERALD. But the Chair proceeded to put the question, and upon that I asked recognition to debate the question, and was debating it.

The SPEAKER. The Chair wants to be exactly fair with the gentleman. The Chair did not understand that he was recognizing the gentleman for an hour in his own right. The gentleman from Wyoming had been recognized, still holding the floor, and the Chair put the question on agreeing to the motion of the gentleman. Now, the Chair wants to be fair to the gentleman, but can not recognize the gentleman for an hour.

Mr. FITZGERALD. Mr. Speaker, I submit that the gentleman having made his motion, and having made no suggestion——

The SPEAKER. The Chair does not want to perpetrate any

rigid rule or anything that would look like sharp practice on the gentleman, but does not want to place the House at the mercy of the gentleman for an hour, and will not. Does the gentleman yield to the gentleman?

Mr. MONDELL. How much time does the gentleman desire?

Mr. FITZGERALD. I desire to be recognized in my own right.

The SPEAKER. The Chair declines to recognize the gentleman at this time in his own right.

Mr. FITZGERALD. Nobody has asked recognition, and the gentleman has not debated the amendments.

The SPEAKER. The Chair has decided that question, and the power of recognition rests with the Chair.

Mr. FITZGERALD. But, Mr. Speaker——

The SPEAKER. The Chair will not further discuss that question. The Chair declines to recognize the gentleman for an hour.

Mr. FITZGERALD. A parliamentary inquiry.

Mr. DE ARMOND. I would like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DE ARMOND. Is it within the province and authority of the Chair to determine the matter of recognition by the length of time the Member is to be recognized to have?

The SPEAKER. The parliamentary inquiry is plausible, but after all the question is whether it is, in fact, plausible or whether it is substantial. The Chair has the power of recognition, and under the rules of the House there is even no appeal from that power, and under the usages of the House the gentleman from Wyoming has the floor.

Mr. DE ARMOND. What I was asking, Mr. Speaker, when I made the parliamentary inquiry was what, then, did the Chair mean by saying that he could not recognize the gentleman for an hour, if he recognized him at all.

The SPEAKER. Nobody is recognized under the rules of the House, at the present stage, for an hour.

Mr. DE ARMOND. Why, then, did the Speaker say that he would not recognize the gentleman for an hour?

The SPEAKER. Oh, it is a matter of language that boots not. It is perhaps subject to criticism, but it is not substantial. Perhaps the Chair at the hour of half past 12 o'clock may have made a remark that is subject to criticism, but it is not substantial. The gentleman from Wyoming is recognized.

Mr. MONDELL. Does the gentleman want some time?

Mr. HAY. Mr. Speaker, I make a point of order. My point of order is——

Mr. MONDELL. I move the previous question.

Mr. PAYNE. I would suggest to the gentleman that he discuss the question for a few moments, and then move the previous question, and not waste any more time on my colleague from New York.

Mr. HAY. I raise the point of order.

Mr. FITZGERALD. I do not desire time unless I can be recognized in my own right.

The SPEAKER. The gentleman from Virginia will state his point of order.

Mr. HAY. My point of order is that the gentleman from Wyoming had yielded the floor, and the Chair put the question on the Senate amendments.

The SPEAKER. The Chair overrules the point of order, so far as that is concerned. In fact, the point of order is not entertained.

Mr. MONDELL. I do not desire to take the time of the House at this late hour with any long discussion of these amendments. I do not think that is necessary.

The House bill is amended in three particulars. The bill as it passed the House had a provision to the effect that the bill, before going into effect, should be ratified by a majority of the male members of the tribe. That provision of the bill was placed in it at my suggestion. This is a provision which has been placed in but one of the other Indian bills passed by the House this winter.

But at my suggestion, knowing the Indians were favorable to the provision, it was placed in the bill. After the bill passed the House, and before it passed the Senate, an Indian inspector had visited the reservation. He wired the Secretary of the Interior, and I also had a wire from a friend of mine in the locality, saying that the only changes made in the bill were changes relative to the amount of money to be paid for the purchase of live stock and the irrigation of the lands of the Indians.

These changes were made, and the bill as amended is in accordance with the treaty which has been made. It includes all the important features of the treaty, and therefore we struck out the provision in regard to the treaty in the last of the bill. These are the only amendments to the bill, and they have been adopted by the Indians. I move the previous question.

Mr. GAINES of Tennessee. Mr. Speaker, we do not know anything about this bill, except my friend from New York here, and it seems he is cut off. I want to ask the gentleman a question or two.

The SPEAKER. Does the gentleman yield?

Mr. GAINES of Tennessee. You said just now that a friend of yours out in Wyoming wired you that the bill had been changed. What bill?

Mr. MONDELL. The Indian inspector who went out there to the Indians used my bill as the basis.

Mr. GAINES of Tennessee. I wish the Indians out here would stop until we get a little music in here.

Mr. MONDELL. The inspector used my bill as the basis of the treaty.

Mr. GAINES of Tennessee. What bill do you allude to?

Mr. MONDELL. I alluded to this bill.

Mr. GAINES of Tennessee. How did your friend in Wyoming wire you the bill was changed?

Mr. MONDELL. I thought I had explained that to the gentleman. The Indian inspector who went out to the reservation and treated with these Indians took a copy of this bill as a basis of the agreement.

Mr. GAINES of Tennessee. Oh.

Mr. MONDELL. I have information to the effect that the only changes made in the bill and agreement made by the inspector with the Indians was a change relative to the amount which the Indians were to expend in the purchase of cattle and the amount of moneys which the Indians were to receive from the sale of lands which were to be used in irrigation, and I will say that the Secretary of the Interior also has a message from the inspector stating that these are the only important changes in the bill.

The bill was amended in accordance with these changes, and therefore the bill now before the House is to all intents and purposes the treaty as the Indians have signed it and agreed to it.

Mr. GAINES of Tennessee. Now, this bill, then, is based upon your friend's information from Wyoming. That is the basis they had there for changing the bill in the manner in which you have changed it here, and asked the House to pass it.

Mr. MONDELL. I will say to the gentleman that it is passed on a telegram from the Indian inspector who made the treaty to the Secretary of the Interior.

Mr. GAINES of Tennessee. Well, has the Secretary of the Interior now communicated that to the House?

Mr. MONDELL. The Secretary of the Interior handed that telegram to a Senator of the United States.

Mr. GAINES of Tennessee. Well, where is the telegram now?

Mr. MONDELL. I do not know where the telegram is.

Mr. FITZGERALD. I wish you would give me two minutes.

Mr. JAMES. Has the Secretary of the Interior indorsed this bill?

Mr. GAINES of Tennessee. I think it is monstrous for us to legislate for savages on such testimony as this, without meaning to reflect on my friend.

The SPEAKER. Does the gentleman yield?

Mr. MONDELL. Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Wyoming moves the previous question.

Mr. FITZGERALD. Mr. Speaker, I ask the gentleman if he will yield me any time?

Mr. MONDELL. How much time does the gentleman desire?

Mr. FITZGERALD. Well, any reasonable time in order to make a statement in connection with the bill.

Mr. MONDELL. I will yield five minutes to the gentleman.

Mr. FITZGERALD. Mr. Speaker, this bill passed the House with a provision requiring the consent of the Indians to the bill. It passed the House by unanimous consent because that provision was in it and because it could not pass without it. Yesterday I was informed in the office of the Secretary of the Interior that it had been arranged that that provision of the bill would be stricken out in the Senate and the bill sent here and a motion made to concur in the Senate amendment in face of the opposition of the Department to the bill.

I was further informed that the gentleman from Wyoming had more information about what the inspector of the Department of the Interior was doing on that reservation than it was possible for the Department itself to obtain. The Secretary did have a telegram saying that there were two important changes to be made, and he also had a telegram from the inspector that the inspector desired to come to Washington and consult with the Secretary of the Interior before this bill was passed.

This reservation, according to the information I received at the office of the Secretary of the Interior, is rich in gas and oil, and they are anxious—somebody—to have this bill passed before the inspector can come back to the Department.

The Department desires this bill should wait until the inspector gets back, so that it may ascertain what the inspector desires to communicate regarding this bill, but for some reason not exposed

on this floor, nor any place else that I can ascertain, there is a desire to pass the bill before the Department gets that information.

If this House desires to do that, of course it has the power, but it is well that these facts be known. My information was obtained in the Department at a quarter to 12 yesterday morning. Perhaps there is some information here, authoritative, which will say that Department now desires this bill to pass. The gentleman said that this provision was put in, requiring the consent of the Indians, at his request.

He says further that the bill has been amended in two important respects to conform to the desires of the Indians, and yet he admits they strike from the bill the provision that requires the consent of the Indians. If it is so satisfactory to these Indians, if it is so fair, if it is so just and proper, why does the gentleman desire to eliminate the provision that would require the consent of the Indians?

Why, Mr. Speaker, those who are anxious to get the lands of the Indians and the property of the Indians are well represented on the floor of this House; but with the Department of the Interior charged with the duty of looking after their interests, anxious to have this bill held up until it can secure the information which it has sent its inspectors out there to obtain, with nobody here to represent those who should be represented here, we have at this late hour a determination to ram this bill through in defiance of all decency. Those are the facts.

I have no interest in this reservation or in the bill or in the people residing adjacent to the reservation. I live some 4,000 miles from it, but as a member of the Committee on Indian Affairs, charged with the duty of seeing that fairness is done, that those things are done which should be done, I simply desire to present these facts to the House. Now, this bill may pass, but you will have to resort to every expediency under the rules of the House to pass it.

Mr. STEPHENS of Texas. Will the gentleman permit an interruption?

The SPEAKER. Does the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. STEPHENS of Texas. Is it not a fact that the gentleman is a member of the Committee on Indian Affairs?

Mr. FITZGERALD. Yes.

Mr. STEPHENS of Texas. Is it not a fact that this bill was unanimously reported from that committee after a full investigation of the facts?

Mr. FITZGERALD. I was not present when the bill was considered.

Mr. STEPHENS of Texas. Yes. I was present, and I will state that there was no objection to it.

Mr. FITZGERALD. The gentleman and I look on many questions affecting the Indians from different points of view. He lives in a country where the people desire to get the Indian lands.

Mr. STEPHENS of Texas. Yes; I live near the Indians and the gentleman lives 4,000 miles away from them. I understand the situation and he does not.

Mr. FITZGERALD. That may be. I act according to my best judgment and according to the information which I have received from the Department, and the gentleman now proposes to act in defiance of the wishes of the Department charged with the duty of protecting these Indians.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. MONDELL. Mr. Speaker, the gentleman has admitted that he lives 4,000 miles away from this reservation. Therefore he knows a very great deal as to its richness that I, living near the reservation and having gone across it several times, never heard of or dreamed of. If it is rich in oil and minerals, it is something that I have never heard of.

These Indians have been anxious to sell their lands for two or three years. I have been endeavoring to have an inspector sent to this reservation for the past year. I have been promised for the last six months, every two or three days, that an inspector would be sent to treat with these Indians. No inspector was sent until a bill had been introduced and reported to this House, and then an inspector was sent.

The inspector went out there. He found, what I knew to be the case, that the Indians were anxious to treat along the lines of this bill, and the only change made in the bill is not an important change, but one relating to the number of head of cattle which they propose to buy, and the amount they expect to spend in irrigating their farms. Those are the only changes.

I asked the Secretary of the Interior to telegraph his inspector and have the treaty sent down here, word for word, so that every word of it could be written into this bill, but I was unable to secure that action and was told that it could not be done.

Mr. STEPHENS of Texas. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. STEPHENS of Texas. Has there been any suggestion made before the committee or from any person until to-night that oil or gas or minerals of any kind were to be found upon this land?

Mr. MONDELL. Not that I ever heard of. Mr. Speaker, I could not obtain the treaty in full.

We obtained an official telegram from the inspector to the Secretary saying that the only changes of any importance were the two changes which the Senate has incorporated in the bill by way of amendment; so that we present the bill here practically as these Indians have agreed to it and as they are anxious to have it passed.

Why do we bring it here at this late hour? Because we have tried during this entire session to secure action on this matter, and if we do not secure action on it now it means that the lands will be tied up for another year and the settlers who are anxious to go in there will not have any opportunity.

Mr. STEPHENS of Texas. One other question: Is it not a fact that if oil or gas or valuable minerals of any description were found on that land the Indians would receive the increased value resulting therefrom, the land being put up and sold to the highest bidder?

Mr. MONDELL. It is true that the lands are to be disposed of by the Secretary of the Interior for the best price that they will bring.

The provision of the law is that all such lands shall be disposed of under the mineral-land laws if there are any such deposits. I will add that if there are any mineral deposits there, I have never heard of it.

Mr. FITZGERALD. The information I have comes from the office of the Secretary of the Interior. I do not state it upon my own knowledge, but upon the information of that Department, which must have the information, if anyone has.

Mr. FINLEY. I should like to ask the gentleman from Montana this question: Has there not been stricken from this bill the provision that the treaty be submitted to the Indians and be made subject to their ratification?

Mr. MONDELL. That is a fact. It has been submitted to the Indians and is now in the form in which they have ratified it.

Mr. FINLEY. Has the gentleman a copy of the treaty as ratified by the Indians?

Mr. MONDELL. I think I said a moment ago that I endeavored to have a copy of the treaty sent here by wire. I asked that the Indian inspector be instructed to wire the treaty.

Mr. FINLEY. And he has not done so?

Mr. MONDELL. The Secretary of the Interior did not see fit to instruct the inspector to wire the treaty.

Mr. FINLEY. One other question. Does the gentleman know why the Department of the Interior is opposed to this bill?

Mr. MONDELL. I never heard that the Department was opposed to it. On the contrary, I have been told by Department officials time and time again for several years past that the reservation ought to be opened.

Mr. FINLEY. Is it a fact that the Department is now opposed to the passage of the bill?

Mr. MONDELL. I have never heard any such thing except from the gentleman from New York [Mr. FITZGERALD] to-night.

Mr. GAINES of Tennessee. You say you telegraphed out there to have the treaty telegraphed here?

Mr. MONDELL. I thought I explained that matter. I asked the Secretary of the Interior to have his inspector wire the treaty here.

Mr. GAINES of Tennessee. And the inspector did not wire it?

Mr. MONDELL. The Secretary of the Interior did not see fit to authorize him to do so.

Mr. GAINES of Tennessee. Why did you want the treaty here or why did the Secretary of the Interior want it here before the bill was passed?

Mr. MONDELL. So that we could write into this bill every word, every syllable, of the changes that have been made. Instead of that, being unable to get a copy of the treaty, we write into the bill what we have been told are the only changes of any importance and the only changes that we have heard of, to wit, the changes with regard to the expenditure of the money.

Mr. GAINES of Tennessee. You say that these Indians have agreed to some treaty?

Mr. MONDELL. Yes, sir.

Mr. GAINES of Tennessee. And previous to that agreement you wrote into the bill that this measure must be carried out with the consent of the Indians? Now, if they have signed some treaty out there with which you are not familiar—and that is practically what the gentleman states—why not put in the bill a provision that it must conform to the treaty?

Mr. MONDELL. Well, I will say to the gentleman that I am

familiar with the treaty, because, in the first place, the treaty is the bill.

Mr. GAINES of Tennessee. If you are familiar with it, why did you ask the Secretary to wire for it and get it for you?

Mr. MONDELL. It seems that it is impossible for me to explain to the gentleman so that he understands me, why I wired. I stated a moment ago that I did it in order that every word and every syllable of possible change in this bill might be written into it.

Mr. GAINES of Tennessee. Now, have you written in the bill every word and every syllable of the treaty?

Mr. MONDELL. Yes; the treaty is the bill, as I have tried to explain to the gentleman.

Mr. GAINES of Tennessee. Mr. Speaker, I should like to ask the gentleman a question. If the Indians have already made a treaty in which they ratify the provisions of your bill, what harm can come to you or to the position that you maintain on the floor by leaving it subject to their approval?

Mr. MONDELL. Because if that is done we shall have to wait until the next session of Congress, or some five or six months from now, before the surveys can be made, before the allotments can be made, before various thing can be done, preparatory to opening the reservation to settlement. That will cause a delay of at least a year.

Mr. FITZGERALD. Does not the gentleman know that it would not take a month, if this agreement is satisfactory to the Indians, to have them approve it, and would not delay the opening a month?

Mr. MONDELL. I ask the previous question.

The SPEAKER. The gentleman asks the previous question.

The question being taken, the Speaker announced that the ayes seemed to have it.

Mr. FITZGERALD demanded a division.

The House divided; and there were—ayes 98, noes 58.

Mr. FITZGERALD. Mr. Speaker, I ask for the yeas and nays.

Mr. PAYNE. I move that the House take a recess until 10.30 o'clock this morning.

Mr. FITZGERALD. I make the point of order that there is no quorum present.

Mr. PAYNE. Of course the gentleman can make that point, and of course we can adjourn until 12 o'clock, and we will have the gentleman's delightful presence here until 4 or 5 o'clock in the afternoon.

Mr. FITZGERALD. You can have it here until the 1st of July, if you want it.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 11122. An act to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and for other purposes;

H. R. 11135. An act amending an act approved March 3, 1901, entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana Territory by the United States, by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri;"

H. R. 7535. An act for the relief of Jacob Swigert, late deputy collector, Seventh Kentucky district;

H. R. 14500. An act to ratify and confirm the present right of way of the Oahu Railway and Land Company through the military reservation of Kahauiki, Territory of Hawaii;

H. R. 12647. An act to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes.

H. R. 15128. An act to authorize the Secretary of the Treasury to cancel a certain bond of Klaw & Erlanger;

H. R. 13088. An act to relieve obligors on bonds given to the United States upon the exportation to the Philippine Islands prior to November 20, 1901, of articles subject to internal-revenue tax;

H. R. 11586. An act to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes;

H. R. 1925. An act providing for the removal of the port of entry in the customs collection district in Alaska from Sitka, Alaska, to Juneau, Alaska;

H. R. 13521. An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes;

H. R. 13860. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes; and

H. R. 13592. An act granting an increase of pension to Stephen M. Ferguson.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 1836. An act for the relief of E. H. Murrell.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 4236. An act to pay claimants for damages to private property by reason of mortar practice at Fort Preble, Me.; Fort Winthrop, Mass.; Fort Hamilton, N. Y.; and Fort H. G. Wright, N. Y., as adopted by board of army officers constituted to ascertain the same—to the Committee on Claims.

The SPEAKER. The gentleman from New York moves that the House take a recess until this morning at 10.30 o'clock.

Mr. FITZGERALD. I will withdraw the point of no quorum, Mr. Speaker.

The motion was agreed to.

Accordingly (at 12 o'clock and 59 minutes a. m., Thursday, April 28, 1904) the House took a recess until 10.30 a. m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Attorney-General, transmitting a response to the inquiry of the House as to an investigation of the so-called anthracite coal trust—to the Committee on the Judiciary, and ordered to be printed.

A letter from the Attorney-General, transmitting a response to the inquiry of the House in relation to proceedings against the individuals and corporations involved in the Northern Securities case—to the Committee on the Judiciary, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. NEEDHAM, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 10140) providing for the construction of a wagon road within the boundaries of the Yosemite National Park, reported the same with amendment, accompanied by a report (No. 2891); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 7988) to provide for the refunding of certain money, and so forth, reported the same without amendment, accompanied by a report (No. 2921); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 11528) for the relief of the Harbison-Walker Company, of Pittsburg, Pa., reported the same without amendment, accompanied by a report (No 2928); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. McCLEARY of Minnesota, from the Committee on the Library, to which was referred the Senate joint resolution (S. R. 21) authorizing the purchase of a marble bust of General Lafayette, executed by David D'Angers, reported the same without amendment, accompanied by a report (No. 2929); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2151) granting an increase of pension to Samuel H. Hunt, reported the same with amendment, accompanied by a report (No. 2882); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6640) granting

an increase of pension to John A. Courtney, reported the same with amendment, accompanied by a report (No. 2883); which said bill and report were referred to the Private Calendar.

Mr. CLAUDE KITCHIN, from the Committee on Claims, to which was referred the bill of the House (H. R. 5998) for the relief of Capt. Archibald W. Butt, quartermaster, United States Army, reported the same without amendment, accompanied by a report (No. 2884); which said bill and report were referred to the Private Calendar.

Mr. McNARY, from the Committee on Claims, to which was referred the bill of the House (H. R. 5163) for the relief of Catherine Grace, reported the same without amendment, accompanied by a report (No. 2888); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 9476) for the relief of the minor children of John W. Geering, deceased, formerly of Vallejo, Cal., reported the same with amendment, accompanied by a report (No. 2889); which said bill and report were referred to the Private Calendar.

Mr. CLAUDE KITCHIN, from the Committee on Claims, to which was referred the bill of the House (H. R. 7730) to reimburse Quong Hong Yick for one case of opium erroneously condemned and sold by the United States, reported the same with amendment, accompanied by a report (No. 2890); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5423) granting an increase of pension to Ellen J. Morton, reported the same without amendment, accompanied by a report (No. 2892); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5184) granting a pension to Ethel Talley, reported the same without amendment, accompanied by a report (No. 2893); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2414) granting an increase of pension to Elise Habercom, reported the same without amendment, accompanied by a report (No. 2894); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2578) granting an increase of pension to Sylvester Beezley, reported the same without amendment, accompanied by a report (No. 2895); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1994) granting an increase of pension to Isabella Chivington, reported the same without amendment, accompanied by a report (No. 2896); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1576) granting an increase of pension to Emily M. J. Cooley, reported the same without amendment, accompanied by a report (No. 2897); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 183) granting an increase of pension to John W. Currier, reported the same without amendment, accompanied by a report (No. 2898); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 216) granting an increase of pension to Nelson Wells, reported the same without amendment, accompanied by a report (No. 2899); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1421) granting an increase of pension to Charles L. Houghton, reported the same without amendment, accompanied by a report (No. 2900); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 922) granting an increase of pension to William S. Devlin, reported the same without amendment, accompanied by a report (No. 2901); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3791) granting an increase of pension Edwin J. Tenney, reported the same without amendment, accompanied by a report (No. 2902); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5416) granting an increase of pension to James A. Hopson, reported the same without amendment, accompanied by a report (No. 2903); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5492) granting an increase of pension to Mary T. Holden, reported the same without amendment, accompanied by a report (No. 2904); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5556) granting an increase of pension to Sarah A. Hoback, reported the same without amendment, accompanied by a report (No. 2905); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5484) granting a pension to Burnetta B. Lehmann, reported the same without amendment, accompanied by a report (No. 2906); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3640) granting an increase of pension to John S. Stevens, reported the same without amendment, accompanied by a report (No. 2907); which said bill and report were referred to the Privat Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2745) granting an increase of pension to Thomas Howard, reported the same without amendment, accompanied by a report (No. 2908); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3329) granting a pension to Mary E. Strong, reported the same without amendment, accompanied by a report (No. 2909); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2893) granting an increase of pension to Emanuel Morter, reported the same without amendment, accompanied by a report (No. 2910); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3502) granting an increase of pension to Joseph W. Willis, reported the same without amendment, accompanied by a report (No. 2911); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3414) granting an increase of pension to Henry Wheeler, reported the same without amendment, accompanied by a report (No. 2912); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3033) granting an increase of pension to Charles B. Williams, reported the same without amendment, accompanied by a report (No. 2913); which said bill and report were referred to the Private Calendar.

Mr. YOUNG, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 60) for the relief of Gottlieb C. Rose, reported the same without amendment, accompanied by a report (No. 2914); which said bill and report were referred to the Private Calendar.

Mr. ESCH, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 3246) to remove the charge of desertion from the name of Frederick W. Joslin, reported the same without amendment, accompanied by a report (No. 2915); which said bill and report were referred to the Private Calendar.

Mr. PARKER, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 4066) for the relief of Leonard I. Brownson, reported the same without amendment, accompanied by a report (No. 2916); which said bill and report were referred to the Private Calendar.

Mr. YOUNG, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 2848) for the relief of Capt. Ferdinand Hansen, reported the same without amendment, accompanied by a report (No. 2918); which said bill and report were referred to the Private Calendar.

Mr. PARKER, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3535) to grant honorable discharge to William A. Treadwell, reported the same with amendment, accompanied by a report (No. 2924); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 63) for the relief of Charles Stierlin, reported the same without amendment, accompanied by a report (No. 2925); which said bill and report were referred to the Private Calendar.

Mr. TIRRELL, from the Committee on Claims, to which was referred the bill of the Senate (S. 5188) for the relief of the L. S. Watson Manufacturing Company, of Leicester, Mass., reported the same without amendment, accompanied by a report (No. 2926); which said bill and report were referred to the Private Calendar.

Mr. MILLER, from the Committee on Claims, to which was

referred the bill of the House (H. R. 4896) for the relief of the legal representatives of A. G. Boone, reported the same with amendment, accompanied by a report (No. 2927); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. YOUNG, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1272) for the relief of Col. Azor H. Nickerson, reported the same adversely, accompanied by a report (No. 2917); which said bill and report were ordered to be laid on the table.

Mr. ESCH, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 4149) to remove the charge of desertion from the military record of Samuel J. Maund, reported the same adversely, accompanied by a report (No. 2919); which said bill and report were ordered to be laid on the table.

Mr. SLAYDEN, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 13519) to correct the military record of Richard R. Sprague and grant him an honorable discharge, reported the same adversely, accompanied by a report (No. 2920); which said bill and report were ordered to be laid on the table.

Mr. DENNY, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 6870) to amend the act approved March 15, 1878, entitled "An act for the relief of William A. Hammond, late Surgeon-General of the Army," reported the same adversely, accompanied by a report (No. 2922); which said bill and report were ordered to be laid on the table.

Mr. PARKER, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 7409) to place Elias H. Parsons on the retired list of the United States Army, reported the same adversely, accompanied by a report (No. 2923); which said bill and report were ordered to be laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HILL of Mississippi (by request): A bill (H. R. 15475) to provide a public-improvement currency for the island of Porto Rico—to the Committee on Insular Affairs.

By Mr. McLACHLAN: A bill (H. R. 15476) to discontinue all but one post-office in any incorporated city and to provide for general free delivery of mail where the combined gross revenues of all post-offices in said city aggregate $10,000 during the preceding fiscal year, and providing for the salary of the postmaster in such cases—to the Committee on the Post-Office and Post-Roads.

By Mr. WILEY of New Jersey: A bill (H. R. 15477) to change the name of Thirteen-and-a-half street to Linworth place—to the Committee on the District of Columbia.

By Mr. DIXON: A bill (H. R. 15478) for the survey and allotment of lands now embraced within the limits of the Blackfeet Indian Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment—to the Committee on Indian Affairs.

By Mr. BROOKS: A bill (H. R. 15479) to amend the homestead laws as to certain unappropriated and unreserved lands in the State of Colorado—to the Committee on the Public Lands.

By Mr. SCUDDER: A bill (H. R. 15541) creating a commission to investigate the question of the redemption of swamps and marshes in New York and New Jersey, with a view to improving sanitary conditions and exterminating the Anapholes mosquito—to the Committee on Interstate and Foreign Commerce.

By Mr. BEALL of Texas: A bill (H. R. 15542) to encourage and promote commerce among States and with foreign nations and to remove obstructions thereto—to the Committee on Interstate and Foreign Commerce.

By Mr. GOULDEN: A bill (H. R. 15543) to provide for a medal in commemoration of the service of Haym Salomon during the war of the Revolution and to express recognition of the same—to the Committee on the Library.

By Mr. SPALDING: A bill (H. R. 15544) for the incorporation of insurance corporations for regulating foreign and interstate commerce by guaranteeing the labor contracts of those engaged therein, and providing for the arbitration of liabilities and losses—to the Committee on Labor.

By Mr. McCLEARY of Minnesota: A bill (H. R. 15545) for the erection of a public building at New Ulm, Minn.—to the Committee on Public Buildings and Grounds.

By Mr. ADAMS of Wisconsin: A bill (H. R. 15546) to incorporate the Potomac Bridge and Terminal Company of the District of Columbia—to the Committee on Interstate and Foreign Commerce.

By Mr. McNARY: A bill (R. R. 15547) prescribing certain qualifications for those who may be employed in the construction of the Panama Canal—to the Committee on Interstate and Foreign Commerce.

By Mr. SCUDDER: A joint resolution (H. J. Res. 156) directing the Secretary of War to submit plans and estimates for dredging Lloyd Harbor and constructing a canal connecting it with Cold Spring Harbor, in the county of Suffolk and State of New York—to the Committee on Rivers and Harbors.

By Mr. McNARY: A joint resolution (H. J. Res. 157) relative to a ship canal across Cape Cod—to the Committee on Railways and Canals.

By Mr. SPALDING: A resolution (H. Res. 361) relative to the tariff on wheat—to the Committee on Ways and Means.

By Mr. GROSVENOR: A resolution (H. Res. 362) providing for the printing of 10,000 copies of the ruling the Speaker made on the Cockran resolution—to the Committee on Printing.

Also, a resolution (H. Res. 362) to print 10,000 copies of the Calendar, day of April 27, 1904—to the Committee on Printing.

By Mr. PAYNE: A resolution (H. Res. 363) relative to compilation of legislative history of all customs revenue acts from the First to the Fifty-eighth Congresses, inclusive—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BEALL of Texas: A bill (H. R. 15480) granting a pension to W. C. Short—to the Committee on Pensions.

By Mr. CAPRON: A bill (H. R. 15481) granting an increase of pension to Cyrus F. Taylor—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD (by request): A bill (H. R. 15482) for the relief of Marie Louise Baldwin for services rendered to the Pillager and other bands of Chippewa Indians, in the State of Minnesota—to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 15483) for the relief of John B. Bottineau for services rendered and for disbursements incurred on account of the Pillagers and other bands of Chippewa Indians interested with them, in the State of Minnesota—to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 15484) for the relief of Henry Poitra (Sasswain) for moneys advanced the Turtle Mountain Indians in the State of North Dakota—to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 15485) for the relief of the widow of Chief Little Shell, and for other purposes—to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 15486) for the relief of Hyacinthe Villeneauve for services and money paid on account of the Turtle Mountain Indians, in the State of North Dakota—to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 15487) for the relief of Charles Bottineau (Charlo) for services rendered and supplies furnished the Pembina and Turtle Mountain bands of Chippewa Indians—to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 15488) for the relief of Rev. J. F. Milo, the old missionary and pastor of the Turtle Mountain band of Chippewa Indians, in the State of North Dakota—to the Committee on Indian Affairs.

By Mr. COUSINS: A bill (H. R. 15489) granting an increase of pension to Oliver H. Martin—to the Committee on Invalid Pensions.

By Mr. CLARK: A bill (H. R. 15490) granting a pension to John W. Patterson—to the Committee on Invalid Pensions.

By Mr. DRISCOLL: A bill (H. R. 15491) granting a pension to Theresa M. Kennedy—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 15492) granting an increase of pension to Enos J. Rexford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15493) for the relief of Leonard R. Marsh—to the Committee on Military Affairs.

By Mr. GLASS: A bill (H. R. 15494) for the relief of the legal heirs of Le Roy Campbell, deceased, of Roanoke County, Va.—to the Committee on War Claims.

By Mr. GIBSON: A bill (H. R. 15495) granting a pension to Henry Jones—to the Committee on Invalid Pensions.

By Mr. GOLDFOGLE: A bill (H. R. 15496) for the relief of William B. Brown—to the Committee on Naval Affairs.

By Mr. HAMLIN: A bill (H. R. 15497) granting an increase of pension to Patrick H. Oliver—to the Committee on Invalid Pensions.

By Mr. HARRISON: A bill (H. R. 15498) granting an increase of pension to James McCormick—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 15499) granting a pension to William W. Craig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15500) granting a pension to Gustav Tunitee—to the Committee on Invalid Pensions.

By Mr. HITCHCOCK: A bill (H. R. 15501) granting an increase of pension to Evan Wyman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15502) granting a pension to John B. Furay—to the Committee on Invalid Pensions.

By Mr. JACKSON of Maryland: A bill (H. R. 15503) for the relief of the heirs at law and legal representatives of Asahel Bliss—to the Committee on War Claims.

By Mr. LILLEY: A bill (H. R. 15504) granting an increase of pension to Ellen Tuite—to the Committee on Invalid Pensions.

By Mr. LIVERNASH: A bill (H. R. 15505) granting an increase of pension to James Mitchell—to the Committee on Invalid Pensions.

Also a bill (H. R. 15506) granting a pension to Mary D. McKinnon—to the Committee on Invalid Pensions.

By Mr. MAHON: A bill (H. R. 15507) for the relief of Levi Neitz—to the Committee on Military Affairs.

By Mr. McLACHLAN: A bill (H. R. 15508) granting a pension to Charles F. Dunn—to the Committee on Pensions.

By Mr. MEYER of Louisiana: A bill (H. R. 15509) granting an increase of pension to Margaret Becker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15510) granting an increase of pension to Hugh Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15511) granting a pension to Josephine Demoruelle—to the Committee on Invalid Pensions.

By Mr. PUJO: A bill (H. R. 15512) for the relief of the estate of Blaize Motte, sr., deceased, late of St. Landry Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 15513) for the relief of the estate of Clarisse Donato, deceased, late of St. Landry Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 15514) for the relief of the estate of Belot Augusta Donato, deceased, late of St. Landry Parish, La.—to the Committee on War Claims.

By Mr. SCUDDER: A bill (H. R. 15515) granting an increase of pension to Mary E. Burrell—to the Committee on Pensions.

Also, a bill (H. R. 15516) granting a pension to Ernestine M. Benjamin—to the Committee on Pensions.

Also, a bill (H. R. 15517) for the relief of Hyman Nemzer—to the Committee on Claims.

By Mr. SPERRY: A bill (H. R. 15518) granting a pension to Howell Atwater—to the Committee on Invalid Pensions.

By Mr. VAN DUZER: A bill (H. R. 15519) for the relief of the legal representatives of D. P. Crook, deceased—to the Committee on War Claims.

By Mr. VOLSTEAD: A bill (H. R. 15520) granting an increase of pension to William P. Dunnington—to the Committee on Invalid Pensions.

By Mr. WARNER: A bill (H. R. 15521) granting an increase of pension to Benjamin W. Schenck—to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 15522) granting an increase of pension to Jacob Shade—to the Committee on Invalid Pensions.

By Mr. MEYER of Louisiana: A bill (H. R. 15523) to amend the record of John Sigwald—to the Committee on Military Affairs.

By Mr. SAMUEL W. SMITH: A bill (H. R. 15524) granting a pension to John Coggins—to the Committee on Invalid Pensions.

By Mr. HUGHES of New Jersey: A bill (H. R. 15525) to remove the charge of desertion now existing on the records of the War Department against John McKeon—to the Committee on Military Affairs.

By Mr. CAPRON: A bill (H. R. 15526) granting an increase of pension to Horace B. Tanner—to the Committee on Invalid Pensions.

By Mr. GARDNER of New Jersey: A bill (H. R. 15528) granting an increase of pension to Kemenskio A. N. L. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15529) granting an increase of pension to James M. Elkinton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15530) granting an increase of pension to Adam Weaber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15531) granting an increase of pension to Thomas Forbes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15532) granting an increase of pension to Frederick Burnwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15533) for the relief of William H. Cornell—to the Committee on Military Affairs.

Also, a bill (H. R. 15534) for the relief of Robert T. Short—to the Committee on Naval Affairs.

By Mr. GILLESPIE: A bill (H. R. 15535) granting a pension to John Crotty—to the Committee on Invalid Pensions.

By Mr. HARRISON: A bill (H. R. 15536) for the relief of Flora Yost Klinowski—to the Committee on Claims.

By Mr. SOUTHARD: A bill (H. R. 15537) to refund to A. L. Flack & Co., of Tiffin, Ohio, money paid for internal-revenue stamps lost in the mails—to the Committee on Claims.

Also, a bill (H. R. 15538) for the relief of the Milburn Wagon Company, of Toledo, Ohio—to the Committee on Claims.

By Mr. GREENE: A bill (H. R. 15539) for the promotion of First Lieut. John H. Morrissey, Revenue-Cutter Service—to the Committee on Naval Affairs.

By Mr. LESTER: A bill (H. R. 15540) for the relief of the heirs at law of Charles Evans, deceased—to the Committee on War Claims.

By Mr. DOVENER: A bill (H. R. 15548) for the relief of Thornton F. Cartwright—to the Committee on Military Affairs.

Also, a bill (H. R. 15549) for the relief of E. H. Hoult, of Marion County, W. Va.—to the Committee on Claims.

Also, a bill (H. R. 15550) for the relief of Charles L. Barnes, of Monongalia County, W. Va.—to the Committee on Claims.

Also, a bill (H. R. 15551) granting back pension pay to Robert Nicholls—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BABCOCK: Petition of 6 citizens of Lavalle, Wis., for constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. BURLEIGH: Petition of citizens and fishermen of Brooksville, Me., relative to the extermination of dogfish, etc.—to the Committee on the Merchant Marine and Fisheries.

By Mr. COOPER of Wisconsin: Petition of the West Side Monday Club, of Beloit, Wis., favoring constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. CURRIER: Resolution of the annual town meeting of Peterboro, N. H., relative to the purchase or procurement by deed or otherwise of a suitable lot of land in Peterboro upon which to erect a statue to the memory of Gen. James Miller—to the Committee on the Library.

By Mr. DOVENER: Papers to accompany bill H. R. 2971, granting an increase of pension to John Crawford—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 9730, granting a pension to Adam Minear—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 15134, granting an increase of pension to John M. Coffman—to the Committee on Invalid Pensions.

By Mr. FOSTER of Vermont: Petition of M. L. Brown and 9 others, of Middletown Springs, Vt., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. FRENCH: Petition of T. Turnbull and others, of Sagle, Idaho, favoring passage of a parcels-post and a post-check bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HAMILTON: Petition of the Nineteenth Century Club, of St. Joseph, Mich., favoring constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. HAMLIN: Paper to accompany bill granting an increase of pension to Patrick H. Oliver—to the Committee on Invalid Pensions.

By Mr. HARRISON: Petition of the Court Perfumery Company, of New York City, favoring passage of bill H. R. 9303—to the Committee on Ways and Means.

Also, petition of F. S. Clark and other citizens of New York, protesting against passage of bill S. 4713 in its present form and suggesting amendment thereto—to the Committee on Interstate and Foreign Commerce.

By Mr. HENRY of Connecticut: Petition of Landers, Frany & Clark, and the Russell & Ervin Manufacturing Company, of New Britain, Conn., favoring passage of bill H. R. 9302—to the Committee on Ways and Means.

By Mr. HEPBURN: Petition of residents of Ravensdale, Wash., against passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, eighteen petitions of citizens of various towns in the State of Washington, favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HUGHES of New Jersey: Resolution of Helpers' Division, No. 88, Brotherhood of Boiler Makers and Iron-ship Builders, of Paterson, N. J., favoring passage of bill H. R. 7056—to the Committee on the Merchant Marine and Fisheries.

By Mr. JONES of Washington: Petition of 100 citizens, representing the Christian Church of Waitsburg, Wash., urging the closing of the Lewis and Clark exposition on Sundays—to the Select Committee on Industrial Arts and Expositions.

By Mr. KETCHAM: Petition of Rev. William J. Leggett and others, of Chatham, N. Y., for constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. LAMAR of Missouri: Papers to accompany House bill to pension Joseph A. Nimmo—to the Committee on Invalid Pensions.

Also, paper to accompany bill (H. R. 14346) to pension A. E. Durham—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 15029 granting an increase of pension to Archibald Christian—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 15026 to pension Hattie Richardson—to the Committee on Invalid Pensions.

By Mr. LILLEY: Papers to accompany bill granting a pension to Ellen Tuite—to the Committee on Invalid Pensions.

By Mr. LIND: Petition of Trades and Labor Assembly of Minneapolis, Minn., favoring passage of an eight-hour law and an anti-injunction bill—to the Committee on Labor.

By Mr. LINDSAY: Resolution of the Albany Chamber of Commerce, approving general proposition for an Anglo-American treaty of arbitration between the United States and Great Britain—to the Committee on Foreign Affairs.

By Mr. LITTLEFIELD: Petition of citizens and fishermen of Port Clyde, Me., relative to the extermination of dogfish, etc.—to the Committee on the Merchant Marine and Fisheries.

Also, petition of citizens and fishermen of the State of Maine, relative to the extermination of dogfish, etc.—to the Committee on the Merchant Marine and Fisheries.

Also, petition of W. T. Kirby and others, of Sabattus, Me., favoring passage of a parcels-post and a post-check bill; also petition of residents of Auburn, Me.—to the Committee on the Post-Office and Post-Roads.

By Mr. MCCALL: Petition of the Massachusetts Forestry Association, in favor of passage of bill S. 2327—to the Committee on the Public Lands.

By Mr. MCCREARY of Pennsylvania: Resolution of New Century Club, T Square Club, and Civic Club, of Philadelphia, Pa., favoring passage of bill fixing width of Mall—to the Committee on Public Buildings and Grounds.

Also, resolution of Colonel J. W. Moore Circle, No. 87, Ladies of the Grand Army of the Republic, of Philadelphia, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Philadelphia Maritime Exchange, relative to the completion of the breakwater at Point Judith, R. I.—to the Committee on Rivers and Harbors.

Also, resolution of Philadelphia Board of Trade, favoring passage of bill S. 4505, relative to increasing the efficiency of the permanent military establishment of the United States—to the Committee on Military Affairs.

Also, resolution of Philadelphia Association of Retail Druggists, favoring passage of bill to increase the efficiency of the Hospital Corps of the Navy—to the Committee on Naval Affairs.

Also, resolution of Trades League of Philadelphia, favoring passage of a post-check bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of United Textile Association of Philadelphia, against passage of an anti-injunction bill—to the Committee on the Judiciary.

Also, petition of United Textile Association of Philadelphia, against passage of an eight-hour law—to the Committee on Labor.

Also, resolution of National Wholesale Lumber Dealers' Association, against passage of an eight-hour law—to the Committee on Labor.

Also, resolution of the Trades League of Philadelphia, Pa., relative to a new reciprocal trade treaty between United States and Canada—to the Committee on Ways and Means.

Also, resolution of Marine Engineers' Beneficial Association, No. 13, of Philadelphia, Pa., relative to increasing salary of Supervising Inspector-General of Steam Vessels—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Philadelphia Board of Trade, favoring passage of bill S. 2641, relative to the destruction of derelicts—to the Committee on Naval Affairs.

Also, petition of Civic Club of Philadelphia, favoring passage of bill S. 2327, relative to a national forestry reservation in the White Mountains of New Hampshire—to the Committee on Agriculture.

Also, resolution of Philadelphia Association of Retail Druggists, favoring passage of bill H. R. 13679—to the Committee on Patents.

Also, resolution of Pennsylvania Lodge, No. 511, Brotherhood of Railroad Trainmen, of Philadelphia, favoring passage of bills H. R. 89 and 7041—to the Committee on the Judiciary.

Also, resolutions of Charles J. Kickham Club; Division 16, Ancient Order of Hibernians, and Commodore Barry Council, 578, Knights of Columbus, of Philadelphia, Pa., favoring passage of bill for the erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.

Also, petition of piano manufacturers and dealers of Philadelphia, Pa., in favor of bill H. R. 9302—to the Committee on Ways and Means.

By Mr. MAHON: Papers to accompany bill for the relief of Levi Neitz—to the Committee on Military Affairs.

By Mr. MEYER of Louisiana: Paper to accompany bill granting a pension to Hugh Green—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to Lizzie Faurie—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Margaret P. Becker—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Papers to accompany bill granting an increase of pension to Pleasant T. Smith—to the Committee on Invalid Pensions.

By Mr. RUPPERT: Resolution of the Albany Chamber of Commerce, approving the proposition for an Anglo-American treaty of arbitration between the United States and Great Britain—to the Committee on Foreign Affairs.

By Mr. RYAN: Papers to accompany bill H. R. 11870, to correct military record of Dean Wilson—to the Committee on Military Affairs.

Also, resolution of the Albany Chamber of Commerce, approving the general proposition for an Anglo-American treaty of arbitration between the United States and Great Britain—to the Committee on Foreign Affairs.

By Mr. WM. ALDEN SMITH: Petition of Ladies' Literary Club, of Grand Rapids, Mich., favoring constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. SULLIVAN of New York: Resolution of National Business League of Chicago, Ill., against enactment of so-called "short form" of Lodge and Adams bills—to the Committee on Foreign Affairs.

By Mr. SULZER: Petition of F. S. Clark and others, of New York City, against passage of bill S. 4713—to the Committee on Interstate and Foreign Commerce.

By Mr. THOMAS of North Carolina: Petition of North Carolina Association of Retail Grocers and General Merchants, protesting against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

SENATE.

THURSDAY, *April 28, 1904.*

The PRESIDING OFFICER (Mr. PERKINS in the chair) called the Senate to order at 12 o'clock meridian.

Prayer by the Rev. F. J. PRETTYMAN, of the city of Washington.

The PRESIDING OFFICER. The Secretary will read the Journal of yesterday's proceedings.

On the request of Mr. KEAN, and by unanimous consent, the reading of the Journal was dispensed with.

Mr. PLATT of New York. From the Committee on Printing I desire to submit a report, and to ask for the immediate consideration of the resolution.

The PRESIDING OFFICER. The Senator from Maryland [Mr. GORMAN] is entitled to the floor. Does he yield for that purpose?

Mr. BACON. I hope the Senator from Maryland will pardon me for just one moment.

Mr. HEYBURN. I ask the Senator from Maryland to yield while I present an amendment and give a notice.

The PRESIDING OFFICER. This being the commencement of a new legislative day, the regular order of business, unless otherwise ordered, is petitions and memorials.

Mr. HOAR. I rise to a question of order.

The PRESIDING OFFICER. The Senator from Massachusetts will state his question of order.

Mr. HOAR. The designation by the President pro tempore of a Senator to preside in his absence can not extend under the rule beyond a legislative day, except by unanimous consent.

The PRESIDING OFFICER. The Chair thinks the Senator from Massachusetts is correct.

Mr. HOAR. If the Chair will permit me to state my proposition, in order that there may be no precedent which may be troublesome at some time in the future, I ask unanimous consent that the Senator from California continue to fill the chair during the remainder of the session or until the return of the President pro tempore.

The PRESIDING OFFICER. The request is out of order at this time.

Mr. HOAR. If we are to have a serious application of the matter, I shall appeal from that decision. The rule is very clear, and all that I desire is that the rule may be observed. The rule is that the designation shall continue beyond the legislative day only when it is made by unanimous consent. I ask unanimous consent that the designation may continue. Does the Chair hold that that is out of order?

Mr. FRYE entered the Chamber.

Mr. ALDRICH. The President pro tempore is here now.

The PRESIDENT pro tempore took the chair.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 27th instant approved and signed the following acts and joint resolution:

An act (S. 2816) to amend section 3095 of the Revised Statutes of the United States, relating to manner of importation;

An act (S. 3292) amendatory of an act entitled "An act to provide for a permanent Census Office," approved March 6, 1902;

An act (S. 4651) for the relief of James T. Barry and Richard Cushion, executors of the last will and testament of Martin Dowling, deceased;

An act (S. 5369) to extend to Peoria, Ill., the privileges of the seventh section of the act of Congress approved June 10, 1880, governing the immediate transportation of merchandise without appraisement;

An act (S. 1343) to amend an act approved March 3, 1899, entitled "An act to amend an act entitled 'An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain,' approved July 8, 1898," etc., and for other purposes;

An act (S. 5259) to amend an act entitled "An act authorizing the construction of a bridge across the Cumberland River at or near Carthage, Tenn.," approved March 2, 1901;

An act (S. 2842) to amend an act entitled "An act to authorize the Montgomery Bridge Company to construct and maintain a bridge across the Alabama River near the city of Montgomery, Ala.," approved March 1, 1893;

An act (S. 3129) to promote the circulation of reading matter among the blind;

An act (S. 5454) permitting the Ozark and Cherokee Central Railroad Company and the Arkansas Valley and Western Railway Company, and each or either of them, to sell and convey their railroads and other property in the Indian Territory to the St. Louis and San Francisco Railroad Company or to the Chicago, Rock Island and Pacific Railway Company, and for other purpurposes; and

A joint resolution (S. R. 67) providing for the printing of Senate Document No. 240, relating to the beet-sugar industry of the United States.

The message also announced that the President of the United States had on this day approved and signed the following acts:

An act (S. 2698) to establish a life-saving station at or near the entrance to Tillamook Bay, Oregon;

An act (S. 3035) supplemental to and amendatory of an act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900; and

An act (S. 5557) to authorize the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, to construct a bridge across the Connecticut River between Chicopee and West Springfield, in said county and Commonwealth.

REFUNDING CLAIM OF EASTERN RAILROAD, ETC.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 22d instant, a report from the Commissioner of Internal Revenue relative to the amounts twice paid as taxes on the same identical income on profits of the Eastern Railroad Company and the Boston and Maine Railroad; which, on motion of Mr. LODGE, was, with the accompanying paper, referred to the Committee on Claims, and ordered to be printed.

TARIFF ON PHILIPPINE TOBACCO.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting an extract from the translation of a cablegram received from Manila on the 18th instant from Juan Pico, president of the committee of chambers of commerce respecting the tariff on Philippine tobacco and cigars imported into the United States, etc.; which was referred to the Committee on the Philippines, and ordered to be printed.

FINDINGS BY COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of the Trustees of St. Paul's Protestant Episcopal Church, of Norfolk, Va., *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. MITCHELL presented a petition of sundry citizens of Portland, Oreg., praying for the enactment of legislation relative to a settlement of the labor troubles in Colorado; which was referred to the Committee on the Judiciary.

Mr. SCOTT presented a petition of the Military Telegraphers' Association of Pittsburg, Pa., praying for the enactment of legislation to recognize the military telegraphers of the late civil war; which was ordered to lie on the table.

Mr. KEAN presented a petition of the Essex Medical Society, of Newark, N. J., praying for the passage of the so-called "pure-food bill;" which was ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance Union of Montclair, of the Young Men's Christian Association of Montclair, and of the congregation of the Reformed Church of Newark, all in the State of New Jersey, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. BURROWS presented a memorial of the Woman's Republican Association of the State of New York, remonstrating against the continuance of Hon. REED SMOOT, a Senator from the State of Utah, as a member of the United States Senate; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Local Lodge No. 191, International Association of Machinists, of Grand Rapids, Mich., praying for the passage of the so-called "eight-hour bill" and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

He also presented a petition of Thunder Bay Association, No. 85, of Alpena, Mich., praying for the enactment of legislation to increase the salary of the Supervising Inspector-General of Steam Vessels; which was referred to the Committee on Appropriations.

He also presented a petition of the Woman's Relief Corps of Hemlock, Mich., praying for the enactment of legislation granting an increase of pension to army nurses; which was referred to the Committee on Pensions.

He also presented petitions of the Nineteenth Century Club of St. Joseph, of the Ladies' Literary Club of Grand Rapids, and of the Woman's Christian Temperance Union of Plainwell, all in the State of Michigan, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented memorials of sundry citizens of Washington, D. C.; of Hamilton, Mo.; of Washington County, Fort Calhoun, and Aurora, in the State of Nebraska, and of Hutchinson, Kans., remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

He also presented a petition of the National Woman's Christian Temperance Union of Washington, D. C., and a petition of the board of education of the District of Columbia, praying for the enactment of legislation to change the name of Thirteen-and-a-half street SW. to Linworth place; which were referred to the Committee on the District of Columbia.

He also presented a petition of the Board of Trade of Washington, D. C., praying for the enactment of legislation providing for the extension of streets so as to require the total cost to be placed on the District of Columbia in violation of the organic act; which was referred to the Committee on the District of Columbia.

Mr. FRYE presented a petition of the Fruit and Produce Trade Association of New York, praying for the enactment of legislation to prevent unjust discrimination in tariff rates between sections and localities and to prevent the continuance of rates unreasonable in themselves; which was referred to the Committee on Interstate Commerce.

MILITARY TELEGRAPHERS.

Mr. SCOTT. I present a paper from the Military Telegraphers' Association of Pittsburg, Pa., relative to the granting of relief to telegraph operators who served in the war of the rebellion. I move that the paper be filed as a part of the report to accompany the bill (S. 982) amending the act of January 26, 1897, entitled "An act for the relief of telegraph operators who served in the war of the rebellion."

The motion was agreed to.

REPORT OF COMMITTEE ON PENSIONS.

Mr. MCCUMBER, from the Committee on Pensions, to whom was referred the bill (S. 2117) granting an increase of pension to Philip L. Hiteshew, reported it with amendments, and submitted a report thereon.

JOSEPH DICKINSON.

Mr. McCUMBER. From the Committee on Pensions, I report a resolution, and ask for its immediate consideration.

The resolution was read and considered by unanimous consent, as follows:

Be it resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the bill (S. 5205) granting an increase of pension to Joseph Dickinson.

Mr. McCUMBER. I wish to state that this party has died since the bill was reported, and I ask that the resolution may be agreed to.

The resolution was agreed to.

FRANK L. PHALEN.

Mr. SCOTT, from the Committee on Pensions, to whom was referred the bill (S. 910) granting a pension to Rev. Frank L. Phalen, reported it with amendments.

Mr. HOAR. I ask for the present consideration of that bill.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "chaplain," to strike out "of" and insert "First;" and in the same line, after the word "regiment," to strike out "United States Army" and insert "New Hampshire Volunteer Infantry, war with Spain;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frank L. Phalen, late chaplain First Regiment New Hampshire Volunteer Infantry, war with Spain, and pay him a pension at the rate of $50 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Frank L. Phalen."

REFERENCE OF CLAIMS TO COURT OF CLAIMS.

Mr. WARREN, from the Committee on Claims, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the claims of the legal representatives of Henry Fassman, deceased (S. 5308); county court of Platte County, Mo. (S. 5632); estate of Eliza J. Mahon (S. 5659); heirs and personal representatives of Peter D. Posey, deceased (S. 5656); Philip Epstein, Mordecai David, Henry Stein, Julius Louis, and Herman Somers (S. 5614); heirs of William Hunt, deceased (S. 3187); Sylvester Dibble (S. 3377); estate of Rayford Brewington, deceased (S. 4292); estate of John Simpkins, deceased (S. 5175); Charles M. Peirce (S. 4296); Mrs. Jane A. Sanders (S. 3237), and the trustees of Union University, of Murfreesboro, Tenn. (S. 5666), now pending in the Senate, together with all the accompanying papers, be, and the same are hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, and generally known as the "Tucker Act." And the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

INDEFINITE POSTPONEMENT OF SUNDRY CLAIMS BILLS.

Mr. WARREN. I am directed by the Committee on Claims to ask for the indefinite postponement of the bills which I send to the desk, being bills for claims covered by measures still pending before that committee or measures already reported therefrom.

The PRESIDENT pro tempore. The Senator from Wyoming asks for the indefinite postponement of the bills which he sends to the desk. Is there objection? The Chair hears none.

The following bills were thereupon indefinitely postponed:

A bill (S. 4595) for the relief of the estate of Eliza J. Mahon;

A bill (S. 5195) to give the Court of Claims jurisdiction in the matter of the claim of the owners of the steamboat *Bee;*

A bill (S. 1472) for the relief of the Russellville and Logan County Agricultural and Mechanical Association of the State of Kentucky;

A bill (S. 5610) for the relief of the heirs of Thomas Duty;

A bill (S. 4113) to authorize the Secretary of the Treasury to adjust the accounts of the Grand Rapids and Indiana Railway Company for transporting the United States mails;

A bill (S. 5410) for the relief of Simeon H. King's executrix;

A bill (S. 1032) for the relief of George L. McGehee and John C. McGehee, heirs of Mary McGehee, deceased;

A bill (S. 1107) for the relief of W. R. Butler;

A bill (S. 1193) for the relief of the estate of William Parker, deceased;

A bill (S. 1131) for the relief of W. A. Sanford, administrator of H. B. Bloxam, deceased;

A bill (S. 1138) for the relief of Mrs. Julia A. Thomas, widow and administratrix of I. S. O. G. Greer, deceased;

A bill (S. 1140) for the relief of Julia A. Thomas, administratrix of the estate of I. S. O. G. Greer, deceased;

A bill (S. 1149) for the relief of Mrs. Julia A. Thomas, widow and administratrix of John C. Thomas, deceased;

A bill (S. 3761) for the relief of Julia A. Thomas, administratrix of the estate of I. S. O. G. Greer, deceased;

A bill (S. 5119) for the relief of the widow and heirs at law of Charles Wilkes, deceased, late a rear-admiral in the United States Navy;

A bill (S. 1102) for the relief of the estate of Augustus Catchings, deceased;

A bill (S. 1103) for the relief of the estate of Augustus Catchings, deceased;

A bill (S. 1143) for the relief of the estate of Dr. O. L. Dewees, deceased;

A bill (S. 1190) for the relief of the estate of Dr. O. L. Dewees, deceased;

A bill (S. 5246) for the relief of Henry Jones;

A bill (S. 2826) for the relief of the estate of Roger A. Francis, deceased;

A bill (S. 5067) for the relief of Henry O. Bassett, heir of Henry Opeman Bassett, deceased; and

A bill (S. 2604) for the relief of Christopher McDonald.

LOUISIANA PURCHASE EXPOSITION.

Mr. PLATT of New York, from the Committee on Printing, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the Senate 500 copies of the report of the commissioner for Europe of the Louisiana Purchase Exposition, being Senate Document No. 244.

BILLS INTRODUCED.

Mr. PENROSE introduced a bill (S. 5685) granting an increase of pension to Annie R. E. Nesbitt; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5686) granting an increase of pension to Owen McElfish; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLLIVER introduced a bill (S. 5687) granting a pension to Martha J. McCormick; which was read twice by its title, and referred to the Committee on Pensions.

CIVIL GOVERNMENT OF THE PHILIPPINE ISLANDS.

Mr. HEYBURN submitted an amendment intended to be proposed by him to the bill (H. R. 14623) to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an act approved March 8, 1902, entitled "An act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an act approved March 2, 1903, entitled "An act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes; which was ordered to lie on the table, and be printed.

JOHN M'DERMID—WITHDRAWAL OF PAPERS.

On motion of Mr. BACON, it was

Ordered, That leave be granted John McDermid to withdraw from the files of the Senate the papers in his case filed during the Fifty-eighth Congress, second session, there having been no adverse report thereon.

PRESERVATION OF HISTORIC AND PREHISTORIC RUINS, ETC.

Mr. HANSBROUGH. I move that 1,000 additional copies of a hearing before the subcommittee of the Committee on Public Lands of the United States Senate on the bill (S. 4127) for the preservation of aboriginal monuments, ruins, and other antiquities, and for other purposes, introduced by Senator CULLOM February 5, 1904, and the bill (S. 5603) for the preservation of historic and prehistoric ruins, monuments, archæological objects, and other antiquities, and to prevent their counterfeiting, introduced by Senator LODGE April 20, 1904, be printed for the use of the Senate.

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Public Lands:

A bill (H. R. 13633) to regulate the disposal of public lands released and excluded from public forest reservations, and for other purposes; and

A bill (H. R. 14622) prohibiting the selection of timber lands in lieu of lands in forest reserves.

The bill (H. R. 15438) to amend section 653 of the Code of Law for the District of Columbia was read twice by its title, and referred to the Committee on the District of Columbia.

NOTIFICATION TO THE PRESIDENT.

Mr. ALLISON submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That a committee of two Senators be appointed by the Chair to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inform him that the two Houses

have completed the business of the present session and are ready to adjourn, unless he may have some other communication to make to them.

The PRESIDENT pro tempore appointed Mr. HALE and Mr. COCKRELL as the committee on the part of the Senate.

EXPENDITURES OF THE GOVERNMENT.

Mr. ALLISON. I ask unanimous consent that the Senator from Maryland may be permitted to complete the remarks he was making when the Senate adjourned.

The PRESIDENT pro tempore. The Chair will recognize the Senator from Maryland.

Mr. HEYBURN. I did not understand the request.

Mr. GORMAN. Mr. President——

Mr. HEYBURN. I ask the Senator from Maryland to yield while I give a notice.

Mr. GORMAN. I will be through in a few moments. I desire to make this statement as connectedly as possible. It will be very short, I will say to the Senator.

Mr. HEYBURN. Very well.

Mr. GORMAN resumed and concluded the speech begun by him in yesterday's legislative session, which is as follows:

Mr. GORMAN. Mr. President, the Senator from Texas [Mr. CULBERSON] has contributed to the Senate and the country a very valuable compilation of figures which show the enormous expenditures of this Government. I have not time to go into them in detail this morning. The distinguished Senator from Iowa [Mr. ALLISON], chairman of the Committee on Appropriations, has, as is usual at the close of each session of Congress, made a statement in regard to the appropriations for the session, based upon tables compiled by the very able clerks who are connected with the Appropriations Committees at both ends of the Capitol. It is not at all surprising to me that the distinguished Senator from Iowa should make a full and elaborate statement upon this subject, and I have no doubt of the accuracy of the figures he presents.

Figures are always accurate when they come from the Committee on Appropriations. I am not at all astonished that he has attempted to explain why it is these enormous appropriations are necessary; that they are made in compliance with law, as I understood the Senator to say. That is true in the main. Nearly all of these appropriations are in pursuance of laws enacted by Congress. And while we find that the appropriations at this session, as stated by the Senator from Iowa, including the annual appropriations, as provided for by law, amount to $781,500,000, to that sum there must be added twenty-four or twenty-five million dollars of obligations which have been entered upon because of the appropriation acts we have just passed. So the whole sum will be over $800,000,000.

[At this point Mr. GORMAN temporarily yielded the floor.]

Mr. GORMAN. Mr. President, when I yielded I was calling attention to the amount of the appropriations of this session, which for the fiscal year 1905 aggregate $781,574,000, with obligations contained in the appropriation acts of nearly $25,000,000, making the appropriations for this session greater in amount than those of the last session of Congress, and greater than at any time in the history of the country except when we were involved in war. These appropriations, the Senator from Iowa tells us, are made in conformity with law. In the main that is true. But in addition to the amounts I have named there must be added $10,000,000 to be paid to Panama.

Mr. ALLISON. Will the Senator from Maryland allow me?

Mr. GORMAN. Certainly.

Mr. ALLISON. None of these appropriations include the $10,000,000 to be paid to Panama, that appropriation having been made two years ago and simply being reappropriated now. It is counted in all of these statements, including the statement of the Senator from Texas [Mr. CULBERSON], as an appropriation made formerly, and is not, of course, counted in any of the present statements.

Mr. GORMAN. Do I understand the Senator from Iowa to say that the $10,000,000 is reappropriated at this session to pay Panama?

Mr. ALLISON. Reappropriated and made available, I understand, by the bill which has just passed the Senate.

Mr. GORMAN. If that be true—I could not hear the conference report——

Mr. ALLISON. I understand that is the purport of it.

Mr. GORMAN. At all events, it does not cover the $40,000,000 that is to go to the Panama Canal Company, that being an appropriation made a year or two ago and not having been paid by the Treasury.

Mr. ALLISON. That also was appropriated heretofore, and is not included.

Mr. GORMAN. Mr. President, the Appropriations Committees of Congress under the law were compelled to report these great appropriations. A few years ago a billion of dollars for a Congress so startled the country that the political power was changed, and now in a time of profound peace the appropriations for this session amount to over $800,000,000.

The rapidity with which we have increased the appropriations is amazing, amounting now to $800,000,000, while the estimated revenues of the Government, according to the Secretary of the Treasury, for the fiscal year beginning July next are only $704,472,072. Mr. President, this means increased taxation unless expenditures are reduced.

Why is it that the Administration of President Roosevelt—of course including that portion of President McKinley's Administration before his unfortunate taking off—has made it necessary for Congress to appropriate in four years $2,500,000,000? War has not threatened us and there has been nothing extraordinary in the conduct of the affairs of the Government, except the costly policy inaugurated to make this country a so-called "world power."

Think of it, sir! Within four years a billion of dollars more than was expended by President Grant during the years of 1870, 1871, 1872, and 1873. During that period the total expenditures were $1,169,693,957. This Administration, in a time of peace, requires in four years appropriations amounting to $2,511,348,370.70, an increase in four years, as compared with President Grant's Administration, of $1,341,654,413.70.

Mr. President, from what does it arise but from that policy which this Government has entered upon of acquiring colonies and the subjection and control of people with whom we ought to have no relations except commercial? It is because the President of the United States, supported by his party, has determined that we shall become a great world power, and, as an evidence of it, we must have a navy second only to that of Great Britain, at a cost of $335,172,984 in four years of the present Administration, and, in addition, there has been appropriated for the Army $360,442,896, making for war purposes a total of $695,615,880.

The Senator from Iowa says we have passed the appropriation bills without special criticism and without a division in this Chamber; that the post-office appropriation bill and the sundry civil appropriation bill and all the balance of the great appropriation bills have been passed without the yeas and nays being called, and therefore he assumes that both sides of the Chamber believe that the appropriations are fair and right. Mr. President, that is not a just statement to this side of the Chamber. We have insisted from the beginning of this session that there were extravagance and corruption in the Departments and that inquiry should be instituted and the facts ascertained.

Mr. President, as I stated a moment ago, we have endeavored to get the facts from the Departments in order to ascertain how and in what way we might make proper reduction of expenditures. That inquiry we have been denied. We have obtained no information whatever for the consideration of these matters, except that which the Departments have seen proper to give us. I say to the Senator from Iowa that, while I am a member of the Committee on Post-Offices and Post-Roads, in the consideration of that particular appropriation bill the committee were governed by the rule which the majority party have established, and pressed the consideration of the bill without that careful scrutiny, without that information to which I think we were entitled. I have no doubt that while in some respects the provisions of the present law are better than those of a year ago, still they are far from perfect. I think if there was a proper, a thorough, and a complete examination and scrutiny of the accounts of that Department and of its business transactions millions of dollars could be saved. But we are denied the opportunity.

So with every other Department of the Government. The estimates of the Department have been practically accepted by Congress, with the only reservation, as stated by a distinguished gentleman who has charge of the origination of appropriation bills elsewhere, that they would try and keep the appropriations down within the revenue limits; and to do that they were compelled to adjourn this Congress without making appropriations of any consequence for the great rivers and harbors of the country. But there has been no reduction in expenditures for the Navy and the Army. We are constantly met with efforts to increase the rank and pay of officers, and the army appropriation bill contained such a provision for retiring officers.

It is true that the Senate in its wisdom and because of its rules in two cases voted and prevented another effort to increase the cost of the Army in the future by providing for the acquisition of four or five great camp sites.

The organization of the Army of the United States has been entirely changed by your party. It is now fashioned practically after the organization of Germany, and it would seem, from all we can gather, that it is the intention of the Department to pursue the policy of Germany and England in its drill and management. From our War Department was transmitted to Congress a recommendation for the selection of four great camp sites, to cost $2,000,000, and to be used as permanent camp grounds for the instruction of the Regular Army and the National Guard.

It is not only seriously proposed to follow the example of the great military governments of Europe in this particular for the purpose of encouraging the military spirit at an enormous cost, but in 1903 an act was approved entitled "An act to promote the efficiency of the militia and for other purposes," which, under certain conditions and to an extent never before suggested, puts the militia of the States and Territories practically under the command of the President of the United States. Bringing the regular troops and organized militia together in these great camps, under the proposed scheme, will, in my judgment, change the whole trend and thought of our people and will be a long step in the direction of a strong military government. Fortunately, Mr. President, the Senate has refused to sanction such an unwise and unnecessary provision.

Mr. President, I think the Senator from Iowa will not deny it is a well-settled purpose of the Administration and the party to which he belongs, and of which he is the representative in the consideration of appropriations, to increase both the Army and Navy. Why do we want it? What reason is there for it? A distinguished Republican in another place, whose principal duty it was to provide appropriations for increased facilities for commerce, made this true statement, and coming from that high Republican source I commend it to our friends on the other side, and the country will take note of it.

"What is the reason for this unusual increase of the Navy?" says this distinguished gentleman, Hon. T. E. BURTON, of Ohio.

What is the reason, then, for this great expenditure of $96,000,000, an amount approaching the total that is expended for the strictly civil side of the Government, bearing in mind that the Post-Office is nearly self-sustaining? It means that we are inviting the nations of the earth to attack us. *It means that we are declaring to the world that we are going to enter into a field entirely different from that which we have occupied in the past; that we are striving to dominate political affairs in other portions of the earth.*

That is the candid statement of a Republican, and his Americanism is greater than his party fealty. It is a sentiment that, in my judgment, the people of the country will indorse; and the time is approaching and, I believe, is near when they will indorse the statement by their votes and prevent this great Government, which is theirs, from becoming a great military power.

Mr. President, the present session of Congress is about to expire. It has been said in the public prints, as well as by the Senator from Iowa, that these appropriations—these matters of public concern have been passed without any great struggle, without any great debate, without any unusual protest from this side of the Chamber.

It is true, sir, that a more strenuous fight could have been made. It is true that we could have consumed more time in the discussion of these measures. It is true that statistics could have been presented to the Senate and the country more in detail, and that the adjournment of Congress could have been possibly delayed for a month or six weeks.

But we recognized, Mr. President, that that would be a useless consumption of time. We realized that our efforts to reduce appropriations would be ignored. We knew that our attempts to investigate the Departments had been rendered fruitless. We felt, and now know, that the great party on the other side of the Chamber was determined to quietly submit to the exercise of power by the executive branch of the Government, which Congress heretofore had never tolerated.

We understood perfectly that the party in power had decided upon an extraordinarily early adjournment of Congress without considering measures of general legislation which the country had a right to expect would be considered at this session. The responsibility rests with you. But, Mr. President, the great jury of the American people will pass judgment in November next, and, if I mistake not the signs of the times, they will decree more equal and just measures of taxation, rigid economy in the expenditure of public money, and strict honesty in the public service. Above all, they will enter a solemn protest against great armies in times of peace and demand a return to that wise policy which prohibited an entangling alliance with any foreign power, but a never-bending determination to prevent any encroachment upon the governments in this hemisphere.

EDWARD J. FARRELL.

Mr. ALLISON obtained the floor.

Mr. DEPEW. Will the Senator from Iowa yield to me? I wish to call up House bill 10516, that will take only a moment.

The PRESIDING OFFICER (Mr. KEAN in the chair). The bill has already been read.

Mr. DEPEW. It was read and passed over because there was no report. I have it here now.

I ask the Senate to proceed to the consideration of the bill (H. R. 10516) for the relief of Edward J. Farrell.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of War to execute, acknowledge, and deliver, in the name of the United States of America, to Edward J. Farrell, a deed of quitclaim and release quitclaiming and releasing to Edward J. Farrell, his heirs and assigns, all the right, title, and interest of the United States of America in and to certain described land, under water, in the city of New York.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ATLANTIC AND PACIFIC RAILROAD OF NEW MEXICO.

Mr. ALLISON. Mr. President——

Mr. HANSBROUGH. I call the attention of the Senate to the fact that a House bill which was read yesterday went over on a request for unanimous consent, its consideration having been objected to. I should like to have it acted on now. The objection has been withdrawn.

Mr. ALLISON. I yield to the Senator from North Dakota, but I can not yield further.

Mr. HANSBROUGH. I ask for the present consideration of the bill (H. R. 5755) for the relief of small-holding settlers within the limits of the grant of land to the Atlantic and Pacific Railroad Company in the Territory of New Mexico.

The PRESIDENT pro tempore. The bill has been read. Is there objection to its present consideration?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ADULTERATION OF FOOD AND DRUGS.

Mr. ALLISON. I yield to the Senator from Idaho [Mr. HEYBURN] to give a notice.

Mr. HEYBURN. I desire to give notice that on the 8th of December next, after the morning hour, I will ask the Senate to take up for consideration the bill (H. R. 6295) for preventing the adulteration or misbranding of foods or drugs, and for regulating traffic therein, and for other purposes.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 463) to pay Hewlette A. Hall balance due for services in connection with the Paris Exposition.

The message also announced that the House had agreed to the concurrent resolution of the Senate requesting the President to return to the Senate the bill (S. 5205) granting an increase of pension to Joseph Dickinson.

The message also announced that the House had passed a resolution appointing three Members to join a similar committee appointed by the Senate to wait upon the President of the United States and inform him that the two Houses had completed the business of the present session and are ready to adjourn unless the President has some other communication to make to them.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 11966) to ratify and amend an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect.

The message also announced that the House had passed the joint resolution (S. R. 73) amending an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 76) granting a pension to Mary H. Cornell;

A bill (S. 128) granting an increase of pension to Clara M. Gihon;

A bill (S. 3489) granting a pension to Annie Colt McCook;

A bill (S. 3734) granting an increase of pension to Martha W. Cushing;

A bill (S. 4401) to grant to the State of Minnesota certain lands for forestry purposes;

A bill (S. 5092) to amend an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas;

A bill (S. 5342) to provide for the temporary government of the canal zone at Panama, the protection of the canal works, and for other purposes;

A bill (S. 5504) to amend an act entitled "An act to authorize the counties of Sherburne and Wright, Minn., to construct a bridge across the Mississippi River," approved March 29, 1904;

A bill (H. R. 10851) granting an increase of pension to Nancy Smallwood;

A bill (H. R. 14754) providing for the restoration or maintenance of channels or of river and harbor improvements, and for other purposes;

A bill (H. R. 15527) making appropriation for national trophy and medals for rifle contests; and

A joint resolution (H. J. Res. 149) authorizing the Secretary of War to allow the Anheuser-Busch Brewing Association a right of way through the eastern limits of the arsenal grounds at St. Louis, Mo.

JOSEPH DICKINSON.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying bill, ordered to lie on the table:

To the Senate:

In compliance with the resolution of the Senate of April 27, 1904 (the House of Representatives concurring), I return herewith Senate bill No. 5295, entitled "An act granting an increase of pension to Joseph Dickinson."

THEODORE ROOSEVELT.

WHITE HOUSE, *April 28, 1904.*

NOTIFICATION TO THE PRESIDENT.

At 12 o'clock and 55 minutes p. m. Mr. HALE and Mr. COCKRELL appeared at the bar, and

Mr. HALE said: Mr. President, the committee appointed by the Senate, in conjunction with a like committee appointed by the House of Representatives, to wait upon the President of the United States and to inquire whether he had any further communication to make to Congress, has attended to that duty, and the President was pleased to say that he had no further communication to make.

EXPENDITURES OF THE GOVERNMENT.

Mr. ALLISON. Mr. President, I was very much interested, as I always am, in the plausible statements made by the Senator from Maryland [Mr. GORMAN]. I was rather surprised to learn from him that we are closing this session under some sort of compulsion, and that we are refraining from attending to the necessary business of the country.

I do not know what further important business there is to be transacted. If the Senator from Maryland or any of his colleagues have presented important bills that ought to have been passed and pressed them in committee and in this Chamber at the present session, I am not aware of it.

I think the session about to adjourn has dealt with most if not all of the important questions that ought to be dealt with at this session. This being a long session, and another session coming later this year, subjects considered at this session go over on the Calendar until the next session. I have been here a good many years, and I do not know an instance where all the bills that were presented by committees have been considered and passed during the first session of a Congress. Many of them go over for want of time, whatever the length of the session, as many of them fall at the close of a Congress.

Now, Mr. President, I wish to say only a few words more on the question of appropriations. First, let me call attention to the tables introduced by the Senator from Texas [Mr. CULBERSON]. These are old and worn-out tables comparing the Administration of Mr. Cleveland in 1885 to 1889 with the Administration beginning in 1897.

Mr. CULBERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Texas?

Mr. ALLISON. Certainly.

Mr. CULBERSON. No tables were presented by me for 1885.

Mr. ALLISON. Very well. I was not able to gather from the Senator's remarks amid the confusion how far back in our history he went, but I am perfectly certain he went as far back as 1893, and he compared the four years of President Cleveland, beginning in 1893, with the four years of President McKinley, beginning in 1897, and he compared the expenditures for those first four years with the expenditures under President McKinley, when the situation and condition of our country was wholly different.

I am surprised that the Senator from Texas made no allusion whatever to the conditions and the inheritance of President McKinley after four years of President Cleveland. I do not speak now of that inheritance which spread disaster and distress in our country, but I speak of that inheritance which was derived from the situation in Cuba when President McKinley came into power.

The situation there was left in such a condition—I will not undertake to describe it—as made it necessary for President McKinley to deal with it on the very threshold of his Administration. That he dealt with it in a conservative way and sought to avoid the expenditures which followed no one now will deny; and that those expenditures were brought upon our country not by the Administration of President McKinley, but by the pressure that was made upon him in this body and in the other that he should enter upon a war with Spain unless they yielded to conditions that they would not yield to.

If you will go back to the debates of that period, you will see that the pressure upon President McKinley was so great that the situation as respects that war was a situation that was claimed for the Democrats and by that party as a part of their policy. Mr. President, enough upon that point.

The Senator from Texas also undertakes to show that our expenditures for war purposes are far beyond the expenditures of the great powers of Europe—Germany, France, and the United Kingdom. He says that our expenditures for this current year and for the last year for war purposes amount to $332,000,000, if I understood the tables he brought forth.

Mr. CULBERSON. The expenses of the military establishment for 1903 amounted to $339,000,000 in the United States.

Mr. ALLISON. The military establishment! What is the military establishment? It is the Army and the Navy. The Senator speaks of a military establishment and then includes a matter which is as foreign to our present military establishments as any thing can possibly be. Is it possible that he charges the military establishment with the pensions that are granted to the survivors of the war of 1812, to the survivors of the war with Mexico, to the survivors of the great civil war of 1861 to 1865, for which we are still paying pensions? Mr. President, that can not be regarded as a fair statement of what the military establishment is.

Mr. CULBERSON. Mr. President, if the Senator will pardon me a moment, the total expenses of the military establishment of Great Britain, Germany, and France for 1903, as furnished me by the War Department, included pensions, and consequently a fair comparison on the part of the United States includes pensions also.

Mr. ALLISON. I do not know what the pensions of Great Britain may be, but they are very small in amount.

Mr. GALLINGER. If the Senator from Iowa will permit me, I will say that Great Britain pensions her soldiers only for wounds, not for disabilities incurred in the service; and I think the German pension system is even more restricted than that.

Mr. ALLISON. So, Mr. President, in order to show the great extravagance in our military establishment the Senator from Texas includes pensions, which are a gratuity and a recognition in some degree of the valuable services rendered by that great body of civilians who entered our Army in 1861 for purposes of the preservation of the Union. So when we leave pensions out of that calculation, amounting, in round numbers, to $151,000,000, we have, including every expenditure in the appropriations for the Army and the Navy, only $189,000,000.

Mr. CULBERSON. Will the Senator permit another interruption?

Mr. ALLISON. Certainly.

Mr. CULBERSON. I call the Senator's attention to the fact that notwithstanding the total expenditures for pensions have been reduced yearly in the last four years there has been an enormous increase in the military establishment, showing that the increase is not affected by an increase in the pension list at all, but it is on account of the War and Navy Departments alone.

Mr. ALLISON. Mr. President, the fact is not disputed that we have increased our Army. Who increased it? It was not increased as a partisan measure. The measure was brought into this Chamber and carefully considered without regard to party lines. Nearly every Democrat voted for that increase of the Army upon conservative lines. Not every Democrat voted for that army bill; there were thirteen Senators, if I recollect rightly, who voted against it; but this Army of ours was regarded as a necessary army at the time by all parties, and it was increased to 100,000 men.

Mr. President, I shall not go further into this question except to say that as the exigency passed away our Army was reduced from 100,000 men to 59,000 men, where it now remains. So it is that in the bill for the current year, the regular appropriation for the Army is less than it was last year, and the appropriation for last year was less than for the year before.

Now, Mr. President, I want to call the attention of the Senator from Texas to another matter, and that is the general cost of maintaining the Government of the United States as compared with the cost of maintaining the governments of those countries of which he spoke.

I have here an extract from a table recently published by the Bureau of Statistics, which discloses that the expenditures per capita of the United Kingdom for last year were $37.60, the expenditures per capita for France were $17.84, the expenditures per capita for the German Empire were $9.45, and the expenditures for the United States were $7.97 per capita. So, Mr. President, it appears that the appropriations for the maintenance of our Government, compared with similar appropriations of other governments, are the lowest of all the governments of which I have knowledge who maintain armies and navies, and who have a large civil list.

The Senator from Maryland seems to think that these appropriations and these expenditures are extravagant, and that the several Departments of the Government ought to be investigated. Mr. President, I am not opposed to proper investigation of any Department of the Government, but the Administration itself has investigated the irregularities and the corruption in the Post-Office Department, whatever they were.

Mr. President, I have only to say as respects the Post-Office Department, to which the Senator especially alluded, that, considering the great amount of labor accomplished in that service and the vast number of people who are employed in it, I do not believe there is or has been a more judicious, economical, and honest administration of any other Department of the Government than that of the Post-Office Department.

There are more than a million men employed. They have carried from every part of the country to every other part, in letters without registration, millions of dollars, and the occasions of the destruction or the robbery of the mails are very rare indeed.

So, Mr. President, it seems to me that the general charge against the Executive Departments, without any details as to their extravagance or their corruption, ought to weigh very lightly with the people of the country.

Mr. GORMAN. Mr. President, if the Senator will yield to me, of course he does not mean to intimate that I suggested that there was corruption among the mail clerks or the mail carriers; but quite the contrary.

Mr. ALLISON. I did not so understand the Senator.

Mr. GORMAN. No.

Mr. ALLISON. I only mentioned that to show that in this great service, affecting the entire people of this country, on the whole it is administered with economy, with justice, and with absolute integrity. That I believe; and I apply that statement to all the branches of the service respecting the country generally. I believe that the great number of employees who are engaged in that service are faithful servants of the public.

Mr. GORMAN. I have made no suggestion affecting the minor employees as to their honesty, integrity, or efficiency, but in the administration of the Department itself, as to those who are responsible for the expenditure of these great amounts that are appropriated in gross, I do not think there can be any question but that a fair investigation would show that there has been corruption, and that there has been extravagance in certain branches which has grown up because of the immense amounts of money which have been poured out for every branch of the Government. It has been contagious. We have reached a point——

Mr. ALLISON. I shall not go into details upon that question.

Mr. GORMAN. Very well. I shall not interrupt the Senator further.

Mr. ALLISON. If you take the $153,000,000 that are appropriated this year for the postal service, I think you will find that the great body of expenditures under it are expenditures that are on the whole wisely made, as I have before stated.

There is another thing that I ought to say in this connection to the Senator from Texas, which is that there is no branch of the public service which has increased so rapidly in its cost as has the postal service. That increase discloses more than any one thing the immense and rapid growth of our country during the period from 1893 to 1904.

If I recollect correctly—I only speak from memory—the appropriations for the postal service this year are twice what they were in 1893, only ten years ago. These appropriations are not because of extravagance, but they are because of the increased efficiency of the postal service and its rapid growth with the growth of our country.

Mr. President, I do not care to go into this question at any further length, except to say that, as respects this $781,000,000, of which the Senator from Maryland speaks, there is included in the permanent appropriations $56,000,000 for the sinking fund, which is counted in these appropriations; there is also included $25,000,000 in these appropriations for the redemption of national-bank notes, which is merely a bookkeeping account, and there are more than $10,000,000 of other accounts in these permanent appropriations which do not take money from the Treasury, but are merely the accounting of one fund with another.

Mr. CULBERSON. I wish to ask a question of the Senator from Iowa for information. The Senator stated that the appropriations of this session amounted to $780,000,000. I ask him if there is any amount in that total covering the Panama affair; and if so, how much? We could not quite understand the Senator's statement on this side of the Chamber.

Mr. ALLISON. As respects the canal expenditure, I will say that that appropriation was made for the fiscal year 1903 and is not included in these appropriations. Ten million dollars of that sum has been reappropriated, to be paid to Panama, in lieu of the appropriation heretofore made to pay the Government of Colombia.

Mr. CULBERSON. Was that reappropriation made because, in the opinion of the committee, the appropriation made under the act of 1902 was not effective or operative?

Mr. ALLISON. No, sir; the Committee on Appropriations did not consider that subject, as it was not submitted to that committee. It was recommended by the Committee on Interoceanic Canals.

Mr. CULBERSON. Was it the theory of the committee that that appropriation was not available under the act of 1902, is my inquiry?

Mr. ALLISON. I think the general opinion was that that appropriation was available, but to make it certain it was thought better that the amount should be reappropriated.

Mr. ALDRICH. Mr. President, the Senator from Maryland [Mr. GORMAN] bases his charge of extravagance against the Administration and Congress upon the statement of the gross appropriations which has just been made by the Senator from Iowa, the chairman of the Committee on Appropriations [Mr. ALLISON]. That statement is the usual statement which is presented year after year from the Committee on Appropriations of the two Houses, and is of considerable value for purpose of comparison, and only for this purpose.

It includes appropriations for the sinking fund, for redemption of note circulation, for interest, large sums which are duplicated, and a large number of others for which the money is never expended. The Senator has referred to a few of these items, but there is a large number of others.

It is the duty of the Committee on Finance to consider questions affecting the revenue, and incidentally of expenditures, and that committee has had from time to time tables carefully prepared showing the annual expenditures.

I hold in my hand a table prepared for the committee, which I will have printed in the RECORD, because I think it should be brought to the attention of the Senate.

The table referred to is as follows:

Comparison of estimated expenditures with appropriations and apparent and actual expenditures.

[Prepared under the direction of the Senate Finance Committee.]

Fiscal year ending June 30—	Estimates by Treasury 2 years in advance.	Estimates by Treasury 1 year in advance.	Gross appropriations.	Appropriations, less sinking fund and postal revenues.	Apparent expenditures.	Actual expenditures.
1886	$275,339,533	$245,000,000	$336,439,913	$247,940,448	$242,483,138	$221,153,092
1887	292,930,552	266,000,000	387,330,971	290,590,114	267,932,180	244,552,337
1888	288,170,161	270,000,000	359,011,523	262,583,797	259,653,958	239,985,109
1889	278,686,635	273,000,000	408,624,057	313,382,273	281,996,615	262,413,173
1890	275,767,488	293,000,000	385,522,367	284,792,431	297,736,487	277,923,775
1891	292,271,404	354,000,000	509,368,345	399,430,448	355,372,685	329,712,020
1892	357,852,209	338,000,000	514,424,019	405,919,365	345,023,331	322,625,324
1893	360,977,530	381,000,000	463,684,385	381,078,708	383,477,954	363,336,507
1894	373,012,216	373,000,000	479,932,667	404,630,601	367,525,279	347,928,719
1895	357,907,304	360,000,000	459,925,178	381,805,684	356,195,298	338,781,439
1896	357,033,203	362,000,000	457,088,344	369,255,787	352,179,446	336,839,221
1897	363,066,293	382,000,000	469,494,010	386,576,456	365,774,160	350,255,905
1898[a]	369,430,636	373,000,000	485,002,044	395,949,676	443,368,583	422,614,290
1899[a]	405,599,773	597,000,000	[b] 893,231,615	747,210,231	605,072,180	584,181,472
1900	535,782,490	500,000,000	[b] 674,981,022	519,626,443	487,713,792	461,931,389
1901	575,077,800	500,000,000	[b] 710,150,862	545,519,069	509,967,353	479,447,539
1902	569,111,455	472,000,000	[b] 730,338,575	559,705,533	471,190,857	439,505,661
1903	556,827,688	519,000,000	800,624,496	612,400,053	506,099,004	471,423,003
1904	531,189,112	516,000,000	753,058,506	552,290,842	----------	----------
1905	568,002,145	----------	781,574,629	565,602,569	----------	----------

[a] The discrepancy between the estimates and expenditures in the years 1898 and 1899 is because of extraordinary expenditures on account of the war with Spain.

[b] For the year 1899, $51,000,000 (estimated) is included to meet the requirements of the sinking fund; for 1900, $53,000,000; for 1901, $53,000,000; and for 1902, $54,000,000. For the years prior to 1899 only the amounts actually expended on account of the sinking fund are included.

NOTE.—The figures in the above table, except the column of gross appropriations, do not include the amounts estimated for and applied to the sinking fund, nor do they include that part of the postal expenditures which are covered by postal revenues.

Mr. ALDRICH. This statement is the official statement prepared by the chief of the warrant division of the Treasury Department—a gentleman known to every member of the Senate. It shows how misleading, for the purposes which we now have under consideration, is any statement of gross appropriations, if we wish to ascertain accurately the expenditures of the Government. Take the year 1902, for instance, when the gross appropriations amounted to $730,338,575, the actual expenditures were only $439,505,661, or a difference between the two of $290,000,000.

This discrepancy, to a greater or less extent, follows through all these years and shows, if we are to consider the question of relative expenditures, that a statement of relative appropriations has no value.

It has value, of course, as I have stated, in considering the relative appropriations from year to year. The Senator from Iowa has clearly explained why the gross appropriations for this year are larger than they were last year. It is safe to assume, however, based upon the experience of the last thirty years, that the expenditures of the Government will not approximate even the amount appropriated, and that these differences or discrepancies will necessarily continue for the present year, as they have in the past.

The Senator from New Hampshire [Mr. GALLINGER] suggests that I read more of these figures. For the year 1901 the gross appropriations were $710,000,000, while the actual expenditures were $479,000,000. In 1899 the gross appropriations were $899,231,615, while the actual expenditures were $584,181,472, or a difference between the gross appropriations and actual expenditures of over $400,000,000.

I have thought it important that these figures should be brought to the attention of the Senate, in view of the statements made by the Senator from Maryland [Mr. GORMAN] and the Senator from Texas [Mr. CULBERSON]. I am not certain where the Senator from Texas secured his figures, but I do know that they are not even approximately correct, as to the actual expenditures of the Government in the years he has named.

For instance, he contrasts the relative expenditures under Cleveland's Administration and under McKinley's. Under the first year of Cleveland's Administration the actual expenditures of the Government were $349,928,719, while in the first year of McKinley's Administration the actual expenditures of the Government were $350,235,905, or a difference of only about $2,000,000 between the first year of the Administration of Mr. Cleveland and the first year of McKinley's Administration.

Mr. GORMAN. Mr. President, will the Senator permit me to interrupt him for just one question?

Mr. ALDRICH. Certainly.

Mr. GORMAN. The Senator is now drawing a distinction between the appropriations and the expenditures, which is a fair criticism. I ask the Senator now, as he is chairman of the Committee on Finance, how he accounts for the fact that during McKinley's first term, in 1898—the fiscal year 1898-99—when the war with Spain was in progress, the actual expenditures—not appropriations—were $443,000,000, while now, in 1903, in a time of peace, with no war, the expenditures have been $506,000,000? This is a comparison between McKinley's Administration and the present Administration. I should like to have the Senator give us some explanation why in time of peace the expenditures are nearly $100,000,000 over what they were in a time of war.

Mr. ALDRICH. That is a different question, of course, from the one I was discussing.

Mr. GORMAN. It is a fair comparison.

Mr. ALDRICH. I am coming to that question. It is undoubtedly true that the expenditures for this current fiscal year, as well as the expenditures for the last year and the year preceding that, have been considerably larger than they were for the years immediately preceding the Spanish-American war. One reason is that we are a larger country; that the expenditures in every department of the Government are necessarily much larger than they were then. The principal reason, however, is found in an increase in the expenditures for the Army and Navy. I am quite willing to concede that.

Has any Senator upon the other side suggested that we were proceeding too rapidly in building up the American Navy? I think the Senator from Maryland mildly expressed a criticism at a previous time in this session, but I understood him to revise his opinion later in regard to that subject.

Mr. GORMAN. No, Mr. President; I have not revised my opinion about it at all. I have said that I wanted a navy that was sufficient for all the requirements of this Government, but that we were proceeding too rapidly and were expending too much money on it. That is what I said.

Mr. ALDRICH. The Senator has been a member of this body and has had as much to do with its appropriations for naval purposes as any Senator, except perhaps the senior Senator from Maine [Mr. HALE]; he has been a member of the Appropriations Committee; he has been familiar with all these subjects, and I have never, up to a very recent date, heard him express any adverse criticism as to the policy of developing and maintaining the American Navy.

I think the expenditures in this direction commend themselves to the judgment of the American people without regard to party. It is undoubtedly true that our expenditures for the Army and Navy are greater than they were in the years which I have mentioned, the actual increase in expenditures being in the neighborhood of $100,000,000, in round numbers. I think the Senator stated it at a little less—about $60,000,000.

I am quite willing to admit that the current expenditures of the Government now are a hundred million dollars more per annum than they were in the years preceding the Spanish-American war. As I have said, the country is a much greater country now than it was prior to the Spanish-American war. In every avenue, in every industry, in our population, and in every other respect, we have grown and developed beyond parallel. I think the American people expect that our expenditures will keep pace with our growth, prosperity, and development, and that we shall not adopt any parsimonious policy. I am glad to say that the Senators upon the other side have not suggested at any time any way in which we could reduce our expenditures.

Mr. CULBERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Rhode Island yield to the Senator from Texas?

Mr. ALDRICH. Certainly.

Mr. CULBERSON. The Senator from Rhode Island has challenged the accuracy of the tabulated statement which I made. I desire, therefore, to call his attention for a moment, if he will permit an interruption——

Mr. ALDRICH. Yes.

Mr. CULBERSON. To state whence I got those figures. I have stated once or twice already that they were taken from the reports of the Secretary of the Treasury. As an illustration of that, I have before me the report of the Secretary of the Treasury for 1903, and the Senator may find the total expenditures, as given by the Secretary, on page 2 of that report.

Mr. ALDRICH. What year was that?

Mr. CULBERSON. The year 1903, the figures being exactly as they appear in the statement which I made.

Mr. ALDRICH. What is the amount?

Mr. CULBERSON. Six hundred and forty million three hundred and twenty-three thousand, the exact figures, Mr. President, that the Senator from Rhode Island presented a moment ago in the statement made by the Secretary of Commerce and Labor.

Mr. ALDRICH. I have not stated anything from the Department of Commerce and Labor.

Mr. CULBERSON. The Senator from Rhode Island presented a statement from that Department.

Mr. ALDRICH. I beg the Senator's pardon; I said the figures which I gave here were the figures prepared and reported by the chief of the warrant division of the Treasury Department.

Mr. CULBERSON. I am alluding to the Senator from Iowa [Mr. ALLISON]. If I said the Senator from Rhode Island, I beg pardon.

Mr. ALDRICH. The Senator from Iowa will take care of himself. The figures which the Senator from Texas has just read include the sinking fund and postal revenue, expenditures for which, of course, are manifestly improper to be included.

Mr. CULBERSON. They include the total expenditures of the Government; and the same rule, Mr. President, applies, of course, to the Administrations of Mr. Cleveland, Mr. McKinley, and Mr. Roosevelt.

Mr. ALDRICH. I am speaking now of actual expenditures and not appropriations.

Mr. CULBERSON. The actual expenditures, of course, include those for the postal service.

Mr. ALDRICH. The money received from the postal service repays the money which is appropriated. So that it is not an expenditure in the ordinary sense of the word.

Mr. CULBERSON. I simply took the total as prepared by the Secretary of the Treasury, and of course it is as fair to one Administration as to another.

Mr. ALDRICH. It is not fair, because the amount of the postal revenues has very greatly increased. It has increased more than $40,000,000 within the time the Senator has mentioned; and if both sides of the account are not taken, the expenditure would appear to be increased $40,000,000, when they are not increased at all. So the Senator's statement of that is not fair.

The figures which I have submitted are the official figures of the Treasury Department, and I do not think that anybody can question their accuracy. They show, as I have stated, that there has been no such increase as has been indicated either by the Senator from Texas or the Senator from Maryland.

Mr. CULBERSON. I call the Senator's attention to the fur-

ther fact, Mr. President, that in the summing up and in the comparison which I made of these three Administrations of the Government, I expressly excluded the expenditures for the postal service, showing that, excluding the expenses of the postal service, there was an increase in the military establishment of $515,000,000 under President Roosevelt, as compared with the last Administration of President Cleveland.

Mr. ALDRICH. Does not the Senator know—I am sure he does, and I have no doubt as a fair man he will be willing to concede—that the expenditures for what he calls the military establishment—and I do not mean to include pensions, of course—were greatly augmented by the Spanish-American war, and that we have never yet resumed, so far as the Army is concerned, a regular peace footing, which I hope we shall reach after a while. There are certain additional expenditures now entailed upon the Government in that connection which are inevitable. I think the Senator ought to be willing to concede that.

The Senator from Maryland [Mr. GORMAN] not only finds fault with us for being extravagant, but he is alarmed because we propose to adjourn this Congress in what he calls great haste, at an unusual time, and under unusual circumstances. We are adjourning this Congress because the public business has been completed. It is a subject of congratulation to this Congress and to the country, instead of a subject for which we ought to be condemned, that we have accomplished this result and that Congress on this 28th day of April has completed its business and is ready to adjourn.

I should like to have the Senator from Maryland or any Senator upon the other side point out to us any subject or legislation of general interest and importance that we have not taken up and considered, except the tariff question, which we did not intend to take up at this session, a failure for which we assume the full responsibility, and except nebulous suggestions, which have been made constantly upon the other side, that there is something somewhere in the vast area of public business that ought to be investigated by a Democratic committee. Aside from these, can any Senator point me in a concrete way to any subject of legislation that we have not considered and acted upon that he thinks the public interest requires us to act upon?

Mr. GORMAN. I ask the Senator why it is, when your appropriations must exceed and do exceed the revenues of the Government, you have not taken up that question and adjusted it?

Mr. ALDRICH. What does the Senator say?

Mr. GORMAN. I say that the statements made by the chairman of the committee and by others here and elsewhere show that your appropriations for Government expenditures exceed the receipts of the Government.

Mr. ALDRICH. Who says that?

Mr. GORMAN. I say it—that the gross amount appropriated in these appropriation bills, including the amount which was appropriated for the Panama Canal, exceeds the revenues.

Mr. ALDRICH. The gross amount of appropriations?

Mr. GORMAN. Yes; the gross amount of the appropriations.

Mr. ALDRICH. There has not been a year in the Senator's recollection or mine when the gross amount of appropriations has not far exceeded the revenue, and there never will be so long as we continue under the present system of making appropriations.

Mr. GORMAN. That is a subject with which Congress has not dealt.

Mr. ALDRICH. It is not a subject before Congress at all. That is a subject of bookkeeping.

Mr. GORMAN. Mr. President, I did not expect the Senator's party to attempt tariff legislation at this time—on the eve of an election.

Mr. ALDRICH. We do not intend to.

Mr. GALLINGER. It is not necessary.

Mr. GORMAN. We attempted it on one occasion, and we know the result. But you are avoiding it simply because of the election, and for no other reason. It is wise politically. But nevertheless the responsibility rests with you. Why not admit it?

Mr. ALDRICH. I thought I did.

Mr. GORMAN. And for that reason?

Mr. ALDRICH. I was under the impression that I had admitted it.

Mr. GORMAN. And for that reason—that it would disturb the political atmosphere.

Mr. ALDRICH. No; not for that reason.

Mr. GORMAN. And for no other reason.

Mr. ALDRICH. For the reason that it would disturb the business atmosphere in the country unnecessarily, cruelly, and wantonly.

Mr. GORMAN. Any radical attempt to change conditions affecting commerce and trade would disturb the business interests of the country; but the Senator from Rhode Island knows as well as I do that there is no more probability or possibility of taking radical action which would disturb the trade and commerce of the country than there is of his going to Japan to-morrow to rule there as he rules here.

Mr. ALDRICH. Certainly not so long as the Republican party is in power.

Mr. GORMAN. No, Mr. President; the Republican party will be in power in this Chamber for four years after the 4th of March, and I suppose when that fortunate condition for the country will occur, when the Democratic party shall take possession of every other branch of the Government——

Mr. ALDRICH. Unfortunate!

Mr. GORMAN. It will be fortunate. It would be most fortunate now if the Democrats had such power and could stay the radical and extreme measures which you have inaugurated.

It will require probably a division of parties to bring us back to economy in expenditures and honesty in administration, and when we get that power the books of the Departments will be opened. It is true in the meantime, with the statute of limitations, the guilty may escape, but the time is coming, in the next House, when we will have the opportunity, not as a favor, but as a right, to look at the accounts and to examine the books.

Mr. ALDRICH. I wish to ask the Senator a question, and I hope he will answer me frankly.

Mr. GORMAN. I always do.

Mr. ALDRICH. Does he think he, any better than I, can foretell or could foretell what the Democratic party would do upon the tariff question if they were returned to power?

Mr. GORMAN. Yes.

Mr. ALDRICH. What?

Mr. GORMAN. It would do precisely as that party has done from the foundation of the Government to the present time.

Mr. ALDRICH. As it did in 1894, for instance?

Mr. GORMAN. Ah, in 1894! The Senator from Rhode Island understands perfectly that the legislation of the Democratic party in 1894, but for the most extraordinary decision of the Supreme Court, which may yet come to plague and trouble and embarrass the Government, would have provided sufficient revenue for all purposes. The action of the Democratic party in 1894 started the wheels of industry. The people only found the full fruition of that tariff after the election of McKinley.

The Democratic party would do precisely as it has done on every occasion, take care of the business interests of the country; and the manufacturers and laborers of the country would find within a revenue tariff all the protection they want, and we would prevent the unfair advantages to special interests which have grown up under your tariff.

Mr. President, I wish to say this: In my judgment, the tariff on all these matters about which we have been talking will not have serious effect in the discussion and determination of the result in November next. The great question will be whether we shall restrain that branch of the Government which has assumed a power never intended to be granted to it.

Mr. ALDRICH. The Senator from Maryland is getting a little off, I think.

Mr. GORMAN. No; I am not getting off. The Senator from Rhode Island would like to run to some byway——

Mr. ALDRICH. Not a bit of it.

Mr. GORMAN. And escape the indictment which has been made against his party and his President. But the main question that will be considered is the one I have stated. We know, and the country knows, that the others are minor, and the country knows that the tendency of all the legislation you have enacted at this session has been to increase executive power. You have seven to eight million people in the islands of the Pacific. What a spectacle it is! The President of the United States, with the Army, under your legislation and under your submission, is practically an emperor over all those people.

Mr. ALDRICH. I hope the Senator will not go too far into outside questions, because I have only a few minutes.

Mr. GORMAN. I thought the Senator had finished.

Mr. ALDRICH. No.

Mr. GORMAN. Otherwise I would not have interrupted him. I will be very glad to hear the Senator from Rhode Island. He talks very much better than I do.

Mr. ALDRICH. I do not intend to embarrass the Senator from Maryland by reading Mr. Cleveland's letters and messages in regard to the tariff legislation of 1894.

Mr. GORMAN. I would be glad if the Senator would.

Mr. ALDRICH. I am aware that a Democratic House of Representatives passed a tariff bill in 1894 which, if it had passed this body, would have stopped every wheel in the United States; and the Senator from Maryland knows it as well as I do, and he did not then hesitate to say so. It was due to his courage and his action here that entire and absolute destruction of industries was averted. Now, if he thinks that that experience is to be repeated if we have a Democratic Administration, is he in favor of a change? Does he desire to go back to the legislation of Mr. Wil-

son and Mr. Cleveland and abandon to destruction the entire industries of the United States? I give him credit for too much sense for that.

The act of 1894, modified as it was, brought depression and disaster to the country from which it has not recovered, and I suggest to him that the people of this country will not try another experiment of that kind, and the fact that he is in the Senate today with his courage and his views upon the tariff question is not and would not be held by the country a sufficient guaranty against the general unwisdom and folly of the Democratic party.

I was asking the Senator from Maryland and Senators on the other side to point out some measure of general interest that they were for which had not been taken up and considered and acted upon. The Senator from Maryland failed to respond. I expected he would. He falls back upon talk about the usurpation of power on the part of the President of the United States.

I have been a member of this body for twenty-four years, a large part of the time with the Senator from Maryland; I have served with five or six different Presidents, including a Democratic President for two terms, and I have never known a President of the United States, not excepting Mr. Cleveland, who has interfered less with the legislative business of the Congress or with the action of the House or the Senate than the present incumbent of that office. I know of no case where he has undertaken to dictate what our policy or what our legislation should be, and I can not say that of another President within my recollection. This talk about the usurpations of the President and his attempts to control legislation or the Congress is nonsense, and nobody knows it better than does the Senator from Maryland.

EDGAR MUMMA.

Mr. McCOMAS. I ask unanimous consent for the present consideration of the bill (S. 3565) granting an increase of pension to Edgar Mumma, who is a very sick person.

There being no objection the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to strike out "of" and insert "hospital steward U. S. S. Kearsarge;" so as to make the bill read;

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edgar Mumma, late hospital steward U. S. S. Kearsarge, United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. PENROSE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After fifteen minutes spent in executive session the doors were reopened.

INFORMATION AND DISPLAY BUREAU AT ELLIS ISLAND.

Mr. SIMMONS. Yesterday Senate bill 4118 was called up and unanimous consent asked for its consideration. The Senator from Rhode Island [Mr. ALDRICH] objected because the amount of the appropriation was not specified. The bill was read. I have now amended it with the consent of the Committee on Immigration so as to specify the amount. I submitted it to the Senator from Rhode Island, and it is satisfactory to him. I ask unanimous consent to call up the bill for present consideration. It was read yesterday.

The PRESIDENT pro tempore. The Senator from North Carolina asks unanimous consent for the present consideration of a bill——

Mr. KEAN. I object. I do not think we can consider that bill now.

Mr. SIMMONS. I will state to the Senator from New Jersey that I have spoken to both the Senator from Iowa [Mr. ALLISON] and the Senator from Rhode Island [Mr. ALDRICH] and suggested to them that I would amend it by limiting the amount of the expenditure to $10,000. I am informed that that will be sufficient to erect the necessary accommodations. I hope the Senator will not object.

Mr. KEAN. It is a Senate bill?

Mr. SIMMONS. It is a Senate bill.

Mr. KEAN. I think the bill had better go over.

Mr. SIMMONS. There are special reasons why I ask the Senate at this time to pass the bill.

Mr. HALE. Has objection been made to the Senator's bill?

Mr. SIMMONS. Objection was made yesterday by the Senator from Rhode Island, but was withdrawn this morning upon limiting the expenditure to $10,000. The Senator from Iowa [Mr. ALLISON] likewise objected, but objected expressly and exclusively upon the ground that the amount appropriated was not specified. The Senator from Massachusetts [Mr. LODGE] knows that the committee has given very thorough consideration to the bill.

Mr. LODGE. It is a unanimous report, and undoubtedly a very desirable measure.

The PRESIDENT pro tempore. The bill will be read by title.

The SECRETARY. A bill (S. 4118) authorizing the Commissioner-General of Immigration, under the direction of the Secretary of Commerce and Labor, to establish in connection with the immigrant station at Ellis Island an information and display bureau for the purpose of aiding in the distribution of immigrants, and for other purposes.

The PRESIDENT pro tempore. The bill was read in full on a former occasion.

Mr. HALE. I object to its consideration. That ought not to be done.

The PRESIDENT pro tempore. The Senator from Maine objects.

Mr. HALE. It is no time now to consider any measure. Bills can receive no fair consideration. I move that the Senate take a recess until 5 minutes before 2.

Mr. CLAY. I hope the Senator will excuse me, but I was out of the Senate, having been necessarily called away, and I wish the Senate to go into executive session for just a minute.

Mr. HALE. I will not object to that.

EXECUTIVE SESSION.

Mr. CLAY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened.

THANKS TO THE PRESIDENT PRO TEMPORE.

Mr. GORMAN. Mr. President, I desire to offer a resolution, and ask for its present consideration. In offering it I wish to state that while it is the ordinary resolution it is not by any means a perfunctory matter. I am sure that it expresses the sentiment of every member of the Senate.

The PRESIDING OFFICER (Mr. ELKINS in the chair). The Senator from Maryland offers a resolution, which the Secretary will read.

The Secretary read the resolution, as follows:

Resolved, That the thanks of the Senate are hereby tendered to the Hon. WILLIAM P. FRYE, President pro tempore of the Senate, for the courteous, dignified, and able manner in which he has presided over its deliberations during the present session.

The resolution was considered by unanimous consent and unanimously agreed to.

After a delay of several minutes,

The PRESIDENT pro tempore resumed the chair and said:

Senators, this expression of your continued confidence in me is very grateful to me. Your kind consideration and uniform courtesy have made the office of President of the Senate easy and most agreeable. I congratulate you on this early termination of the session, and I wish to each one of you a vacation which shall be full of pleasure and profit both to mind and body. [Applause.]

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills and joint resolution; in which it requsted the concurrence of the Senate:

A bill (H. R. 11637) granting a patent in fee to Theresa Anderson of her allotment No. 12 of the Ponca Indian Reservation;

A bill (H. R. 15225) to amend the act relating to the printing and distribution of public documents, and for other purposes;

A bill (H. R. 15320) to amend "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof in the District of Columbia," approved June 3, 1896; and

A joint resolution (H. J. Res. 158) construing the act for the relief of Julius H. Kaiser as carrying an appropriation.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 463) to pay Hewlette A. Hall balance due for services in connection with the Paris exposition;

A bill (S. 1750) to provide an American register for the British ship *Pyrenees;*

A bill (S. 2263) to require the employment of vessels of the United States for public purposes;

A bill (S. 2814) to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900;

A bill (S. 5342) to provide for the temporary government of the canal zone at Panama, for the protection of the canal works, and for other purposes;

A bill (S. 5408) to provide for the care and support of insane persons in the Indian Territory;

A bill (S. 5583) to amend an act entitled "An act granting a charter to the General Federation of Women's Clubs," approved March 3, 1901;

A bill (S. 5597) to amend an act entitled "An act providing for public printing and binding and the distribution of public documents;"

A bill (H. R. 9773) granting an increase of pension to Absalom Shilts;

A bill (H. R. 5067) to prevent the fraudulent sale of merchandise in the District of Columbia;

A bill (H. R. 5755) for the relief of small-holding settlers within the limits of the grant of land to the Atlantic and Pacific Railroad Company in the Territory of New Mexico;

A bill (H. R. 6780) authorizing the Union Pioneer Mining and Trading Company to construct and maintain a bridge across the Catalla Creek, in the District of Alaska;

A bill (H. R. 11444) to grant certain lands to the State of Ohio;

A bill (H. R. 11966) to ratify and amend an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect;

A bill (H. R. 13592) granting an increase of pension to Stephen M. Ferguson;

A joint resolution (S. R. 6) to authorize the Secretary of the Navy to donate to the Minnesota Historical Society the steering wheel of the former ship *Minnesota;*

A joint resolution (S. R. 36) accepting a reproduction of the bust of Washington from certain citizens of the Republic of France, and tendering the thanks of Congress to the donors therefor;

A joint resolution (S. R. 71) directing the Secretary of the Interior to institute an investigation relative to the use of the waters of the Colorado River for irrigation, and to report to Congress thereon; and

A joint resolution (S. R. 73) amending an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903.

HOUSE BILLS REFERRED.

The bill (H. R. 11637) granting a patent in fee to Theresa Anderson of her allotment, No. 12, of the Ponca Indian Reservation was read twice by its title, and referred to the Committee on Indian Affairs.

The bill (H. R. 15225) to amend the act relating to the printing and distribution of public documents, and for other purposes, was read twice by its title, and referred to the Committee on Printing.

The bill (H. R. 15320) to amend "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof in the District of Columbia," approved June 3, 1896, was read twice by its title, and referred to the Committee on the District of Columbia.

The joint resolution (H. J. Res. 158) construing the act for the relief of Julius H. Kaiser as carrying an appropriation was read twice by its title, and referred to the Committee on Naval Affairs.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on this day approved and signed the following acts and joint resolutions:

An act (S. 73) granting an increase of pension to William H. Colville;

An act (S. 76) granting a pension to Mary H. Cornell;

An act (S. 103) granting an increase of pension to A. D. Tanyer;

An act (S. 127) authorizing the joining of Kalorama avenue;

An act (S. 128) granting an increase of pension to Clara M. Gihon;

An act (S. 405) granting an increase of pension to Darius W. Owens;

An act (S. 423) granting an increase of pension to Louisa Weaver;

An act (S. 433) granting an increase of pension to William L. Johnston;

An act (S. 463) to pay Hewlette A. Hall balance due for services in connection with the Paris Exposition;

An act (S. 493) granting an increase of pension to Richard E. Bouldin;

An act (S. 538) granting an increase of pension to Alice W. Stoodley;

An act (S. 682) granting a pension to Jacob S. Grimes;

An act (S. 741) granting an increase of pension to William D. Woodworth;

An act (S. 1244) granting a pension to Sue Stevens Eskridge;

An act (S. 1494) granting an increase of pension to Edward Colvin;

An act (S. 1564) granting an increase of pension Daniel W. Working;

An act (S. 1687) granting an increase of pension to Harvey R. Backus;

An act (S. 1750) to provide an American register for the British ship *Pyrenees;*

An act (S. 1788) granting an increase of pension to Sarah L. Nichols;

An act (S. 1808) granting a pension to James L. Dyer;

An act (S. 1909) granting an increase of pension to William Holliday;

An act (S. 2011) granting a pension to Maggie E. Bamford;

An act (S. 2116) granting an increase of pension to Edna Stevens;

An act (S. 2134) to connect Euclid place with Erie street;

An act (S. 2183) granting an increase of pension to David L. Miller;

An act (S. 2263) to require the employment of vessels of the United States for public purposes;

An act (S. 2268) to authorize the Absentee Wyandotte Indians to select certain lands, and for other purposes;

An act (S. 2367) granting an increase of pension to Ferdinand Mergel;

An act (S. 2382) providing for the resurvey of certain townships in Routt and Rio Blanco counties, in the State of Colorado;

An act (S. 2396) granting a pension to Clarissa Ann La Point;

An act (S. 2399) granting a pension to Michael Nelligan;

An act (S. 2621) for the widening of V street NW.;

An act (S. 2710) for the opening of connecting highways on the east and west sides of the Zoological Park, District of Columbia;

An act (S. 2730) granting an increase of pension to Jasper N. Jennings;

An act (S. 2803) granting an increase of pension to William H. Ijams;

An act (S. 2814) to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900;

An act (S. 3008) granting an increase of pension to John R. McMannomy;

An act (S. 3036) for the protection of the Bull Run Forest Reserve and the sources of the water supply of the city of Portland, State of Oregon;

An act (S. 3054) granting an increase of pension to Kate M. Strange;

An act (S. 3119) granting a pension to Raynor H. Newton;

An act (S. 3151) granting an increase of pension to Hayden M. Thompson;

An act (S. 3165) providing for second and additional homestead entries, and for other purposes;

An act (S. 3182) to pay certain Choctaw (Indian) warrants held by James M. Shackelford;

An act (S. 3203) granting an increase of pension to George W. Foster;

An act (S. 3245) granting an increase of pension to Oscar F. Bartlett;

An act (S. 3304) granting an increase of pension to James K. Deyo;

An act (S. 3334) granting an increase of pension to Frances G. Belknap;

An act (S. 3335) granting an increase of pension to John Waldo;

An act (S. 3338) to amend and codify the laws relating to municipal corporations in the district of Alaska;

An act (S. 3432) granting an increase of pension to Rosaline V. Campbell;

An act (S. 3489) granting a pension to Annie Colt McCook;

An act (S. 3619) granting a pension to Elizabeth B. Yount;

An act (S. 3665) granting an increase of pension to Ellen M. O'Connor;

An act (S. 3666) granting an increase of pension to James W. Carrier;

An act (S. 3734) granting an increase of pension to Martha W. Cushing;

An act (S. 3777) granting an increase of pension to Sarah S. Smith;

An act (S. 3869) for the extension of Albemarle street;

An act (S. 3890) granting an increase of pension to James N. Culton;

An act (S. 3915) granting an increase of pension to Benjamin F. Bollinger, alias Benjamin Bell;

An act (S. 3989) granting a pension to Cynthia Speaks;

An act (S. 4018) granting an increase of pension to James Gunn;

An act (S. 4086) granting an increase of pension to Ralph Van Brunt;

An act (S. 4171) granting an increase of pension to Thaddeus K. Miller;

An act (S. 4187) granting an increase of pension to William G. Tompkins;

An act (S. 4223) granting an increase of pension to William P. Jackson;

An act (S. 4337) granting an increase of pension to William H. Hess;

An act (S. 4340) granting an increase of pension to Rose MacFarlane;

An act (S. 4341) granting an increase of pension to Henry Armstrong;

An act (S. 4353) granting an increase of pension to Edward M. McCook;

An act (S. 4401) to grant to the State of Minnesota certain lands for forestry purposes;

An act (S. 4601) granting an increase of pension to Urbanus Hubbs;

An act (S. 4679) granting an increase of pension to Samuel R. Shankland;

An act (S. 4713) to authorize the Spuyten Duyvil and Port Morris Railroad Company and its lessee, the New York Central and Hudson River Railroad Company, to build and maintain bridges or other structures for their railroad across the Spuyten Duyvil Creek and the Harlem River north of the Harlem River pier and bulkhead lines as now established in the city of New York;

An act (S. 4899) granting an increase of pension to Laura M. Gillmore;

An act (S. 4955) to provide for the appointment of an additional assistant appraiser at the port of Boston;

An act (S. 5034) granting an increase of pension to George A. Miller;

An act (S. 5076) granting an increase of pension to Stacy Williams;

An act (S. 5078) granting an increase of pension to Asa Smith;

An act (S. 5092) to amend an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas;

An act (S. 5096) granting an increase of pension to Edmond G. Pugsley;

An act (S. 5101) granting an increase of pension to Lewis Y. Foster;

An act (S. 5111) granting an increase of pension to Charles W. Barrett;

An act (S. 5125) granting an increase of pension to William O. White;

An act (S. 5161) granting an increase of pension to William H. Seip;

An act (S. 5169) making Lewes, Del., a subport of entry;

An act (S. 5179) granting an increase of pension to Alonzo Gardner;

An act (S. 5180) granting a pension to Thomas Smith;

An act (S. 5191) granting an increase of pension to Elizabeth C. Way;

An act (S. 5194) granting an increase of pension to Charles L. Overley;

An act (S. 5210) granting an increase of pension to William L. Beach;

An act (S. 5213) granting an increase of pension to Theodore J. Widvey;

An act (S. 5230) granting an increase of pension to John D. Inger;

An act (S. 5244) granting an increase of pension to John K. Whited;

An act (S. 5255) to provide allotments to Indians on White Earth Reservation in Minnesota;

An act (S. 5265) granting an increase of pension to James Stout;

An act (S. 5270) granting an increase of pension to Ellen R. Ostrander;

An act (S. 5282) granting an increase of pension to William P. Vohn;

An act (S. 5289) granting an increase of pension to Peter Baker;

An act (S. 5349) granting an increase of pension to Rebecca Aumen;

An act (S. 5372) granting an increase of pension to Jesse W. McGahan;

An act (S. 5408) to provide for the care and support of insane persons in the Indian Territory;

An act (S. 5475) granting a pension to Mary M. Rice;

An act (S. 5504) to amend an act entitled "An act to authorize the counties of Sherburne and Wright, Minn., to construct a bridge across the Mississippi River," approved March 29, 1904;

An act (S. 5583) to amend an act entitled "An act granting a charter to the General Federation of Women's Clubs," approved March 3, 1901;

An act (S. 5597) to amend an act entitled "An act providing for public printing and binding and the distribution of public documents;"

A joint resolution (S. R. 6) to authorize the Secretary of the Navy to donate to the Minnesota Historical Society the steering wheel of the former ship *Minnesota;*

A joint resolution (S. R. 36) accepting a reproduction of the bust of Washington from certain citizens of the Republic of France, and tendering the thanks of Congress to the donors therefor;

A joint resolution (S. R. 71) directing the Secretary of the Interior to institute an investigation relative to the use of the waters of the Colorato River for irrigation, and to report to Congress thereon; and

A joint resolution (S. R. 73) amending an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903.

COMMERCIAL MARINE.

The PRESIDENT pro tempore appointed Mr. GALLINGER, Mr. LODGE, Mr. PENROSE, Mr. MARTIN, and Mr. MALLORY as members of the commission on the part of the Senate, under the act approved April 28, 1904, authorizing the appointment of a commission to consider and recommend legislation for the development of the American merchant marine.

FINAL ADJOURNMENT.

The hour of 2 o'clock having arrived,

The PRESIDENT pro tempore said: The hour of 2 o'clock having arrived, the Chair declares the Senate adjourned sine die.

NOMINATIONS.

Executive nominations received by the Senate April 28, 1904.

UNITED STATES ATTORNEY.

J. Whittaker Thompson, of Pennsylvania, to be United States attorney for the eastern district of Pennsylvania, vice James B. Holland, appointed United States judge for the eastern district of Pennsylvania.

JUDGES IN INDIAN TERRITORY.

William R. Lawrence, of Illinois, to be judge of the United States court for the eastern district of Indian Territory.

Joseph T. Dickerson, of Kansas, to be judge of the United States court for the southern district of Indian Territory.

Louis Sulzbacher, of Missouri, to be judge of the United States court for the western district of Indian Territory.

Thomas C. Humphry, of Indian Territory, to be judge of the United States court for the central district of Indian Territory.

SURVEYOR OF CUSTOMS.

Oscar I. Robbins, of Ohio, to be surveyor of customs for the port of Dayton, in the State of Ohio. New office, created by act of Congress approved April 12, 1904.

MEMBER OF EXECUTIVE COUNCIL OF PORTO RICO.

Herminio Diaz y Navarro, of Porto Rico, to be a member of the executive council of Porto Rico for the term of four years, from June 5, 1904, vice Rosendo Martienzo Cintron. The name was erroneously given as Herminio Diaz y Nazario in the nomination which was confirmed April 27, 1904.

POSTMASTER.

PENNSYLVANIA.

De Witt C. Parkinson to be postmaster at Monongahela, in the county of Washington and State of Pennsylvania, in place of Susanne E. Nicholson. Incumbent's commission expires June 5, 1904.

CONFIRMATIONS.

Executive nomination confirmed by the Senate April 27, 1904.

CIRCUIT JUDGE.

Jeter C. Pritchard, of North Carolina, now serving as associate justice of the supreme court of the District of Columbia, to be United States circuit judge for the fourth judicial circuit.

Executive nominations confirmed by the Senate April 28, 1904.

JUDGES IN INDIAN TERRITORY.

William R. Lawrence, of Illinois, for the eastern district.

Joseph T. Dickerson, of Kansas, for the southern district.

Louis Sulzbacher, of Missouri, for the western district.

Thomas C. Humphry, of Indian Territory, for the central district.

UNITED STATES ATTORNEY.

J. Whittaker Thompson, of Pennsylvania, to be district attorney for the eastern district of Pennsylvania.

SURVEYOR OF CUSTOMS.

Oscar I. Robbins, of Ohio, to be surveyor of customs at the port of Dayton, Ohio.

MEMBER OF EXECUTIVE COUNCIL OF PORTO RICO.

Herminio Diaz y Navarro to be a member of the executive council of Porto Rico.

APPOINTMENTS IN THE MARINE-HOSPITAL SERVICE.

Robert D. Spratt, of Alabama, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

Joseph Pettyjohn, of Georgia, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

Francis H. McKeon, of Connecticut, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

Ernest A. Sweet, of Massachusetts, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

POSTMASTERS.

FLORIDA.

Thomas H. Alexander to be postmaster at White Springs, in the county of Hamilton and State of Florida.

James G. Baskin to be postmaster at Dunnellon, in the county of Marion and State of Florida.

Lawrence Brown to be postmaster at Milton, in the county of Santa Rosa and State of Florida.

Harry C. Budge to be postmaster at Miami, in the county of Dade and State of Florida.

Roy S. Hanna to be postmaster at St. Petersburg, in the county of Hillsboro and State of Florida.

John F. Stunkel to be postmaster at Leesburg, in the county of Lake and State of Florida.

GEORGIA.

John F. Jenkins to be postmaster at Ashburn, in the county of Worth and State of Georgia.

INDIANA.

Japhet F. Lehman to be postmaster at Berne, in the county of Adams and State of Indiana.

Henry F. Radcliff to be postmaster at Pierceton, in the county of Kosciusko and State of Indiana.

PENNSYLVANIA.

De Witt C. Parkinson to be postmaster at Monongahela, in the State of Pennsylvania.

HOUSE OF REPRESENTATIVES.

[*Continuation of legislative day of Tuesday, April 26, 1904.*]

The recess having expired, the House (at 10.30 a. m., Thursday, April 28, 1904) resumed its session.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 15527. An act making appropriations for national trophy and medals for rifle contests; and

H. J. Res. 149. Joint resolution authorizing the Secretary of War to allow to the Anheuser-Busch Brewing Association a right of way through the eastern limits of the arsenal grounds at St. Louis, Mo.

The message also announced that the Senate had passed with amendments bills of the following titles in which the concurrence of the House of Representatives was requested:

H. R. 11444. An act to grant certain lands to the State of Ohio;

H. R. 5067. An act to prevent the fraudulent sale of merchandise; and

H. R. 6780. An act authorizing the Union Pioneer Mining and Trading Company to construct and maintain a bridge across the Cattalla Creek, in the District of Alaska.

The message also announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to the bills of the following titles:

S. 2814. An act to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900; and

H. R. 14754. An act providing for the restoration or maintenance of channels or of river and harbor improvements, and for other purposes.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 3107. An act granting an increase of pension to James E. Chappell;

H. R. 3036. An act granting an increase of pension to William H. Romaine;

H. R. 3431. An act granting an increase of pension to William Basnett;

H. R. 2675. An act granting an increase of pension to Robert J. Tate;

H. R. 487. An act granting an increase of pension to Mary J. Waugh;

H. R. 934. An act granting an increase of pension to Frank Brock;

H. R. 749. An act granting an increase of pension to Humphrey M. Glines;

H. R. 23. An act in relation to pharmacy in the Indian Territory;

H. R. 2499. An act granting an increase of pension to Smith Bilderback;

H. J. Res. 102. Joint resolution relating to the exemption of all private property at sea not contraband of war from capture or destruction by belligerent powers;

H. J. Res. 29. Joint resolution providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department;

H. R. 13437. An act granting a pension to William P. Crawford;

H. R. 14416. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes;

H. R. 13404. An act granting a pension to Emanuel Peck;

H. R. 13636. An act granting a pension to George S. Noland;

H. R. 14424. An act for the extension of Wyoming avenue to Twenty-third street west;

H. R. 14636. An act granting an increase of pension to James R. Fletcher;

H. R. 11827. An act granting an increase of pension to Daniel Smith;

H. R. 12006. An act granting an increase of pension to Amelia Coster;

H. R. 12197. An act granting an increase of pension to Daniel M. Candor;

H. R. 12533. An act to authorize the Paragould and Memphis Railroad Company to construct a bridge across St. Francis River;

H. R. 12604. An act granting a pension to Edward N. Fowler;

H. R. 12629. An act granting a pension to Ida Diamond;

H. R. 13347. An act granting an increase of pension to William C. Crumbaugh;

H. R. 13391. An act granting an increase of pension to Garret I. Post;

H. R. 13773. An act to provide for the settlement of certain outstanding checks drawn by the disbursing officers of the District of Columbia;

H. R. 13218. An act for the relief of Adolph Weinhold;

H. R. 14640. An act granting an increase of pension to Caroline McGimsey;

H. R. 14343. An act granting an increase of pension to William Neuberg;

H. R. 6493. An act to ratify and confirm act No. 47 of the legislative assembly of the Territory of Arizona;

H. R. 8690. An act to amend the law relating to taxation in the District of Columbia;

H. R. 9457. An act for the relief of Alexander S. Rosenthal;

H. R. 9354. An act granting an increase of pension to John Richmond;

H. R. 9891. An act confirming the removal of restrictions upon alienation by the Puyallup Indians of the State of Washington of their allotted lands;

H. R. 10511. An act for the relief of the estate of Mary Keating;

H. R. 10208. An act for the relief of Allegheny College, at Meadville, Pa.;

H. R. 10988. An act for the relief of Johann A. Killian;

H. R. 11486. An act granting an increase of pension to Samuel B. Loewenstine;

H. R. 11972. An act to authorize the Ox Bow Power Company, of South Dakota, to construct a dam across the Missouri River;

H. R. 11374. An act granting an increase of pension to William Wells;

H. R. 12382. An act authorizing the payment of the Choctaw and Chickasaw town-site fund, and for other purposes;

H. R. 15204. An act granting an increase of pension to Mary Taggart;

H. R. 698. An act granting an increase of pension to William M. Crow;

H. R. 1305. An act granting an increase of pension to Gilbert A. Kenney;

H. R. 2124. An act granting an increase of pension to Henry J. Grannis;

H. R. 3393. An act for the relief of the Columbia Brewing Company, of Shenandoah, Pa.;

H. R. 4573. An act for the relief of Eugene Patenaude;

H. R. 4085. An act to amend an act entitled "An act to establish a code of law for the District of Columbia;"
H. R. 5829. An act granting an increase of pension to Thomas Ellmaker;
H. R. 5309. An act granting an increase of pension to John McConnell;
H. R. 6111. An act granting an increase of pension to Edwin A. Morris;
H. R. 6537. An act granting an increase of pension to Benjamin F. Hawthorn;
H. R. 6921. An act for the relief of the estate of Mary P. Gilmore;
H. R. 7145. An act granting an increase of pension to Ambroze L. Hendee;
H. R. 8280. An act granting an increase of pension to James A. Morrison;
H. R. 9394. An act granting an increase of pension to Mary Leffler;
H. R. 8716. An act granting an increase of pension to Peter Creager;
H. R. 9477. An act granting an increase of pension to George Smith;
H. R. 9623. An act granting an increase of pension to Robert H. Betts;
H. R. 9338. An act granting an increase of pension to Solon D. Moore;
H. R. 10285. An act granting an increase of pension to Henry McCreary;
H. R. 9365. An act granting an increase of pension to John S. Edgar;
H. R. 10846. An act granting an increase of pension to Heinrich Erbstoeser;
H. R. 14201. An act granting an increase of pension to James W. Smith;
H. R. 14437. An act granting an increase of pension to Daniel White;
H. R. 11335. An act granting an increase of pension to John Trader;
H. R. 14464. An act granting an increase of pension to Elizabeth B. Yount;
H. R. 12861. An act granting an increase of pension to Bartlett J. Mingus;
H. R. 12702. An act granting an increase of pension to Margaret G. Howarth;
H. R. 13605. An act granting a pension to Elizabeth E. Conatt;
H. R. 14484. An act granting an increase of pension to Charles W. Lee;
H. R. 12348. An act granting an increase of pension to John Pickering;
H. R. 12268. An act granting an increase of pension to Jane K. Carpenter;
H. R. 14508. An act granting an increase of pension to John Brady;
H. R. 12177. An act granting an increase of pension to Isaac W. Waters;
H. R. 13000. An act granting an increase of pension to Robert Elliott;
H. R. 14511. An act granting an increase of pension to Robert R. Keys;
H. R. 14512. An act granting an increase of pension to Thomas L. Sweeney;
H. R. 13586. An act granting an increase of pension to Abraham Harris;
H. R. 13373. An act granting an increase of pension to William W. Dennis;
H. R. 14521. An act granting an increase of pension to Samuel H. Phillips;
H. R. 13173. An act granting an increase of pension to Mary E. Houghton;
H. R. 14531. An act granting an increase of pension to Prince A. Gatchell;
H. R. 13690. An act granting an increase of pension to Cephas H. John;
H. R. 13490. An act granting an increase of pension to Henry Good;
H. R. 14541. An act granting an increase of pension to Azariah S. Elwood;
H. R. 13886. An act granting an increase of pension to Thomas Maher;
H. R. 14001. An act granting an increase of pension to Leslie C. Armour;
H. R. 14572. An act granting an increase of pension to Alexander P. Nelson;
H. R. 14336. An act granting an increase of pension to Everton J. Conger;
H. R. 14592. An act granting an increase of pension to Alfred B. Scovill;
H. R. 11336. An act granting an increase of pension to Samuel R. Hazen;
H. R. 14612. An act granting an increase of pension to Myron Imas.
H. R. 14637. An act granting an increase of pension to William Kimbrough;
H. R. 11337. An act for the relief of G. H. Dearen;
H. R. 14638. An act granting an increase of pension to Park Avery;
H. R. 11397. An act granting an increase of pension to William Leonard;
H. R. 14639. An act granting an increase of pension to Joseph J. Mead;
H. R. 14747. An act granting an increase of pension to Symphorosa Bartley;
H. R. 14802. An act granting an increase of pension to Thomas C. Wiley;
H. R. 14859. An act granting an increase of pension to Matthias Ridenour;
H. R. 4398. An act granting a pension to Ellen A. Wilson;
H. R. 14865. An act granting an increase of pension to Mercy J. Wilder;
H. R. 4891. An act granting a pension to Julia R. Braxton;
H. R. 14870. An act granting an increase of pension to William Hougendobler;
H. R. 5565. An act granting a pension to Eliza Workman;
H. R. 14876. An act granting an increase of pension to Francis Stadler, jr.;
H. R. 14884. An act granting an increase of pension to William Huffman;
H. R. 14890. An act granting an increase of pension to Allen R. Harris;
H. R. 6182. An act granting a pension to Erastus J. Horton;
H. R. 7373. An act granting a pension to Harriet J. Woodbury;
H. R. 14894. An act granting an increase of pension to John Gideon;
H. R. 14992. An act granting an increase of pension to Phebe A. Daw;
H. R. 15076. An act granting an increase of pension to Lawrence Le Bron;
H. R. 9107. An act granting a pension to Margaret J. Randolph;
H. R. 9901. An act granting a pension to John M. Stoner;
H. R. 15148. An act granting an increase of pension to Armour W. Patterson;
H. R. 10029. An act granting a pension to Charles E. Arnett;
H. R. 15126. An act granting an increase of pension to Joseph A. Cox;
H. R. 13272. An act granting a pension to Delana A. Lynch;
H. R. 13816. An act granting a pension to Annie Hynes;
H. R. 12402. An act granting a pension to Orson Burlingame;
H. R. 13911. An act granting an increase of pension to Calvin Hitt;
H. R. 14141. An act granting an increase of pension to King Kerley;
H. R. 13805. An act granting a pension to Emma W. Hays;
H. R. 14153. An act granting an increase of pension to Peter C. Wood;
H. R. 14204. An act granting a pension to John B. Hobday;
H. R. 14308. An act granting an increase of pension to Archie C. Fisk;
H. R. 14490. An act granting a pension to Degraphenreed P. McKinley;
H. R. 14524. An act granting a pension to Jennie A. Brown;
H. R. 14801. An act granting a pension to John W. Shrader;
H. R. 14882. An act granting a pension to Mary Dingler;
H. R. 14578. An act granting a pension to Edward Taylor;
H. R. 14938. An act granting a pension to Francis Rogers;
H. R. 14611. An act granting a pension to William L. Beverly;
H. R. 15183. An act granting a pension to Ella F. Kennealy;
H. R. 14630. An act granting a pension to Augustus Finley, now known as Davis;
H. R. 740. An act granting an increase of pension to Ira Meserve;
H. R. 14631. An act granting a pension to William T. Spencer;
H. R. 1093. An act granting a pension to Rose B. Noa;
H. R. 4582. An act granting an increase of pension to John S. Miller;
H. R. 14641. An act granting a pension to Allan Dunning;
H. R. 4584. An act granting an increase of pension to Daniel A. Butler;
H. R. 4602. An act granting an increase of pension to Helim Thompson;
H. R. 14702. An act granting a pension to Mary E. Dunford;
H. R. 4771. An act granting a pension to Aaron Taylor;
H. R. 2577. An act granting an increase of pension to Harmon P. Cole;
H. R. 4903. An act granting an increase of pension to Solomon F. Hallett;

H. R. 2976. An act granting an increase of pension to Enoch J. Evans;
H. R. 5725. An act granting a pension to Grace Dressel;
H. R. 6718. An act granting an increase of pension to James E. Phillips;
H. R. 3921. An act granting an increase of pension to Madison C. Staves;
H. R. 7497. An act granting a pension to Emma A. Webster;
H. R. 4152. An act granting an increase of pension to George B. Hartley;
H. R. 10284. An act granting a pension to Elizabeth Broomall;
H. R. 10306. An act to authorize a duplicate medal to be struck off and presented to John Horn, of Detroit, Mich., for life-saving;
H. R. 3924. An act granting an increase of pension to Ira Waldo;
H. R. 10334. An act granting an increase of pension to John S. Allison;
H. R. 4379. An act granting an increase of pension to Alexander Adams;
H. R. 10851. An act granting an increase of pension to Nancy Smallwood;
H. R. 4572. An act granting an increase of pension to Peter Lander;
H. R. 11013. An act granting an increase of pension to William Flaig;
H. R. 5012. An act granting an increase of pension to Jacob Reitzel;
H. R. 11086. An act granting an increase of pension to Charles W. Crary;
H. R. 5711. An act granting an increase of pension to Jacob Chronister;
H. R. 11262. An act granting a pension to John Hegarty;
H. R. 6338. An act granting an increase of pension to Antoinette I. Sawyer; and
H. R. 7085. An act granting an increase of pension to William Spiegelberg.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3869. An act for the extension of Albemarle street; and
S. 4713. An act to authorize the Spuyten Duyvil and Port Morris Railroad Company and its lessee, the New York Central and Hudson River Railroad Company, to build and maintain bridges or other structures for their railroad across the Spuyten Duyvil Creek and the Harlem River north of the Harlem River pier and bulkhead lines as now established in the city of New York.

ABSALOM SHILTS.

The SPEAKER laid before the House the bill (H. R. 9773) granting an increase of pension to Absalom Shilts, with Senate amendments thereto.

On motion of Mr. HUGHES of West Virginia, the House concurred in the Senate amendments.

STEPHEN M. FERGUSON.

The SPEAKER laid before the House the bill (H. R. 13502) granting an increase of pension to Stephen M. Ferguson, with Senate amendments thereto.

On motion of Mr. HUGHES of West Virginia, the House concurred in the Senate amendments.

ROUND VALLEY INDIAN RESERVATION, CALIFORNIA.

Mr. BELL of California. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 15011) to open to homestead settlement and entry the relinquished and undisposed-of portions of the Round Valley Indian Reservation, in the State of California, and for other purposes.

The SPEAKER. The gentleman from California asks unanimous consent for the present consideration of a bill the title of which will be reported by the Clerk.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. WYNN. I object, Mr. Speaker.

TEMPORARY GOVERNMENT OF THE PANAMA CANAL ZONE.

Mr. HEPBURN. Mr. Speaker, I call up the conference report on the bill (S. 5342) to provide for the temporary government of the canal zone at Panama, the protection of the canal works, and for other purposes.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 5342) to provide for the temporary government of the canal zone at Panama, the protection of the canal works, and for other purposes, having met, after a full and free conference have agreed to recommend and do recommend to their respective Houses as follows: That the Senate recede from its disagreement to the amendment of the House and agree to the same with amendments as follows: Restore all of section 1 of the bill proposed to be stricken out by said amendment, and in lieu of the matter proposed to be inserted by said amendment of the House insert the following:

"SEC. 2. That until the expiration of the Fifty-eighth Congress, unless provision for the temporary government of the canal zone be sooner made by Congress, all the military, civil, and judicial powers, as well as the power to make all rules and regulations necessary for the government of the canal zone, and all the rights, powers, and authority granted by the terms of said treaty with the United States, shall be vested in such person or persons and shall be exercised in such manner as the President shall direct for the government of said zone and maintaining and protecting the inhabitants thereof in the free enjoyment of their liberty, property, and religion."

And the House agree to the same.

W. P. HEPBURN,
WM. C. LOVERING,
W. C. ADAMSON,
Managers on the part of the House.
A. B. KITTREDGE,
A. J. HOPKINS,
Managers on the part of the Senate.

The Clerk read the statement of the House conferees, as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 5342) to provide for a temporary government of the canal zone at Panama, submit the following written statement in explanation of the effect of the action agreed upon and submitted in the accompanying conference report:

It is agreed that there be restored to the bill section 1 thereof as it passed the Senate, and amends the matter inserted by the House so that it will read as it is fully set forth in the conference report.

W. P. HEPBURN,
WM. C. LOVERING,
W. C. ADAMSON,
Managers on the part of the House.

The conference report was agreed to.

On motion of Mr. HEPBURN, a motion to reconsider the last vote was laid on the table.

COAL-LAND LAWS IN THE DISTRICT OF ALASKA.

Mr. LACEY. Mr. Speaker, I call up a conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2814) to amend an act entitled "An act to extend the coal-land laws to the districts of Alaska," approved June 6, 1900, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment and agree to the bill as passed by the Senate, with an amendment as follows: On page 3, line 11, strike out the words "thirty days" and insert in lieu thereof the words "six months;" and the Senate agree to the same.

JOHN F. LACEY,
F. W. MONDELL,
JOHN L. BURNETT.
Managers on the part of the House.
H. C. HANSBROUGH,
KNUTE NELSON,
Managers on the part of the Senate.

The statement was read, as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2814) to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying report.

The House amendment was in the nature of a substitute for the Senate bill.

Upon conference it was determined to accept the Senate bill with an amendment so as to allow six months, instead of thirty days, as suggested in the Senate bill, within which adverse claims must be filled in the land office where the application for patent is pending.

JOHN F. LACEY,
F. W. MONDELL,
JOHN L. BURNETT,
Managers on the part of the House.

Mr. LACEY. I move the adoption of the conference report.

The motion was agreed to.

On motion of Mr. LACEY, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

FRAUDULENT SALE OF MERCHANDISE.

The SPEAKER laid before the House the bill (H. R. 5067) to prevent the fraudulent sale of merchandise, with a Senate amendment, which was read.

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

GRANTING CERTAIN LANDS TO THE STATE OF OHIO.

The SPEAKER also laid before the House the bill (H. R. 11444) to grant certain lands to the State of Ohio, with a Senate amendment, which was read.

Mr. KYLE. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

UNION PIONEER MINING AND TRADING COMPANY.

The SPEAKER laid before the House the bill (H. R. 6780) authorizing the Union Pioneer Mining and Trading Company to construct and maintain a bridge across the Cantalla Creek, in the district of Alaska, with a Senate amendment, which was read.

Mr. NEEDHAM. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

THERESA ANDERSON.

Mr. KINKAID. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 11637) granting a patent in fee to Theresa Anderson of her allotment No. 12 of the Ponca Indian Reservation.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent in fee to Theresa Anderson, allottee, of allotment of the lands of the Ponca Indian Reservation in Boyd County, Nebr., No. 12, being the southeast quarter and the north one-half of the southwest quarter, and the south one-half of the northwest quarter of section 8, in township 33 of range 11 west of the sixth principal meridian, in the county of Boyd, in the State of Nebraska; and all restrictions as to the sale, incumbrance, or taxation of said lands are hereby removed.

Mr. STEPHENS of Texas. Reserving the right to object, I desire to ask the gentleman from Nebraska what is the necessity for this legislation?

Mr. KINKAID. I am pleased to inform the gentleman that the purpose is a thoroughly laudable one. The bill is to grant a patent to Theresa Anderson, who is a part-blood Sioux Indian, and consequently an allottee of these lands. She lives in a white community, and has children who are almost white, because her husband is a white man. She is the only partial-blood Sioux living in the community, and she is a valuable part of that community. She is an accomplished woman, and she wishes her children to release the lands, so that they may be subject to school tax. She wishes her children to stand on an equal social footing in the schools with other children. To use her own language, she says she "don't want her children to be called Government pets." She wishes her lands to bear the same responsibility in supporting the schools as all other persons in the school district.

Mr. STEPHENS of Texas. I see there is a provision to release this land, so that the patentees may pay tax on the lands to be allotted to them.

Mr. KINKAID. As the law now is she can not be subject to tax. It is not subject to any tax, except within certain limits, for twenty-five years.

Mr. STEPHENS of Texas. I have no objection to the bill, but I would suggest to the gentleman that there ought to be some general legislation along this line, so as to remove the disability from that entire class of people, instead of having this piecemeal legislation.

Mr. KINKAID. I think so, too. There are several others that have asked for it.

Mr. STEPHENS of Texas. I hope you will offer a bill of that kind and that we can report it.

Mr. KINKAID. I shall offer it.

The amendment recommended by Mr. KINKAID was read, as follows:

In line 9, after the word "thirty-three," insert the word "north."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

GENERAL FEDERATION OF WOMEN'S CLUBS.

The SPEAKER. This being District day, the gentleman from Wisconsin is recognized.

Mr. BABCOCK. Thank you, Mr. Speaker. Mr. Speaker, I would ask that the Clerk complete the reading of the bill S. 5583.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act granting a charter to the General Federation of Women's Clubs," approved March 3, 1901, be, and it is hereby, amended by adding thereto one section, to be designated as section 4, which will read as follows:

"SEC. 4. That said corporation be, and it is hereby, authorized to hold its biennial meetings at such places outside of Washington, in the District of Columbia, as it from time to time may deem best."

Mr. BABCOCK. I ask for a vote, Mr. Speaker.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

On motion of Mr. BABCOCK, a motion to reconsider the vote by which the bill was passed was laid on the table.

AMENDING SECTION 653, CODE OF LAW, DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask for the present consideration of the bill H. R. 15438.

The Clerk read as follows:

A bill (H. R. 15438) to amend section 653 of the Code of Law for the District of Columbia.

Be it enacted, etc., That the Code of Law for the District of Columbia be, and the same is hereby, amended by striking out section 653 thereof and substituting in lieu therefor the following:

"SEC. 653. Assessment companies.—Insurance companies or assessment associations transacting the business of life, accident, and health insurance on the assessment plan, organized under the laws of the District of Columbia or any State of the United States, and doing business in said District, shall, as a condition of license to transact business in said District, file annually, in the month of January, with the superintendent of insurance, a sworn statement setting forth that they are paying, and for the twelve months next preceding have paid, the maximum amount named in their policies or certificates of membership when and as the same become due and payable, and that one assessment upon their members is sufficient to pay the maximum amount of any certificate or policy issued by them, and that they have a capital or guarantee fund, fully paid up in cash, of not less than $10,000, to be held in trust by the directors or trustees of said companies, and the said funds may be invested in real estate or securities worth at all times not less than the full amount of such capital or guaranty funds: *Provided*, That all such companies, associations, or societies incorporated, licensed, or authorized to do business in the District of Columbia prior to May 1, 1904, and which have submitted their annual reports to the superintendent of insurance for the year 1903, shall be permitted to pay in its capital or guaranty fund as follows: One thousand dollars thereof to be placed in trust as aforesaid on or before July 1, 1904, and an additional $1,000 in like manner on or before the 1st day of July in every year thereafter, until each shall have in trust as aforesaid the sum of $10,000. And any such company, association, or society neglecting or refusing to comply with the aforesaid requirements within thirty days after the 1st day of each July named shall have its license to do business in the District of Columbia revoked."

The bill was ordered to be engrossed and read a third time, and being engrossed, was read the third time, and passed.

On motion of Mr. BABCOCK, a motion to reconsider the vote by which the bill was passed was laid on the table.

PRACTICE OF MEDICINE AND SURGERY IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask consideration of the bill H. R. 15320.

The SPEAKER. The gentleman from Wisconsin asks for the consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15320) to amend "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof in the District of Columbia," approved June 3, 1896.

Be it enacted, etc., That section 8 of "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof in the District of Columbia," approved June 3, 1896, be amended by striking out the following words: "*Provided*, That a license shall be issued upon application, free of cost and without examination, to each physician who is registered at the health office of the District of Columbia at the time of the passage of this act and to physicians who may change their residence to the District of Columbia from any State or Territory where medical laws and medical examining boards exist, the presentation of a certificate or license from a medical examining board, if found upon due inquiry to be true and genuine, being sufficient evidence of right to registration and certification under the provisions of this act: *Provided*, That the medical laws and examining boards of such States and Territories grant equal rights and recognition to the licentiates of the board herein created," and by inserting in lieu thereof, after section 8, the following:

"SEC. 8a. That the board of medical supervisors of the District of Columbia be, and is hereby, authorized and directed to license to practice medicine and surgery in said District, without examination, any applicant for such license who has been engaged in the practice of medicine and surgery in any other jurisdiction, whether a State, Territory, or insular possession of the United States, or a foreign country, subject to the following conditions:

"a. No applicant shall be licensed who is not of good moral character and free from mental defects and drug habits liable to interfere with the proper practice of medicine and surgery;

"b. Nor who, at the time of making application, and for not less than two years prior to the date thereof, has not been lawfully authorized to practice medicine and surgery, and actually engaged in such practice, in the jurisdiction wherein he resides;

"c. Nor unless the applicant acquired the right to practice medicine and surgery in such jurisdiction under conditions equivalent to those with which he would have had to comply in order then to have practiced medicine and surgery in the District of Columbia;

"d. Nor unless the jurisdiction, by virtue of whose license the applicant seeks exemption from examination in the District of Columbia, grants to licentiates of the board of medical supervisors of said district privileges equivalent to those which the applicant seeks;

"e. Nor until the applicant has paid to the board of medical supervisors aforesaid such fee as may be fixed and required by the regulations of said board, but not more than the fee charged under similar circumstances by the jurisdiction by virtue of whose license the applicant seeks exemption from examination.

"And said board of medical supervisors is further authorized and directed

to issue in favor of its licentiates such certificates, if any, as may be necessary to enable such licentiates, without examination, to obtain licenses to practice medicine and surgery in other jurisdictions, and to collect for the issue of such certificates such fees as may be necessary to defray the cost of issuing the same and to use such fees for that purpose.

"And said board of medical supervisors is further authorized to determine all matters of fact required to be determined in the execution of the provisions of this section."

The bill was ordered to be engrossed and read a third time; and being engrossed, was read the third time, and passed.

On motion of Mr. BABCOCK, a motion to reconsider the vote by which the bill was passed was laid on the table.

STEERING WHEEL OF THE FORMER SHIP MINNESOTA.

Mr. STEVENS of Minnesota. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution No. 6.

The SPEAKER. The gentleman from Minnesota asks unanimous consent for the consideration of a Senate joint resolution which the Clerk will report.

The Clerk read as follows:

Joint resolution (S. R. 6) to authorize the Secretary of the Navy to donate to the Minnesota Historical Society the steering wheel of the former ship Minnesota.

Resolved, etc., That the Secretary of the Navy be, and he is hereby, authorized and empowered to donate to the State Historical Society of the State of Minnesota the steering wheel of the old vessel Minnesota, said wheel being now at the navy-yard at Boston, Mass.

The SPEAKER. Is there objection?

Mr. MADDOX. Mr. Speaker, reserving the right to object, I desire to state we can not hear what the bill is for, and I trust the gentleman will explain it.

Mr. STEVENS of Minnesota. Mr. Speaker, the old frigate *Minnesota* was broken up and put out of commission several years ago. The State Historical Society of Minnesota desire to have some memento of the first ship ever named for the State, and so they requested that the steering wheel be saved, and it is now at the navy-yard at Boston. It is all that is left of it, and the State Historical Society if presented with that steering wheel will at no expense take it and keep it in their rooms as a memento. It is worthless, but the Navy Department in breaking up the ship has preserved this wheel at the request of the Historical Society, who desire to keep it in this way.

Mr. MADDOX. I have no objection, Mr. Speaker.

The SPEAKER. Is there objection? [A pause.] The Chair hears none.

The joint resolution was ordered to be read the third time, and was read the third time, and passed.

On motion of Mr. STEVENS of Minnesota, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

CHARLES SIMON.

Mr. HILDEBRANT. Mr. Speaker, I offer a privileged report from the Committee on Accounts.

The SPEAKER. The gentleman from Ohio presents a privileged report from the Committee on Accounts, which the Clerk will report.

The Clerk read as follows:

Resolution 348.

Resolved, That the Clerk of the House of Representatives be, and he hereby is, authorized to pay, out of the contingent fund of the House, to Charles Simon, the sum of $100 for services rendered as a clerk in the folding room during the present Congress.

Mr. HILDEBRANT. I move the adoption of the report, Mr. Speaker.

The question was taken, and the resolution was agreed to.

On motion of Mr. HILDEBRANT, a motion to reconsider the vote by which the resolution was passed was laid on the table.

PRINTING AND DISTRIBUTION OF PUBLIC DOCUMENTS.

Mr. PERKINS. Mr. Speaker, I ask unanimous consent for the passage of the following bill, which the Clerk will report:

The Clerk read as follows:

A bill (H. R. 15225) to amend the act relating to the printing and distribution of public documents, and for other purposes.

Be it enacted, etc., That the act entitled "An act providing for the public printing and binding and distribution of public documents," approved January 12, 1895, be amended as follows:

That section 54 of said act is hereby amended by adding at the end thereof as follows:

"That hereafter the 'usual' number of reports on private bills, concurrent or simple resolutions shall not be printed. In lieu thereof there shall be printed of each Senate and House report on a private bill, simple or concurrent resolution, 260 copies, which shall be distributed as follows: To the Senate document room, 135 copies, to the Secretary of the Senate, 15 copies; to the House document room, 100 copies; to the superintendent of documents, 10 copies."

SEC. 2. That section 55 of said act is hereby amended to read as follows:

"SEC. 55. There shall be printed of each Senate and House public bill and joint resolution 625 copies, which shall be distributed as follows: To the Senate document room, 225 copies; office of Secretary of Senate, 15 copies; House document room, 385 copies. There shall be printed of each Senate and House private bill 250 copies, which shall be distributed as follows: To the Senate document room, 135 copies; to the Secretary of the Senate, 15 copies; House document room, 100 copies. The term 'private bill' shall be construed to mean all bills for the relief of private parties, bills granting pensions, bills removing political disabilities, and bills for the survey of rivers and harbors.

"All bills and resolutions shall be printed in bill form, and, unless specially ordered by either House, shall only be printed when referred to a committee, when favorably reported back, and after their passage by either House. Of private bills, concurrent and simple resolutions, when reported, and after their passage by either House, only 260 copies shall be printed, except by special order, and the same shall be distributed as follows: To the Senate document room, 135 copies; to the Secretary of the Senate, 15 copies; to the House document room, 100 copies; to the superintendent of documents, 10 copies."

Mr. GOLDFOGLE rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. GOLDFOGLE. For the purpose of asking the chairman of the committee, the gentleman from New York [Mr. PERKINS] reporting the resolution whether that resolution in any wise affects or relates to the printing or binding of the books issued by the Treasury Department, especially the book entitled "Customs Regulations," issued by the Treasury Department?

Mr. PERKINS. In no way whatever. I would say, Mr. Speaker, that this merely affects the printing of the additional number of reports and bills on private bills. It does not affect the Congressional distribution of anything.

Mr. GOLDFOGLE. Mr. Speaker, the reason I ask the question is that the Treasury Department, and in fact some other Departments of this Government, when applied to for books for the personal use of Members refuse to supply sometimes even a single copy to a Member. Now, that practice is wrong. Departments ought not to be supplied with books and ought not to have books bound so that they may give them to their favorites and refuse them to Members of Congress.

Mr. PERKINS. Mr. Speaker, I will state to the gentleman that this does not in any way affect books of any sort. It affects nothing but the number of reports on private bills that are passed by the Senate and House of Representatives.

It has been found that by some inadvertence in the former law, when a private bill is reported and reprinted, instead of 250 copies, the number first published, there are 625 copies, the same number that is published of a public bill. Those additional three or four hundred copies are thrown away in the document room. Also, by a similar inadvertence, there are published of every report on a pension bill, under the present law, 1,800 copies. Of these the great majority are simply thrown away and are utterly worthless. This bill provides that there shall be published of those reprints of private bills and of reports only 250 copies unless Congress shall specially order otherwise. I have been informed that there has been accumulated and destroyed of this matter, which will be stopped under this bill, over 20 tons during the last few years.

Mr. ROBINSON of Indiana. Mr. Speaker, in the first place, as I understand the bill which the gentleman offers, it relates only to the printing of private bills at the last stage of those bills.

Mr. PERKINS. To the reprint, when they are reported from the committee with a favorable recommendation, and on the last print, when they have been passed.

Mr. ROBINSON of Indiana. Then, under this provision, when the bill is introduced there will be how many printed for the use of the House?

Mr. PERKINS. The same number as there are now, 250 copies, except as a larger number is required by special order.

Mr. ROBINSON of Indiana. Two hundred and fifty copies, then, will be printed at the time they are introduced by a Member?

Mr. PERKINS. Yes.

Mr. ROBINSON of Indiana. Under this rule, then, when that private bill is reported, how many copies of that bill will be printed and be available?

Mr. PERKINS. Two hundred and fifty, the same number, instead of 625.

Mr. GOLDFOGLE. Of public bills?

Mr. PERKINS. No; private bills. This does not relate to public bills at all, but only to private bills.

Mr. ROBINSON of Indiana. Then, when that bill passes the House, how many copies of it are there under the gentleman's bill?

Mr. PERKINS. Two hundred and fifty.

Mr. ROBINSON of Indiana. And then when it passes the Senate?

Mr. PERKINS. The same number.

Mr. ROBINSON of Indiana. It seems to me, Mr. Speaker, that that is a meritorious measure, and I have no objection to it.

Mr. PERKINS. Mr. Speaker, I will say that this bill will save the Government at least $10,000 a year, which is now expended for worthless copies of reports and bills, thrown away.

Mr. GOLDFOGLE. Does the gentleman's committee report the appropriations for the printing of the books or documents issued only through the Departments?

Mr. PERKINS. No; I do not think we do, unless requests be made by Congressmen for the publication of an extra number.

Mr. GOLDFOGLE. I wish to say that some of the subordinates in the Departments set themselves up as the absolute masters of the situation, and without the slightest authority or right refuse the requests of Members of Congress when they apply for their personal allotment of books.

Mr. PERKINS. The gentleman must insist upon the exercise of his authority and privilege, and get his books. He can do so.

Mr. MADDOX. Does this refer to anything except private bills and reports?

Mr. PERKINS. It refers to nothing except private bills and reports on private bills.

Mr. MADDOX. It does not include anything else?

Mr. PERKINS. Nothing whatever.

The bill was ordered to be engrossed for a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. PERKINS, a motion to reconsider the last vote was laid on the table.

INDIANS ON SHOSHONE RESERVATION, WYO.

Mr. MONDELL. I call for the regular order.

The SPEAKER. The Clerk will report the title of the pending bill.

The Clerk read as follows:

A bill (H. R. 13481) to ratify and amend the agreement of the Indians residing on the Shoshone or Wind River Indian Reservation, in the State of Wyoming.

The SPEAKER. This bill is before the House with Senate amendments.

Mr. MONDELL. I ask for a vote on the previous question.

The SPEAKER. The previous question was ordered upon this bill by a rising vote last night. The gentleman from New York [Mr. FITZGERALD] thereupon demanded the yeas and nays; and there the matter rests. Does the gentleman still insist upon his demand?

Mr. FITZGERALD. I will insist on it, I think; but I wish to say——

The SPEAKER. The question is not subject to debate. The question is on ordering the yeas and nays.

Mr. FITZGERALD. Information has come from the Department this morning with which I think the House should be made acquainted——

The SPEAKER. The gentleman from New York will please be in order. He knows the rules.

The yeas and nays were ordered.

SINE DIE ADJOURNMENT OF CONGRESS.

The Clerk proceeded to call the roll, but was interrupted by

Mr. PAYNE, who said: Mr. Speaker, I ask unanimous consent for the consideration of the resolution which I send to the desk.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 28th day of April, 1904, at 2 o'clock post meridian.

[General applause.]

The SPEAKER. Is there objection to the consideration of the resolution?

Mr. WILLIAMS of Mississippi. Mr. Speaker, reserving the right to object, I merely wish to say that while we on this side shall feel personally very glad to get back to our homes, we shall regret for a long time the nonaction of the majority of this House that seems so anxious to leave the post of duty and to leave a situation bristling with legislation that ought to be considered. [Loud applause on the Democratic side.]

Mr. Speaker, I shall not object, because the majority has a responsibility before the country; it has a right to assume that responsibility, and to bear the burden of it. I shall not object to the consideration of the resolution.

The SPEAKER. The Chair hears no objection.

Mr. PAYNE. I ask for a single minute.

The SPEAKER. The gentleman is entitled to "a single minute." The matter is now for the first time before the House, and the gentleman from New York has charge of it.

A MEMBER. And has an hour.

Mr. PAYNE. In reply to the gentleman from Mississippi [Mr. WILLIAMS], I will say that this side of the House accept the full responsibility for their action during the present session of Congress. [Applause on the Republican side.]

Mr. WILLIAMS of Mississippi. And nonaction.

Mr. PAYNE. And they feel assured that after seven years of uninterrupted Republican rule the country will say that every important interest has been carefully guarded at the hands of the Republican party by the legislation during those seven years. [Loud applause on the Republican side.]

Mr. Speaker, I yield two minutes to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Speaker——

Mr. WILLIAMS of Mississippi. One word before the gentleman from Ohio proceeds. If we are to have a debate about this——

Mr. PAYNE. Well, I will withdraw my last remark, if the gentleman will allow me, and will ask for a vote.

The question being taken, the resolution was agreed to.

INDIANS ON SHOSHONE RESERVATION, WYO.

The Clerk resumed the call of the roll.

The question was taken; and there were—yeas 109, nays 128, answered "present" 16, not voting 128, as follows:

YEAS—109.

Acheson,	Dwight,	Landis, Chas. B.	Patterson, Pa.
Adams, Pa.	Fordney,	Lawrence,	Payne,
Alexander,	Foster, Vt.	Lilley,	Perkins,
Allen,	Fowler,	Littlefield,	Porter,
Ames,	French,	Longworth,	Powers, Me.
Bartholdt,	Gardner, N. J.	Loud,	Powers, Mass.
Bates,	Gibson,	Loudenslager,	Prince,
Beidler,	Gillet, N. Y.	Lovering,	Scott,
Bingham,	Gillett, Cal.	McCall,	Smith, Iowa
Birdsall,	Gillett, Mass.	McCarthy,	Smith, N. Y.
Bishop,	Graff,	McCreary, Pa.	Spalding,
Bonynge,	Grosvenor,	McLachlan,	Steenerson,
Bradley,	Haskins,	Mahon,	Stephens, Tex.
Brandegee,	Hemenway,	Mann,	Stevens, Minn.
Brick,	Henry, Conn.	Marshall,	Tawney,
Burke,	Hermann,	Martin,	Thomas, Iowa
Butler, Pa.	Hildebrant,	Mondell,	Tirrell,
Calderhead,	Hill, Conn.	Moon, Pa.	Van Duzer,
Campbell,	Hinshaw,	Morrell,	Van Voorhis,
Capron,	Hogg,	Mudd,	Vreeland,
Cassel,	Howell, Utah	Murdock,	Wanger,
Cooper, Pa.	Hull,	Needham,	Wiley, N. J.
Dalzell,	Jones, Wash.	Norris,	Williamson,
Davis, Minn.	Kennedy,	Olmsted,	Wilson, Ill.
Deemer,	Kinkaid,	Otis,	Wright.
Dixon,	Kyle,	Otjen,	
Draper,	Lacey,	Overstreet,	
Dresser,	Lamb,	Palmer,	

NAYS—128.

Adamson,	Goulden,	Livernash,	Sherley,
Aiken,	Granger,	Livingston,	Shiras,
Baker,	Gregg,	Lloyd,	Shull,
Bassett,	Hamlin,	Lucking,	Sims,
Beall, Tex.	Hardwick,	McAndrews,	Slayden,
Benny,	Harrison,	McDermott,	Small,
Benton,	Hay,	McLain,	Smith, Ky.
Bowers,	Hedge,	Maddox,	Smith, Samuel W
Bowersock,	Henry, Tex.	Miller,	Smith, Pa.
Brantley,	Hepburn,	Moon, Tenn.	Smith, Tex.
Breazeale,	Hill, Miss.	Padgett,	Snook,
Broussard,	Hitchcock,	Page,	Spight,
Brundidge,	Hitt,	Patterson, N. C.	Stanley,
Burleson,	Hopkins,	Patterson, Tenn.	Sterling,
Candler,	Houston,	Pierce,	Sullivan, Mass.
Cassingham,	Howard,	Pou,	Sulzer,
Clark,	Howell, N. J.	Pujo,	Talbott,
Clayton,	Hughes, N. J.	Rainey,	Tate,
Cockran, N. Y.	James,	Randell, Tex.	Taylor,
Cowherd,	Johnson,	Reeder,	Thayer,
Currier,	Jones, Va.	Richardson, Tenn.	Thomas, N. C.
De Armond,	Kehoe,	Rider,	Townsend,
Denny,	Kelliher,	Rixey,	Underwood,
Dinsmore,	Kitchin, Claude	Robinson, Ark.	Vandiver,
Field,	Kline,	Robinson, Ind.	Wallace,
Finley,	Kluttz,	Rucker,	Webb,
Fitzgerald,	Lamar, Mo.	Russell,	Weems,
Flood,	Lanning,	Ryan,	Williams, Ill.
Garner,	Lewis,	Scarborough,	Williams, Miss.
Gillespie,	Lind,	Scudder,	Wilson, N. Y.
Glass,	Lindsay,	Shackleford,	Wynn,
Goldfogle,	Little,	Sheppard,	Zenor.

ANSWERED "PRESENT"—16.

Bartlett,	Cochran, Mo.	Gaines, W. Va.	Jenkins,
Bede,	Conner,	Gardner, Mich.	Miers, Ind.
Bell, Cal.	Dovener,	Hamilton,	Ruppert,
Boutell,	Driscoll,	Haugen,	Sulloway.

NOT VOTING—128.

Adams, Wis.	Davis, Fla.	Jackson, Md.	Richardson, Ala.
Babcock,	Dayton,	Jackson, Ohio	Robb,
Badger,	Dickerman,	Ketcham,	Roberts,
Bankhead,	Dougherty,	Kitchin, Wm. W.	Robertson, La.
Bowie,	Douglas,	Knapp,	Rodenberg,
Brooks,	Dunwell,	Knopf,	Sherman,
Brown, Pa.	Emerich,	Lafean,	Shober,
Brown, Wis.	Esch,	Lamar, Fla.	Sibley,
Brownlow,	Evans,	Landis, Frederick	Slemp,
Buckman,	Fitzpatrick,	Legare,	Smith, Ill.
Burgess,	Flack,	Lester,	Smith, Wm. Alden
Burkett,	Foss,	Lever,	Snapp,
Burleigh,	Foster, Ill.	Littauer,	Southall,
Burnett,	Fuller,	Lorimer,	Southard,
Burton,	Gaines, Tenn.	McCleary, Minn.	Southwick,
Butler, Mo.	Garber,	McMorran,	Sparkman,
Byrd,	Gardner, Mass.	McNary,	Sperry,
Caldwell,	Gilbert,	Macon,	Stafford,
Castor,	Goebel,	Mahoney,	Sullivan, N. Y.
Connell,	Gooch,	Marsh,	Swanson,
Cooper, Tex.	Greene,	Maynard,	Trimble,
Cooper, Wis.	Griffith,	Metcalf,	Volstead,
Cousins,	Griggs,	Meyer, La.	Wachter,
Cromer,	Gudger,	Minor,	Wade,
Crowley,	Hearst,	Morgan,	Wadsworth,
Crumpacker,	Holliday,	Nevin,	Warner,
Curtis,	Huff,	Parker,	Warnock,
Cushman,	Hughes, W. Va.	Pearre,	Watson,
Daniels,	Humphrey, Wash.	Pinckney,	Weisse,
Darragh,	Humphreys, Miss.	Ransdell, La.	Wiley, Ala.
Davey, La.	Hunt,	Reid,	Woodyard,
Davidson,	Hunter,	Rhea,	Young.

So the previous question was refused.

The Clerk announced the following additional pairs:
Until further notice:
Mr. HOLLIDAY with Mr. MIERS of Indiana.
Mr. KETCHAM with Mr. MACON.
Mr. KNAPP with Mr. HUMPHREYS of Mississippi.
Mr. LAFEAN with Mr. LEVER.
Mr. LITTAUER with Mr. RANSDELL of Louisiana.
Mr. ROBERTS with Mr. RICHARDSON of Alabama.
On this vote:
Mr. HAMILTON with Mr. BURNETT.
Mr. BABCOCK with Mr. BANKHEAD.
For this day:
Mr. FOSS with Mr. WILLIAM W. KITCHIN.
Mr. HUGHES of West Virginia with Mr. BARTLETT.
For the remainder of the session:
Mr. JENKINS with Mr. LAMAR of Florida.
Mr. HAUGEN with Mr. GRIGGS.

The SPEAKER. On this vote the yeas are 109, the nays are 127, and the previous question is not ordered.

Mr. FITZGERALD. Mr. Speaker, am I entitled to recognition, the previous question not having been ordered?

The SPEAKER. Will the gentleman from New York suspend? There are two or three matters the Chair will be glad to submit to the House.

INDIANS ON THE GRANDE RONDE RESERVATION, OREG.

The SPEAKER laid before the House the bill (H. R. 11966) to ratify and amend an agreement with the Indians located on the Grande Ronde Reservation, in the State of Oregon, to make an appropriation to carry the same into effect, with a Senate amendment which was read.

Mr. HERMANN. Mr. Speaker, I move to concur in the Senate amendment.

The motion was agreed to.

AMERICAN REGISTER FOR BRITISH SHIP PYRENEES.

Mr. TAWNEY. Mr. Speaker, I ask unanimous consent for the present consideration of the following bill.

The Clerk read as follows:

A bill (S. 1750) to provide an American register for the British ship Pyrenees.

Be it enacted, etc., That the Commissioner of Navigation is hereby authorized and directed to cause the foreign-built four-mast ship Pyrenees, owned by I. E. Thayer, a citizen of the United States, to be registered as a vessel of the United States under the name of Manga Reva whenever it shall be shown to the Commissioner of Navigation that the cost of the repairs put upon such vessel in the United States, or done with material or by labor brought from the United States, is equal to or in excess of ten times the cost of said vessel in her wrecked condition.

The SPEAKER. Is there objection?

Mr. ADAMS of Pennsylvania. Mr. Speaker, I do not object, but I would like to ask, has this bill been considered by a committee?

Mr. TAWNEY. It has been reported by the Committee on the Merchant Marine and Fisheries. It is a Senate bill; it is a bill in which the gentleman from California [Mr. METCALF], a Member of the House, is very much interested.

The SPEAKER. Is there objection?

Mr. MADDOX. Mr. Speaker, reserving the right to object, I would like to know what this is.

Mr. TAWNEY. This is a bill giving an American register to a vessel that was wrecked on the Pacific Ocean. It has passed the Senate and been reported favorably by the House Committee on Merchant Marine and Fisheries. It is a bill of Mr. METCALF'S, of California, who has been sick for almost two months. He is very much interested in the bill. He has a constituent who has invested money in bringing the wrecked vessel to California and spent $40,000 in refitting it. Unless this bill can be passed now it can not be passed at all, and this is a personal favor to the gentleman from California.

Mr. WILLIAMS of Mississippi. Is that the steamer *Myro*, or something of that kind?

Mr. LITTLEFIELD. No; it is the *Pyrenees*.

Mr. FORDNEY. Mr. Speaker, I wish to say for the information of gentlemen that this bill is to give an American register to the ship *Pyrenees*, owned by Capt. I. E. Thayer, of San Francisco. Mr. Thayer purchased this boat from the English owners at a cost of $1,250. He rescued her from where she was wrecked and brought her some 4,000 miles to San Francisco for repair. He has spent something like $40,000 in repairs in a shipyard in San Francisco. He has yet to spend something like $35,000 or $40,000 to complete the repairs to the ship.

I wish to say also for the benefit of gentlemen that Captain Thayer must borrow some money to complete the repairs, and while she is under the English flag she remains an English boat; but if an American register were given to her he has had assurance of financial support in San Francisco to enable him to complete the repairs and go on his way rejoicing. Every cent the man has is invested in this ship, and if the vessel is not given an American register there is no question but what he will be financially embarrassed by your not giving it to him, but if given an American register there is no question but what he can get all the necessary money to complete the repairs.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. TAWNEY. I yield to the gentleman from Maine to make a statement.

Mr. LITTLEFIELD. Mr. Speaker, this is a class of legislation to which, as a member of the Committee on Merchant Marine and Fisheries, I have been and am now opposed. I do not think there are any conditions involved in this bill that legitimately entitle it to favorable consideration of the House, as compared with other bills pending before the committee, all of which I believe should meet with an adverse result. Yet I am informed and believe that Mr. Thayer has invested in this enterprise such a sum of money as, if lost, would undoubtedly seriously embarrass him and possibly financially ruin him.

I do not concede that that is a good reason for the passage of the bill; but the conditions are such that I am willing to take the inconsistent position of declining to oppose it on account of my sympathy for Mr. Thayer. I make this statement so that hereafter, while I shall continue to oppose all such legislation, I may not be considered as having taken an inconsistent position here; and if I am, I want to give the reasons therefor.

Mr. STEVENS of Minnesota. You state my position also.

Mr. LITTLEFIELD. Other gentlemen of the minority of the Committee on Merchant Marine and Fisheries withdraw their opposition for precisely the same reason, not because they concede the justice of the bill, but because of the unfortunate financial situation of the man interested in the legislation.

Mr. TAWNEY. I yield a minute to the gentleman from Mississippi [Mr. SPIGHT].

Mr. SPIGHT. Mr. Speaker, I only want to say to our Democratic friends over here that the Democratic members of the committee were unanimously in favor of this bill. The only opposition came from the gentleman from Maine [Mr. LITTLEFIELD] and perhaps two other Republicans. The Democrats were all unanimous in its support.

The bill was ordered to be engrossed and read a third time; and being engrossed, was read the third time, and passed.

On motion of Mr. TAWNEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. TAWNEY. Mr. Speaker, I ask that a similar bill be laid on the table.

The SPEAKER. Without objection, it will be so ordered.

REGULATING IMMIGRATION OF ALIENS INTO THE UNITED STATES.

Mr. MANN. Mr. Speaker, I ask to discharge the Committee on Immigration and Naturalization from the consideration of Senate joint resolution 73, and ask for its immediate consideration.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read as follows:

Joint resolution (S. R. 73) amending an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903.

Resolved, etc., That the words "Secretary of the Treasury," wherever used in the act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903, or in amendments thereto, or in prior acts in relation to alien immigration, be stricken out, and the words "Secretary of Commerce and Labor" inserted in lieu thereof.

The SPEAKER. Is there objection?

Mr. UNDERWOOD. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Illinois if unanimous consent is granted will he allow me five minutes in which to make a statement in reference to this subject?

Mr. MANN. I may say for the benefit of the House that the Bureau of Immigration a year ago was covered into the new Department of Commerce and Labor. The immigration law, however, provided for the execution of the law by the Secretary of the Treasury.

Mr. UNDERWOOD. I understand that.

Mr. MANN. And a recent statute has been passed, as I am informed, still using the words "Secretary of the Treasury." This simply provides, at the request of the Department which has charge of the Bureau, that the words "Secretary of Commerce and Labor" be inserted in the bill in place of the words "Secretary of the Treasury," so that they will not be injured in the accounting department of the Government.

Mr. UNDERWOOD. Now, I again ask the gentleman if he will yield five minutes to me?

Mr. MANN. Well, I think the gentleman can get his five minutes from that side of the House in a moment.

Mr. UNDERWOOD. How can I get five minutes from this side of the House when the gentleman asks unanimous consent?

Mr. MANN. Oh, the gentleman will have opportunity on that side of the House. I want to hurry this matter. There is no chance for this resolution to go through unless it can be enrolled

immediately. I will say to the gentleman, and I hope the gentleman will not object now or take up time.

Mr. UNDERWOOD. It is in reference to this matter I wish the time.

Mr. MANN. Well, I yield five minutes to the gentleman.

Mr. ADAMS of Pennsylvania. Mr. Speaker, I would ask the gentleman if this bill has been before the House Committee on Immigration?

Mr. MANN. Mr. Speaker, this resolution passed the Senate, as I understand, day before yesterday and was referred to the Committee on Immigration and Naturalization, where it belongs.

My request was to discharge that committee from its consideration, and I would say to the gentleman that I had charge of the bill in the House, in connection with the chairman of the Committee on Interstate and Foreign Commerce, creating the Department of Commerce and Labor, and the Secretary of that Department called my attention to the matter this morning and asked me to see what could be done about it. I conferred with the chairman of the Committee on Immigration, and he had no objection to my calling up the bill. I have no desire to intrench in any way whatever upon the jurisdiction of that committee.

Mr. ADAMS of Pennsylvania. Then I understand the assurance of the gentleman is that the only thing contained in this bill is to substitute the Secretary of Commerce and Labor for the Secretary of the Treasury in the bill?

Mr. MANN. That is all there is to the bill.

The SPEAKER. Is there objection? [A pause.] The Chair hears none. The gentleman from Illinois yields five minutes to the gentleman from Alabama.

Mr. UNDERWOOD. Mr. Speaker, I am not opposed to the passage of this bill. As I understand, the bill is purely a technical matter. We have established a Department of Commerce and Labor and the Department of Commerce and Labor has charge of immigration matters. This is simply a question of changing the general statutes of the United States so as to make them conform to the new law, and I do not arise to-day to oppose this bill, but it is a bill brought in here to regulate the immigration laws of the United States and before this Congress adjourns I wish to enter a protest here in the RECORD against the adjournment of Congress without any legislation to limit the immigration that is coming into the United States.

The President of the United States on more than one occasion has recommended to Congress that the immigration laws of this country be changed, so that the flood of European immigration which is coming in here to demoralize fixed conditions in this country, which is coming in here as a menace to the labor of the country, as a menace to American standards, as a menace to American life and living, and as a shadow on the homes of American citizens, may be stopped or regulated. Bills have been introduced to that effect.

Hearings have been had before the committees of this House, and I say that it is an injustice to the people of the United States for this Congress to adjourn and go home without attempting to pass some regulation that will limit and stop the vast flood of immigration which is pouring into this country and destroying American life, and I say, further, that the party in charge of this House, the party responsible for the legislation, is recreant to its duty to the country when it adjourns this Congress without passing some regulation, without limiting the amount of immigration coming into the United States.

Mr. POU. Mr. Speaker, I would like to call the attention of the gentleman to the fact that in the Republican platform of 1900 there is a plank declaring the necessity for some legislation restricting immigration. I desire to inquire of the gentleman what legislation, if any, has been enacted by the Republican majority?

Mr. UNDERWOOD. Mr. Speaker, I thank the gentleman for the interruption. There has been no legislation passed.

This is not the only instance, of course, where the Republican party in recent years has promised the country to legislate on important subjects and has gone home without passing the legislation; but as my friend calls attention to the fact, I reiterate that your platform promised four years ago that you would pass some remedial legislation in reference to this matter.

Your own President has asked you to pass some remedial legislation, and yet to-day, in April, you are about to adjourn this Congress earlier than a Congress has ever been adjourned before in the long session since the civil war, notwithstanding your promises in your platforms and notwithstanding the request of the President of the United States, and are going to adjourn without one single particle of legislation which will really remedy this evil and protect the country against it. [Applause on the Democratic side.]

Mr. MANN. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. ADAMS].

Mr. ADAMS of Pennsylvania. Mr. Speaker, I desire to say one word in reply to the gentleman from Alabama. He is the last man in this House who ought to complain of any inaction on the part of the Committee on Immigration. We afforded him a full hearing in regard to his bill. We have had it under consideration. Mr. Speaker, this is entirely too important a question to be passed offhand on one hearing on behalf of the bill introduced by the gentleman from Alabama [Mr. UNDERWOOD].

Strange as he may think it, there are many other bills that have been introduced by people whose ideas are not entirely in accord with that of the gentleman from Alabama [Mr. UNDERWOOD], and with all due respect to whatever merits the bill introduced by that gentleman may have, the bills introduced by other Members of this body are entitled to equal consideration. To show that there has been no lack of diligence on the part of the Committee on Immigration, I will state that we have had more meetings this year on this particular question than we have ever had in the many years of my experience as a member of that committee.

Mr. KLUTTZ. Mr. Speaker, I will ask the gentleman what the committee has done?

Mr. ADAMS of Pennsylvania. Mr. Speaker, if the gentleman will listen to me a moment and not interrupt when I am endeavoring to state what that committee has done, I do not think he will ask the question.

Mr. KLUTTZ. I was waiting patiently for the gentleman to tell me what bill the committee has reported.

Mr. ADAMS of Pennsylvania. The "gentleman from Pennsylvania" was just explaining that we have n t reported any bill, and for the very good reason that I have already stated to the House, that legislation of this importance and upon which there is such a divergence of opinion ought not to be passed with the haste that the gentleman may like to impose.

I would like, furthermore, to state that two committees have been appointed, one to gain information and report on the first of December at the reconvening of this Congress and to consider a special bill which is new in its characteristics. Again, a special committee has been appointed to consider the whole subject of immigration and to report at the beginning of the next session of Congress. So the House will see that the Committee on Immigration has been most diligent in regard to this question and has been unusually careful in giving it consideration, appointing subcommittees to work even during the recess of Congress in order that we may have full information on the subject and be prepared to act promptly at the beginning of the next session.

Mr. KLUTTZ. Mr. Speaker, I understand the gentleman from Pennsylvania [Mr. ADAMS] to say that he is just beginning to get ready to prepare to report a bill at the next session. [Laughter on the Democratic side.]

Mr. ADAMS of Pennsylvania. Oh, no; "the gentleman" did not say anything of the kind; and no such remark as that of the gentleman from North Carolina is warranted under the circumstances. It ill becomes him to try to belittle or misconstrue what I am saying in defense of conservative procedure on a most important matter—a question which probably may affect the future of our country more than any other question now before us. The gentleman should not try to place in a false light the conservative action of a hard-working C ngressional committee by any such misstatements or misconstructions.

Mr. BARTHOLDT. Will the gentleman allow me a moment?

Mr. ADAMS of Pennsylvania. Certainly.

Mr. BARTHOLDT. Is it not a fact that the States of the great Northwest, as well as many other States are crying out for immigration? And is it not a fact that even to-day, if we are to accept the newspaper accounts, there is a general lack of agricultural laborers all over the country? And is it not true that it is not a question of restriction of immigration that confronts us at the present time, but rather a problem of the proper distribution of the immigrants?

Mr. ADAMS of Pennsylvania. The gentleman from Missouri [Mr. BARTHOLDT] by his question has simply emphasized the remark I made as to the necessity of going slowly on this question. He says that in the great Northwest there is a demand that immigration shall not be restricted, while here on the Atlantic coast, as well as the Pacific coast, there is a demand that it shall be restricted.

The gentleman who interrupted me just now wants this question to be handled as if there were no great issue at stake affecting the economic conditions of our country.

Mr. POU. Will the gentleman allow me a question?

Mr. ADAMS of Pennsylvania. With pleasure.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. MANN. I ask for a vote.

The joint resolution was ordered to a third reading, read the third time, and passed.

On motion of Mr. ADAMS of Pennsylvania, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5342) to provide for the temporary government of the canal zone at Panama, the protection of the canal works, and for other purposes.

The message also announced that the Senate had passed without amendment the following resolution:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 28th day of April, 1904, at 2 o'clock post meridian.

WITHDRAWAL OF PAPERS.

Mr. CASSINGHAM, by unanimous consent, obtained leave to withdraw from the files of the House papers relating to House bill 2560, without leaving copies thereof, no adverse report having been made thereon.

CARE OF THE INSANE IN INDIAN TERRITORY.

Mr. STEPHENS of Texas. I ask unanimous consent for the present consideration of the bill (S. 5408) to provide for the care and support of insane persons in the Indian Territory.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to make proper arrangements for the care and support of insane persons in the Indian Territory, and for that purpose the sum of $25,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided, however*, That insane Indians in said Territory shall be cared for at the asylum at Canton, Lincoln County, S. Dak.

Mr. STEPHENS of Texas. Mr. Speaker, I find this bill has not been reported from the committee. I ask unanimous consent that the committee be discharged from its further consideration, and that the bill be now considered in the House.

Mr. HEMENWAY. Mr. Speaker, reserving the right to object, I wish to ask, how are the insane Indians now cared for in the Indian Territory?

Mr. STEPHENS of Texas. They are not cared for at all. There are no asylums there for their care. They are either in the jails of the Territory, or in log cabins, or chained to trees.

Mr. HEMENWAY. What is proposed to be done with them?

Mr. STEPHENS of Texas. To send them to an insane asylum already built by the Government at Canton, Lincoln County, S. Dak. But without the passage of a bill of this kind there are no funds for the purpose of placing these Indians in that asylum.

Mr. HEMENWAY. How much does the bill appropriate?

Mr. STEPHENS of Texas. Twenty-five thousand dollars.

Mr. GIBSON. I hope the bill will be passed.

There being no objection, the committee was discharged, and the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

On motion of Mr. STEPHENS of Texas, a motion to reconsider the vote by which the bill was passed was laid on the table.

CLERK OF CONFERENCE MINORITY, HOUSE OF REPRESENTATIVES.

Mr. HILDEBRANT. Mr. Speaker, I ask unanimous consent for the consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the office of clerk to the conference minority of the House of Representatives, provided for in the legislative, executive, and judicial appropriation acts approved February 25, 1903, and March 18, 1904, shall, until the beginning of the third session of the Fifty-eighth Congress, be under the direction of JOHN SHARP WILLIAMS, a Representative from Mississippi, who is hereby also authorized to control the appointment of the person thereto.

There being no objection, the House proceeded to the consideration of the resolution; which was adopted.

JULIUS A. KAISER.

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent for the consideration of the joint resolution which I send to the desk.

The Clerk read as follows:

Joint resolution (H. J. Res. 158) construing the act for the relief of Julius A. Kaiser as carrying an appropriation.

Whereas by the act for the relief of Julius A. Kaiser, approved April 22, 1904, it was provided:

"That the Secretary of the Treasury be, and he is hereby, authorized and required to pay to Julius A. Kaiser the sum of $3,758.45, being the amount disallowed by the accounting officers for difference between active-duty pay of a second assistant engineer and retired pay of a first assistant engineer, from October 13, 1868, to July 8, 1873, while on the active list of officers of the Navy."

And

Whereas the accounting officers of the Treasury construe said act as not carrying an appropriation: Therefore, be it

Resolved, etc., That said act shall be construed as carrying an appropriation for the payment provided for therein.

Mr. BINGHAM. Mr. Speaker, in construing the act directing the payment of something over $3,000 to Mr. Kaiser, who is now on the retired list of the Navy, the accounting officer of the Treasury holds that the act as passed does not make an appropriation. Therefore such action as is embodied in this joint resolution is necessary to make our former act effectual. This resolution embodies the correction suggested as necessary by the accounting officer of the Treasury Department. It in no wise changes the action heretofore taken by the House and the Senate.

Mr. SLAYDEN. It merely meets the purpose of the law.

Mr. BINGHAM. Oh, yes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. BINGHAM, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed the following resolution; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution No. 72.

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the bill (S. 5295) granting an increase of pension to Joseph Dickinson.

RETURN OF BILL FROM THE PRESIDENT.

The SPEAKER. The Clerk will report the Senate concurrent resolution.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the bill (S. 5295) granting an increase of pension to Joseph Dickinson.

The question was taken, and the Senate concurrent resolution was agreed to.

AMENDMENT OF COPYRIGHT LAW.

Mr. OTIS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 13355) to amend the copyright laws.

Be it enacted, etc., That section 4956 of the Revised Statutes be, and the same is hereby, amended so as to read as follows:

"SEC. 4956. No person shall be entitled to a copyright unless he shall, on or before the day of publication, in this or any foreign country, deliver at the office of the Librarian of Congress, or deposit in the mail within the United States, addressed to the Librarian of Congress, at Washington, D. C., a printed copy of the title of the book, map, chart, dramatic or musical composition, engraving, cut, print, photograph, or chromo, or a description of the painting, drawing, statue, statuary, or a model or design for a work of the fine arts, for which he desires a copyright; nor unless he shall also, not later than the day of the publication thereof, in this or any foreign country, deliver at the office of the Librarian of Congress, at Washington, D. C., or deposit in the mail within the United States, addressed to the Librarian of Congress, at Washington, D. C., two copies of such copyright book, map, chart, dramatic or musical composition, engraving, chromo, cut, print, or photograph; or, in case of a painting, drawing, statue, statuary, model, or design for a work of the fine arts, a photograph of the same.

"*Provided*, That in the case of a book, photograph, chromo, or lithograph, the two copies of the same required to be delivered or deposited as above, shall be printed from type set within the limits of the United States, or from plates made therefrom, or from negatives or drawings on stone made within the limits of the United States, or from transfers made therefrom. During the existence of such copyright, the importation into the United States of any book, chromo, lithograph, or photograph so copyrighted, or any edition, or editions thereof, or any plates of the same not made from type set, negatives or drawings on stone made within the limits of the United States shall be, and is hereby, prohibited except in the cases specified in paragraphs 512 to 516, inclusive, in section 2 of the act entitled 'An act to reduce the revenue and equalize the duties on imports, and for other purposes,' approved October 1, 1890; and, except in the case of persons purchasing for use and not for sale, who import subject to the duty thereon not more than two copies of such book at any one time; and, except in the case of newspapers and magazines, not containing in whole or in part matter copyrighted under the provisions of this act unauthorized by the author which are hereby exempted from prohibition of importation.

"*Provided, nevertheless*, That in the case of books in foreign languages, of which only translations in English are copyrighted, the prohibition of importation shall apply only to the translation of the same, and the importation of the books in the original language shall be permitted: *And provided further*, That accompanying the two copies of a book, photograph, chromo, or lithograph, required to be delivered or deposited as above, there shall be an affidavit under the seal of a registered notary public of the United States, and made by the person desiring the said copyright, or his United States agent or representative, setting forth that the two copies required to be so deposited have been printed from type set within the limits of the United States, or from photos made therefrom, or from negatives or drawings on stone made within the limits of the United States or from transfers made therefrom: *Provided, also*, That a penalty of not less than $1,000 nor more than $5,000 shall be imposed for the violation of any of the provisions of this section."

Mr. SLAYDEN. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman from New York what is the purpose of this bill?

Mr. OTIS. Mr. Speaker, under the existing copyright law foreign publishers are obliged to have their type set in this country; but there is no penalty attached for their failure to do so in the present law, and publishers abroad send their plates over here, so that the type in fact is not set in this country as the law requires.

This bill simply imposes a penalty for such violation of the law. The penalty says that the owner shall forfeit the copyright and possibly be fined not to exceed $1,000.

I would ask the Clerk to read the last two paragraphs of the report of the committee, which will fully explain the object of the bill.

The Clerk read as follows:

After investigation your committee have reason to believe that it is not only possible, but that in some instances the present law has been evaded and violated to the injury of American labor, and that this can be done with comparative ease under the existing law; that there is no remedy and no means of enforcing this condition as to printing from type set by American labor and within our own country.

That being the case, your committee is of the opinion that the person applying for a copyright should be required as a condition precedent to furnish proof in the form of an affidavit that all of these conditions with respect to the labor employed in the printing and the place of printing the copies of books to be deposited have been complied with, and in the event that any false statement is made in said affidavit concerning a material fact, and upon conviction thereof, the person thus attempting to obtain a copyright should be punished and the copyright forfeited.

The bill as amended, therefore, provides merely for the filing of this proof and for a penalty for the making of false proof or willful failure to comply with the conditions of the present law, as contained in section 4956 of the Revised Statutes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment recommended by the committee was read, as follows:

Strike out all after the word "further," in line 14, page 3, and insert the following:

"That accompanying the two copies of the book, photo, chromo, or lithograph required to be delivered or deposited, as herein provided, there shall be an affidavit under the official seal of any officer authorized to administer oaths within the United States, duly made by the person desiring the said copyright or by his duly authorized agent or representative residing in the United States, setting forth that the two copies required to be so deposited have been printed from type set within the limits of the United States or from plates made therefrom or from negatives or drawings on stone made within the limits of the United States or from transfers made therefrom, and the place within the limits of the United States at which such type was set or plates or negatives were made and by whom.

"SEC. 2. Any person violating any of the provisions of this act, or who shall be guilty of making a false affidavit as to his having complied with the conditions thereof for the purpose of obtaining a copyright, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than $1,000, and all of his rights and privileges under said copyright shall thereafter be forfeited."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. OTIS, a motion to reconsider the vote by which the bill was passed was laid on the table.

TO FIX THE RANK OF CERTAIN ARMY OFFICERS.

Mr. HAY. Mr. Speaker, I ask unanimous consent for the present consideration of the following Senate bill.

The Clerk read as follows:

A bill (S. 2114) to fix the rank of certain officers in the Army.

Be it enacted, etc., That any second lieutenant of the United States Marine Corps who may have been appointed second lieutenant of artillery since the 2d day of February, 1901, and prior to the passage of this act, shall, in determining his lineal and relative rank, be entitled to the same credit for prior commissioned service as a lieutenant of volunteers appointed under the act entitled "An act to increase the efficiency of the permanent military establishment of the United States," approved February 2, 1901.

The SPEAKER. Is there objection?

Mr. DE ARMOND. I object, Mr. Speaker.

The SPEAKER. The gentleman from Missouri objects.

HEWLETTE A. HALL.

Mr. ADAMSON. Mr. Speaker, I ask unanimous consent for the present consideration of Senate bill 463.

The Clerk read as follows:

A bill (S. 463) to pay Hewlette A. Hall balance due for services in connection with the Paris exposition.

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to Hewlette A. Hall, out of funds not otherwise appropriated, the sum of $1,583.35, being balance due of $2,000 promised the said Hewlette A. Hall for services in connection with the Paris Exposition.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. ADAMSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE TO PRINT.

Mr. LAMB. Mr. Speaker, I ask unanimous consent to put in the RECORD some remarks on the American Tobacco Company and its operations in my State and its effect both on the farmer and independent manufacturers. I don't care to publish anything of a partisan character, but something which will be helpful to both sides, in that it will have a tendency to stir up interest in the question.

I also wish to include in these remarks some clippings from the press and a carefully prepared article on the trust question, written by William L. Royall, a lawyer, of Richmond, Va., and intended to be used before the Judiciary Committee of this House at one of the hearings before that committee, but was not so used on account of lack of time.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

RESTORATION OF CERTAIN MIDSHIPMEN TO THE NAVAL SERVICE.

Mr. LACEY. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 12273 with an amendment.

Mr. MADDOX. I demand the regular order.

The SPEAKER. This is the regular order.

Mr. MADDOX. I thought we had a special order now pending before the House, with a roll call.

The SPEAKER. A motion to suspend the rules suspends everything.

Mr. LACEY. I move to suspend the rules and pass the bill with an amendment.

The Clerk read as follows:

A bill (H. R. 12273) granting authority to the President in his discretion to restore certain midshipmen to the naval service.

The SPEAKER. The gentleman will suspend a moment.

COMMITTEE TO WAIT ON THE PRESIDENT.

Mr. PAYNE. Mr. Speaker, I offer the following resolution.

The SPEAKER. The gentleman from New York offers a resolution which the Clerk will report.

The Clerk read as follows:

Resolved, That a committee of three Members be appointed by the Chair, to join a similar committee appointed by the Senate, to wait upon the President of the United States and inform him that the two Houses have completed the business of the present session and are ready to adjourn, unless the President has some other communication to make to them.

The resolution was agreed to.

The SPEAKER appointed as the committee on the part of the House Mr. PAYNE, Mr. HEMENWAY, and Mr. WILLIAMS of Mississippi.

APPROPRIATIONS.

Mr. HEMENWAY. Mr. Speaker——

The SPEAKER. The Chair desires to recognize the gentleman from Indiana [Mr. HEMENWAY] to make the usual statement touching appropriations. The Chair hears no objection.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I suppose there will be no objection to granting the same leave to Members of the minority of the Appropriations Committee?

The SPEAKER. The Chair thinks not.

Mr. WILLIAMS of Mississippi. I ask that leave, then.

Mr. LIVINGSTON. I ask that I be allowed to print a statement.

The SPEAKER. The gentleman from Georgia asks unanimous consent to be allowed to print a statement touching appropriations.

Mr. UNDERWOOD. Included in that, I understand my colleague [Mr. BENTON] also desires to print a statement.

The SPEAKER. The request will cover the gentleman from Missouri [Mr. BENTON] also. Is there objection?

There was no objection.

Mr. HEMENWAY. Mr. Speaker, I shall not occupy the time of the House to make the complete statement that I will put into the RECORD. As chairman of a nonpartisan committee, I simply want to thank the membership of this House for their aid in passing through the House the appropriation bills. I think the RECORD will show that this Congress has passed the bills with due regard to the exercise of proper economy.

The total will show that we keep within the estimated revenues by over $6,000,000, and when the fact is taken into consideration that at least 5 per cent of the amount appropriated will not be expended, we are within the estimated revenues by over $40,000,000. [Applause on the Republican side.] Taking into consideration the fact that the estimated expenditures exceeded the estimated revenues by something like $60,000,000, we think that the House can be congratulated upon its economy and that the other branch of Congress can be congratulated upon the fact that this result has been reached.

Now, without taking further time of the House, I will print in the RECORD a complete statement of all the bills that have passed, and I will also add to it a statement made by the Department of Commerce and Labor which shows that the expenditures of the United States per capita are less than those of any other of the great nations of the world, in other words, that this great country of ours manages its business with greater economy than any other country on earth. [Applause on the Republican side.]

Mr. Speaker, the appropriations authorized at this session, including those made in the regular annual bills and deficiencies, together with amounts in certain special acts and the sums estimated by the Treasury under permanent appropriations, aggregate $781,574,629.99.

In order to apply, for purposes of comparison the appropriations that we have made for operating expenses of the Government for the fiscal year 1905, which begins July 1 next, to the estimated income of the Government from all sources of revenue for the same period, it is necessary to deduct from the foregoing amount the following sums, namely:

The amounts appropriated for deficiencies, which are to meet obligations of the current and prior fiscal years, and which aggregate $26,801,843.93.

The amount, submitted under the estimates of permanent appropriations, for application out of surplus revenues to the sinking fund, $56,500,000.

These two sums, aggregating $83,301,843.93, when deducted from the whole sum of apparent appropriations, leaves $698,272,786.06 as the amount of authorized expenditures for the operation of the Government during the fiscal year 1905.

The total estimated revenues for the same period, the fiscal year 1905, amount to $704,472,060.72, or an excess over appropriations or authorized expenditures of $6,199,274.66.

Experience has demonstrated that, one year with another, the actual expenditures of the Government are about 5 per cent less than the appropriations made by Congress; and, anticipating that the coming fiscal year will not prove an exception to this practically well-established rule, it is safe to assume that the apparent surplus of revenues over expenditures will be augmented by not less than $35,000,000, thus affording a safe margin of at least $40,000,000 between revenues and expenditures with which to meet all legitimate deficiencies that may arise and that may have to be provided for next session and also affording a considerable sum to be devoted to the sinking fund.

In passing, I want to say that never within my experience as a Member of this body, and I believe not within the observation of any Member, has there been so little criticism indulged in or so little ground afforded for criticism of appropriations, either in their entirety or as to specific objects carried by any of the bills, as has been the case at this session. And I believe this situation is one upon which the membership of both sides of the House are to be congratulated. It signifies that the session has been devoted to the purely business affairs of the Government and with a spirit of cordial cooperation on the part of the whole membership of the House.

I will submit for the RECORD a history in tabular form of the appropriations made at the session of Congress just closing.

It exhibits by appropriate titles the estimates submitted to Congress, the amounts as reported to the House by committees, as passed by the House, as reported to the Senate by committees, as passed by the Senate, and finally as agreed upon in laws; and for comparative purposes there is also shown the appropriations made at the previous session of Congress.

It will be seen that the thirteen regular appropriation bills (including a river and harbor bill) which provide for the ordinary operating expenses of the Government for the fiscal year beginning July 1 next, carry in the aggregate $612,300,9[illegible]6.06, showing a reduction of $30,201,420.73 under the estimates originally submitted to Congress. And if there be added to the latter the supplemental estimates presented to Congress from time to time during the session, approximating $20,000,000, the reduction amounts to more than $50,000,000 under the estimates.

The appropriations for the same purposes for the current fiscal year 1904 (except that no river and harbor bill was enacted), made at the last session of Congress, amounted to $59[illegible],061,787.12, or $16,239,178.94 less than we have authorized for 1905.

The instances where the respective appropriation bills passed at this session differ from the estimates submitted, or wherein they are more or less than the appropriations made at the last session of Congress, may be readily ascertained from the "History of appropriation bills" which I submit.

Without going into details or into the many other interesting deductions to be drawn from a careful analysis of that exhibit, I deem it worth while to call attention to a few of what may be considered the most salient features.

Compared with the regular annual appropriation bills passed at the last session of Congress, the appropriation bills of this session exhibit no substantial disparity, except with reference to three of them. The naval appropriation bill shows an increase of $16,128,349.51, and amounts in the aggregate to $9[illegible],005,140.94, a sum large in comparison with the amounts annually devoted to the naval establishment during the two decades immediately following the civil war; but in every detail the bill provides only for what is requisite to continue the construction of ships heretofore authorized and now in course of construction and for the adequate maintenance of ships already in commission. For twenty years Congress has responded to the manifest demand of the people for the upbuilding of the American Navy. Many millions have been expended in this great national work without a charge of extravagance or an accusation of dishonesty, and to-day we have a navy in which every citizen takes commendable pride.

The post-office appropriation bill, appropriating in all $172,574,998.75, shows an increase of $19,063,449. Of the latter sum, $8,180,000 is alone on account of the rural free-delivery carrier service, for which an entire sum of $20,180,000 is provided for the next year. The postal service is the one function of our Government that affects intimately every individual in the nation, and no one feature of this great business organization is so popular with the agricultural masses or has brought to them so much that they value as the rural free-delivery service, which was inaugurated through an appropriation of $50,000 made in 1897 by a Republican Congress.

The sundry civil appropriation bill exhibits a gratifying reduction of $24,525,448.76 under the last one enacted at the close of the last Congress. Notwithstanding this marked decrease, the bill carries every dollar that is required to continue with all prudent haste the construction of every public building that has been authorized by Congress, as well as all that is required under careful estimates of the army engineers for the vigorous prosecution of the work on rivers and harbors that have been placed under the continuing-contract system.

The sundry civil bill also appropriates in the aggregate the considerable sum of $3,782,689 for current expenses of maintenance of the various branches of the National Home for Disabled Volunteer Soldiers, being an increase of $137,000 over the sum appropriated the current year for the same purpose.

During the last session of Congress, as will be seen by the table, no appropriation bill was passed for rivers and harbors.

At this session an emergency river and harbor bill, carrying $3,000,000, has been enacted, providing for the maintenance of the channels of existing works and limiting the amount that may be expended to not exceeding $50,000 on any one project. But for reasons that are manifestly proper, no general river and harbor bill has been passed. More than $37,000,000 of appropriations heretofore made for river and harbor improvements are now unexpended. The large number of projects heretofore authorized have taxed the Engineer Department almost beyond the ability of the members of that efficient corps to properly execute them. An increase of the number of engineers has been authorized in order more expeditiously and efficiently to accomplish the work now in hand.

In this connection it is also proper to call attention to the fact that no legislation has been enacted authorizing the construction of public buildings. Under legislation enacted by the last or preceding Congress there were authorized to be constructed about 153 public buildings, at a total cost of $14,724,265, and as late as December last a few only of them had then, or have even yet, reached the stage of perfected plans, and fewer still had been let to contract, while on none of them had construction actually been begun.

At the same time the work of construction was being vigorously prosecuted on nearly 100 other buildings, or additions to buildings, throughout the country that had been authorized, to cost in the aggregate $39,341,910. These public buildings, great in number, are now occupying the force of the Supervising Architect's Office to the very utmost limit, and are giving employment to thousands of workmen throughout the country. In addition to the sum appropriated for public buildings in the sundry civil bill for next year there were unexpended balances in January last on that account amounting to more than $17,000,000. Under these circumstances Congress wisely determined at this session to refrain from legislation looking to the construction of more buildings.

The amounts appropriated for deficiencies, $26,801,843.93, apparently exceed the deficiency appropriations of the last session of Congress by $5,336,183.68. The former sum, however, includes $4,600,000 loaned to the Louisiana Purchase Exposition in order to secure the success of that great national enterprise, and is so secured as to be absolutely certain of return to the United States Treasury. It also includes $4,000,000 required to complete the payment of pensions for the balance of the current fiscal year. This deficiency arose under the requirements of legislation enacted by the last Congress and also under an order of the present Commissioner of Pensions broadening and liberalizing the orders of his predecessors—Commissioner Lochren under President Cleveland and Commisssioner Evans under President McKinley—defining disability as affected by age.

For miscellaneous purposes the appropiations amount approximately to only $1,000,000, which is as small as any sum that has ever been appropriated for such purposes at any session of Congress during the past ten years. The sum mentioned includes $475,000 for a Government exhibit at the Lewis and Clark Exposition to be held next year at Portland, Oreg. It is the first exposition ever attempted on the Pacific coast, and celebrates one of the greatest events in our national history. The expositions held at New Orleans, Atlanta, Nashville, Omaha, and Buffalo received similar, and in some of those instances vastly greater, recognition from the Government.

The permanent annual appropriations are stated, as originally

estimated to Congress, at $141,471,820. This large sum includes for interest on the public debt, $24,250,000; for expenditures made from deposits of national banks in redeeming circulating notes of such banks, $25,000,000; for refund and other payments on account of the customs service, $9,5 0,000; for collecting the revenue from customs, $6,300,000, and to meet requirements of the sinking fund for the retirement of the public debt a sum equal to 1 per cent of the entire debt of the United States, together with a further sum equal to the interest on all bonds belonging to the sinking fund, the whole amount required being estimated at $56,500,000, to be applied in the discretion of the Secretary of the Treasury out of any surplus money remaining in the Treasury after meeting other legal obligations of the Government.

Under an act of Congress passed in 1883, authority was given the Secretary of the Treasury to use any surplus money in the purchase and retirement of bonds, in addition to those required for the sinking fund. Under this authority bonds have been purchased and retired aggregating a sum which, if it had been applied under the requirements of the sinking fund, would have anticipated and exceeded the same up to the close of the last fiscal year by $335,220,100. During the last four fiscal years—1900 to 1903, inclusive—under the Administrations of Mr. McKinley and Mr. Roosevelt, there was applied to the sinking fund $212,790,-239.75. During the four fiscal years 1893 to 1896, inclusive, covering Mr. Cleveland's last Administration, the whole amount so applied was only $13,400,047.98.

The expenditures of our Government in their aggregate, as exhibited by the appropriations of Congress, are large, and by unthinking persons, and especially by misguided newspapers, are denounced as extravagant, and yet, according to the very best authority, our National Government is the most economically administered of any in the civilized world.

The following table, compiled and officially published by the Bureau of Statistics of the Department of Commerce and Labor, shows the population, expenditure, and per capita expenditure in the more important countries of the world in the latest available year:

Country.	Population.	Expenditure.	Per capita.
New Zealand	788,000	$30,241,000	$38.38
Australia	3,772,000	142,148,000	37.69
United Kingdom	41,961,000	897,790,000	21.39
France	38,962,000	695,250,000	17.84
Belgium	6,694,000	116,500,000	17.40
Paraguay	636,000	11,007,000	17.30
Austria-Hungary	45,405,000	647,969,000	14.27
Argentina	4,794,000	60,757,000	12.68
Cuba	1,573,000	19,515,000	12.40
Netherlands	5,347,000	61,468,000	11.49
Portugal	5,429,000	62,170,000	11.45
Spain	18,618,000	187,846,000	10.09
Sweden	5,199,000	49,593,000	9.54
German Empire	58,549,000	553,222,000	9.45
Canada	5,457,000	50,759,000	9.30
United States	80,372,000	640,323,000	7.97

History of appropriation bills, second session of the Fifty-eighth Congress; estimates and appropriations for the fiscal year 1905-5, and appropriations for the fiscal year 1903-4.

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

Title.	Estimates, 1905.	Reported to the House.	Passed the House.	Reported to the Senate.	Passed the Senate.	Law 1904-5.	Law 1903-4.
Agriculture	$6,729,880.00	$5,711,240.00	$5,711,240.00	$6,072,380.00	$6,072,380.00	$5,902,040.00	$5,978,160.00
Army	77,161,446.13	75,841,537.88	75,089,357.88	77,620,942.32	77,819,131.76	70,070,300.88	77,888,752.83
Diplomatic and consular	2,236,300.69	1,965,800.69	1,965,800.69	2,073,100.69	2,073,100.69	2,020,100.69	1,968,250.69
District of Columbia [a]	13,017,581.00	10,194,477.00	10,194,477.00	11,363,204.00	11,382,904.00	11,021,740.00	8,638,097.00
Fortification	12,099,297.00	7,131,192.00	7,131,192.00	7,637,192.00	8,163,292.00	7,518,192.00	7,188,416.22
Indian	7,502,252.54	7,630,871.41	7,642,192.35	10,511,405.73	10,511,405.73	9,447,961.40	8,510,406.77
Legislative, etc.	29,711,700.48	28,258,895.22	28,288,655.22	28,736,233.22	28,734,533.22	28,556,913.22	27,598,653.66
Military Academy	1,045,287.01	955,579.26	955,579.26	3,000,966.84	975,966.84	975,966.84	652,748.67
Navy	102,866,449.34	96,338,040.94	97,524,540.94	98,255,940.94	99,039,434.59	98,005,140.94	81,876,791.43
Pension	138,152,600.00	138,150,100.00	138,150,100.00	138,360,700.00	138,360,700.00	138,360,700.00	139,847,600.00
Post-Office [b]	168,085,770.00	169,996,588.75	170,376,088.75	173,053,878.75	173,550,398.75	172,574,998.75	153,511,549.75
River and harbor	[c] 16,398,990.00	3,000,000.00	3,000,000.00	3,100,000.00	3,100,000.00	[d] 3,000,000.00	[e]
Sundry civil	[f] 67,490,732.60	55,623,001.11	56,248,306.11	59,102,400.15	58,906,400.15	[g] 57,846,911.34	[h] 82,372,330.10
Total	642,502,386.79	600,827,324.26	602,308,130.20	618,888,344.64	618,689,647.73	612,300,966.06	596,061,787.12
Urgent deficiency, 1904 and prior years	[i] 27,000,000.00	11,251,306.18	11,026,195.17	16,378,411.39	16,390,458.24	16,130,111.39	21,465,660.25
Deficiency, 1904 and prior years		10,386,744.76	10,401,620.76	11,342,146.62	11,491,541.72	10,671,732.54	
Total	669,502,386.79	622,465,377.20	623,735,946.13	646,608,902.65	646,571,647.69	639,102,809.99	617,527,447.37
Miscellaneous	[k] 20,000,000.00					1,000,000.00	2,941,238.65
Total regular annual appropriations	689,502,386.79					640,10[illegible],809.99	620,468,686.02
Permanent annual appropriations	[k] 141,471,820.00					[k] 141,471,820.00	[l] 132,589,820.00
Grand total regular and permanent annual appropriations	830,974,206.79					781,574,629.99	[m] 753,058,506.02

Amount of estimated revenues for fiscal year 1905	$545,000,000.00
Amount of estimated postal revenues for fiscal year 1905	159,472,060.72
Total estimated revenues for fiscal year 1905	704,472,060.72

[a] One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1905 at $132,756), which are payable from the revenues of the water department.

[b] Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

[c] This amount is exclusive of $8,697,037 to meet contracts authorized by law for river and harbor improvements included in the sundry civil estimates for 1905.

[d] In addition to this amount, the sum of $7,872,200 is appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1905.

[e] No river and harbor bill passed for 1904, but the sum of $20,228,150.99 is appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1904.

[f] This amount includes $8,697,037 to meet contracts authorized by law for river and harbor improvements for 1905.

[g] This amount includes $7,872,200 to carry out contracts authorized by law for river and harbor improvements for 1905.

[h] This amount includes $20,228,150.99 to carry out contracts authorized by law for river and harbor improvements for 1904.

[i] This amount is approximated.

[k] This amount includes $55,500,000 estimated to meet the requirements of the sinking fund.

[l] This is the amount submitted by the Secretary of the Treasury in the annual estimates for the fiscal year 1904, the exact amount appropriated not being ascertainable until two years after the close of the fiscal year.

[m] In addition to this amount, contracts are authorized to be entered into, subject to future appropriations by Congress, as follows: By the District of Columbia act, $1,460,000; by the naval act, $22,526,000; by the sundry civil act, $7,850,000; by the act of March 3, 1903 (public buildings act), $5,153,859.34; in all, $36,989,859.34.

Mr. LIVINGSTON. Mr. Speaker, I join heartily with the chairman of this great committee in thanking the House, with the Speaker, for the prompt manner in which these appropriation bills have been passed. I want to repeat what the gentleman suggested, that this is an unpartisan committee; and I want simply to make this reply to one suggestion made by the chairman of the committee, that we have kept within the revenues of the country by $40,000,000. We would have been short $140,000,-000, Mr. Speaker, had we legislated upon some matters that we should have considered—rivers and harbors, public buildings, and the like.

We would then not have been within, but would have been far

outside the revenues of this Government, and you would have had to borrow money or to have gone back into the $200,000,000 that you have lying in the Treasury to-day as a reserve fund.

Mr. HEMENWAY. Will the gentleman yield for just one question?

Mr. LIVINGSTON. Certainly.

Mr. HEMENWAY. I ask the gentleman if the amount appropriated for rivers and harbors at this session of Congress is not far above the average amount appropriated by Congress for that purpose?

Mr. LIVINGSTON. I do not think it is quite up to the average.

Mr. HEMENWAY. Yes; it is away above it.

Mr. LIVINGSTON. I do not think it is, but it is above the average of ten years ago and it is above the average of many years; but I want to say that it is not up to the demands of the country. Neither are the appropriations for public buildings up to the demands of the country. In a word, Mr. Speaker, this will cover the whole ground when I say that this Congress has spent all our money on the Army and Navy and nothing for the masses of the people, with whom we are or ought to be in touch. [Applause on the Democratic side.]

Mr. Speaker, I submit a statement showing the appropriations made at each of the sessions of the Fifty-third Congress, which was controlled in both branches by the Democratic party, for the fiscal years 1895 and 1896, the estimates submitted by the Executive Departments to Congress at this session, and the appropriations made thereunder for the ensuing fiscal year 1905.

The appropriations for each of the fiscal years 1895 and 1896 as made by a Democratic Congress do not materially vary, as will be seen, one from the other, and average only $494,619,602.84 for each year.

The table also shows that appropriations for Federal expenditures made under a Republican Administration, by a Republican Congress, for the next fiscal year have reached the startling sum of $781,574,629.99, or an increase of $286,955,027.15 over the average of the last two years under Democratic control and within a period of less than ten years.

I do not question the honesty of these vast appropriations, either in their aggregate amount or in their details; but I challenge the wisdom of the policy of the dominant party that has made these enormous expenditures necessary through the increase of the military and naval establishments, the maintenance of which is at the expense of needed internal improvements, such as river and harbor works and public buildings. During the session which is just about to close the Representatives of the people have been denied consideration of the demands of their constituents all along this line, and yet the appropriations for the Army show an increase over what it cost in 1896 of $54,000,000 and the Navy the still greater increase of $69,000,000.

Whatever may have been the sins of commission of this Congress, they are as nothing compared to its sins of omission in denying consideration to all legislation looking to the welfare of the great masses of the people.

The following editorial in the Washington Post of yesterday, an influential and nonpartisan journal published here in the national capital, voices, I believe, an almost universal criticism against the session of Congress just closing:

"POSTPONED TILL AFTER ELECTION."

A number of Republican organs, of varying caliber, are pointing with pride that must be affected to the work that will have been accomplished by the Fifty-eighth Congress at the end of its first regular session. If to have refrained from doing irreparable mischief be worthy of glorification, the laudation of those organs is in order. If to have put off to the more convenient season that will probably never come most of the business that belonged to this session be commendable, let the organs go on piping their praise. It can not justly be said that the Fifty-eighth Congress has done many things that it ought not to have done, but it has assuredly left undone much work that it ought to have done. And the pendency of a national election is the only excuse vouchsafed.

If this Congress at this session was under any obligation to the country to do anything at all beyond passing appropriation bills to keep the machinery of Government in operation for the next fiscal year, it was bound to mature and enact legislation for the reform of our wretched hodgepodge of currency laws. Postponement of that duty had been carried far beyond the safety limit, and equally beyond excuse, long before this Congress met. That is the opinion of the ablest financiers, irrespective of party. That was the opinion expressed by the chairman of the Senate Finance Committee before the end of the Fifty-seventh Congress.

This Congress came in pledged to tariff revision. The session will close with that duty untouched. It is a clear violation of good faith, a surrender to the standpatters in the interest of the few against the many. There can be no tariff legislation at the next session, for no time will be available for that purpose. Should the Democrats get control of the next House as a result of the pending canvass, when will tariff revision be possible?

Besides those two great subjects, on which legislative action was due and expected from this session, there are many other matters of moment laid over "till after the election." That phrase records the situation of the ship-subsidy bill, statehood, rivers and harbors, immigration, the Smoot case, impeachment of Swayne, labor bills, land leases, and other propositions—all put off for political reasons, all evaded, not for lack of time, but for want of courage.

If this sort of thing goes on—if it becomes, as bids fair to be the case, the unwritten law to postpone all but unavoidable legislation "until after election"—what will be the result? That question is worth considering. Under our Constitution and statutes every House of Representatives is on the eve of an election when the first session of a new Congress convenes. At that time the Representatives have been elected from thirteen to eighteen months, and the next election is staring them in the face. They have even more reason for timidity in the years between than in the Presidential years. Suppose timidity should continue to grow until "after the election" became the only time for Congress to do business, what would the country do?

We can see but one ray of hope. Executive legislation looms up as the last resort; either that or chaos.

Statement of appropriations made at each session of the Fifty-third Congress (fiscal years 1895 and 1896) and estimates submitted to and appropriations made at first session of the Fifty-eighth Congress, fiscal year 1905.

Title.	Fifty-third Congress.		Fifty-eighth Congress, first session.	
	First session, for fiscal year 1894-95.	Second session, for fiscal year 1895-96.	Estimates submitted for fiscal year 1905.	Appropriations for fiscal year 1905.
Agriculture	$3,223,623.06	$3,303,750.00	$6,729,880.00	$5,902,040.00
Army	23,592,884.68	23,252,608.09	77,161,446.13	77,070,300.88
Diplomatic and consular	1,563,918.76	1,574,458.76	2,236,300.69	2,020,100.69
District of Columbia	5,545,678.57	5,745,443.25	13,017,581.00	11,021,740.00
Fortification	2,427,004.00	1,904,557.50	12,099,297.00	7,518,192.00
Indian	10,659,565.16	8,762,751.24	7,502,252.54	9,447,961.40
Legislative, executive, and judicial	21,305,583.29	21,891,718.08	29,711,700.48	28,556,913.22
Military Academy	406,535.08	464,261.66	1,045,387.01	975,966.84
Navy	25,327,126.72	29,416,245.31	102,866,449.34	98,035,140.94
Pension	151,581,570.00	141,381,570.00	138,152,600.00	138,900,700.00
Post-office	87,236,599.55	89,545,997.86	168,085,770.00	172,574,998.75
River and harbor	11,643,180.00		16,393,990.00	3,000,000.00
Sundry civil	34,253,775.55	46,568,160.40	67,499,732.60	57,846,911.34
Total	378,767,044.42	373,811,552.15	642,502,386.79	612,300,996.06
Deficiencies	11,811,004.06	9,825,374.82	27,000,000.00	26,801,843.93
Total	390,578,048.48	383,636,896.97	669,502,386.79	639,102,809.99
Miscellaneous	577,956.55	297,667.37	20,000,000.00	1,000,000.00
Total regular annual appropriations	391,156,005.03	383,934,564.34	689,502,386.79	640,102,809.99
Permanent annual appropriations	101,074,680.00	113,073,956.32	141,471,820.00	141,471,820.00
Grand total regular and permanent annual appropriations	492,230,685.03	497,008,520.66	830,974,206.79	781,574,629.99
Total	989,239,205.69			

Mr. HEMENWAY. Mr. Speaker, I want to say just one word in reply that there never was a time in the history of the United States when there were so many public buildings in the course of construction and so many public buildings authorized, and the amount appropriated by this Congress for public buildings is far beyond the average appropriated by Congress, even for the last ten years.

Mr. LIVINGSTON. Then I want to say in reply there never has been a Congress where there has been such a demand for increased public buildings and not a dollar of appropriation for new buildings.

Mr. GAINES of Tennessee. Indians and Alaskans, but where are the people of the United States? I wonder if this Government was made for savages and Indians or for Anglo-Saxons and white people.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bills of the following titles; when the Speaker signed the same:

H. R. 10516. An act for the relief of Edward J. Farrell; and

H. R. 5755. An act for the relief of small-holding settlers within the limits of the grant of land to the Atlantic and Pacific Railroad Company in the Territory of New Mexico.

RESTORATION OF CERTAIN MIDSHIPMEN TO THE NAVAL SERVICE.

Mr. LACEY. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 12273) granting authority to the President, in his discretion, to appoint certain midshipmen to the naval service, with the amendments recommended by the committee.

The SPEAKER. The gentleman from Iowa moves to suspend the rules and pass, as amended, the bill which the Clerk will report.

The bill was read, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized and empowered, in his discretion, to appoint to the naval service the three midshipmen of the then first class who were dismissed from the Naval Academy on the 6th day of November, 1903, pursuant to the findings and recommendations of a court-martial, said appointment to be as midshipmen below the members of said class and the class graduating next after the one to which they belonged, and said midshipmen to serve at sea in like manner as the other members of the class: *Provided*, That said appointment shall not be operative or effective unless and until said midshipmen shall have passed such examinations and conformed to such requirements as may be prescribed by the Secretary of the Navy.

The SPEAKER. Is a second demanded?

Mr. SLAYDEN. Mr. Speaker, I demand a second.

Mr. LACEY. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

Mr. FINLEY. Mr. Speaker, I object.

The SPEAKER appointed as tellers Mr. LACEY and Mr. SLAYDEN.

While the House was dividing,

Mr. ROBINSON of Indiana. Regular order, Mr. Speaker.

The SPEAKER pro tempore (Mr. OLMSTED). The regular order is proceeding.

Mr. PERKINS. Mr. Speaker, what is the vote being taken? Is it affirmative or negative?

The SPEAKER pro tempore. It is the negative.

The House divided; and the tellers reported that there were—ayes 90, noes 55; so a second was ordered.

Mr. LACEY. Mr. Speaker, I would like the attention of the House for a very few minutes. I think I can explain the bill in five minutes.

Mr. MADDOX. Mr. Speaker, do I understand the second is granted?

The SPEAKER pro tempore. A second has been granted.

Mr. CLARK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CLARK. Does it not take a majority to order a second?

The SPEAKER pro tempore. It takes a majority, and a majority has so voted.

Mr. LACEY. Mr. Speaker——

Mr. MADDOX. Mr. Speaker, I make the point of order that it requires a quorum in the House to do business and that the count which has been taken does not show it.

Mr. LACEY. The point was not raised.

Mr. MADDOX. Well, I make it now.

Mr. LACEY. It is too late to make it now.

Mr. MADDOX. I have the right to make, Mr. Speaker, at any time the point that no quorum is present.

The SPEAKER pro tempore. The Chair will state that the point that no quorum voted can not be entertained.

Mr. CLARK. Mr. Speaker, it is always competent to make a point of no quorum at any time.

Mr. LACEY. After the vote has been announced it is not.

The SPEAKER pro tempore. No such point has yet been made.

Mr. CLARK. The gentleman from Georgia makes the point of order that there is no quorum in this House. He made the general point of order that there is no quorum here; that takes the other with it.

Mr. LACEY. The gentleman can not take me off my feet with the point of no quorum.

Mr. MADDOX. Mr. Speaker, the gentleman is mistaken about that. We have the right at any time of the proceedings to demand a quorum in this House, and Speaker Reed so decided.

The SPEAKER pro tempore. The Chair will state that, in his opinion, the gentleman has the right at any time to make the point that there is no quorum present, but up to the present moment that point has not been made. The point, as the Chair heard it, was that the vote did not show a quorum; in other words, that no quorum voted, which is not a good point, as it is not necessary that a quorum shall actually vote.

Mr. MADDOX. I was trying to do so as hard as I could. I make the point of order that there is no quorum present.

Mr. GAINES of Tennessee. Mr. Speaker, I make the point of order that there is no quorum present. Now, is that English or not?

Mr. LACEY. I have not yielded to the gentleman at all.

Mr. GAINES of Tennessee. You never do yield or do anything else that is right.

Mr. SLAYDEN. Mr. Speaker, what was the vote?

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. GAINES] makes the point that no quorum is present.

Mr. SLAYDEN. But, Mr. Speaker, that point was made by the gentleman from Georgia [Mr. MADDOX] some time ago.

Mr. MADDOX. Mr. Speaker, I made it twice, both ways; just as straightforward as a man can make the point of order, as generally, and on this bill.

The SPEAKER pro tempore. The gentleman from Georgia did not specifically make that point as the Chair heard it, but there is much confusion in the Hall, and if the gentleman says that was his point, the Chair will consider him as having made the point of order. The Chair will count. [After counting.] One hundred and ninety-nine gentlemen present, more than a quorum. The gentleman from Iowa is recognized.

Mr. LACEY. Mr. Speaker, two years ago the law in relation to hazing was amended, and by that amendment it was applied to West Point, and the law in relation to both West Point and the Naval Academy was modified in such a way that anyone dismissed for hazing should not be restored in any branch of the military or naval service for two years after the graduation of his class.

Now, the intention of that was to put the boys back in rank for two years. At West Point that can be done now. They can be put back two years and then restored to the Army. In the Navy, however, under the law a boy can not be appointed at all until he has graduated. The effect of the law, then, is that, so far as the Navy is concerned, the boys never can be restored as they can be in the Army after two years. To meet this condition this bill has been so modified that it merely gives discretion to the President of the United States to appoint these boys at sea below the present class and below the class that graduates next year. So it is practically to make them lose the two years that Congress intended they should lose by the act of two years ago.

The way the law was drawn, however, two years ago, it absolutely barred a boy in the Navy from ever getting back, because he never could graduate afterwards, as he never could be appointed back to the Naval Academy, being over age and his appointment to the academy also forbidden by the act of 1874. Thus they were barred from the Navy forever. And that is the unfortunate situation of these three young men.

Now, as to these particular cadets, the boys were all petty officers. They inflicted punishment upon other boys who were juniors, not for sport, but for a violation of orders. For instance, in one case, while the manual of arms was being taught by a petty officer one of the boys who was taking the training refused to obey.

It then became the duty of the cadet to report that boy to the commandant, and he would have been sent to the *Santee* probably for thirty days. Instead of that the cadet officer punished the boy by putting him through an exercise that is used in the gymnasium every day. That is all there was to it. Of course, it was a violation of the rules. Those boys now, if Congress extends this mercy to them—boys who were very well up in their class; one would have been about thirteenth, another fifteenth, and another about seventeenth in a class of sixty-five——

Mr. HULL. How many are there?

Mr. LACEY. Three of them. Those boys will go to the foot of that class, and then to the foot of the next class that graduates next year. That is a very severe punishment. They are three bright and noble boys, who have had a good record all the way through, and I will venture to say that there is not a naval officer in the United States Navy, from the highest officer down to the lowest, who has not committed a more serious offense than either of these three boys did.

U. S. Grant, in his first year at West Point, had 59 demerits; 58 in his second, 74 in his third, and 44 in his fourth year, or 235 demerits in his four years' cadet service.

The harsh rule applied in the present case would have nipped the career of that great commander in the bud and forever.

Mr. WACHTER. Does the gentleman think that if these three boys are restored under the provisions of this bill the action in their cases will be a sufficient lesson to the rest of the Navy?

Mr. LACEY. Undoubtedly. The bill puts these young men down 60 numbers now, and 120 numbers next year. It takes away from them the opportunity ever to have an academic sheepskin from the Naval Academy. That punishment lasts as long as they are in the Navy. The punishment is remarkably severe. This is the punishment that Congress intended they should have; but by inadvertence—by applying the West Point law to the Naval Academy—the boys have been placed in a position where, except by some measure of this kind, they can never be restored to the Navy, while under the law usually applied in the Naval Academy they could be restored.

Mr. PATTERSON of Tennessee. Does this bill make the punishment conform with what is usual in the Army and Navy?

Mr. LACEY. It gives to these three boys practically the same

chance they would have had if the same thing had been done at West Point.

Mr. PATTERSON of Tennessee. As I understand the gentleman, the rule which has been enforced in these cases is not that which would ordinarily apply to cadets in the Naval Academy.

Mr. LACEY. A cadet must graduate, or he can never be appointed to the Navy; and under the law which was applied in this case, these boys could never graduate. That is all there is of the proposition.

I yield three minutes to the gentleman from Virginia [Mr. RIXEY], a member of the committee.

Mr. RIXEY. Mr. Speaker, I voted for the law of 1903 to break up hazing at the Annapolis Academy; and when the proposition was first brought before the Naval Committee to restore these cadets I was prejudiced against granting any relief to them, upon the ground that they had had a trial and had been dismissed. But I must confess that when the Naval Committee heard the testimony as to the offense which had been committed by them I was thoroughly satisfied that injustice had been done, and I am glad of this opportunity to correct that injustice so far as lies in my power.

The law of 1903 does not define hazing. It states that where a boy commits hazing he shall, upon being convicted by court-martial, be dismissed from the academy. I asked Captain Brownson, the superintendent of the academy, what was hazing, and he defined it as "any interference by a first class man with a fourth class man." The offense committed by these three boys was thus stated by Secretary Moody in his report to the committee:

> I have examined with care the evidence in each case, and I find no substantial differences in the facts. In each case the accused selected a midshipman of the lowest class who had been guilty of some minor irregularity, such as taking fruit from the mess room, being surly or disobedient in the ranks, and the like, ordered him to the room of the accused, and there directed him to repeat in each case one or more of certain exercises as a punishment for his misconduct.

Again, he says:

> These exercises were repeated very many times. No injury was incurred, except that the muscles of the leg were somewhat stiff the next day. The exercises which were performed were legitimate gymnastic exercises not unusual at the academy.

Now, the offense committed by these boys was insubordination toward the commanding officer, and the taking of fruit from one of the rooms. In each case it was the duty of the first class man to report the boys to the superintendent of the academy, and the punishment would have been demerits.

Instead of that, the first-class man said to the fourth-class man, "Come to my room." The boy came, and there he was simply put through some of the ordinary gymnastic exercises. And that is called "hazing." I say it is not hazing. When I voted for the bill I understood hazing to be something that would bring the victim into contempt or make him the subject of ridicule, or would have a tendency to maim or disfigure him, or perhaps endanger his life. In this case the boys who were subjected to the treatment described were brought into no contempt. They simply came to the officer's room and went through only the ordinary gymnastic exercises.

[Here the hammer fell.]

Mr. JAMES. I should like to ask the gentleman from Virginia a question.

Mr. LACEY. I yield one minute further.

Mr. JAMES. Did they inflict upon these boys the character of punishment that they call "walking on their heads?"

Mr. RIXEY. One of the exercises is called by that name, but is described to be getting down on all fours and touching the head to the floor. It is not walking on the head.

Mr. JAMES. Did they inflict that?

Mr. RIXEY. They did inflict all I have said; that is, all about the head.

Mr. CHARLES B. LANDIS. I would like to ask the gentleman from Virginia if one of the exercises they inflicted on these boys was compelling them to hold their hands up on the wardrobe and then drop on their bare knees on the floor?

Mr. RIXEY. It was not. They held by their hands, but did no such thing as dropping on their knees on the floor.

Mr. CHARLES B. LANDIS. Does the ordinary gymnastic exercise make a man stiff the next day?

Mr. RIXEY. It sometimes makes the muscles stiff the next day.

Mr. SLAYDEN. It is impossible for us to hear.

Mr. RIXEY. These trivial offenses were reported by an anonymous letter to the superintendent, who convened the court-martial under which the boys were dismissed. It would have been creditable to all concerned to have thrown the anonymous communication into the wastebasket. Had this been done, this cruel injustice would not have occurred. The punishment in these cases is out of all proportion to the offense committed, and I feel sure the bill is one of simple justice. The Committee on Naval Affairs, after a full hearing and investigation, so decided.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LACEY. Mr. Speaker, let me say to this House, "Let him without sin among you throw the first stone," and we will have a unanimous vote. I now yield two minutes to the gentleman from Iowa [Mr. WADE].

Mr. WADE. Mr. Speaker, I approve very much of the effort of this body to correct hazing in the Military and Naval academies. I am one of those people, however, that believe that the punishment ought to be made to fit the crime.

I have sent a great many men to the penitentiary in my time, but I want to say that I never was guilty of imposing a penalty so much out of proportion to the offense committed as these men have already suffered for what they did in this case.

I realize, sir, the good intention of men here who say that there ought to be an example; but this is not an example; it is an outrage to take young men who are just about to graduate from their class and bar them absolutely from graduating, put them two years behind in numbers and in progress, and now keep them out of the Navy forever. If that is not an exaggerated punishment for doing a few little fool things by which no man was injured and against which no man protested, then I do not know the relation between crime and punishment.

Mr. LACEY. Will the gentleman from Texas now use his time?

Mr. SHEPPARD. Mr. Speaker, I want to submit a request.

Mr. SLAYDEN. I yield to my colleague, who wants to make a request.

Mr. SHEPPARD. I want to ask unanimous consent at the proper time to offer an amendment to this bill to reinstate the cadets, the men who were unjustifiedly dismissed from West Point about three years ago.

The SPEAKER pro tempore. The gentleman from Texas asks at the proper time to offer an amendment. Is there objection?

Mr. SMITH of Iowa. I object.

Mr. SLAYDEN. I yield three minutes to the gentleman from Pennsylvania [Mr. ADAMS].

Mr. ADAMS of Pennsylvania. This is a question, Mr. Speaker, in which we have to rely upon our judgment and not upon our hearts. There is a deeper question involved in the bill before us than the mere reinstatement of these boys. We passed a law in response to the indignation of the people of our country at the proceedings that were being carried on in the two Government schools for which they pay.

In response to that indignation a law was passed here which enacted that hazing should be punished by expulsion from both of these schools. And in order to enforce that law it was enacted that if any cadet in either school was found guilty and expelled, he should not be eligible to reinstatement. To the Board of Visitors representing this House in the visitation at Annapolis last year, in a conversation with the commandant of the naval school, he said: "I can put down hazing in that institution if Congress does not go back on me."

Now, the question is submitted, as I say, to your judgment and not to your hearts. Not one of us likes to turn against a boy, but in my judgment the honor and discipline of the United States Army and United States Navy are involved right in this question before us. If these boys in either of these schools can find that they may break the law and not be punished, then I think that the discipline of the Navy and——

Mr. LACEY. I desire to ask my friend a question.

Mr. ADAMS of Pennsylvania. I have no time to yield.

Mr. LACEY. Did you ever have a son?

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. ADAMS of Pennsylvania. And if the Congress of the United States will stand by and reinstate these boys, you will destroy the discipline of the great forces of our country on which you rely to defend its honor and its rights.

Therefore, Mr. Speaker, it is not pleasant for me to take this position. As I say, we must trust to our heads and judgment in this matter and not to our hearts; and if you show the cadets at these schools that Congress will reinstate every one of them, they will go on in the same way, contrary to the laws of the country and the discipline of those institutions. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. SLAYDEN. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. CLARK]. [Applause.]

Mr. CLARK. Mr. Speaker, I feel sorry for these boys, but at the same time I honor Captain Brownson for firing those boys out of that academy. [Applause.] I have felt sorry for something like 100 men whom I have sent to the penitentiary as prosecuting attorney, but it had to be done for the good of society. It must needs be that offense will come, but woe to him by whom it cometh.

The time of life at which a male human being deserves the tenderest treatment and utmost consideration is when a boy has left his home to go to school among strangers [applause], and I

am not in favor of a system that permits a Jim Jeffries in embryo to jump on and pound and mutilate a boy because he happens to be built on a slighter physical pattern.

Mr. SHERLEY. Mr. Speaker, will the gentleman yield?

Mr. CLARK. Yes, sir.

Mr. SHERLEY. Do you know whether, as a matter of fact, there was any jumping on and pounding of boys?

Mr. CLARK. I will tell you what else I know. I know if this bill passes that Captain Brownson in his laudable endeavor is condemned by the American Congress. [Applause.] I know that if this bill passess, no commandant of the Naval Academy and no commandant of the Military Academy can prevent hazing hereafter and the old hazing methods of beating, etc., will be revived.

Mr. DAYTON. Will the gentleman permit me?

Mr. CLARK. Yes, sir.

Mr. DAYTON. Do you know in the evidence on file in the Committee on Naval Affairs by Captain Brownson himself that he has no objection to the reinstatement of these boys to the service, but his objection is to their reinstatement in the academy only?

Mr. CLARK. I do not care whether Captain Brownson objects to their reinstatement or not; I object, if he does not; and I do it in the interest of order, in the interest of discipline at those academies, in the interest of American boys all over this country who are to go there and make our seamen and our sailors in the future. The Congress was very much wrought up on this subject not long since, and if I could have found pugilists in my district who could have stood the mental examinations I would have sent one to West Point and one to Annapolis, whether Democrats or Republicans, with directions to pound every fellow who undertook to haze them into an unrecognizable mass and then send for me to defend them. [Applause.]

I do not know whether these boys have committed a very grave offense or not. I know this, that they committed a grave enough offense for Captain Brownson to expel them. I saw these boys; they are nice-looking lads. My friend from Iowa, Major LACEY, introduced me to them; but I know this also, that it took a tremendous upheaval in this House, it took a tremendous upheaval in this country, it took a tremendous onslaught of the public press to induce any commandant to fire one of these boys for hazing.

I lay down, Mr. Speaker, as a proposition that no man can contradict that the first duty of a soldier or a sailor is to obey his superior officers. [Applause.] And I venture this prediction, that the fact that a lot of bull-necked, big-muscled, overgrown young men jump on and pound and maltreat a lot of light-built boys by no means signifies that when the stress of war comes and the glory of the American flag is at stake that those little, light-bodied fellows will not be the heroes instead of the physical giants at these academies.

Grant that it was light hazing which these boys inflicted on the other boys, what then? Simply this: If we pass this bill, it will be taken as an indication that hereafter Congress will sit as a sort of board for the relief of cadets expelled from the Military and Naval academies. Consequently every boy expelled will appeal to Congress, and sentimentality prevailing instead of a sense of justice, Congress will go on reinstating them until the law we lately placed on the statute books will soon be null and void.

Unfortunately for them, these boys did not believe that the law means anything. They elected to make a test case, and they must bear the consequences, hard as they are. If I thought that reinstating them would not be regarded as a precedent and not encourage other cadets to go and do likewise, I might not object, for I repeat that these boys do not look like vicious boys, but their reinstatement means the overthrow of the statute.

The complaint of some Members that these boys were informed against in the first instance by anonymous letters, and therefore ought not to be heeded, has no force with men who have had experience with grand juries, for clews to even the gravest crimes are sometimes, and for the best of reasons, given to grand juries and prosecuting officers by anonymous communications. Perhaps some other method would be more desirable, but we are not living in Utopia, and we must take the world as we find it.

The very fact that it is difficult to induce cadets who have been hazed to testify constitutes the strongest argument why the statute should stand, and why, when the evidence of guilt is conclusive, a punishment should be inflicted sufficiently severe to prevent further offenses.

In conclusion, I desire to say this, that Congress ought to pass a vote of thanks to Captain Brownson, and I serve notice now that this bill is not going to pass except with a roll call.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 3565. An act granting an increrse of pension to Edgar Mumma.

The message also announced that the Senate had passed the following resolution:

Resolved, That a committee of two Senators be appointed by the Chair to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inform him that the two Houses have completed the business of the present session and are ready to adjourn, unless he may have some other communication to make to them.

And that in compliance with the foregoing the Chair appointed Mr. HALE and Mr. COCKRELL as said committee.

REPORT OF COMMITTEE TO WAIT UPON THE PRESIDENT.

Mr. PAYNE. Mr. Speaker, the committee appointed by the House to join a similar committee on the part of the Senate to wait upon the President of the United States and inform him that the House had concluded its business, and ask him if he had any further communication to make, reports that they have performed that duty, and that the President states that he has no further communication to make.

COMMISSION ON MERCHANT MARINE.

The SPEAKER announced the following members of the Commission on Merchant Marine:

Mr. GROSVENOR, Mr. MINOR, Mr. HUMPHREY of Washington, Mr. SPIGHT, and Mr. MCDERMOTT.

RESTORATION OF CERTAIN MIDSHIPMEN TO THE NAVAL SERVICE.

Mr. SLAYDEN. Mr. Speaker, I will now ask the gentleman from Iowa [Mr. LACEY] if he desires to consume any more of his time, and would ask in that connection how much time the gentleman from Iowa has remaining?

The SPEAKER. Nine minutes.

Mr. LACEY. Mr. Speaker, I will yield two minutes to the gentleman from Ohio [Mr. KYLE].

Mr. KYLE. Mr. Speaker, I want to say to the gentleman from Missouri [Mr. CLARK] who has just spoken, and to every other Member on this floor, that the only reason these boys were expelled for the offense that they committed was because there was no other provision in the law. Every State in the United States makes provision for degrees in crime and metes out punishment to the offender according to the degree of the crime which he has committed.

You have left nothing here at all, except to expel these boys for the acts that they committed. I submit, if the judgment of this House is to prevail, that it will be that these boys shall be taken care of according as the conditions and the facts in the case warrant. Let me say to some of you that you should recall your own lives.

Backward, turn backward, O Time in thy flight.

And though years have gone by since you were young, youth is something that you should not forget. [Applause.]

Think of that, I say, that you were once a schoolboy, and if you do, with swelling in your heart, you will vote to restore these boys under the provisions of the law as we propose it in this bill. [Applause.]

Mr. Speaker, what is the cause of all this trouble? It is because boys have refrained from doing that which under the law of the institution they were obliged to do. They failed to report others for having violated the rules of the academy. One of the offenses was for taking an apple off the table—the innocent cause of original sin. I say that we should apply a new dispensation to these boys, that we should retain and restore them. [Applause.]

Mr. LACEY. Mr. Speaker, I now yield one minute to the gentlemen from New Jersey [Mr. MCDERMOTT].

Mr. MCDERMOTT. Mr. Speaker, the students, who are willing to study and serve, were expelled because the law allowed no equitable consideration of their case. They were expelled under a statute which allowed no mercy. There is no appeal except to this body. I find in the testimony and in the sentiment of opponents on this floor, as voiced by the eloquent gentleman from Missouri [Mr. CLARK], nothing whatever that would imply that these boys will not grow to the height of the best and greatest men that ever stood behind the guns. [Applause.]

I say to the gentleman from Missouri [Mr. CLARK] that after his years of association with the administration of justice, when coming to pass upon a question like this in this House, which is even as Parliament originally was—a court—we should be guided by the rule that is found in the coronation oath as administered to the King of England, for that monarch is then sworn to administer justice in mercy. [Applause.]

Mr. SLAYDEN. Mr. Speaker, I yield three minutes to the gentleman from Maryland [Mr. DENNY], an old soldier who knows the necessity for discipline.

Mr. DENNY. Mr. Speaker, perhaps an application of this de-

scription ought not to occupy the time of the American Congress, but I am of the opinion that if we get into this proposition it will be followed by amendments proposed to relieve the boys at West Point. Colonel Mills, at West Point, has no trouble now in controlling those young men, and why? Because Congress has left with him that control, and they know that they can not come here for relief.

The American Navy, as well as the Army, wants men, and I take it that the boy who is guilty to such an extent as to be discharged from that institution for violating its rules, I do not care whether the violation be small or great, is acting contrary to the military history of this country. The boy who will force another boy on his knees to go through gymnastic exercises to please his fancy is not the boy that I would like to see in the American Navy.

The boy who will take advantage of those in the lower classes and cause them to submit to improper acts is the boy who will create trouble that will come home to bother us in the future, because from time to time we will be occupied with this proposition to release somebody from the effects of his misconduct. Therefore, you should not alone consider the boys in the transaction, but you should consider the interests of the Government. We have thousands of young men ready to take their places, and they can go into the walks of civil life and redeem themselves, but for us to be legislating to destroy the discipline at the Naval Academy is not good legislation.

I hope it will not be done. I do not think we ought to set the example proposed in this bill. If we do, every boy who misconducts himself will think, "Oh, I have political influence; I can get myself restored," and he will take the risks of performing these improper acts. If we are carrying on an Army, if we are engaged in military pursuits, let us teach the boys that they must be subject to military discipline. [Applause and cries of "Vote!" "Vote!"]

Mr. SLAYDEN. Mr. Speaker, I yield two minutes to the gentleman from Georgia [Mr. MADDOX].

Mr. MADDOX. Mr. Speaker, I sympathize with these young men. The gentleman from Iowa, my friend Mr. LACEY, introduced them to me, and they were splendid specimens of American manhood. I do sincerely sympathize with them; but, gentlemen, this is not a question of sentiment to-day. Our action is going to be far-reaching. The question is whether we are going to maintain discipline, or, in other words, stand by the officers who have charge of the Military and Naval academies in enforcing the laws that we have passed.

I should like to inquire who it was that two years ago stood in this House and denounced the cadets who were hazing the lower classmen? The gentleman from Iowa and other men, who to-day are trying to excite sympathy for these boys who have been discharged from this academy, seem to have forgotten what passed here then. I ask you if you have no sympathy for the young men belonging to the lower classes, who have been imposed upon by these men who have served for four years? Are they entitled to no sympathy? Pass this law and you absolutely set at defiance discipline in these two institutions.

What is the result of this resolution to-day? Why, right upon the very spur of the moment a gentleman rises in his seat and proposes to amend this bill by restoring to the Army those men who were discharged from West Point for hazing. If you can restore cadets to the Naval Academy who have been expelled for hazing, why not restore those expelled from West Point? Is there any satisfactory reason? This is a question that must be determined upon judgment and common sense and not upon sentiment.

The question is, Shall we maintain discipline in the Army and Navy? Shall we sustain the laws that we ourselves have made? Why, I remember the distinguished gentleman from Iowa [Mr. HEPBURN], the sledge hammer on that side, talked about this question of hazing and the outrages that were being perpetrated upon the young men that were sent to these institutions in a most convincing manner. All you have to do is to read the report of Secretary Moody to see what these boys were subjected to, the punishment that they had to undergo at the hands of higher classmen, who were absolutely disobeying the orders of their superior.

The first lesson that a soldier receives is to obey, and it is the most important one of all. [Applause.]

Mr. SLAYDEN. Mr. Speaker, how much time have I left?

The SPEAKER. The gentleman has six minutes.

Mr. SLAYDEN. I yield one minute to the gentleman from Michigan [Mr. GARDNER].

Mr. GARDNER of Michigan. Mr. Speaker, my sympathies are with these boys, but I recall an incident that occurred during my service as a soldier in the Army which admonishes me that we must not let sympathy control where so much is at stake. I remember well seeing three men shot to death for desertion in the face of the enemy at Chickamauga.

It was in the late autumn of 1863, in Sheridan's division, in camp on the battle line that skirted Chattanooga. Missionary Ridge was in our front, the intrenchments on the summit frowning with hostile arms attended by brave men being in plain view. The entire division was formed to witness the execution. It seemed a cruel act to shoot our own men, but subsequently, when the order came to assault the ridge, the official reports show that there were no desertions from the line of Sheridan's division.

You must maintain discipline in the Navy as well as in the Army, and they who are to command men, whether on the land or on the sea, must learn the soldier's first lesson, and that is to obey the law, whether of the academy or of the United States, both of which were knowingly violated by these young men.

Mr. SLAYDEN. I yield one minute to the gentleman from Tennessee [Mr. GAINES].

Mr. GAINES of Tennessee. Mr. Speaker, this report states that the boys in the "highest" class were the ones who committed this lawless wrong. They committed it on the "lowest" boys, this report says, just exactly like some who are not only not manly when they are boys, but who are not manly when they grow to mature years. What else? The officers down there say if you restore these boys you will restore hazing that has been suppressed under the law. Read this report, gentlemen, on the last page; there you will find the officers in charge say, "Do this and disorder and hazing will recur." The gentleman from Iowa did not state that when he was on the floor.

Mr. KYLE. Will the gentleman yield?

Mr. GAINES of Tennessee. No; I have only a minute—not that, now.

Mr. KYLE. The gentleman makes a statement which is not borne out by the official records.

Mr. GAINES of Tennessee. Read this report, last page, and you will see. I am sorry for these boys, sincerely so; but I am sorry for the kinspeople of the poor boys who were hazed unto death only a few months before Congress took this question in hand and enacted the law under which these young men were tried.

If Congress adopts a mealy-mouthed way of enforcing this law, next year we will find that some other poor boy, the pride of some happy fireside, has been hazed unto death, as we know has been done in the past. Vindicate the majesty and meaning of the law, gentlemen, first. Uphold our officers who have had the courage to enforce the law. Let this be done now; then wait a while and discuss relief hereafter.

Mr. SLAYDEN. I yield to the gentleman from Missouri [Mr. VANDIVER].

Mr. VANDIVER. Mr. Speaker, I desire to say that I hesitate much to oppose this measure, but I do not believe that it is in the interest of good discipline. I remember that when Superintendent Brownson was before our committee he hesitated to recommend this bill. He did not seem disposed to oppose it vigorously; but my impression is he considered that the passage of this bill would be a serious hindrance to the discipline of the academy. For that reason I am forced to vote against it.

Mr. RIXEY. The gentleman is a member of the Naval Committee. He heard the statement of Captain Brownson, but did not hear the other side.

Mr. SHEPPARD. I should like to ask the gentleman from Texas, if this bill to restore naval cadets who were discharged for a breach of discipline is to be passed, is there any reason why the bill introduced by me to restore cadets who were dismissed from the Military Academy should not also receive favorable consideration?

Mr. SLAYDEN. I am grateful to my colleague for the interruption. He inquires of me if his bill for the restoration to the Military Academy of cadets who were discharged for breaches of discipline should not be considered at the same time and with equal favor as this bill, which has been advanced for the benefit of cadets discharged from the Naval Academy.

Mr. SMITH of Iowa. Will the gentleman yield?

Mr. SLAYDEN. No; I have not the time. In reply to the gentleman, I will say that I believe his bill should receive equal consideration, but I do not believe either bill is entitled to favorable consideration.

Members who were here in the Fifty-sixth and Fifty-seventh Congresses will remember the scandal growing out of the lack of discipline at the Military Academy. They will remember that a committee was appointed to investigate those scandals, and they will remember the report made to the House. It showed great disorder and a lack of discipline in the academy.

Mr. Speaker, I have made inquiries of the superintendent of the Military Academy as to whether he recommended clemency in the cases of these discharged cadets. He does not, and he does not recommend it because he believes it will be detrimental to the interests of the academy and of the country.

These young men have been discharged from academies because

they violated the law. If the law is wrong, let it be repealed. If the law is right, let it be enforced. Gentlemen who are to command in the Navy and in the Army ought first to learn to obey.

Following the scandals growing out of the hazing at West Point these classes came up and voluntarily agreed that they would abandon the practice of hazing and pledged themselves individually and in classes to promote discipline and order and a rigid compliance with the rules and regulations of the Military Academy.

Mr. LACEY. I yield one minute to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Speaker, in that minute let me express my sympathy for these young men and say I am in favor of giving them another chance, another hope, another opportunity. I do not think their hopes and their future should be blasted. And in that connection let me read what Captain Brownson said about this bill when he was before the Committee on Naval Affairs:

I have the highest opinion—

He says—

of these young men. * * * They were manly, honest, and straightforward. * * * If Congress sees fit to pass a law to put them into the service, I will not raise a hand against it.

[Applause.]

Give them a chance, I say. Their offense, to say the most of it, was only slight and very technical, but under the law Captain Brownson had to dismiss them. He had no discretion in the matter. That law is too rigid. I am in favor of giving them an opportunity to go into the Navy. For a very trivial offense, in my opinion, they received practically a life sentence. It was too severe. They have suffered enough now. They ought to have another chance. I will not dim their star of hope. I will not crush their aspiration. Who knows what the future has in store for them? I am in favor of this bill, and I hope it will pass. [Loud applause.]

Mr. LACEY. I call for a vote.

The question being taken on the motion to suspend the rules and pass the bill with the amendments, there were—ayes 162, noes 97.

The SPEAKER. Two-thirds have not voted in the affirmative, and the bill fails.

EASTERN JUDICIAL DISTRICT, MISSOURI.

Mr. VANDIVER. Mr. Speaker, I ask unanimous consent for the consideration of the bill which I send to the Clerk's desk.

The Clerk read as follows:

A bill (H. R. 12898) to create a new division in the eastern judicial district of the State of Missouri.

Be it enacted, etc., That a new division of the eastern judicial district of the State of Missouri, to be known as the southeastern division judicial district of Missouri, be, and the same is hereby, established, to be composed of the following counties, to wit: Cape Girardeau, Scott, Mississippi, New Madrid, Pemiscott, Dunklin, Stoddard, Butler, Ripley, Carter, Shannon, Reynolds, Wayne, Madison, Bollinger, and Perry, and said counties be, and the same are hereby, transferred to said southeastern division of said eastern district of Missouri; but no additional clerk or marshal shall be appointed in or for said division of said district.

SEC. 2. That terms of the circuit and district courts of the said southeastern division judicial district of Missouri shall be held in the city of Cape Girardeau, in said State, on the second Monday in April and October of each year, after this act goes into effect.

SEC. 3. That the clerks of the district courts for the eastern district of Missouri and the marshal and attorney of the United States for said district shall perform the duties appertaining to their offices, respectively, for said courts of said southeastern division judicial district, and the clerk's office of said courts shall be at St. Louis, where all records of said courts may be kept and all duties performed, except when court is in session at Cape Girardeau; but should the business of said courts hereafter warrant a deputy clerk at Cape Girardeau, in the judgment of the district judge, then new books and records may be opened for the courts herein created and kept at Cape Girardeau, and a deputy clerk appointed to reside and keep his office at Cape Girardeau.

SEC. 4. That all suits not of a local nature in said circuit and district courts against a single defendant, inhabitant of said State, must be brought in the division of the district where he resides; but if there are two or more defendants residing in different divisions of the district such suits may be brought in either division.

SEC. 5. That all prosecutions for crimes or offenses hereafter committed in either of the divisions of said district shall be cognizable within such division, and all prosecutions for crimes or offenses heretofore committed in the eastern district of Missouri as heretofore constituted shall be commenced and proceeded with as if this act had not been passed.

SEC. 6. That all grand and petit jurors summoned for service in each division shall be residents of such division. All mesne and final process, subject to the provisions hereinbefore contained, issued in either of said divisions, may be served and executed in either or any of the divisions.

SEC. 7. That in all cases of removal of suits from courts of the State of Missouri to the courts of the United States in the eastern district of Missouri such removal shall be to the United States courts in the division in which the county is situated from which the removal is made, and the time within which the removal shall be perfected, in so far as it refers to or is regulated by the terms of the United States courts, shall be deemed to refer to the terms of the United States courts held in said southeastern division judicial district.

SEC. 8. That this act shall be in force from and after the 31st day of July, A. D. 1904, and all acts or parts of acts so far as inconsistent herewith are hereby repealed.

The amendments reported by the committee were read.

There being no objection, the House proceeded to the consideration of the bill.

The amendments were agreed to, and the bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. VANDIVER, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. BARNES, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On April 27, 1904:

H. R. 187. An act granting a pension to Clarissa Wolcott;

H. R. 614. An act granting a pension to Michael O'Brien, alias Michael Clifford;

H. R. 1045. An act granting a pension to Matilda Witt;

H. R. 2367. An act granting a pension to Merton C. Sanborn;

H. R. 2462. An act granting a pension to Martha Briscoe.

H. R. 4044. An act granting a pension to William H. Slough;

H. R. 4583. An act granting a pension to Ella C. Baker;

H. R. 4907. An act granting a pension to Henry A. Hartley;

H. R. 5600. An act granting a pension to David Kimball;

H. R. 5737. An act granting a pension to John Whitehead;

H. R. 6343. An act granting a pension to Harry Hirschensohn;

H. R. 7985. An act granting a pension to Alice Jenifer;

H. R. 8464. An act granting a pension to Susan T. Bunch;

H. R. 8469. An act granting a pension to Silas R. Harris;

H. R. 8790. An act granting a pension to C. Annette Buckel;

H. R. 8822. An act granting a pension to Bird L. Francis;

H. R. 8961. An act granting a pension to Frances E. Grisson;

H. R. 9963. An act granting a pension to Grace Miller;

H. R. 10270. An act granting a pension to Mary F. Kenaday;

H. R. 10286. An act granting a pension to Ellen M. Malloy;

H. R. 10288. An act granting a pension to Anna E. Harman;

H. R. 11058. An act granting a pension to Mary Apple;

H. R. 11776. An act granting a pension to Hugh Mooney;

H. R. 11989. An act granting a pension to Emma C. Dougal;

H. R. 12062. An act granting a pension to Edward H. Bennett;

H. R. 12400. An act granting a pension to Ellen Cain;

H. R. 12529. An act granting a pension to Sarah Greene;

H. R. 12783. An act granting a pension to Harlen Scarlett;

H. R. 13115. An act granting a pension to Sarah Jane Van Alstine;

H. R. 13178. An act granting a pension to Julius H. Rogge;

H. R. 13190. An act granting a pension to Eveline Crouch Dunbar;

H. R. 13299. An act granting a pension to Edah A. Kittridge;

H. R. 13328. An act granting a pension to Martin R. Gentry;

H. R. 13494. An act granting a pension to Cader B. Brent;

H. R. 13728. An act granting a pension to Isabella McDowell;

H. R. 13729. An act granting a pension to Margaret W. Goodwin;

H. R. 13869. An act granting a pension to Sarah M. Greer;

H. R. 13937. An act granting a pension to George W. Litherland;

H. R. 14354. An act granting a pension to Peter Bunn;

H. R. 14397. An act granting a pension to Mary E. Vanzant;

H. R. 14517. An act granting a pension to Lillie A. Schoppaul;

H. R. 14518. An act granting a pension to Henderson Evins;

H. R. 14598. An act granting a pension to Joseph Otis;

H. R. 902. An act granting an increase of pension to Isaac C. B. Suman;

H. R. 1339. An act granting an increase of pension to Joseph P. Scott;

H. R. 1480. An act granting an increase of pension to Edgar W. Thornton;

H. R. 3265. An act granting an increase of pension to Catharine Cook;

H. R. 3805. An act granting an increase of pension to Mary A. Disbrow;

H. R. 5033. An act granting an increase of pension to Rowland J. Roberts;

H. R. 5361. An act granting an increase of pension to Lucillius C. Moss;

H. R. 6610. An act granting an increase of pension to Samuel Hendrickson;

H. R. 6697. An act granting an increase of pension to Luther F. Palmer;

H. R. 7245. An act granting an increase of pension to Prescilla C. Dodd;

H. R. 7471. An act granting an increase of pension to John Schade, sr.;

H. R. 7502. An act granting an increase of pension to John W. Moore;

H. R. 8219. An act granting an increase of pension to William H. Broadwell;

H. R. 8285. An act granting an increase of pension to William S. Peck;

H. R. 8386. An act granting an increase of pension to Andrew Esdell;
H. R. 8480. An act granting an increase of pension to Elijah Rearick;
H. R. 8496. An act granting an increase of pension to Joseph Howard;
H. R. 8498. An act granting an increase of pension to Jonathan Klingenfus;
H. R. 8709. An act granting an increase of pension to James A. Porter;
H. R. 8783. An act granting an increase of pension to Mary Ann Phipps;
H. R. 8787. An act granting an increase of pension to Robert W. Brasher;
H. R. 8915. An act granting an increase of pension to Warren McCracken;
H. R. 8921. An act granting an increase of pension to John McCollister;
H. R. 9257. An act granting an increase of pension to John Ogden;
H. R. 9388. An act granting an increase of pension to Lineus V. Vance;
H. R. 9393. An act granting an increase of pension to Thomas P. Ryan;
H. R. 9427. An act granting an increase of pension to Chester H. Buck;
H. R. 9496. An act granting an increase of pension to Hester E. Bloor;
H. R. 9516. An act granting an increase of pension to Henry Johnson;
H. R. 9575. An act granting an increase of pension to John Donahoe;
H. R. 9740. An act granting an increase of pension to William W. Newton;
H. R. 9788. An act granting an increase of pension to George W. Blanchard;
H. R. 9832. An act granting an increase of pension to Edwin M. Alden;
H. R. 9839. An act granting an increase of pension to James A. Kemp;
H. R. 9969. An act granting an increase of pension to James Frederic;
H. R. 10544. An act granting an increase of pension to Henry H. Rhoads;
H. R. 10699. An act granting an increase of pension to Henry J. Brockway;
H. R. 10062. An act granting an increase of pension to Oscar Murray;
H. R. 10126. An act granting an increase of pension to Job Throckmorton;
H. R. 10169. An act granting an increase of pension to Isaac N. Flanagan;
H. R. 11063. An act granting an increase of pension to Robert L. McMurtry;
H. R. 11150. An act granting an increase of pension to Marvin A. Wixson;
H. R. 11193. An act granting an increase of pension to Abbie W. Griffin;
H. R. 11259. An act granting an increase of pension to George W. Stennett;
H. R. 11293. An act granting an increase of pension to Frank Fuchs;
H. R. 11308. An act granting an increase of pension to Silas T. Overstreet;
H. R. 11315. An act granting an increase of pension to Christian Mott;
H. R. 11468. An act granting an increase of pension to Edson G. Holcomb;
H. R. 11487. An act granting an increase of pension to John Wybrant;
H. R. 11536. An act granting an increase of pension to Mattie Graziani;
H. R. 11576. An act granting an increase of pension to James E. Stalker;
H. R. 11748. An act granting an increase of pension to Edward E. Curran;
H. R. 11843. An act granting an increase of pension to William Hall;
H. R. 12105. An act granting an increase of pension to James A. Lowe;
H. R. 12276. An act granting an increase of pension to Isaac W. Acker;
H. R. 12398. An act granting an increase of pension to Samuel N. Johnson;
H. R. 12440. An act granting an increase of pension to Edward M. Shepard;
H. R. 12526. An act granting an increase of pension to Henry Ford;
H. R. 12591. An act granting an increase of pension to Thomas Haydock;
H. R. 12617. An act granting an increase of pension to Ezra V. Felton;
H. R. 12652. An act granting an increase of pension Mary L. Johnson;
H. R. 12666. An act granting an increase of pension to Henry E. W. Campbell;
H. R. 12727. An act granting an increase of pension to Theodore Coonley;
H. R. 13071. An act granting an increase of pension to John S. Whitmore;
H. R. 13321. An act granting an increase of pension to John B. Mitchell;
H. R. 13453. An act granting an increase of pension to Ezekiel Steel;
H. R. 13518. An act granting an increase of pension to Chester R. Heath;
H. R. 13687. An act granting an increase of pension to Henry A. Davies;
H. R. 13743. An act granting an increase of pension to David C. Welch;
H. R. 13421. An act granting an increase of pension to Micajah Hill, alias Michael C. Hill;
H. R. 13461. An act granting an increase of pension to William Curtis;
H. R. 13623. An act granting an increase of pension to Marion A. Carlile;
H. R. 13650. An act granting an increase of pension to William J. Caldwell;
H. R. 13669. An act granting an increase of pension to Mary E. Wyse;
H. R. 13767. An act granting an increase of pension to Daniel Pew;
H. R. 13936. An act granting an increase of pension to John W. Thomas;
H. R. 14491. An act granting an increase of pension to Eli Prebble; and
H. R. 14700. An act granting an increase of pension to Hamden C. Washburn.

On April 27, 1904:

H. J. Res. 103. Joint resolution providing for printing annually the Report of the Director of the Office of Experiment Stations, Department of Agriculture;
H. R. 2591. An act for the relief of W. S. Feland, late deputy collector second Kentucky district;
H. R. 10101. An act for the cession of 120 acres of land to the Beecher Island Battle Memorial Association;
H. R. 11128. An act to modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect;
H. R. 8692. An act to authorize the apprehension and detention of insane persons in the District of Columbia, and providing for their temporary commitment in the Government Hospital for the Insane, and for other purposes;
H. R. 12220. An act making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes;
H. R. 6758. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1905, and for other purposes; and
H. R. 13300. An act granting certain rights and privileges to the commissioners of waterworks in the city of Erie, Pa.

On April 27, 1904:

H. R. 13014. An act to authorize the appointment of road overseers and to create road districts in the district of Alaska, and for other purposes;
H. R. 1851. An act granting an increase of pension to David T. Towles;
H. R. 9256. An act granting an increase of pension to Enoch Stahler;
H. R. 8925. An act granting an increase of pension to John Weaver;
H. R. 13850. An act granting an increase of pension to Mary Heaney;
H. R. 15054. An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes; and
H. R. 12833. An act making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes.

On April 28, 1904:

H. R. 2826. An act to amend an act entitled "An act to author-

ize the construction of a bridge across the Mississippi River at Memphis, Tenn.," approved April 24, 1888;

H. R. 13262. An act to confirm the title to lots 3, 4, and 5 in square No. 979, in Washington, in the District of Columbia;

H. R. 14588. An act to revive and amend an act entitled "An act to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River, in the State of Louisiana, at or near Shreveport;"

H. R. 14590. An act to authorize the courts of county commissioners of Houston and Dale counties, Ala., to construct a bridge across the Choctawhatchee River between Houston and Dale counties, Ala.;

H. R. 15010. An act to amend section 6 of "An act to authorize the construction of a bridge by the New York, Chicago and St. Louis Railroad Company and the Chicago and Erie Railroad Company across the Calumet River at or near the city of Hammond, Ind., at a point about 1,200 feet east of the Indiana and Illinois State line and about 100 feet east of the location of the present bridge of the New York, Chicago and St. Louis Railroad Company across said river; also to authorize the construction of a bridge by the Chicago and State Line Railroad Company across said river at the point where said company's railroad crosses said river in Hyde Park Township, Chicago, Ill., being at the location of the present bridge of said company across said river in said township," approved July 1, 1902;

H. R. 15165. An act to authorize the construction of a bridge across the navigable waters of St. Andrews Bay;

H. R. 15195. An act authorizing the construction of a wagon, toll, and electric railway bridge over the Missouri River at Lexington, Mo.; and

H. R. 11126. An act to authorize the Secretary of the Interior to add to the segregation of coal and asphalt lands in the Choctaw and Chickasaw nations, Ind. T., and for other purposes.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 3565. An act granting an increase of pension to Edgar Mumma—to the Committee on Pensions.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 9773. An act granting an increase of pension to Absalom Shilts;

H. R. 11966. An act to ratify and amend an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect;

H. R. 5755. An act for the relief of small-holding settlers within the limits of the grant of land to the Atlantic and Pacific Railroad Company in the Territory of New Mexico;

H. R. 11444. An act to grant certain lands to the State of Ohio;

H. R. 5067. An act to prevent the fraudulent sale of merchandise in the District of Columbia;

H. R. 6780. An act authorizing the Union Pioneer Mining and Trading Company to construct and maintain a bridge across the Catalla Creek, in the district of Alaska;

H. R. 15527. An act making appropriation for national trophy and medals for rifle contests.

H. Res. 149. Resolution authorizing the Secretary of War to allow the Anheuser-Busch Brewing Association a right of way through the eastern limits of the arsenal grounds at St. Louis, Mo.;

H. R. 10851. An act granting an increase of pension to Nancy Smallwood; and

H. R. 14754. An act providing for the restoration or maintenance of channels or of river and harbor improvements, and for other purposes.

The SPEAKER announced his signature to enrolled bills and joint resolutions of the following titles:

S. R. 71. Joint resolution directing the Secretary of the Interior to institute an investigation relative to the use of the waters of the Colorado River for irrigation, and to report to Congress thereon;

S. R. 73. Joint resolution amending an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903;

S. 2263. An act to require the employment of vessels of the United States for public purposes;

S. R. 36. Joint resolution accepting a reproduction of the bust of Washington from certain citizens of the Republic of France, and tendering the thanks of Congress to the donors therefor;

S. 5597. An act to amend an act entitled "An act providing for public printing and binding and the distribution of public documents;"

S. 5408. An act to provide for the care and support of insane persons in the Indian Territory;

S. 463. An act to pay Hewlette A. Hall balance due for services in connection with the Paris Exposition;

S. 5342. An act to provide for the temporary government of the canal zone at Panama, the protection of the canal works, and for other purposes;

S. 5585. An act to amend an act entitled "An act granting a charter to the General Federation of Women's Clubs," approved March 3, 1901;

S. R. 6. Joint resolution to authorize the Secretary of the Navy to donate to the Minnesota Historical Society the steering wheel of the former ship *Minnesota;*

S. 2814. An act to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900;

S. 1750. An act to provide an American register for the British ship *Pyrenees;*

S. 128. An act granting an increase of pension to Clara M. Gihon;

S. 76. An act granting a pension to Mary H. Cornell;

S. 3734. An act granting an increase of pension to Martha W. Cushing;

S. 3489. An act granting a pension to Annie Colt McCook;

S. 4401. An act to grant to the State of Minnesota certain lands for forestry purposes;

S. 5092. An act to amend an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas; and

S. 5504. An act to amend an act entitled "An act to authorize the counties of Sherburne and Wright, Minn., to construct a bridge across the Mississippi River," approved March 29, 1904.

LEAVE TO PRINT.

Mr. McNARY. Mr. Speaker, I ask unanimous consent to print some remarks in the RECORD.

Mr. PAYNE. I object.

REPRINT OF A BILL.

Mr. HILL of Connecticut. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. HILL of Connecticut. I desire to ask a reprint of House bill No. 15362. I make this request with the concurrence of the gentleman from Mississippi [Mr. WILLIAMS], it being understood that the bill is to be reprinted with all extraneous matter taken out.

Mr. BARTLETT. We want to know what the bill is.

The SPEAKER. The gentleman from Connecticut asks unanimous consent for a reprint of a bill introduced by the gentleman from Mississippi [Mr. WILLIAMS], House bill No. 15362, known as the "Cowdon outlet bill." The proposition is to reprint the bill after expurgating certain matter objected to.

Mr. WILLIAMS of Mississippi. Mr. Speaker, the other day a point of order was made here by the gentleman from Connecticut [Mr. HILL] upon the contents of a bill which I had introduced by request. He asked a reprint of the bill, expurgating certain passages which he thought objectionable. I asked that the matter go over at the time until I could look into it. I find on examination that the gentleman is right, and that there are certain parts of the bill which ought to be stricken out under the rules.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. HILL]? The Chair hears none.

CONVICT LABOR.

Mr. HUGHES of New Jersey. Mr. Speaker, I ask unanimous consent for the consideration of the bill (H. R. 10506) known as "the convict-labor bill."

Mr. PALMER. I call for the regular order.

Mr. HUGHES of New Jersey. Very well; if the gentleman insists upon that I shall call for the regular order upon everything else for the balance of the session.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. BARNES, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On April 28, 1904:

H. R. 1953. An act to provide for an additional associate justice of the supreme court of the Territory of New Mexico;

H. R. 7190. An act for the relief of the Bank of North Wilkesboro;

H. R. 8421. An act for the relief of Russel A. McKinley;

H. R. 11586. An act to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes;

H. R. 12647. An act to provide for additional United States judges in the Indian Territory, and for other purposes;

H. R. 13298. An act to amend section 2327 of the Revised Statutes of the United States, relating to lands;

H. R. 14416. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes;

H. R. 14533. An act to change and fix the time for holding the district and circuit courts for the northern division of the eastern district of Tennessee;

H. R. 14673. An act to create a new division of the southern judicial district of Iowa, and to provide for terms of court at Davenport, Iowa, and for a clerk for said court, and for other purposes;

H. R. 14944. An act establishing a regular term of the United States circuit and district courts at Lewisburg, W. Va.;

H. R. 15228. An act establishing a regular term of the United States circuit and district courts at East St. Louis, Ill.;

H. J. Res. 136. Joint resolution for appointment of members of Board of Managers of the National Home for Disabled Volunteer Soldiers;

H. J. Res. 102. Joint resolution relating to the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerent powers;

H. R. 13088. An act to relieve obligors on bonds given to the United States upon the exportation to the Philippine Islands prior to November 20, 1901, of articles subject to internal-revenue tax;

H. R. 13860. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes;

H. R. 13521. An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes;

H. R. 23. An act in relation to pharmacy in the Indian Territory;

H. R. 11122. An act to amend an act to prohibit the passage of special or local laws in the Territories, to limit Territorial indebtedness, and for other purposes;

H. R. 7056. An act creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes;

H. R. 11135. An act amending an act approved March 3, 1901, entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exposition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri;"

H. R. 14500. An act to ratify and confirm the present right of way of the Oahu Railway and Land Company through the military reservation of Kahauiki, Territory of Hawaii;

H. J. Res. 29. Joint resolution providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department;

H. J. Res. 150. Joint resolution providing for the publication of 50,000 copies of the Special Report on the Diseases of Cattle;

H. R. 7535. An act for the relief of Jacob Swigert, late deputy collector, seventh Kentucky district;

H. R. 7718. An act for the relief of the estate of Artemus E. Gibson;

H. R. 15128. An act to authorize the Secretary of the Treasury to cancel a certain bond of Klaw & Erlanger;

H. R. 1925. An act providing for the removal of the port of entry in the customs collection district in Alaska from Sitka, Alaska, to Juneau, Alaska;

H. R. 14093. An act to incorporate the Carnegie Institution of Washington;

H. R. 875. An act for the relief of Carrie C. Mix;

H. R. 7264. An act to provide for the construction of a lighthouse and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras;

H. R. 14826. An act to amend the homestead laws as to certain unappropriated and unreserved lands in Nebraska;

H. R. 13773. An act to provide for the settlement of certain outstanding checks drawn by the disbursing officers of the District of Columbia;

H. R. 14424. An act for the extension of Wyoming avenue to Twenty-third street west;

H. R. 8690. An act to amend the law relating to taxation in the District of Columbia;

H. R. 9891. An act confirming the removal of restrictions upon alienation by the Puyallup Indians of the State of Washington of their allotted lands;

H. R. 6493. An act to ratify and confirm act No. 47 of the legislative assembly of the Territory of Arizona;

H. R. 12533. An act to authorize the Paragould and Memphis Railroad Company to construct a bridge across St. Francis River;

H. R. 12899. An act constituting Coal City, Grundy County, Ill., a port of delivery;

H. R. 14754. An act providing for the restoration or maintenance of channels or of river and harbor improvements, and for other purposes;

H. R. 4035. An act to amend an act entitled "An act to establish a code of law for the District of Columbia;"

H. R. 5067. An act to prevent the fraudulent sale of merchandise in the District of Columbia;

H. R. 5755. An act for the relief of small-holding settlers within the limits of the grant of land to the Atlantic and Pacific Railroad Company in the Territory of New Mexico;

H. R. 6780. An act authorizing the Union Pioneer Mining and Trading Company to construct and maintain a bridge across the Catalla Creek, in the district of Alaska;

H. R. 11966. An act to ratify an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect;

H. R. 11972. An act to authorize the Ox Bow Power Company, of South Dakota, to construct a dam across the Missouri River;

H. R. 12382. An act authorizing the payment of the Choctaw and Chickasaw town-site fund, and for other purposes;

H. R. 15527. An act making appropriation for national trophy and medals for rifle contests;

H. R. 3393. An act for the relief of the Columbia Brewing Company, of Shenandoah, Pa.;

H. R. 4573. An act for the relief of Eugene Patenaude;

H. R. 6921. An act for the relief of the estate of Mary P. Gilmore;

H. R. 9457. An act for the relief of Alexander S. Rosenthal;

H. R. 10208. An act for the relief of Allegheny College, at Meadville, Pa.;

H. R. 10688. An act for the relief of Johann A. Killian;

H. R. 10306. An act to authorize a duplicate medal to be struck off and presented to John Horn, of Detroit, Mich., for life-saving;

H. R. 10511. An act for the relief of the estate of Mary Keating;

H. R. 11337. An act for the relief of G. H. Dearen;

H. R. 13218. An act for the relief of Adolph Weinhold;

H. J. Res. 149. Joint resolution authorizing the Secretary of War to allow to the Anheuser-Busch Brewing Association a right of way through the eastern limits of the arsenal grounds at St. Louis, Mo.;

H. R. 186. An act granting an increase of pension to Amelia C. Young;

H. R. 683. An act granting an increase of pension to Thomas S. Strohecker;

H. R. 737. An act granting an increase of pension to Albert Hemenway;

H. R. 747. An act granting an increase of pension to George D. Totman;

H. R. 748. An act granting an increase of pension to Eben H. Meader;

H. R. 784. An act granting an increase of pension to Joseph Vactor;

H. R. 785. An act granting an increase of pension to Henry C. Bobst;

H. R. 965. An act granting an increase of pension to Franklin Webb;

H. R. 1903. An act granting an increase of pension to Claudius Tifft;

H. R. 2183. An act granting an increase of pension to Joseph A. Soule;

H. R. 2940. An act granting an increase of pension to Hester A. Hanback;

H. R. 2948. An act granting an increase of pension to John Wilson;

H. R. 2994. An act granting an increase of pension to Minnie H. Eaton;

H. R. 3829. An act granting an increase of pension to Eben Fuller;

H. R. 4201. An act granting an increase of pension to Walker Wilson;

H. R. 9585. An act granting an increase of pension to Nelson McIntosh;

H. R. 9687. An act granting an increase of pension to Alexander S. Hempstead;

H. R. 9797. An act granting an increase of pension to Thomas Laugridge;

H. R. 9978. An act granting an increase of pension to Samuel Iverson;

H. R. 10182. An act granting an increase of pension to Isaac Innis;

H. R. 10555. An act granting an increase of pension to William L. Gerard;

H. R. 10642. An act granting an increase of pension to Garrett Stanley;

H. R. 10708. An act granting an increase of pension to Alfred A. Burrell;

H. R. 12164. An act granting an increase of pension to Joseph Davis;
H. R. 12174. An act granting an increase of pension to John Smith;
H. R. 12194. An act granting an increase of pension to Nathaniel Warren;
H. R. 12199. An act granting an increase of pension to James Bramble;
H. R. 13712. An act granting an increase of pension to Urbanus Hubbs;
H. R. 13744. An act granting an increase of pension to Frederick C. Abel;
H. R. 13792. An act granting an increase of pension to Ellenora Clavier;
H. R. 13879. An act granting an increase of pension to Abraham S. Van Fleet;
H. R. 13907. An act granting an increase of pension to John W. Hilton;
H. R. 13958. An act granting an increase of pension to Eliza A. Moss;
H. R. 14000. An act granting an increase of pension to Bradford A. Gehr;
H. R. 14005. An act granting an increase of pension to George W. Jaques;
H. R. 14016. An act granting an increase of pension to William Whealton;
H. R. 14017. An act granting an increase of pension to Louis Voll;
H. R. 14102. An act granting an increase of pension to Robert W. Foster;
H. R. 14145. An act granting an increase of pension to Abel D. Brooks;
H. R. 14149. An act granting an increase of pension to David Wills;
H. R. 14155. An act granting an increase of pension to George W. Kinsey;
H. R. 14179. An act granting an increase of pension to Jesse Stinnett;
H. R. 14270. An act granting an increase of pension to Loucinda M. Thompson;
H. R. 14278. An act granting an increase of pension to Byron Bowers;
H. R. 14286. An act granting an increase of pension to Jennie L. Cardwell;
H. R. 14306. An act granting an increase of pension to Martha Taylor;
H. R. 14307. An act granting an increase of pension to Devernia White;
H. R. 14363. An act granting an increase of pension to Pocahontas C. Monteiro;
H. R. 14409. An act granting an increase of pension to William F. McMillan;
H. R. 14510. An act granting an increase of pension to Daniel M. Graves;
H. R. 14579. An act granting an increase of pension to Elizabeth J. Moore;
H. R. 14658. An act granting an increase of pension to Juliana H. Barry;
H. R. 14693. An act granting an increase of pension to Susan A. Schell;
H. R. 12248. An act granting an increase of pension to Hezekiah Bruce;
H. R. 12253. An act granting an increase of pension to Margaret Dilley;
H. R. 12277. An act granting an increase of pension to James A. Rapp;
H. R. 12323. An act granting an increase of pension to Josiah Wood;
H. R. 12413. An act granting an increase of pension to Timothy Haley;
H. R. 12480. An act granting an increase of pension to Henry J. Arnold;
H. R. 12553. An act granting an increase of pension to Amaziah Havey;
H. R. 12613. An act granting an increase of pension to Edward L. Haney;
H. R. 12676. An act granting an increase of pension to James A. Barber;
H. R. 12804. An act granting an increase of pension to Smith B. Mills;
H. R. 12966. An act granting an increase of pension to Charles H. Lakey;
H. R. 12992. An act granting an increase of pension to Henry Hiete;
H. R. 12993. An act granting an increase of pension to John Hotchkiss;
H. R. 13110. An act granting an increase of pension to George C. Birch;
H. R. 13142. An act granting an increase of pension to William M. Lang;
H. R. 13196. An act granting an increase of pension to Fanny A. Hutchason;
H. R. 13345. An act granting an increase of pension to Jeremiah Gill;
H. R. 13363. An act granting an increase of pension to Benjamin L. Commons;
H. R. 13364. An act granting an increase of pension to John Cook;
H. R. 13371. An act granting an increase of pension to James T. Thompson;
H. R. 13381. An act granting an increase of pension to John Calloway;
H. R. 13405. An act granting an increase of pension to Harriet S. Gilbert;
H. R. 13409. An act granting an increase of pension to Alfred Small;
H. R. 13485. An act granting an increase of pension to William Glasgow;
H. R. 13527. An act granting an increase of pension to William Odenheimer;
H. R. 13531. An act granting an increase of pension to Lyman L. Jones;
H. R. 13543. An act granting an increase of pension to Henry Clay Hall;
H. R. 13643. An act granting an increase of pension to Joseph Welsh;
H. R. 12268. An act granting an increase of pension to Jane K. Carpenter;
H. R. 12197. An act granting an increase of pension to Daniel M. Candor;
H. R. 12177. An act granting an increase of pension to Isaac W. Waters;
H. R. 12006. An act granting an increase of pension to Amelia Coster;
H. R. 11827. An act granting an increase of pension to Daniel Smith;
H. R. 11486. An act granting an increase of pension to Samuel B. Loewenstine;
H. R. 11397. An act granting an increase of pension to William Leonard;
H. R. 11374. An act granting an increase of pension to William Wells;
H. R. 11336. An act granting an increase of pension to Samuel R. Hazen;
H. R. 11335. An act granting an increase of pension to John Trader;
H. R. 11262. An act granting a pension to John Hegarty;
H. R. 11086. An act granting an increase of pension to Charles W. Crary;
H. R. 10846. An act granting an increase of pension to Heinrich Erbstoeser;
H. R. 11013. An act granting an increase of pension to William Flaig;
H. R. 10851. An act granting an increase of pension to Nancy Smallwood;
H. R. 10334. An act granting an increase of pension to John S. Allison;
H. R. 10285. An act granting an increase of pension to Henry McCreary;
H. R. 10284. An act granting a pension to Elizabeth Broomall;
H. R. 10029. An act granting a pension to Charles E. Arnett;
H. R. 9901. An act granting a pension to John M. Stoner;
H. R. 9623. An act granting an increase of pension to Robert H. Betts;
H. R. 9477. An act granting an increase of pension to George Smith;
H. R. 9394. An act granting an increase of pension to Mary Leffler;
H. R. 9365. An act granting an increase of pension to John S. Edgar;
H. R. 9354. An act granting an increase of pension to John Richmond;
H. R. 9338. An act granting an increase of pension to Solon D. Moore;
H. R. 9107. An act granting a pension to Margaret J. Randolph;
H. R. 8716. An act granting an increase of pension to Peter Creager;
H. R. 8280. An act granting an increase of pension to James A. Morrison;
H. R. 7497. An act granting a pension to Emma A. Webster;
H. R. 7145. An act granting an increase of pension to Ambrose L. Hendee;

H. R. 7373. An act granting a pension to Harriet J. Woodbury;
H. R. 7085. An act granting an increase of pension to William Spiegelberg;
H. R. 6718. An act granting an increase of pension to James E. Phillips;
H. R. 6537. An act granting an increase of pension to Benjamin F. Hawthorn;
H. R. 6338. An act granting an increase of pension to Antoinette I. Sawyer;
H. R. 6182. An act granting a pension to Erastus J. Horton;
H. R. 6111. An act granting a pension to Edwin A. Morris;
H. R. 5829. An act granting an increase of pension to Thomas Ellmaker;
H. R. 5725. An act granting a pension to Grace Dressel;
H. R. 5711. An act granting an increase of pension to Jacob Chronister;
H. R. 5565. An act granting a pension to Eliza Workman;
H. R. 5309. An act granting an increase of pension to John McConnell;
H. R. 5012. An act granting an increase of pension to Jacob Reitzel;
H. R. 4903. An act granting an increase of pension to Solomon F. Hallett;
H. R. 4891. An act granting a pension to Julia R. Braxton;
H. R. 4771. An act granting a pension to Aaron Taylor;
H. R. 4602. An act granting an increase of pension to Helim Thompson;
H. R. 4584. An act granting an increase of pension to Daniel A. Butler;
H. R. 4582. An act granting an increase of pension to John S. Miller;
H. R. 4572. An act granting an increase of pension to Peter Lander;
H. R. 4379. An act granting an increase of pension to Alexander Adams;
H. R. 4152. An act granting an increase of pension to George B. Hartley;
H. R. 3924. An act granting an increase of pension to Ira Waldo;
H. R. 3921. An act granting an increase of pension to Madison C. Staves;
H. R. 3431. An act granting an increase of pension to William Basnett;
H. R. 3107. An act granting an increase of pension to James E. Chappell;
H. R. 3036. An act granting an increase of pension to William H. Romaine;
H. R. 2976. An act granting an increase of pension to Enoch J. Evans;
H. R. 940. An act granting a pension to Oscar M. Parsons;
H. R. 6049. An act granting an increase of pension to Peter B. Phillips;
H. R. 9773. An act granting an increase of pension to Absalom Shilts;
H. R. 10077. An act granting a pension to Julia A. Henderson;
H. R. 13592. An act granting an increase of pension to Stephen M. Ferguson;
H. R. 2577. An act granting an increase of pension to Harmon P. Cole;
H. R. 2675. An act granting an increase of pension to Robert J. Tate;
H. R. 2499. An act granting an increase of pension to Smith Bilderback;
H. R. 2124. An act granting an increase of pension to Henry J. Grannis;
H. R. 1305. An act granting an increase of pension to Gilbert A. Kenney;
H. R. 4398. An act granting a pension to Ellen A. Wilson;
H. R. 1093. An act granting a pension to Rose B. Noa;
H. R. 934. An act granting an increase of pension to Frank Brock;
H. R. 749. An act granting an increase of pension to Humphrey M. Glines;
H. R. 740. An act granting an increase of pension to Ira Meserve;
H. R. 698. An act granting an increase of pension to William M. Crow;
H. R. 487. An act granting an increase of pension to Mary J. Waugh;
H. R. 12348. An act granting an increase of pension to John Pickering;
H. R. 14592. An act granting an increase of pension to Alfred B. Scovill;
H. R. 13000. An act granting an increase of pension to Robert Elliott;
H. R. 12861. An act granting an increase of pension to Bartlett J. Mingus;
H. R. 12702. An act granting an increase of pension to Margaret G. Howarth;
H. R. 12629. An act granting a pension to Ida Diamond;
H. R. 12604. An act granting a pension to Edward M. Fowler;
H. R. 12402. An act granting a pension to Orson Burlingame;
H. R. 14870. An act granting an increase of pension to William Hougendobler;
H. R. 14859. An act granting an increase of pension to Matthias Ridenour;
H. R. 14865. An act granting an increase of pension to Mercy J. Wilder;
H. R. 14802. An act granting an increase of pension to Thomas C. Wiley;
H. R. 14801. An act granting a pension to John W. Shrader;
H. R. 14747. An act granting an increase of pension to Symphorosa Bartley;
H. R. 14702. An act granting a pension to Mary E. Dunford;
H. R. 14641. An act granting a pension to Allan Dunning;
H. R. 14640. An act granting an increase of pension to Caroline McGimsey;
H. R. 14639. An act granting an increase of pension to Joseph J. Mead;
H. R. 13690. An act granting an increase of pension to Cephas H. John;
H. R. 13636. An act granting a pension to George S. Noland;
H. R. 13605. An act granting an increase of pension to Elizabeth E. Conatt;
H. R. 13586. An act granting an increase of pension to Abraham Harris;
H. R. 13490. An act granting an increase of pension to Henry Good;
H. R. 13437. An act granting a pension to William P. Crawford;
H. R. 13404. An act granting a pension to Emanuel Peck;
H. R. 13391. An act granting an increase of pension to Garret I. Post;
H. R. 13373. An act granting an increase of pension to William W. Dennis;
H. R. 13347. An act granting an increase of pension to William C. Crumbaugh;
H. R. 13272. An act granting a pension to Delana A. Lynch;
H. R. 13173. An act granting an increase of pension to Mary E. Houghton;
H. R. 15204. An act granting an increase of pension to Mary Taggart;
H. R. 15183. An act granting a pension to Ella F. Kennealy;
H. R. 15148. An act granting an increase of pension to Armour W. Patterson;
H. R. 15126. An act granting an increase of pension to Joseph A. Cox;
H. R. 15076. An act granting an increase of pension to Lawrence Le Bron;
H. R. 14992. An act granting a pension to Phebe A. Daw;
H. R. 14938. An act granting a pension to Francis Rogers;
H. R. 14894. An act granting an increase of pension to John Gideon;
H. R. 14890. An act granting an increase of pension to Allen R. Harris;
H. R. 14884. An act granting an increase of pension to William Huffman;
H. R. 14882. An act granting a pension to Mary Dingler;
H. R. 14876. An act granting an increase of pension to Francis Stadler, jr.;
H. R. 14638. An act granting an increase of pension to Park Avery;
H. R. 14637. An act granting an increase of pension to William Kimbrough;
H. R. 14631. An act granting a pension to William T. Spencer;
H. R. 14636. An act granting an increase of pension to James R. Fletcher;
H. R. 14630. An act granting a pension to Augustus Finley, now known as Davis;
H. R. 14612. An act granting an increase of pension to Myron Imas;
H. R. 14611. An act granting a pension to William L. Beverly;
H. R. 14578. An act granting a pension to Edward Taylor;
H. R. 14572. An act granting an increase of pension to Alexander P. Nelson;
H. R. 14541. An act granting an increase of pension to Azariah S. Elwood;
H. R. 14531. An act granting an increase of pension to Prince A. Gatchell;
H. R. 14521. An act granting an increase of pension to Samuel H. Phillips;
H. R. 14512. An act granting an increase of pension to Thomas L. Sweeney;

H. R. 14524. An act granting a pension to Jennie A. Brown;
H. R. 14511. An act granting an increase of pension to Robert R. Keys;
H. R. 14508. An act granting an increase of pension to John Brady;
H. R. 14490. An act granting an increase of pension to Degraphenreed P. McKinley;
H. R. 14484. An act granting an increase of pension to Charles W. Lee;
H. R. 14464. An act granting an increase of pension to Elizabeth B. Yount;
H. R. 14437. An act granting an increase of pension to Daniel White;
H. R. 14343. An act granting an increase of pension to William Nenberg;
H. R. 14336. An act granting an increase of pension to Everton J. Conger;
H. R. 14308. An act granting an increase of pension to Archie C. Fisk;
H. R. 14201. An act granting an increase of pension to James W. Smith;
H. R. 14204. An act granting a pension to John B. Hobday;
H. R. 14153. An act granting an increase of pension to Peter C. Wood;
H. R. 14141. An act granting an increase of pension to King Kerley;
H. R. 14001. An act granting an increase of pension to Leslie C. Armour;
H. R. 13911. An act granting an increase of pension to Calvin Hitt;
H. R. 13886. An act granting an increase of pension to Thomas Mahers;
H. R. 13816. An act granting a pension to Annie Hynes; and
H. R. 13805. An act granting a pension to Emma W. Hays.

ROUND VALLEY INDIAN RESERVATION.

The SPEAKER. The regular order being called for, the gentleman from New York [Mr. FITZGERALD] is recognized as entitled to the floor.

Mr. FITZGERALD. I yield to the gentleman from California [Mr. BELL].

Mr. BELL of California. Mr. Speaker, I move to suspend the rules and pass with the amendments reported by the Committee on Public Lands the bill (H. R. 15011) to open to homestead settlement and entry the relinquished and undisposed of portions of the Round Valley Indian Reservation, in the State of California, and for other purposes.

The substitute reported by the committee was read, as follows:

Be it enacted, etc., That all lands relinquished from the Round Valley Indian Reservation, in the State of California, under an act entitled "An act to provide for the reduction of the Round Valley Indian Reservation, in the State of California, and for other purposes," approved October 1, 1890, which have not heretofore been disposed of, shall be surveyed in accordance with the Government surveys and reappraised, exclusive of improvements, by a commission of three disinterested persons, to be appointed by the President, or by a trusted inspector or special agent of the Department of the Interior, as the President, in his discretion, may direct.

The said lands, when surveyed and appraised, shall be subject to settlement and entry under the provisions of the homestead laws of the United States; and all actual and bona fide settlers upon said lands on January 1, 1904, shall have a preference right for ninety days after the same shall be opened to settlement to enter and hold the lands actually occupied by them, respectively, not exceeding one quarter section, and they shall be credited with the time they have actually occupied the same on the time required by law to perfect title as homestead settlers. Each entryman of any of said lands shall pay for the same at the appraised price, payments to be made in five equal annual payments, with interest on all deferred payments at the rate of 5 per cent per annum. Commutation under section 2301, Revised Statutes, shall not be allowed of any entry made for any of these lands.

SEC. 2. That the funds arising from the sale of said lands shall be disposed of as provided in section 4 of the act of October 1, 1890, providing for the disposal of the Round Valley Indian Reservation.

Mr. RICHARDSON of Tennessee took the chair, amid loud applause.

Mr. LIVERNASH. Mr. Speaker, I demand a second.

Mr. BELL of California. I ask unanimous consent that a second may be considered as ordered.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent that a second may be considered as ordered. Is there objection? [After a pause.] The Chair hears none. The gentleman from California [Mr. BELL] has twenty minutes and the gentleman from California [Mr. LIVERNASH] has twenty minutes.

Mr. BELL of California. I yield two minutes to the gentleman from Massachusetts [Mr. MCNARY].

Mr. MCNARY. Mr. Speaker, I desire to say to the House that I am in favor of opening up this Indian reservation. I desire to say that this House can do no better or greater good than to open up the reservations of this country to settlement, to care for millions of citizens of this country. Being familiar with the conditions in the West, I understand the necessity of giving opportunities for the people to build up these great wastes. Mr. Speaker, as my time is short, I would like permission to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. PAYNE. I object.

The SPEAKER pro tempore. Objection is made by the gentleman from New York.

Mr. BELL of California. Mr. Speaker, I desire to state to the Members of this House that this bill has met with the approval of the Secretary of the Interior; it has met with the approval of the Commissioner of the General Land Office and of the Commissioner of Indian Affairs.

It has passed the Committee on Public Lands of this House unanimously, and passed the Committee on Public Lands of the Senate unanimously. It is a meritorious bill. A few men have gone in and settled upon the lands that were cut off from the Indian Valley Reservation in California about fourteen years ago. This bill is for the purpose of giving these men the right to perfect title by paying whatever the land shall be appraised for.

The money, when it is paid into the United States Treasury, is to be credited to the Indians of the Round Valley Indian Reservation. I do not know of a more meritorious bill. I believe that no objection can be urged upon this bill on its merits; and I hope this House at this time, inasmuch as the hour is late, will pass this bill. I reserve the remainder of my time. [Cries of "Vote!" "Vote!"]

Mr. LIVERNASH. Mr. Speaker, may I understand what is the parliamentary situation, in the beginning? For how long have I the floor?

The SPEAKER pro tempore. The gentleman is entitled to the floor for twenty minutes.

Mr. LIVERNASH. Mr. Speaker, it is painful to me, more painful than mere language can express, to be placed in the regrettable position of opposing legislation proposed by a gentleman coming from my own State and of my own political faith, and especially at a time like this—the closing moments of our session—when every motive of modesty gives me reluctance to press myself upon the attention of the House.

Nothing save clear conviction of duty could cause me to stand upon this floor in this hour in such position. But, sir, I would be unworthy the respect of this body if, with my knowledge of the bill just read, I were to remain silent here; unworthy the respect of this body and unhappy in my own heart as having failed, under fear of being misunderstood, to speak for justice to the almost friendless Indians of my native State and for the application of sound equity to the men of my race affected by this bill.

If adjournment shall not cut off detailed explanation of conditions, I hope to make plain to my colleagues that the measure proposed is, in the form in which it comes before us, unentitled to passage; and in saying this I do not mean to reflect upon the gentleman from California [Mr. BELL], for I do not doubt that had he full information of the history of the reservation to which this bill relates he would share my views and be one of the last Members of this body to sanction the bill as it has left committee.

My opposition, Mr. Speaker, is both general and particular—general in that I am skeptical of the expediency of present sale of reservation lands; particular in that, if present sales should be made, the bill ought to be so amended as to prevent trespass upon the Indian domain from becoming a lawful foundation for preferential rights of purchase as against all the world and without anything of penalty for invasion of the property rights of Government and wards of Government.

Northern California, sir, holds nearly 14,000 landless Indians, whose situation is shameful to the nation, and has so appealed to the humanity of the people of my State that hundreds of California's foremost citizens have memorialized and petitioned Congress during the current session for legislation in relief of the neglected and fading tribes despoiled of their landed possessions and cast out to live or perish without concern of the Caucasians despoiling them.

What shall be done for these hapless Indians? The answer may, on inquiry, be found to involve some consideration of the lands now set aside by the Federal Government for use of California Indians, and most of all, perhaps, of the lands covered by the bill now under consideration.

In a fair, hidden valley of northern Mendocino, in my State, some hundreds of Indians have long been cared for by the nation—a valley with land feuds as deep and crimson as the blood feuds of Corsica.

I have studied the red history of that hidden valley; and if I did not bring to bear in my consideration of legislation affecting the people there a strong desire to enforce fundamental rules of right I should feel accusation of my dereliction rising against me from the unmarked graves that speak of lawless days in those far solitudes.

Mr. WILLIAMS of Mississippi. Will the gentleman from California [Mr. LIVERNASH] permit me to interrupt him for a moment?

Mr. LIVERNASH. Yes.

Mr. WILLIAMS of Mississippi. Just for a moment. The time of the House will expire at 2 o'clock, and if the gentleman from California is to consume his time fully, I ask him to yield to me for the purpose of offering a resolution.

Mr. LIVERNASH. I shall be glad to yield to the gentleman from Mississippi, but I shall desire——

Mr. WILLIAMS of Mississippi. And the gentleman can resume his remarks if there is any time left.

Mr. LIVERNASH. Mr. Speaker, I shall take pleasure in yielding, provided, should adjournment not come before we can resume consideration of the pending motion to suspend the rules, the time now remaining of my twenty minutes shall be in my control.

The SPEAKER pro tempore. The time will not run against the gentleman from California. The gentleman from Mississippi is recognized.

Mr. WILLIAMS of Mississippi. Mr. Speaker, in the exercise of a personal though not a parliamentary privilege that is very welcome, I want to offer to the House and move the adoption of a resolution. That resolution I will now read.

"*Resolved*, That the House of Representatives return its thanks to its Speaker, the Hon. J. G. CANNON, of Illinois [applause], for the fair, impartial, and able manner in which he has presided over its deliberations, and for the sturdy common sense and genial good humor which have been displayed by him and which have induced the Members of the House itself at this session, in a degree almost unprecedented, in imitation of him, to display the same sterling American characteristics in their deliberations and mutual dealings." [General applause.]

Mr. Speaker, it is a great thing to be a Speaker of the House of Commons of the American Republic. It is a greater thing yet, not to permit the fact of promotion to that place, one of the most exalted in the world, to turn one's head in the slightest degree or to deflect one from a course hitherto pursued—that of a plain, unassuming American citizen, with extraordinary common sense and a remarkable fund of that most characteristic of all American qualities, a sense of humor. [General applause.]

I once had a conversation with the Speaker, and in the course of it I said, "I hope that I will always think that you are as fair as I believe you will be," and he replied in his inimitable way, "SHARP, I am going to be as fair as I can, consistently with the exigencies of American politics." [Great general applause.] I think he did himself injustice when he put that limitation upon his statement, but it was characteristic of the frankness and candor of the man to put in the limitation. [Applause.]

Mr. Speaker, I shall now move the adoption of the resolution, and that a committee be appointed to wait upon the Speaker of the House and bring him in. [Great general applause.]

The SPEAKER pro tempore. The question is on agreeing to the resolution which the gentleman from Mississippi has just read.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask that the question be put to a rising vote.

The SPEAKER pro tempore. If there be no objection, the vote will be taken in that way.

There was no objection.

The resolution was unanimously adopted. [Loud general applause.]

The SPEAKER pro tempore. The Chair will name as the committee, assuming that it is the will of the House, the gentleman from Mississippi, Mr. WILLIAMS; the gentleman from New York, Mr. PAYNE, and the gentleman from Indiana, Mr. HEMENWAY, to escort the Speaker to the Hall. [General applause.]

After a pause the committee appeared at the main door of the Hall, accompanied by the Speaker, who was escorted to the chair amid loud applause.

The SPEAKER pro tempore. The Chair will request the gentleman from Mississippi to read the resolution which the House has just adopted unanimously.

Mr. WILLIAMS of Mississippi. Mr. Speaker, the House has just unanimously adopted by a rising vote the following resolution:

"*Resolved*, That the House of Representatives return its thanks to its Speaker, the Hon. J. G. CANNON, of Illinois, for the fair, impartial, and able manner in which he has presided over its deliberations, and for the sturdy common sense and genial good humor which have been displayed by him and which have induced the Members of the House itself at this session in a degree almost unprecedented, in imitation of him, to display the same sterling American characteristics in their deliberations and mutual dealings." [Loud and continued general applause.]

The SPEAKER. I would be less than human if I did not voice my thanks to the Members of the House for the kindly resolution adopted unanimously by you. It touches me more than I can express. For almost thirty years I have been a Member of this body. I have seen many Congresses begin and end, and during that service I have been proud, and the pride has increased from one Congress to another, to be a Member of this body which represents directly 80,000,000 people, competent for self-government, and from time to time assist in voicing the will of that people. It goes without saying that in a republic all men do not agree as to proper policies to be pursued, but the majority and the minority, after due consideration, from time to time have written the will of the people upon the statute books.

In the nature of things, the contests here are spirited and earnest. We would be less than human were it not so, and while for the time being the majority controls, after all the minority has a function to perform almost equal in importance to the function of the majority.

It is a matter of gratification to me, not only now at the close of this second session of the Fifty-eighth Congress, but as I recollect it at the close of the various Congresses of which I have been a Member, that when the heat of the contest has died away there has remained respect upon each side for the other, for the efforts of intelligent, patriotic men to represent their constituencies according to their respective judgment. [Applause.] And may this condition continue, and it will continue as long as the Republic lasts.

After all, we can say, on both sides of the Chamber, our best efforts following our convictions are for the endurance, the prosperity, the glory of the Republic. [Applause.]

I wish each Member of this House a safe journey to his home and good health until we meet again at the next session of Congress, and that, after having mingled with the people, they will return here ready for a renewal of their efforts in the public interest.

Nothing now remains for me but, in pursuance of the concurrent resolution of the House and Senate, to declare the second session of the Fifty-eighth Congress adjourned without day.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting memorial from the Philippines praying for a reduction of the duties on tobacco from those islands coming into the United States—to the Committee on Ways and Means, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. CHARLES B. LANDIS, from the Committee on Printing, to which was referred the bill of the Senate (S. 4421) for the preparation of a railroad map of the United States, reported the same with amendment, accompanied by a report (No. 2939); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the House joint resolution (H. J. Res. 145) providing for the publication of 4,000 copies of a translation of the book entitled "Les Combattants Français de la Guerre Américaine, 1778-1783," reported the same without amendment, accompanied by a report (No. 2940); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. McCLEARY of Minnesota, from the Committee on the Library, to which was referred the bill of the Senate (S. 1547) for the erection of a monument to the memory of Commodore John Barry, reported the same with amendment, accompanied by a report (No. 2941); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the Senate joint resolution (S. R. 20) authorizing the selection of a site and the erection of a pedestal for a bronze statue in Washington, D. C., in honor of the late Henry Wadsworth Longfellow, reported the same without amendment, accompanied by a report (No. 2942); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 39) in regard to a monumental column to commemorate the battle of Princeton, and appropriating $30,000 therefor, reported the same without amendment, accompanied by a report (No. 2943); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MILLER, from the Committee on Claims, to which was referred the bill of the Senate (S. 2896) for the relief of Joseph Crow, reported the same without amendment, accompanied by a report (No. 2937), which said bill and report were referred to the Private Calendar.

Mr. BUTLER of Pennsylvania, from the Committee on Claims, to which was referred the bill of the House (H. R. 10829) for the relief of W. B. Sutter, reported the same without amendment, accompanied by a report (No. 2938); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BARTHOLDT: A bill (H. R. 15552) to amend an act entitled "An act to prevent the importation of impure and unwholesome tea," approved March 2, 1897—to the Committee on Ways and Means.

By Mr. VAN DUZER: A bill (H. R. 15553) to pay the State of Nevada for moneys advanced in aid of the suppression of the rebellion in the civil war—to the Committee on War Claims.

By Mr. KALANIANAOLE: A bill (H. R. 15554) to regulate the employment of labor on the public works in the Territory of Hawaii—to the Committee on the Territories.

By Mr. HITCHCOCK: A bill (H. R. 15555) to establish postal savings banks for depositing savings at interest with the security of the Government for repayment thereof, and for other purposes—to the Committee on the Post-Office and Post-Roads.

By Mr. VAN DUZER: A bill (H. R. 15556) to reestablish the United States mint at Carson City, Nev.—to the Committee on Coinage, Weights, and Measures.

By Mr. METCALF: A joint resolution (H. J. Res. 159) directing the Secretary of War to make a preliminary examination of Suisun Creek, in the State of California—to the Committee on Rivers and Harbors.

By Mr. BARTHOLDT: A concurrent resolution (H. C. Res. 63) requesting the President to call an international arbitration conference—to the Committee on Foreign Affairs.

By Mr. MORRELL: A resolution (H. Res. 365) requesting of the board of education of the District evidence regarding condition of public schools in the District—to the Committee on the District of Columbia.

By Mr. McNARY: A resolution (H. Res. 368) authorizing the Secretary of the Treasury to employ men in his Department at the port of Boston, Mass.—to the Committee on the Library.

Also, a resolution (H. Res. 369) relative to child labor—to the Committee on Labor.

Also, a resolution (H. Res. 370) requesting information of the Postmaster-General of moneys paid to the trans-Atlantic steamship Companies—to the Committee on the Post-Office and Post-Roads.

By Mr. STEPHENS of Texas: A resolution (H. Res. 371) relative to the Muscogee or Creek tribe of Indians—to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 15557) granting an increase of pension to Augustus Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15558) granting an increase of pension to Edwin R. Manson—to the Committee on Invalid Pensions.

By Mr. BURNETT: A bill (H. R. 15559) for the relief of the heirs of Cassell Battles, deceased—to the Committee on War Claims.

Also, a bill (H. R. 15560) granting an increase of pension to Amos L. Griffith—to the Committee on Invalid Pensions.

By Mr. BROOKS: A bill (H. R. 15561) granting a pension to J. C. Terry—to the Committee on Invalid Pensions.

By Mr. CONNER: A bill (H. R. 15562) to remove the charge of desertion against Thomas J. Shopshire—to the Committee on Military Affairs.

By Mr. DINSMORE: A bill (H. R. 15563) to correct the military record of Orlando J. Rees—to the Committee on Military Affairs.

By Mr. DOVENER: A bill (H. R. 15564) granting a pension to Mary J. Fortney—to the Committee on Invalid Pensions.

By Mr. MADDOX: A bill (H. R. 15565) for the relief of the estate of John Holsomback—to the Committee on War Claims.

By Mr. McNARY: A bill (H. R. 15566) to correct the military record of Joseph T. Hurley—to the Committee on Military Affairs.

Also, a bill (H. R. 15567) to amend the naval record of Jeremiah Sexton—to the Committee on Naval Affairs.

By Mr. MUDD: A bill (H. R. 15568) for the relief of the legal representatives of John H. Sothoron—to the Committee on War Claims.

By Mr. RIDER: A bill (H. R. 15569) granting a pension to Fred A. Deranthall—to the Committee on Military Affairs.

By Mr. SHACKLEFORD: A bill (H. R. 15570) granting a pension to J. T. Redmon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15571) to correct the military record of Joseph Bourgeret—to the Committee on Military Affairs.

By Mr. TALBOTT: A bill (H. R. 15572) granting an increase of pension to William D. Kimble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15573) for the relief of the heirs of Washington Dorney—to the Committee on War Claims.

By Mr. VANDIVER: A bill (H. R. 15574) granting a pension to Albert H. Hannaford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15575) granting an increase of pension to Jones Adler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15576) granting a pension to Francis M. Harris—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolution of the Dallas Freight Bureau, of Dallas, Tex., asking that additional powers be vested in the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. ALLEN: Petition of Horace J. Goodwin and 43 others, of South Berwick, Me., for legislation on parcels post and postal currency—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Berwick Woman's Club, of South Berwick, Me., relative to a constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. BEALL of Texas: Resolution of the Dallas Freight Bureau, of Dallas, Tex., relative to increasing the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. CALDWELL: Eighteen petitions of citizens of various towns of Illinois, relative to existing troubles between the miners and operators in Colorado—to the Committee on Military Affairs.

Also, petition of the Woman's Christian Temperance Union and Equal Suffrage Club, of Springfield, Ill., against the sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union and Equal Suffrage Club, of Springfield, Ill., for the passage of a bill to prevent nullification of State temperance laws—to the Committee on the Judiciary.

By Mr. CAPRON: Resolution of the board of managers of the Rhode Island College of Agriculture and Mechanic Arts, favoring an increased appropriation for experiment stations—to the Committee on Agriculture.

Also, resolution of the Chamber of Commerce of Providence, R. I., favoring increasing the pay of letter carriers to $1,200 per annum after four years—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Rhode Island Chapter of the American Institute of Architects, against the proposed location of the Department of Agriculture—to the Committee on Public Buildings and Grounds.

Also, resolution of Gas Workers' Union No. 10036, favoring the passage of the so-called "anti-injunction" and "eight-hour" bills—to the Committee on the Judiciary.

Also, petition of the Central Labor Union of Westerly, R. I., favoring passage of the anti-injunction and eight-hour bills—to the Committee on the Judiciary.

Also, resolution of Esek Hopkins Section, No. 23, Navy League of the United States, favoring the passage of the bill to establish a naval reserve—to the Committee on Naval Affairs.

By Mr. CASSEL: Petition of T. E. Ingram & Co., of Marietta, Pa., in favor of bill H. R. 9303—to the Committee on Ways and Means.

By Mr. DINSMORE: Papers to accompany bill to correct the military record of Orlando J. Rees—to the Committee on Military Affairs.

By Mr. DOVENER: Papers to accompany bill for the relief of Charles L. Barnes—to the Committee on Claims.

Also, papers to accompany bill for the relief of E. H. Hoult—to the Committee on Claims.

By Mr. ESCH: Resolution of the Millers' National Federation of the United States, favoring the passage of bill H. R. 6273—to the Committee on Interstate and Foreign Commerce.

Also, petition of Charles H. Ford Corps, No. 104, of Galesville, Wis., favoring passage of bill S. 2326—to the Committee on Pensions.

By Mr. GARDNER of Michigan (by request): Petition of residents of Climax, Mich., favoring good-roads legislation—to the Committee on Agriculture.

By Mr. GOLDFOGLE: Petition of the New York Board of Trade and Transportation, relative to an amendment to the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

By Mr. HARRISON: Petition of Caswell, Massey & Co., of New York, favoring the passage of bill H. R. 9303—to the Committee on Ways and Means.

Also, papers to accompany claim of Flora Yost Klinowski—to the Committee on Claims.

By Mr. JONES of Washington: Resolution of Mount Pleasant Grange, of Mount Pleasant, Wash., urging the passage of the Adams bill—to the Committee on Agriculture.

By Mr. KALANIANAOLE: Petition of the Builders and Traders' Exchange, of Honolulu, Hawaii, against allowing any other but American citizens to be employed directly or indirectly as contractors, etc., in Hawaii—to the Committee on the Territories.

By Mr. LIND: Resolution of Auburn Circle, No. 29, Ladies of the Grand Army of the Republic, of New Auburn, Minn., favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LINDSAY: Resolution of California State Federation of Labor, relative to the working of enlisted soldiers in competition with civilian mechanics, etc.—to the Committee on Military Affairs.

By Mr. LIVERNASH: Resolution of the California State Federation of Labor, relative to the working of enlisted soldiers in competition with civilian mechanics—to the Committee on Military Affairs.

By Mr. MADDOX: Papers to accompany claim of Jane S. White—to the Committee on War Claims.

By Mr. NORRIS: Papers to accompany bill for the relief of Ambrose L. Hunting—to the Committee on Military Affairs.

Also, papers to accompany bill H. R. 13541, granting an increase of pension to Ephraim E. Lake—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 13392, granting an increase of pension to Henry Simons—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 13393, granting a pension to Fergus P. McMillan—to the Committee on Invalid Pension.

Also, paper to accompany bill H. R. 14317, granting a pension to George C. Barthelmen—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 7468, granting a pension to J. A. Dudgeon—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Pennsylvania: Resolution of Gowen Circle, No. 120, Ladies of the Grand Army of the Republic, of Pottsville, Pa.; favoring passage of the service-pension bill—to the Committee on Invalid Pensions.

By Mr. RIDER: Resolution of the Albany Chamber of Commerce, relative to an Anglo-American treaty of arbitration between the United States and Great Britain—to the Committee on Foreign Affairs.

Also, petition of the builders and traders of Honolulu, Territory of Hawaii, relative to the dredging of Honolulu Harbor, etc.—to the Committee on Rivers and Harbors.

Also, papers to accompany bill to remove charge of desertion from record of Fred A. Deranthall—to the Committee on Military Affairs.

By Mr. RYAN: Resolution of the Millers' National Federation, favoring passage of bill H. R. 6273, to increase the powers of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Illinois: Petition of leading citizens of the States of Georgia, Arkansas, Tennessee, North Carolina, Alabama, California, Iowa, Louisiana, and Texas, favoring the passage of bill H. R. 2545—to the Committee on the Post-Office and Post-Roads.

By Mr. SULLIVAN of New York: Resolution of the Albany Chamber of Commerce, approving the general proposition for an Anglo-American treaty of arbitration between the United States and Great Britain—to the Committee on Foreign Affairs.

Also, petition of Brighton Heights Reformed Dutch Church, of New Brighton, N. Y., favoring a constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. SULZER: Resolution of the California State Federation of Labor, relative to the working of enlisted soldiers in competition with civilian mechanics, etc.—to the Committee on Military Affairs.

By Mr. VANDIVER: Papers to accompany bill granting increase of pension to Jones Adler—to the Committee on Invalid Pensions.

Also, paper to accompany bill granting increase of pension to Albert H. Hannaford—to the Committee on Invalid Pensions.

By Mr. WYNN: Resolution of the California State Federation of Labor, relative to the working of enlisted soldiers in competition with civilian mechanics—to the Committee on Military Affairs.

